

#### McGOEY, HAUSER and EDSALL CONSULTING ENGINEERS D.P.C.

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Principal Emeritus: RICHARD D. McGOEY, P.E. (NY & PA) WILLIAM J. HAUSER, P.E. (NY, NJ & PA)

#### TOWN OF NEWBURGH PLANNING BOARD TECHNICAL REVIEW COMMENTS

PROJECT:PET HOTEL AND DAYCARE (MIDDLEHOPE VET)PROJECT NO.:2012-19PROJECT LOCATION:SECTION 9, BLOCK 3, LOT 22.1 & 23 & 22.2REVIEW DATE:17 MAY 2017MEETING DATE:18 MAY 2017PROJECT REPRESENTATIVE:T.M. DEPUY ENGINEERING & LAND SURVEYING, P.C.

- 1. The SWPPP submitted is lacking the Stormwater modeling and calculations for sizing of the practices proposed.
- 2. The SWPPP should specifically address the management of pet waste from the site based on the proposed use.
- 3. The Planning Boards attention is called to a new addition to the plan identifying "area designated as future outdoor exercise area". This area should be detailed on the plans or be removed. Amendments to the site plan would be required upon construction of the area.
- 4. A fence has been added to the plans along the rear property line. Details of the fence should be provided. Currently a five ft. high chain link fence is identified which appears to be proposed for locating above the retaining wall structures.
- 5. Comments from the neighbor located east of the site have been received.
- 6. Upon acceptance of the SWPPP a Stormwater Facilities Maintenance Agreement must be filed by the Applicant.
- 7. Correspondence from NYSDOT regarding access drives and northerly parking areas should be received.
- 8. Notes restricting tree clearing to times of year to protect the endangered and threatened bat species should be added to the plans.

Regional Office • 111 Wheatfield Drive • Suite 1 • Milford, Pennsylvania 18337 • 570-296-2765 •

#### ACEC Member

Pet Hotel And Day Care Facility (12-19) Town of Newburgh

9. Information pertaining to the transportation corporation should be submitted to Mike Donnelly's office for review.

Respectfully submitted,

McGoey, Hauser and Edsall Consulting Engineers, D.P.C.

Patrick J. Hines Principal

PJH/kbw



= 9.8%	<u>2,730 SF</u> X 100 = 5.5% 49,956 SF
= 10.2%	$\frac{15,693 \text{ SF}}{49,956} \times 100 = 31.4\%$

UNIFIED SITE PLAN	V NOTE
THE OWNER SHALL PREPARE A <b>DECLARATION</b> , SA BOARD ATTORNEY, RESTRICTING THE USE OF TH PLAN APPROVAL TO OPERATION AS A SINGLE SI APPROVAL. THE DECLARATION SHALL ANNOUNC THE THREE PARCELS SHALL RESULT, WITHOUT FU REVOCATION OF THIS APPROVAL. THE DECLARA ENFORCEABLE BY THE TOWN AND THAT THE OBU LAND. THE DECLARATION SHALL BE RECORDED IN OFFICE BEFORE THE PLANS ARE SIGNED.	ATISFACTORY TO THE PLANNING WE LOTS COVERED BY THIS SITE WTE PURSUANT TO THIS SITE PLAN WE THAT CONVEYANCE OF ANY OF WRTHER ACTION, IN A WITON SHALL STATE THAT IT IS WIGATION SHALL RUN WITH THE WN THE ORANGE COUNTY CLERK'S

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	PROPERTY LINE	C
	ADJOINING LOT LINE	CI
	EASEMENT LINE	CI
	CONSERVATION EASEMENT LINE	C
	CONTOURS	C
	WATER EDGE OR STREAM	С
مەمە	GUIDE RAIL	D.
— x ——	FENCE LINE	El
000000	STONEWALL	FF
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	OVERHEAD UTILITY LINE	п
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С	UTILITY POLE	IN
	WELL	LF
8	WATERMAIN GATE VALE	LF
	RETAINING WALL (PROPOSED)	LS
$\rightarrow$ $\rightarrow$	DIVERSION SWALE	М
CD/S	SEPTIC CURTAIN DRAIN (PROPOSED)	N.
_€	DAYLITE OUTLET W/RODENT SCREEN	Pl
	ROOF/FOOTING DRAINS	R
<b>₽</b> - <i>рт</i> -#	PERC TEST LOCATION	W
	DEEP TEST LOCATION	
	SEPTIC TANK (PROPOSED)	
	DOSING TANK (PROPOSED)	
୧୭	SEWAGE PUMP STATION (PROPOSED)	

	CATCH BASIN
Р	PERF. SEPTIC CURTAIN DRAIN PIPE
S	SOLID SEPTIC CURTAIN DRAIN PIPE
	CENTERLINE
	CORRUGATED METAL PIPE
C.	CONCRETE
<b>)</b> .	DUCTILE IRON PIPE
/	ELEVATION
	FINISHED FLOOR ELEVATION
-	HIGH DENSITY POLYETH.PIPE
E	(SMOOTH INTERIOR)
	HIGH POINT
	INVERT
	LINEAR FOOT
	LOW POINT
	LOWEST SEWER ELEVATION (INV)
	MANHOLE
L.	NORMAL WATER LEVEL (SURFACE ELEV)
Ρ.	PROPOSED
	REINFORCED CONCRETE PIPE
	WATER LEVEL (SURFACE ELEV)

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No.	DWG	TITLE
1	SP1	ZONING DATA AND BOUNDAF
2	SP2	SITE PLAN
3	SP3	SEPTIC SYSTEM DETAILS 1
4	SP4	SEPTIC DETAILS 2
5	SP5	STORM UTILITY DETAILS
6	SP6	SITE DETAILS 1
7	SP7	SITE DETAILS 2
8	SP8	LANDSCAPE PLAN
9	SWPP1	SWPPP NOTES
10	SWPP2	SOIL EROSION AND SEDIMEN
11	SWPP3	GREEN INFRASTRUCTURE PL
12	SWPP4	GREEN INFRASTRUCTURE DE

1 OF 12













THIS DRAWING IS ONE IN A SET OF DRAWINGS & IS INCOMPLETE & INVALID WHEN IT IS SEPARATED FROM THIS SET.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DRAWING IS A VIOLATION OF SECTION 7209 (2) OF THE NY STATE EDUCATION LAW.

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			5/17 PLANNING BOARD SUBMISSION 3	9/17 NYSDEC SUBMITTAL	1/17 PLANNING BOARD SUBMISSION 2	TE DESCRIPTION	REVISIONS	
			: 5/5	1/15	3/2	). DAT		
		ENGINEERING & LAND SURVEYING, P.C.		PHONE: (845) 361–5421 FAX: (845) 361–5229				
				NY STATE ROUTE 9W	TOWN OF NEWBURGH	ORANGE COUNTY, NEW YORK		
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# STORMWATER POLLUTION

## I. FOR ALL CONSTRUCTION ACTIVITIES SUBJECT TO THIS GENERAL PERMIT (GP-0-15-002) EFFECTIVE: JANUARY 29,

## A. GENERAL

- 1. CONTRACTORS SHALL TAKE NOTICE THAT THE WATERS OF THE UNITED STATES ARE PROTECTED UNDER THE FEDERAL LAW KNOWN AS THE CLEAN WATER ACT ("CWA"). STORM WATER DISCHARGES FROM CONSTRUCTION ACTIVITIES TO THE WATERS OF THE UNITED STATES ARE UNLAWFUL, UNLESS AUTHORIZED BY A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM ("NPDES") PERMIT. THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION ("NYSDEC") ADMINISTERS THE STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM ("SPDES") PERMIT PROGRAM, IN CONFORMANCE WITH THE FEDERAL STORM WATER (NPDES) REGULATIONS.
- 2. OWNER OR OPERATOR MEANS THE PERSON, PERSONS OR LEGAL ENTITY WHICH OWNS OR LEASES THE PROPERTY ON WHICH THE CONSTRUCTION ACTIVITY IS OCCURRING: AND/OR AN ENTITY THAT HAS OPERATIONAL CONTROL OVER THE CONSTRUCTION PLANS AND SPECIFICATIONS, INCLUDING THE ABILITY TO MAKE MODIFICATIONS TO THE PLANS AND SPECIFICATIONS.
- 3. CONTRACTORS SHALL TAKE NOTICE THAT THE OWNER OR OPERATOR HAS FILED OR IS ABOUT TO FILE A NOTICE OF INTENT ("NOI") WITH THE NYSDEC, AND IS THE PERMITTEE REFERED TO HEREINAFTER. THIS "NOI" APPLICATION INCLUDES THE STORM WATER POLLUTION PREVENTION PLAN ("SWPPP") PREPARED FOR THIS SUBDIVISION, AND APPLIES TO THE PUBLIC IMPROVEMENTS INDICATED ON THE SUBDIVISION, AND CONTRACTOR SHALL SUBMITT A SEPARATE SOIL EROSION AND SEDIMENTATION CONTROL PLAN WITH EACH APPLICATION FOR A BUILDING PERMIT.
- 4. THE CONTRACTOR AND HIS/HER SUBCONTRACTORS ARE SUBJECT TO THE TERMS AND CONDITONS OF THE SPDES GENERAL PERMIT ISSUED TO THE **PERMITTEE** FOR THE CONSTRUCTION OF THIS RESIDENTIAL SUBDIVISION. WITHOUT LIMITING THE FOREGOING, THE SWPPP PROVIDES THE DETAILED INFORMATION FOR COMPLIANCE.
- PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITY, THE PERMITTEE MUST IDENTIFY THE CONTRACTOR(S) AND SUBCONTRACTOR(S) THAT WILL BE RESPONSIBLE FOR INSTALLING, CONSTRUCTING, REPAIRING, INSPECTING AND MAINTAINING THE EROSION AND SEDIMENT CONTROL PRACTICES INCLUDED IN THE SWPPP, AND THE CONTRACTOR(S) AND SUBCONTRACTOR(S) THAT WILL BE RESPONSIBLE FOR THE CONSTRUCTION OF ALL THE POST-CONSTRUCTIÓN MANAGEMENT PRACTICES INCLUDED IN THE SWPPP. PERMITTEE SHALL HAVE EACH OF THESE CONTRACTORS AND SUBCONTRACTORS IDENTIFY AT LEAST ONE TRAINED INDIVIDUAL FROM THE COMPANY THAT WILL BE RESPONSIBLE FOR IMPLEMENTATION OF THE SWPPP. THE **PERMITTEE** SHALL ENSURE THAT AT LEAST ONE TRAINED INDIVIDUAL IS ON SITE ON A DAILY BASIS WHEN SOIL DISTURBANCE ACTIVITIES ARE BEING PERFORMED.

## **B. PROJECT DESCRIPTION**

- 1. THE PURPOSE OF THIS PROJECT IS TO CONSTRUCT AN ADDITION TO THE EXISTING PET HOTEL AND DAYCARE BUILDING, INCREASING THE NUMBER OF POTENTIAL BOARDERS. INCLUDED WITH THE BUILDING ADDITION IS A REVISED PARKING LOT AND ACCESS DRIVE, NEW SEPTIC DISPOSAL SYSTEM AND STORMWATER MANAGEMENT FEATURES.
- CONTRACTORS SHALL TAKE NOTE THAT AS A CONTINUOUSLY OPERATING PET BOARDING FACILITY AND VETERINARY CLINIC, SPECIAL ATTENTION SHALL BE GIVEN TO ANY CONSTRUCTION ACTIVITY AND/OR INSTALLATION OF SOIL EROSION AND SEDIMENT CONTROL MEASURES SO AS TO PROTECT THE SAFE ACCESS ROUTES FOR THE GENERAL PUBLIC TO THESE LOCATIONS.

## C. SITE DESCRIPTION

- . THE SITE COVERS THREE SEPARATE PARCELS UNDER THE SAME OWNERSHIP. THESE PARCELS HAVE BEEN PREVIOUSLY IMPROVED WITH BUILDINGS, PARKING AREAS AND UNDERGROUND UTILITIES.
- 2. SOILS LOCATED IN THE FRONT PORTION OF THE SITE TEND TO BE SILT LOAMS WITH A "D" HYDROLOGIC CLASSIFICATION. SOIL NEAR THE REAR PROPERTY LINE ARE MORE GRAVELLY AND HAVE AN "A" CLASSIFICATION.

## D. RESPONSIBILITY AND IMPLEMENTATION OF THE STORMWATER POLLUTION PREVENTION PLAN.

- THE OPERATOR IS THE PERMITTEE PURSUANT TO THE NEW YORK STATE SPDES PERMIT COVERING THE WORK. THE CONTRACTOR, AND HIS/HER SUBCONTRACTORS, IS THE OPERATOR OF ANY EROSION CONTROL PRACTICE INSTALLED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS, OR AS DIRECTED.
- UPON COMPLETION OF THE WORK AND ACCEPTANCE OF THE STORMWATER POLLUTION PREVENTION SYSTEM CONSTRUCTED IN ACCORDANCE WITH THESE PLANS, THE TOWN OF NEWBURGH WILL BE RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF SAID SYSTEM IN ACCORDANCE WITH THE CONDITIONS OF SAID "SPDES" PERMIT.

## E. CONSTRUCTION SEQUENCE

- . INSTALL SILT FENCE, STRAW BALE DIKES AND OTHER EROSION CONTROL FEATURES AROUND PERIMETER OF AREAS TO BE DISTURBED. INSTALL CONSTRUCTION BARRICADE FENCE AROUND TREE TO BE SAVED AND TO SEPARATE CONSTRUCTION AREA FROM PERSONS USING THE EXISTING FACILITIES.
- 2. PROVIDE SOLID WASTE CONTAINERS (eg: DUMPSTERS, TRASH BINS, GARBAGE CANS) FOR DISPOSAL OF ANCILLARY CONSTRUCTION DEBRIS, TRASH AND GARBAGE.
- REMOVE SILT FENCE, STRAW BALE DIKES, STABILIZED CONSTRUCTION ENTRANCES AND OTHER TEMPORARY EROSION CONTROL FEATURES WHEN PERMANENT VEGETATIVE COVER HAS ESTABLISHED ON EXPOSED EARTH SURFACES, AND RISK OF SOIL EROSION IS LOW.

## F. POLLUTION PREVENTION MEASURES

- THE CONTRACTOR SHALL PROVIDE DUST CONTROL, AS REQUIRED, ON A REGULAR BASIS TO ELIMINATE THE MIGRATION OF AIRBORNE SOIL PARTICLES. DUST CONTROL IS TO BE ACHIEVED BY SPRINKLING WITH WATER.
- 2. THE CONTRACTOR SHALL PROVIDE LITTER CONTROL WITH THE USE OF COVERED TRASH RECEPTACLES, AND THE REGULAR CLEAN UP OF WASTE PAPER, WRAPPERS, CONTAINERS, PACKAGING AND SIMILAR TRASH GENERATED BY THE WORK AND WORKERS.
- 3. ALL OILS, GREASE, SOLVENTS AND OTHER FLUIDS NECESSARY FOR THE MAINTENANCE AND OPERATION OF EQUIPMENT USED FOR THE WORK ARE TO BE HANDLED PROPERLY, CONTAINED AND COLLECTED FOR USE OR DISPOSAL AT THE APPROPRIATE RECYCLING CENTER OR COLLECTION SITE.
- 4. DEBRIS AND TRASH FROM CONSTRUCTION ACTIVITY SHALL BE COLLECTED BY THE CONTRACTOR ON A DAILY BASIS. THIS WASTE MATERIAL IS TO BE STORED IN CLOSED CONTAINERS AND ULTIMATELY REMOVED FROM THE SITE AND DISPOSED OF AT AN APPROVED DISPOSAL SITE. NO ON SITE BURIAL OF TRASH IS PERMITTED.

## G. CONSTRUCTION WASTE MATERIAL

. DEBRIS AND TRASH FROM CONSTRUCTION ACTIVITY SHALL BE COLLECTED BY THE CONTRACTOR ON A DAILY BASIS. THIS WASTE MATERIAL IS TO BE STORED IN CLOSED CONTAINERS (SEE E (5) ABOVE) AND ULTIMATELY REMOVED FROM THE SITE AND DISPOSED OF AT AN APPROVED DISPOSAL SITE. NO ON SITE BURIAL OF TRASH IS PERMITTED.

## H. STRUCTURAL AND VEGETATIVE MEASURES FOR SOIL STABILIZATION, RUNOFF CONTROL AND SEDIMENT CONTROL

- 1. TEMPORARY CONTROLS A) DURING CLEARING OPERATIONS, WOOD CHIPS FROM GROUND UP BRANCHES AND SMALL TREES MAY BE SPREAD OVER HAUL ROADS TO MINIMIZE SOIL EROSION. B) INSTALL SEDIMENT BARRIER (SILT) FENCE PRIOR TO ANY EXCAVATION WORK (INCLUDING
- STUMP REMOVAL). C) INSTALL STABILIZED ROCK CONSTRUCTION ENTRANCE PRIOR TO CONSTRUCTION TRAFFIC ENTERING AND LEAVING SITE. D) CONSTRUCT TEMPORARY DIVERSION SWALES AT ANY POINT WHERE SURFACE WATER CAN BE DIRECTED AWAY FROM DISTURBED SURFACES. IF A SURFACE WATER ROUTE
- CROSSES A DISTURBED AREA, PROVIDE A RIP-RAP CHANNEL AS SOON AS POSSIBLE AFTER THE CONSTRUCTION HAS PROGRESSED BEYOND THE WATER ROUTE. E) PICK UP TRASH AND LIGHTWEIGHT RUBBISH THAT MAY BE SWEPT AWAY BY WIND. F) FILL OR GRADE VEHICLE TRACKS TO AVOID EROSION.
- 2. PERMANENT CONTROLS A) SEED AND MULCH EXPOSED EARTH AREAS TO ESTABLISH PERMANENT VEGETATIVE COVER AS SOON AS PRACTICAL AFTER FINAL GRADING. MULCH SHALL FOLLOW SEEDING BY NO MORE THAN 24 HOURS.
- 3. TEMPORARY CONTROLS THAT ARE TO BE CONVERTED TO PERMANENT STORMWATER MANAGEMENT FACILITIES
- A) RIP-RAP OUTLET PROTECTION AND STONE LINED SWALES USED FOR SEDIMENT CONTROL SHALL BE RETAINED AS PERMANENT.
- 4. IMPLEMENTATION SCHEDULE OF EROSION AND SEDIMENT CONTROLS
- A) SEDIMENT BARRIER (SILT) FENCE SHALL BE INSTALLED PRIOR TO ANY SITE DISTURBANCE. B) STABILIZED ROCK CONSTRUCTION ENTRANCE SHALL BE INSTALLED PRIOR TO HEAVY
- TRUCK TRAFFIC ENTERING OR LEAVING THE SITE. C) TEMPORARY DIVERSION SWALES SHALL BE INSTALLED AS THE WORK PROCEEDS
- ACROSS THE PROJECT AREA. D) STRAW BALE DIKES SHALL BE PLACED WHERE NEEDED IN CONJUNCTION WITH TEMPORARY
- SWALES AND WATER BARS, AS THE WORK PROCEEDS ACROSS THE PROJECT AREA. E) DUST CONTROL SHALL BE CONDUCTED DURING DRY WEATHER AS NEEDED OR DIRECTED.

- 5. MAINTENANCE SCHEDULE FOR EROSION AND SEDIMENT CONTROLS
- A) SEDIMENT BARRIER (SILT) FENCE: MAINTAIN PER DETAIL B) STABILIZED ROCK CONSTRUCTION ENTRANCE SHALL BE MAINTAINED IN THAT PREVENTS TRAFFIC FROM TRACKING SEDIMENT ONTO PUBLIC ROAL INSPECT AFTER EACH RAIN AND PERIODICALLY REDRESS THE TOP AGG MAINTAIN EFFECTIVENESS.
- C) STRAW BALE DIKES REQUIRE FREQUENT INSPECTION AFTER EACH RAIN, BE REMOVED AND REPLACED WHEN THEY HAVE SERVED THEIR USEFUL D) TEMPORARY SWALES SHALL BE INSPECTED AFTER EACH RAIN. REPAIR DAMAGE AND REMOVE ANY ACCUMULATION OF SEDIMENT IN SWALE OR
- . DRAINAGE CHARACTERISTICS AND CONTROL

AREA TO RESTORE OPERATION.

- THE WORK AREA IS TRIBUTARY TO THE STATE HIGHWAY AND/OR THE STREAM CROSSING THE SITE ON THE NORTHERLY SIDE.
- DISTURBED, UNPROTECTED SOILS WILL TEND TO MIGRATE WITH RUNOF RISK CONTAMINATING SAID UNNAMED STEAM. MAINTAINING COVER OVER SOILS SIGNIFICANTLY REDUCES THIS UNDESIRABLE MIGRATION.
- SURFACE RUNOFF WATER THAT IS RELATIVELY CLEAN AND SEDIMENT SHALL BE DIVERTED FROM THE WORK WHENEVER POSSIBLE.

## II FOR CONSTRUCTION ACTIVITIES WITH WATER ( WATER QUANTITY CONTROLS

- A. POST CONSTRUCTION STORMWATER CONTROLS: POST CONSTRUCTION STORMWATER CONTROLS INCLUDE THE MAINTENAN PROPOSED RAIN GARDENS, STONE INFILTRATION TRENCH AND STORMWA REFER TO THE GREEN INFRASTRUCTURE PLAN AND DETAILS FOR THE CONSTRUCTION OF THESE STORMWATER CONTROLS.
- B. DRAINAGE REPORT (SEE SEPARATE DOCUMENTS):
- REFER TO SEPARATE REPORTS HEREBY MADE PART OF THIS SWPP PLA C. MAINTENANCE SCHEDULE FOR POST-CONSTRUCTION WATER CONTROL PRACTICES:
- STORMWATER CONTROL DEVICES INCLUDING CATCH BASINS AND PONDS INSPECTED AND CLEANED WHEN SEDIMENT ACCUMULATIONS REACH 1/2 DEPTH OF THE STRUCTURE. REMOVED SEDIMENT SHALL BE DEPOSITED LOCATION AND MANNER THAT IT WILL NOT ERODE.
- D. SITE ASSESSMENT AND INSPECTIONS:
- 1. THE OPERATOR SHALL HAVE A QUALIFIED PROFESSIONAL CONDUCT AN THE SITE PRIOR TO THE COMMENCEMENT OF CONSTRUCTION AND CERT INSPECTION REPORT THAT THE APPROPRIATE EROSION AND SEDIMENT DESCRIBED IN (\*). THE SWPPP OF THIS PERMIT HAVE BEEN ADEQUATE IMPLEMENTED TO INSURE OVERALL PREPAREDNESS OF THE SITE FOR OF CONSTRUCTION. FOLLOWING THE COMMENCEMENT OF CONSTRUCTION SHALL BE CONDUCTED BY THE QUALIFIED PROFESSIONAL AT LEAST EVE DAYS AND WITHIN 24 HOURS OF THE END OF A STORM EVENT OF 0.5 GREATER. DURING EACH INSPECTION, THE QUALIFIED PROFESSIONAL SH FOLLOWING INFORMATION:
- a) ON A SITE MAP, INDICATE THE EXTENT OF ALL DISTURBED SITE ARE PATHWAYS. INDICATE SITE AREAS THAT ARE EXPECTED TO UNDERGO DISTURBANCE OR SIGNIFICANT SITE WORK WITHIN THE NEXT 14-DAY
- b) INDICATE ON A SITE MAP ALL AREAS OF THE SITE THAT HAVE UNDE OR PERMANENT STABILIZATION:
- c) INDICATE ALL DISTURBED SITE AREAS THAT HAVE NOT UNDERGONE DURING THE PREVIOUS 14-DAY PERIOD;
- d) INSPECT ALL SEDIMENT CONTROL PRACTICES AND RECORD THE APPL OF SEDIMENT ACCUMULATION AS A PERCENTAGE OF THE SEDIMENT (FOR EXAMPLE, 10 PERCENT, 20 PERCENT, 50 PERCENT);
- e) INSPECT ALL EROSION AND SEDIMENT CONTROL PRACTICES AND REC MAINTENANCE REQUIREMENTS SUCH AS VERIFYING THE INTEGRITY OF DIVERSION SYSTEMS (EARTHEN BERMS OR SILT FENCING) AND CONTA (SEDIMENT BASINS AND SEDIMENT TRAPS).
- f) IDENTIFY ANY EVIDENCE OR RILL OR GULLY EROSION OCCURRING ON ANY LOSS OF STABILIZING VEGETATION OR SEEDING/MULCHING. HAS BEEN REDUCED BY FIFTY (50) PERCENT FROM THE DESIGN CAP
- g) DOCUMENT ANY EXCESSIVE DEPOSITION OF SEDIMENT OR PONDING BARRIER OR DIVERSION SYSTEMS.
- h) RECORD THE DEPTH OF SEDIMENT WITHIN CONTAINMENT STRUCTURE NEAR OUTLET AND OVERFLOW STRUCTURES, AND VERIFY THE ABILITY AROUND PERFORATED RISER PIPES TO PASS WATER:
- i) ALL DEFICIENCIES THAT ARE IDENTIFIED WITH THE IMPLEMENTATION
- 2. THE OPERATOR SHALL MAINTAIN A RECORD OF ALL INSPECTION REPOR BOOK. THE SITE LO BOOK SHALL BE MAINTAINED ON SITE AND BE M THE PERMITTING AUTHORITY UPON REQUEST. PRIOR TO THE COMMENC CONSTRUCTION (1) THE OPERATOR SHALL CERTIFY IN THE SITE LOG B SWPPP, PREPARED IN ACCORDANCE WITH THIS PERMIT, MEETS ALL FEL LOCAL EROSION AND SEDIMENT CONTROL REQUIREMENTS. THE OPERAT AT THE SITE, IN A PUBLICLY-ACCESSIBLE LOCATION, A SUMMARY OF ACTIVITIES ON A MONTHLY BASIS.
- 3. PRIOR TO FILING OF THE NOTICE OF TERMINATION (NOT) OR THE END TERM, THE OPERATOR SHALL HAVE THE QUALIFIED PROFESSIONAL PER SITE INSPECTION. THE QUALIFIED PROFESSIONAL SHALL CERTIFY THAT UNDERGONE FINAL STABILIZATION (2) USING EITHER VEGETATIVE OR ST STABILIZATION METHODS AND THAT ALL TEMPORARY EROSION AND SEDI EROSION CONTROL HAVE BEEN REMOVED (SUCH AS STILT FENCING) N LONG-TERM VED.
- 4. THE OPERATOR SHALL CERTIFY THAT THE REQUIREMENTS OF THIS PER SATISFIED WITHIN 48 HOURS OF ACTUALLY MEETING SUCH REQUIREMEN

## 

- 1. THE OPERATOR SHALL INITIATE STABILIZATION MEASURES AS SOON AS PORTIONS OF THE SITE WHERE SOIL DISTURBANCE ACTIVITIES HAVE TE PERMANENTLY CEASED, BUT IN NO CASE MORE THAN 7 DAYS AFTER DISTURBANCE ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORAR PERMANENTLY CEASED.
- 2. TEMPORARY STABILIZATION MEANS THAT EXPOSED SOIL HAS BEEN COV MATERIAL(S) SET FORTH IN THE TECHNICAL STANDARD, TO PREVENT S ERODING. 3. FINAL STABILIZATION MEANS THAT ALL SOIL DISTURBANCE ACTIVITIES H.
- A UNIFORM PERENNIAL VEGETATIVE COVER WITH A STEM DENSITY OF PERCENT OVER THE ENTIRE PERVIOUS SURFACE HAS BEEN ESTABLISH EQUIVALENT STABILIZATION MEASURES. SUCH AS PERMANENT LANDSCAL ROCK RIP-RAP OR WASHED/CRUSHED STONE HAVE BEEN APPLIED ON AREAS THAT ARE NOT COVERED BY PERMANENT STRUCTURES, CONCRE PAVEMENT.

## F. MAINTENANCE

SEDIMENT SHALL BE REMOVED FROM SEDIMENT TRAPS OR SEDIMENT WHENEVER THEIR CAPACITY HAS BEEN REDUCED BY FIFTY (50) PERCA DESIGN CAPACITY.

# PREVENTION

# PLAN

2015 EXPIRES: JANUA	RY 28, 2020	
	IV RECORDS, REPORTING & RETENTION OF RECORDS	I. PROPERTY RIGHTS - THE ISSUANCE OF THIS PERMIT
A CONDITION ADWAYS. GREGATE TO	<b>A. RECORD RETENTION</b> – THE OWNER OR OPERATOR SHALL RETAIN A COPY OF THE NOI, NOI ACKNOWLEDGMENT LETTER, SWPPP, MS4 SWPPP ACCEPTANCE FORM AND ANY INSPECTION REPORTS THAT WERE PREPARED IN CONJUNCTION WITH THIS PERMIT FOR A PERIOD OF AT LEAST FIVE (5) YEARS FROM THE DATE THAT THE SITE ACHIEVES FINAL STABILIZATION. THIS PERIOD MAY BE EXTENDED BY THE DEPARTMENT, IN ITS SOLE DISCRETION, AT ANY TIME UPON WRITTEN NOTIFICATION.	ANY PROPERTY RIGHTS OF ANY SORT, NOR ANY EXCLUS DOES IT AUTHORIZE ANY INJURY TO PRIVATE PROPERTY OF PERSONAL RIGHTS, NOR ANY INFRINGEMENT OF FEDE LAWS OR REGULATIONS. OWNERS OR OPERATORS MUST APPLICABLE CONVEYANCES, EASEMENTS, LICENSES AND/ PROPERTY PRIOR TO COMMENCING CONSTRUCTION ACTIV
I, AND SHALL LNESS. ANY EROSION R IN OUTLET	<u>B. ADDRESSES</u> — WITH THE EXCEPTION OF THE NOI, NOT, AND MS4 SWPPP ACCEPTANCE FORM (WHICH MUST BE SUBMITTED TO THE ADDRESS REFERENCED IN PART II.A.1), ALL WRITTEN CORRESPONDENCE REQUESTED BY THE DEPARTMENT, INCLUDING INDIVIDUAL PERMIT APPLICATIONS, SHALL BE SENT TO THE ADDRESS OF THE APPROPRIATE DEPARTMENT REGIONAL OFFICE LISTED	J. SEVERABILITY — THE PROVISIONS OF THIS PERMIT AR ANY PROVISION OF THIS PERMIT, OR THE APPLICATION OF THIS PERMIT TO ANY CIRCUMSTANCE, IS HELD INVALID, T SUCH PROVISION TO OTHER CIRCUMSTANCES, AND THE PERMIT SHALL NOT BE AFFECTED THEREBY.
	NYS DEPT. OF ENVIRONMENTAL CONSERVATION DIVISION OF ENVIRONMENTAL PERMITS	K. DENIAL OF COVERAGE UNDER THIS PERMIT
UNNAMED	21 SOUTH PUTTS CORNERS ROAD NEW PALTZ, NY 12561–1696 TOWAL OF WALLKUL	OPERATOR AUTHORIZED BY THIS PERMIT TO APPLY FOR EITHER AN INDIVIDUAL SPDES PERMIT OR ANOTHER SPDE WHEN THE DEPARTMENT REQUIRES ANY DISCHARGER AUT
FF WATER AND ER THESE BARE	99 TOWER DRIVE BUILDING A MIDDLETOWN, NY 10941	GENERAL PERMIT TO APPLY FOR AN INDIVIDUAL SPDES IN NOTIFY THE DISCHARGER IN WRITING THAT A PERMIT APP THIS NOTICE SHALL INCLUDE A BRIEF STATEMENT OF TH
FREE AND	VII STANDARD PERMIT CONDITIONS	DECISION, AN APPLICATION FORM, A STATEMENT SETTING THE OWNER OR OPERATOR TO FILE THE APPLICATION FO SPDES PERMIT, AND A DEADLINE, NOT SOONER THAN 18
	(DEPARTMENT: NYS DEPT. OF ENVIRONMENTAL CONSERVATION)	OR OPERATOR RECEIPT OF THE NOTIFICATION LETTER, WA AUTHORIZATION TO DISCHARGE UNDER THIS GENERAL PE TERMINATED. APPLICATIONS MUST BE SUBMITTED TO THE
QUALITY &	A. <u>DUTY TO COMPLY:</u> THE OPERATOR MUST COMPLY WITH ALL CONDITIONS OF THIS PERMIT.ALL CONTRACTORS AND SUBCONTRACTORS ASSOCIATED WITH THE PROJECT MUST COMPLY WITH THE TERMS OF THE SWPPP. ANY PERMIT NONCOMPLIANCE CONSTITUTES A VIOLATION OF THE CLEAN WATER ACT (CWA) AND THE ENVIRONMENTAL CONSERVATION LAW, AND IS GROUNDS FOR AN ENFORCEMENT ACTION AGAINST THE OWNER OF OPERATOR AND OF THE CONTRACTOR (SUBCONTRACTOR) PERMIT	REGIONAL OFFICE. THE DEPARTMENT MAY GRANT ADDITIO DEMONSTRATION, TO THE SATISFACTION OF THE REGIONA THAT ADDITIONAL TIME TO APPLY FOR AN ALTERNATIVE A NECESSARY OR WHERE THE DEPARTMENT HAS NOT PROV DETERMINATION IN ACCORDANCE WITH PART 621 OF THIS
ICE OF THE ATER POND.	REVOCATION OR MODIFICATION; OR DENIAL OF A PERMIT RENEWAL APPLICATION. UPON A FINDING OF SIGNIFICANT NON-COMPLIANCE WITH THIS PERMIT OR THE APPLICABLE SWPPP, THE DEPARTMENT MAY ORDER AN IMMEDIATE STOP TO ALL	2. ANY OWNER OR OPERATOR AUTHORIZED BY THIS PER BE EXCLUDED FROM THE COVERAGE UNDER THIS PERMI AN INDIVIDUAL PERMIT OR ANOTHER GENERAL PERMIT. II
LOCATIONS AND	CONSTRUCTION ACTIVITY AT THE SITE UNTIL THE NON-COMPLIANCE IS REMEDIED. THE STOP WORK ORDER SHALL BE IN WRITING, SHALL DESCRIBE THE NON- COMPLIANCE IN DETAIL, AND SHALL BE SENT TO THE OWNER OR OPERATOR OR THE OWNER'S OR OPERATOR'S ON-SITE REPRESENTATIVE.	OWNER OR OPERATOR SHALL SUBMIT AN INDIVIDUAL APP ALTERNATIVE GENERAL PERMIT APPLICATION IN ACCORDAN REQUIREMENTS OF THIS GENERAL PERMIT, 40 CFR 122 NYCRR PART 621, WITH REASONS SUPPORTING THE REQ DEPARTMENT AT THE ADDRESS FOR THE APPROPRIATE D
AN:	B. <u>CONTINUATION OF THE EXPIRED GENERAL PERMIT:</u> THIS PERMIT EXPIRES TWO (2) YEARS FROM EFFECTIVE DATE. HOWEVER, COVERAGE MAY BE OBTAINED UNDER THE EXPIRED GENERAL PERMIT, WHICH WILL CONTINUE IN FORCE AND EFFECT, UNTIL A NEW OFFECT, UNTIL A	(SEE ADDRESSES IN APPENDIX F).THE REQUEST MAY BE ISSUANCE OF AN INDIVIDUAL PERMIT OR ANOTHER GENER DISCRETION OF THE DEPARTMENT.
STORM	NEW GENERAL PERMIT IS ISSUED. AFTER ISSUANCE OF A NEW GENERAL PERMIT, THOSE WITH COVERAGE UNDER GP-0-10-001 WILL HAVE SIX (6) MONTHS FROM THE EFFECTIVE DATE OF THE NEW GENERAL PERMIT TO COMPLETE THEIR PROJECT OR OBTAIN COVERAGE UNDER THE NEW PERMIT. UNLESS OTHERWISE NOTIFIED BY THE DEPARTMENT IN WRITING, AN OWNER OPERATOR AUTHORIZATION UNDER THE	3. WHEN AN INDIVIDUAL SPDES PERMIT IS ISSUED TO A AUTHORIZED TO DISCHARGE UNDER A GENERAL SPDES A DISCHARGE(S), THE GENERAL PERMIT AUTHORIZATION FOU AUTHORIZED UNDER THE INDIVIDUAL SPDES PERMIT IS A
S SHALL BE 2 THE DESIGN 1 IN SUCH A	NEW GENERAL PERMIT MUST SUBMIT A NEW NOI (NOTICE OF INTENT) IN ACCORDANCE WITH THE TERMS OF SUCH NEW GENERAL PERMIT. C. E <u>NFORCEMENT</u> : FAILURE OR THE OWNER OR OPERATOR, ITS CONTRACTORS, SUBCONTRACTORS, AGENTS AND/OR ASSIGNS TO STRICTLY ADHERE TO ANY OF THE PERMIT REQUIREMENTS CONTAINED HEREIN SHALL CONSTITUTE A PERMIT VIOLATION	TERMINATED ON THE EFFECTIVE DATE OF THE INDIVIDUAL TERMINATION IS EARLIER IN ACCORDANCE WITH 6 NYCRR
ASSESSMENT OF	THERE ARE SUBSTANTIAL CRIMINAL, CIVIL, AND ADMINISTRATIVE PENALTIES ASSOCIATED WITH VIOLATING THE PROVISIONS OF THIS PERMIT. FINES OF UP TO \$37,500 PER DAY FOR EACH VIOLATION AND IMPRISONMENT FOR UP TO FIFTEEN	L. PROPER OPERATION AND MAINTENANCE - THE OWNER AT ALL TIMES PROPERLY OPERATE AND MAINTAIN ALL FA
ASSESSMENT OF TIFY IN AN CONTROLS ELY INSTALLED OR THE COMMENCEMENT	(15) YEARS MAY BE ASSESSED DEPENDING UPON THE NATURE AND DEGREE OF THE OFFENCE. D NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENCE: IT SHALL NOT BE A DEFENSE	OF TREATMENT AND CONTROL (AND RELATED APPURTENA INSTALLED OR USED BY THE OWNER OR OPERATOR TO A COMPLIANCE WITH THE CONDITIONS OF THIS PERMIT AND REQUIREMENTS OF THE SWPPP.
N, SITE INSPECTIONS ERY 7 CALENDAR 5 INCHES OR IALL RECORD THE	FOR AN OWNER OR OPERATOR IN AN ENFORCEMENT ACTION THAT IT WOULD HAVE BEEN NECESSARY TO HALT OR REDUCE THE CONSTRUCTION ACTIVITY IN ORDER TO MAINTAIN COMPLIANCE WITH THE CONDITIONS OF THIS PERMIT. E. DUTY TO MITIGATE: THE OWNER OR OPERATOR AND ITS CONTRACTORS AND	<u>M. INSPECTION AND ENTRY</u> — THE OWNER OR OPERATOR DEPARTMENT OR AN AUTHORIZED REPRESENTATIVE OF EF THE CASE OF A CONSTRUCTION SITE WHICH DISCHARGES AN AUTHORIZED REPRESENTATIVE OF THE MS4 RECEIVING UPON THE PRESENTATION OF CREDENTIALS AND OTHER D
EAS AND DRAINAGE	SUBCONTRACTORS SHALL TAKE ALL REASONABLE STEPS TO MINIMIZE OR PREVENT ANY DISCHARGE IN VIOLATION OF THIS PERMIT WHICH HAS A REASONABLE LIKELIHOOD OF ADVERSELY AFFECTING HUMAN HEALTH OR THE ENVIRONMENT.	BE REQUIRED BY LAW, TO: 29 (PART VII. M) 1. ENTER UPON THE OWNER'S OR OPERATOR'S PRI
PERIOD; ERGONE TEMPORARY	F. <u>DUTY TO PROVIDE INFORMATION:</u> THE OWNER OR OPERATOR SHALL MAKE AVAILABLE TO THE DEPARTMENT FOR INSPECTION AND COPYING OR FURNISH TO THE DEPARTMENT WITHIN FIVE (5) BUSINESS DAYS OF	2. HAVE ACCESS TO AND COPY AT REASONABLE TH
ACTIVE SITE WORK	RECEIPT OF A DEPARTMENT REQUEST FOR SUCH INFORMATION, ANT INFORMATION REQUESTED FOR THE PURPOSE OF DETERMINING COMPLIANCE WITH THIS GENERAL PERMIT. THIS CAN INCLUDE, BUT IS NOT LIMITED TO, THE NOI, NOI ACKNOWLEDGMENT LETTER, SWPPP, MS4 SWPPP ACCEPTANCE FORM EXECUTED MAINTENANCE ACREEMENT	THAT MUST BE KEPT UNDER THE CONDITIONS OF TH 3. INSPECT AT REASONABLE TIMES ANY FACILITIES (INCLUDING MONITORING AND CONTROL EQUIPMENT).
PROXIMATE DEGREE STORAGE VOLUME	INSPECTION REPORTS. FAILURE TO PROVIDE INFORMATION REQUESTED BY THE DEPARTMENT SHALL BE A VIOLATION OF THIS PERMIT. G. <u>OTHER INFORMATION:</u> WHEN THE OWNER OR OPERATOR BECOMES AWARE THAT THEY FAILED TO SUBMIT ANY RELEVANT FACTS, OR SUBMITTED	<u>N. PERMIT ACTIONS</u> AT THE DEPARTMENT'S SOLE DISC MAY, AT ANY TIME, BE MODIFIED, SUSPENDED, REVOKED, FILING OF A REQUEST BY THE OWNER OR OPERATOR FO
CORD ALL BARRIER OR TAINMENT SYSTEMS	INCORRECT INFORMATION IN THE NOI OR IN ANY OTHER REPORT, OR HAVE MADE SUBSTANTIVE REVISIONS TO THE SWPPP (e.g. THE SCOPE OF THE PROJECT CHANGES SIGNIFICANTLY, THE POST—CONSTRUCTION STORMWATER MANAGEMENT PRACTICE(S) CHANGE, THERE IS A REDUCTION IN THE SIZING OF THE POST—CONSTRUCTION STORMWATER MANAGEMENT PRACTICE, THERE	DEFINITION, REVOCATION AND REISSUANCE, TERMINATION PLANNED CHANGES OR ANTICIPATED NONCOMPLIANCE DO AND/OR STAY COMPLIANCE WITH ANY TERMS OF THIS PL O. DEFINITIONS – DEFINITIONS OF KEY TERMS ARE INCLU
N SLOPES AND	IS AN INCREASE IN THE DISTURBANCE AREA OR IMPERVIOUS AREA) WHICH WERE NOT REFLECTED IN THE ORIGINAL NOI SUBMITTED TO THE DEPARTMENT, THEY SHALL PROMPTLY SUBMIT SUCH FACTS OF INFORMATION. FAILURE TO THE OWNER OR OPERATOR TO CORRECT OR SUPPLEMENT ANY RELEVANT FACTS WITHIN FIVE (5) BUSINESS DAYS OF	OF THIS PERMIT. P. RE-OPENER CLAUSE 1. IF THERE IS EVIDENCE INDICATING POTENTIAL OF WATER QUALITY DUE TO ANY STORMWATER DISCHARGE AS
WATER ALONG	BECOMING AWARE OF THE DEFICIENCY SHALL CONSTITUTE A PERMIT VIOLATION. H. SIGNATORY REQUIREMENTS:	CONSTRUCTION ACTIVITY COVERED BY THIS PERMIT, THE OF SUCH DISCHARGE MAY BE REQUIRED TO OBTAIN AN ALTERNATIVE GENERAL PERMIT IN ACCORDANCE WITH PAR PERMIT OR THE PERMIT MAY BE MODIFIED TO INCLUDE I AND OR REQUIREMENTS
Y OF ROCK FILTERS	1. ALL NOIS AND NOTS SHALL BE SIGNED AS FOLLOWS: A. FOR A CORPORATION THESE FORMS SHALL BE SIGNED BY A RESPONSIBLE CORPORATE OFFICER. FOR THE PURPOSE OF THIS SECTION,	2. PERMIT MODIFICATION, SUSPENSION OR REVOCAT CONDUCTED IN ACCORDANCE WITH 6 NYCRR PART 621,
OF THE SWPPP. RTS IN A SITE LOG	A RESPONSIBLE CORPORATE OFFICER MEANS: I. A PRESIDENT, SECRETARY, TREASURER, OR VICE-PRESIDENT OF THE	Q. PENALTIES FOR FALSIFICATION OF FORMS AND REPOR
MADE AVAILABLE TO CEMENT OF POOK THAT THE DERAL, STATE AND	ANY OTHER PERSON WHO PERFORMS SIMILAR POLICY OR DECISION- MAKING FUNCTIONS FOR THE CORPORATION; OR	OF THIS PERMIT. ARTICLES 175 AND 211 OF THE NEW LAW PROVIDE FOR A CRIMINAL PENALTY OF A FINE AND, FOR FALSIFYING FORMS AND REPORTS REQUIRED BY THI
THE SITE INSPECTION	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	<u><b>R. OTHER PERMITS</b></u> NOTHING IN THIS PERMIT RELIEVES OPERATOR FROM A REQUIREMENT TO OBTAIN ANY OTHER BY LAW.
D OF PERMIT RFORM A FINAL THE SITE HAS	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	
TRUCTURAL DIMENT CONTROLS NOT NEEDED FOR	ESTABLISHED OR ACTIONS TAKEN TO GATHER COMPLETE AND ACCURATE INFORMATION FOR PERMIT APPLICATION REQUIREMENTS; AND WHERE AUTHORITY TO SIGN DOCUMENTS HAS BEEN ASSIGNED OR DELEGATED TO THE MANAGER IN ACCORDANCE WITH CORPORATE PROCEDURES:	ANGLE FIRST STAKE TOWARD PREVIOUSLY LAID BALE
RMIT HAVE BEEN ENTS.	B. FOR A PARTNERSHIP OR SOLE PROPRIETORSHIP THESE FORMS SHALL BE SIGNED BY A GENERAL PARTNER OR THE PROPRIETOR, RESPECTIVELY; OR	
PRACTICABLE IN EMPORARILY OR THE SOIL VILY OR	C. FOR A MONICIPALITY, STATE, FEDERAL, OR OTHER FOBLIC AGENCY THESE FORMS SHALL BE SIGNED BY EITHER A PRINCIPAL EXECUTIVE OFFICER OR RANKING ELECTED OFFICIAL. FOR PURPOSES OF THIS SECTION, A PRINCIPAL EXECUTIVE OFFICER OF A FEDERAL AGENCY INCLUDES:	BOUND 2 RE-BARS, S 1 1/2' TO 2' I WITH BALES
VERED WITH SOIL FROM	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).	ANCHORING DETAIL
HAVE CEASED AND EIGHTY (80) HED, OR OTHER HPE MULCHES, N ALL DISTURBED	2. THE SWPPP AND OTHER INFORMATION REQUESTED BY THE DEPARTMENT SHALL BE SIGNED BY A PERSON DESCRIBED IN PART VII.H.1. OR BY A DULY AUTHORIZED REPRESENTATIVE OF THAT PERSON. A PERSON IS A DULY AUTHORIZED REPRESENTATIVE ONLY IF:	DRAINAGE AREA NO MORE THAN 1/4 AC. PER 100 FT. OF ST FOR SLOPES LESS THAN 25%
EIE UR	A. THE AUTHORIZATION IS MADE IN WRITING BY A PERSON DESCRIBED ABOVE B. THE AUTHORIZATION SPECIFIES EITHER AN INDIVIDUAL OR A POSITION HAVING RESPONSIBILITY FOR THE OVERALL OPERATION OF THE REGULATED FACILITY	CONSTRUCTION SPECIFICATIONS
PONDS ENT FROM THE	OR ACTIVITY, SUCH AS THE POSITION OF PLANT MANAGER, OPERATOR OF A WELL OR A WELL FIELD, SUPERINTENDENT, POSITION OF EQUIVALENT RESPONSIBILITY, OR AN INDIVIDUAL OR POSITION HAVING OVERALL RESPONSIBILITY FOR ENVIRONMENTAL MATTERS FOR THE COMPANY. (A DULY AUTHORIZED REPRESENTATIVE MAY THUS BE EITHER A NAMED INDIVIDUAL OR	<ol> <li>BALES SHALL BE PLACED AT THE TOE OF A SLOPE OR O ABUTTING THE ADJACENT BALES.</li> <li>EACH BALES SHALL BE EMBEDDED IN THE SOIL A MINIMUM BINDINGS ADDE HODIZONITAL</li> </ol>
	ANY INDIVIDUAL OCCUPYING A NAMED POSITION) AND, C. THE WRITTEN AUTHORIZATION SHALL INCLUDE THE NAME, TITLE AND SIGNATURE OF THE AUTHORIZED REPRESENTATIVE AND RE ATTACLED TO	3. BALES SHALL BE SECURELY ANCHORED IN PLACE BY EITH THE FIRST STAKE IN EACH BALE SHALL BE DRIVEN AT AN
	3. ALL INSPECTION REPORTS SHALL BE SIGNED BY THE QUALIFIED INSPECTOR THAT	FORCE THE BALES TOGETHER. STAKES SHALL BE DRIVEN 4. INSPECTION SHALL BE FREQUENT AND REPAIR REPLACEME
	FERFURMS INE INSPECTION.	

4. THE MS4 SWPPP ACCEPTANCE FORM SHALL BE SIGNED BY THE PRINCIPAL EXECUTIVE OFFICER OR RANKING ELECTED OFFICIAL FROM THE REGULATED, TRADITIONAL LAND USE CONTROL MS4, OR BY A DULY AUTHORIZED REPRESENTATIVE OF THAT PERSON. IT SHALL CONSTITUTE A PERMIT VIOLATION IF AN INCORRECT AND/OR IMPROPER SIGNATORY AUTHORIZES ANY REQUIRED FORMS, SWPPP AND/OR INSPECTION REPORTS.

PLAN		(S W	PPP)	MLG BY DJW
PROPERTY RIGHTS — THE ISSUANCE OF THIS PERMIT DOES NOT CONVEY Y PROPERTY RIGHTS OF ANY SORT, NOR ANY EXCLUSIVE PRIVILEGES, NOR PERSONAL RIGHTS, NOR ANY INFRINGEMENT OF FEDERAL, STATE OR LOCAL WS OR REQULATIONS, OWNERS OR OPERATORS MUST OBTAIN ANY PLICABLE CONVEYANCES, EASEMENTS, LICENSES AND/OR ACCESS TO REAL OPERTY PRIOR TO COMMENCING CONSTRUCTION ACTIVIT. SEVERABILITY — THE PROVISIONS OF THIS PERMIT ARE SEVERABLE, AND IF Y PROVISION TO OTHER CONSTRUCTION ACTIVIT. SEVERABILITY — THE PROVISIONS OF THIS PERMIT ARE SEVERABLE, AND IF Y PROVISION TO OTHER CIRCUMSTANCES, AND THE APPLICATION OF ANY PROVISION OF S PERMIT TO ANY CIRCUMSTANCES, AND THE REMAINDER OF THIS RIMT SHALL NOT BE AFFECTED THEREBY. DEVIAL OF COVERAGE UNDER THIS PERMIT AT ITS SOLE DISCRETION, THE DEPARTMENT MAY REQUIRE ANY OWNER OR FERATOR AUTHORIZED BY THIS PERMIT TO APPLY FOR AND/OR OBTAIN THER AN INDIVIDUAL SPDES PERMIT OR ANOTHER SPDES GENERAL PERMIT. HER AN INDIVIDUAL SPDES PERMIT OR ANOTHER SPDES GENERAL PERMIT. HER THE DEPARTMENT REQUIRES ANY DISCHARGER AUTHORIZED BY A NERAL PERMIT TO APPLY FOR AN INDIVIDUAL SPDES PERMIT, IT SHALL INSCHL PERATOR AUTHOR FOR AN STATEMENT OF THE REASONS FOR THIS CISION, AN APPLICATION FORM, A STATEMENT OF THE REASONS FOR THIS CISION, AN APPLICATION FORM, A STATEMENT OF THE REASONS FOR THIS CISION, AN APPLICATION FORM, A STATEMENT OF THE REASONS FOR THIS CISION, AN APPLICATION FORM, A STATEMENT OF THAN INDIVIDUAL OPERATOR RECEIPT OF THE NOTIONAL DETERN. WHERE WERE DOWNER OR OPERATOR FOLLE THE APPLICATION FOR AN INDIVIDUAL OPERATOR RECEIPT OF THE NOTION CONTON AND THE REGIONAL WATER ENGINEER, AT ADDITIONAL TIME TO APPLY FOR AN ALTERNATIVE AUTHORIZATION IS CESSARY ON WHERE IT DEPARTMENT MAY GRANT ADDITIONAL TIME UPON MONSTRATION, TO THE SATISFECTION OF THE SPERMIT BY APPLYING FOR INDIVIDUAL PERMIT OR ANOTHER GENERAL PERMIT MAY REQUEST TO EXCLUDED FROM THE DEPARTMENT AN INDIVIDUAL APPLICATION IS ACCORDANCE WITH THE CONREL OR OPERATOR AUTHORIZED BY THIS PERMIT MAY REQUEST TO INDIVID	OWNER / OPERATO "I CERTIFY UNDER PE PREPARED UNDER MY DIREC THAT QUALIFIEDPERSONNELL BASED ON MY INQUIRY OF T DIRECTLY RESPONSIBLE FOR BEST OF MY KNOWLEDGE AN THAT THE SWPPP MEETS AL REQUIREMENTS. I AM AWA MISDEMEANOR PURSUANT TO NAME (PRINT) TITLE ADDRESS TEPLEPHONE "I CERTIFY UNDER PE PREPARED UNDER MY DIREC THAT QUALIFIEDPERSONNEL I BASED ON MY INQUIRY OF T DIRECTLY RESPONSIBLE FOR BEST OF MY KNOWLEDGE AN THAT THE SWPPP MEETS AL REQUIREMENTS. I AM AWA MISDEMEANOR PURSUANT TO NAME (PRINT) TITLE ADDRESS TEPLEPHONE SI TEPLEPHONE SI TEPLEPHONE SI TEPLEPHONE SI TEPLEPHONE SI TEPLEPHONE SI TEPLEPHONE TITLE ADDRESS TEPLEPHONE SI TEPLEPHONE SI TEPLEPHONE SI TEPLEPHONE SI TEPLEPHONE TEPLEPHONE SI TEPLEPHONE TEPLEPHONE	DRS CERTIFICATION         ENALTY OF LAW THAT THIS DOCUMENT SUPERVISION IN ACCORDANCE WITH PROPERLY GATHERED AND EVALUATE INFORMATION, THE ID BELIEF, TRUE, ACCURATE, AND COLL FEDERAL, STATE, AND LOCAL ERORE THAT FALSE STATEMENTS HERE DO SECTION 210.45 OF THE PENAL LA         IGNATURE         IGNATURE         IGNATURE         IGNATURE         IGNATURE         IGNATURE         IGNATURE         IGNATURE	(SEE PART 1.D "RESPONSIBILITY" )         NT AND ALL ATTACHMENTS WERE         H THE SYSTEM DESIGNED TO ASSURE         DOMELETE.         INFORMATION SUBMITTED IS, TO THEO         MARE PUNISHABLE AS A CLASS A         W"         DATE         DATE         (SEE PART 1.D "RESPONSIBILITY" )         NT AND ALL ATTACHMENTS WERE         H THE SYSTEM DESIGNED TO ASSURE         DATE         (SEE PART 1.D "RESPONSIBILITY" )         NT AND ALL ATTACHMENTS WERE         H THE SYSTEM DESIGNED TO ASSURE         D THE INFORMATION SUBMITTED.         AGE THE SYSTEM, OR THOSE PERSONS         INFORMATION SUBMITTED IS, TO THE         AGE THE SYSTEM, OR THOSE PERSONS         INFORMATION SUBMITTED IS, TO THE         OMPLETE. FURTHER, I HEREBY CERTIFY         SION AND SEDIMENT CONTROL         ON ARE PUNISHABLE AS A CLASS A         W"         DATE         DATE         DATE	T. M. DEPUY         T. M. DEPUX         ENGINEERING & LAND SURVEYING, P.C.         2656 ROUTE 302, MIDDLETOWN, NY 10941         PHONE: (845) 361-5421         FAX: (845) 361-5229         1. 5/5/17         No. DATE         DATE
INSPECTION AND ENTRY — THE OWNER OR OPERATOR SHALL ALLOW THE PARTMENT OR AN AUTHORIZED REPRESENTATIVE OF EPA, THE STATE, OR, IN CASE OF A CONSTRUCTION SITE WHICH DISCHARES THREUGHAN MS4, AUTHORIZED REPRESENTATIVE OF THE MS4 RECEIVING THE DISCHARE, ON THE PRESENTATION OF CREDENTIALS AND OTHER DOCUMENTS AS MAY REQUIRED BY LAW, TO: 29 (PART VI. M) 1. ENTER UPON THE OWNER'S OR OPERATOR'S PREMISES WHERE A REGULATED FACILITY OR ACTIVITY IS LOCATED OR CONDUCTED OR WHERE RECORDS MUST BE KEPT UNDER THE CONDITIONS OF THIS PERMIT; 2. HAVE ACCESS TO AND COPY AT REASONABLE TIMES, ANY RECORDS THAT MUST BE KEPT UNDER THE CONDITIONS OF THIS PERMIT; AUTHORIZED AND COPY AT REASONABLE TIMES, ANY RECORDS 1. INSPECT AT REASONABLE TIMES ANY FACILITIES OR EQUIPMENT (INCLUDING MONITORING AND CONTROL EQUIPMENT). PERMIT ACTIONS — AT THE DEPARTMENT'S SOLE DISCRETION, THIS PERMIT Y, AT ANY TIME, BE MODIFIED, SUSPENDED, REVORED, OR REMUED. THE INFORMON, REVOCATION AND REISSUANCE, TERMINATION, A NOTHCATION OF NUNED CHANGES OR ANTICIPATED NONCOMPLIANCE DOES NOT LIMIT, DIMINISH O/OR STAY COMPLIANCE WITH ANY TERMS OF THIS PERMIT. DEFINITIONS OF KEY TERMS ARE INCLUDED IN APPENDIX A THIS PERMIT. REPOPENCE CLAUSE 1. IF THERE IS EVIDENCE INDICATING POTENTIAL OR REALIZED IMPACTS ON THER QUALITY DUE TO ANY STORMWATER DISCHARGE ASSOCIATED WITH ANY SUCH DISCHARGE MAY BE REQUIRED TO OBTAIN AN INDIVIDUAL PERMIT OR TERMATIVE GENERAL PERMIT IM ACCORDANCE WITH PART VILK, OF THIS SUTH DODIFICATION, SUSPENSION OR REVOCATION WILL BE NUDICHED IN ACCORDANCE WITH 6 NYCRR PART 621, 6 NYCRR 750–1.18, D FUNNITES FOR FALSIFICATION OF FORMS AND REPORTS – ARTICLE 17 OF ECU PROVIDES FOR A CIVIL PENALITY OF \$J7,500 PER DAY PER VIDICATION THIS PERMIT. ARTICLES 173 AND 210 OF THE NEWYORK STATE PENALI V PROVIDE FOR A COUNTING IN THIS PERMIT RELIEVES THE OWNER OR PENALTES FOR FALSIFICATION OF FORMS AND REPORTS – ARTICLE 17 OF ECU PROVIDES FOR A CIVIL PENALITY OF A FINE AND/OR IMPRISONMENT REALISTIVE FOR A CREDURATE TO OBTAIN ANY OTHER PERMI	<ul> <li>(1) CONMENCEMENT DISTURBANCE OF ACTIVITIES OR O</li> <li>(2) "FINAL STABILIZA BEEN COMPLETE EIGHTY (80) PET SUCH AS THE U AREAS AND AREA</li> <li>(3) "STABILIZATION" COVER CAN BE NON-VEGETATIVE</li> <li>(4) "SWCD" MEANS</li> <li>(5) "SPDES" MEANS</li> <li>(5) "SPDES" MEANS</li> </ul>	<ul> <li>F SOILS ASSOCIATED WITH CLEARIN THER CONSTRUCTION ACTIVITIES.</li> <li>INTION" MEANS THAT ALL SOIL DISTO D AND A UNIFORM, PERENNIAL VE RCENT HAS BEEN ESTABLISHED OR ISE OF MULCHES OR GEOTEXTILES, AS NOT COVERED BY PERMANENT</li> <li>MEANS COVERING OR MAINTAINING VEGETATIVE (E.G. GRASS, TREES, S. C (E.G. GEOTEXTILES, RIPRAP OR O SOIL AND WATER CONSERVATION D STATE POLLUTION DISCHARGE ELII</li> <li>36" WOODEN FENCE PO SPACE @ 8 FT. O.C. SEDIMENT BARRIER FEN AS APPROVED BY ENG</li> <li>COMPACTED SOIL</li> <li>FENCE FABRIC TO BE BURIED 6"</li> <li>NOTES:</li> <li>1. SILT FENCE SHALL BE P MANUFACTURED BY ENM</li> <li>2. SILT FENCE POSTS SHAL HARDWOOD POSTS, MIN. EIGHT FOOT (8') ON CEN</li> <li>3. WHEN TWO SECTIONS OF SHALL BE OVERLAPPED</li> <li>4. MAINTENANCE SHALL BE ACCUMULATED SEDIMENT IN THE FENCE.</li> </ul>	INTIGE THE NOVAE OF VEDELATION AND IG, GRADING OR EXCAVATING URBING ACTIVITIES AT THE SITE HAVE GETATIVE COVER WITH A DENSITY OF R EQUIVALENT STABILIZATION MEASURES ) HAVE BEEN EMPLOYED ON ALL UNPAVE STRUCTURES. AN EXISTING COVER OVER SOIL. SEED AND MULCH, SHRUBS, OR TURF) C GABIONS). DISTRICT. MINATION SYSTEM. OST NCE INEER FLOW 28" MIN. 28" MIN. 28" MIN. 16" MIN. 28" MIN. 16" MIN. 16" MIN. EXISTING SYMBOL: SF TREFABRICATED FENCE UNITS AS IROFENCE OR APPROVED EQUAL. LL BE TWO INCH (2") SQUARE THREE FOOT (3") LONG, SPACED AT NTER. FENCE ADJOIN EACH OTHER, THEY BY SIX INCHES (6") AND FOLDED. F PERFORMED AS NEEDED AND T REMOVED WHEN "BULGES" DEVELOP	PROPOSED PET HOTEL AND DAY CARE FACILITY NY STATE ROUTE 9W IOWN OF NEWBURGH ORANGE COUNTY, NEW YORK
BALES SHALL BE PLACED AT THE TOE OF A SLOPE OR ON THE CONTOUR AND IN A RO ABUTTING THE ADJACENT BALES.      BALES SHALL BE PLACED AT THE TOE OF A SLOPE OR ON THE CONTOUR AND IN A RO ABUTTING THE ADJACENT BALES.      BALES SHALL BE PLACED AT THE TOE OF A SLOPE OR ON THE CONTOUR AND IN A RO ABUTTING THE ADJACENT BALES.      BALES SHALL BE PLACED AT THE TOE OF A SLOPE OR ON THE CONTOUR AND IN A RO ABUTTING THE ADJACENT BALES.      BALES SHALL BE FREQUENT AND REPAIR REPLACEMENT SHALL BE MADE PROMPTLY INSPECTION SHALL BE FREQUENT AND REPAIR REPLACEMENT SHALL BE MADE PROMPTLY INSPECTION SHALL BE FREQUENT AND REPAIR REPLACEMENT SHALL BE MADE PROMPTLY INSPECTION SHALL BE FREQUENT AND REPAIR REPLACEMENT SHALL BE MADE PROMPTLY BALES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFULNESS SO AS NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.      STRAW BALE DIKE DIKE DETAILS (ALT. SILT FEN	DETAIL R ES SBD DARD SYMBOL WWITH ENDS TIGHTLY PLACED SO THE DRIVEN THROUGH BALE. US LAID BALE TO BALE. ( AS NEEDED. N.T.S.	SILT FENCE	N.T.S         Image: State Provide the state of the	TITLE GENERAL NOTES & SPECIFICATIONS JOB 12003.1 DATE MARCH 21, 2017 SCALE NONE DWG. SKEPP-1



![](_page_12_Figure_0.jpeg)

![](_page_12_Picture_6.jpeg)

![](_page_13_Figure_0.jpeg)

N.T.S.

![](_page_13_Picture_3.jpeg)

THIS DRAWING IS ONE IN A SET OF DRAWINGS & IS INCOMPLETE & INVALID WHEN IT IS SEPARATED FROM THIS SET.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DRAWING IS A VIOLATION OF SECTION 7209 (2) OF THE NY STATE EDUCATION LAW.

![](_page_13_Picture_6.jpeg)

![](_page_14_Figure_0.jpeg)

## LEGEND

SYMBOLS	
	PROPERTY LINE
	ADJOINING LOT LINE
<u> </u>	EASEMENT LINE
	CONSERVATION EASEMENT LINE
	CONTOURS
	WATER EDGE OR STREAM
<u> </u>	GUIDE RAIL
×	FENCE LINE
000000000000000000000000000000000000000	STONEWALL
	EDGE OF PAVEMENT
	OVERHEAD UTILITY LINE
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	TREELINE
ى م	UTILITY POLE
$\otimes$	WELL
8	WATERMAIN GATE VALE
	RETAINING WALL (PROPOSED)
$\rightarrow \rightarrow \rightarrow \rightarrow$	DIVERSION SWALE
CD/PCD/S	SEPTIC CURTAIN DRAIN (PROPOSED)
_€	DAYLITE OUTLET W/RODENT SCREEN
<i>RD</i>	ROOF/FOOTING DRAINS

## ABBREVIATIONS

	СВ	CATCH BASIN
	CD/P	PERF. SEPTIC CURTAIN DRAIN PIPE
	CD/S	SOLID SEPTIC CURTAIN DRAIN PIPE
IE	CL	CENTERLINE
	CMP	CORRUGATED METAL PIPE
	CONC.	CONCRETE
	D.I.P.	DUCTILE IRON PIPE
	ELEV	ELEVATION
	FFE	FINISHED FLOOR ELEVATION
	HDPE	HIGH DENSITY POLYETH.PIPE (SMOOTH INTERIOR)
	HP	HIGH POINT
	INV	INVERT
	LF	LINEAR FOOT
	LP	LOW POINT
	LSE:	LOWEST SEWER ELEVATION (INV)
	ΜΗ	MANHOLE
POSED)	N.W.L.	NORMAL WATER LEVEL (SURFACE ELEV)
CREEN	PROP.	PROPOSED

RCP REINFORCED CONCRETE PIPE

W.L. WATER LEVEL (SURFACE ELEV)

"Unauthorized alteration or addition to a survey map bearing a licensed Land Surveyor's seal in red is a violation of Section 7208, Subdivision 2, of the New York State Education Law."

"Only copies from the original tracing of this survey map marked with the Land Surveyor's seal in red with original signature shall be considered valid, true copies."

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I hereby certify to RANNE and the Town of Newburgh that this survey map is the result of a actual field survey prepared by T.M. DePuy Engine and surveying, P.C. on June 26, 2012.

![](_page_14_Picture_11.jpeg)

EXISTING PARCEL	EXISTIN	NG AREA		AREA EXCHANGE F		REVISED NEW LOT	NEW	AREA
9–3–22.1	1.245 ACRES	54,252 SQ. FT.	TO 9-3-22.2 (-)	0.098 ACRES	4,296 SQ. FT.	NEW TAX MAP PARCEL 2	1.147 ACRES	49,956 SQ. FT.
<u>/</u> 9–3–22.2	1.189 ACRES	51,793 SQ. FT.	FROM 9-3-22.1 AND 9-3-23	0.098 ACRES 1.612 ACRES	4,296 SQ. FT. 70,224 SQ. FT.	NEW TAX MAP PARCEL 1	2.899 ACRES	126,313 SQ. FT.
9-3-23	1.612 ACRES	70,224 Sq. Ft.	TO 9-3-22.2 (-)	1.612 ACRES	70,224 SQ. FT.		_	_
TOTAL AREA	4.046 ACRES	176,269 Sq. Ft.					4.046 ACRES	176,269 SQ. FT.

![](_page_14_Figure_14.jpeg)

SCALE: 1" = 140'

SCALE: 1'' = 40'

## PROPERTY TRANSFER TABLE

			ZONING DAT	A TA	ABLE
	TOWN	OF	NEWBURGH - (	B) B	USINESS
	ITEM		REQUIREMENTS		PARCEL 1
1.	BUILDING USE		D-17 VET OFFICE/ /RELATED SERVICES		PET HOTEL
2.	LOT AREA		40,000 S.F.		2.899 ACRES 126,313 S.F.)
3.	LOT WIDTH		150'		399.5'
4.	LOT DEPTH		150'		272'
5.	<ul><li>BUILDING SETBACKS</li><li>FRONT YARD</li><li>SIDE YARD</li><li>REAR YARD</li></ul>		40' 30' 40'	3	30' (EXIST) 0' (PROPOSED) 85'
6.	BUILDING HEIGHT		35 FEET	LE	ESS THAN 35'
7.	OFF STREET PARKING (§185–13) o ANIMAL HOSPITAL REQUIREMENTS		ONE SPACE PER 200 S.F. $\frac{9750 \text{ SF (NEW)}}{1 \text{ SPACE / 200 SF}} = 48.8$ $\frac{2,730 \text{ SF (HOSP.)}}{1 \text{ SPACE / 200 SF}} = 13.7$ $\frac{1,500 \text{ SF (KENNEL)}}{1 \text{ SPACE / 200 SF}} = 7.5$ $\frac{-1,178 \text{ SF (E.A.)}}{1 \text{ SPACE / 1000 SF}} = \frac{1.2}{33.8}$	GFA = 34	35 T (II
8.	LOT BUILDING COVERAGE		MAXIMUM 30%	<u>12,428</u> 126,313	<u>SF</u> X 100 = 9.8 SF
9.	LOT SURFACE COVERAGE		MAXIMUM 60%	<u>12,864</u> 126,313	$\frac{SF}{SF}$ X 100 = 10.
E.A.	= EXERCISE AREA; $L\&O = LOBBY$	ANI	D OFFICE AREA		

## OWNERS ENDORSEMENT

I GRANT MY APPROVAL TO THE FILING OF THESE PLANS IN THE ORANGE COUNTY CLERK'S OFFICE

Owner

Owner

Date

Date

IONS		
ΤE	9W	
12550		

SECTION 9, BLOCK 3, LOT 22.2 SECTION 9, BLOCK 3, LOT 23

LIBER 12149, PAGE 1362 (9-3-22.1) LIBER 12176, PAGE 1838 (9-3-22.2) LIBER 13717, PAGE 1584 (9-3-23)

![](_page_14_Picture_33.jpeg)

## SURVEY AND PARCEL NOTES

- 1. MAP REFERENCE: NYSDOT "SHEET NO. 5 & SHEET NO. 6, NEWBURG, CEDAR HILL CEMETERY, ORANGE CO., ROUTE 3, SEC. 6, S.H. 5007" DATED JANUARY 15, 1910.
- 2. FIELD NOTE REFERENCE: NYSDOT FIELD NOTES FOR "NEWBURG, CEDAR HILL CEMETERY, ORANGE CO., ROUTE 3, SEC. 6, S.H. 5007" DATED 1910.
- 3. MAP REFERENCE: NYSDOT "NEWBURGH-CEDAR HILL CEMETERY S.H. 5007" SHEET NO. 15 OF 24, DATED JULY 9, 1928.
- 4. MAP REFERENCE: NYSDOT "HIGHWAY NO. 5007, ORANGE COUNTY, MAP NO. 15A-B" DATED JULY 20, 1928.
- 5. MAP REFERENCE: NYSDOT "HIGHWAY NO. 5007, ORANGE COUNTY, MAP NO. 14 & EASEMENT" DATED JULY 21, 1928.
- 6. MAP REFERENCE: NYSDOT "HIGHWAY NO. 5007, ORANGE COUNTY, MAP NO. 14.5" DATED DECEMBER 19, 1928.
- 7. MAP REFERENCE: NYSDOT "NEWBURGH-CEDAR HILL CEMETERY, S.H. NO. 5007, MAP NO. 60, PARCEL NO. 89, PHYLLIS TIBBY & LUCY BOLOGNESE. TOWN OF NEWBURGH" DATED DECEMBER 13, 1990.
- 8. MAP REFERENCE: "MINOR SUBDIVISION, LANDS OF MICHAEL J. AND DONNA M. ZAMBITO, 637 ROUTE 9W, TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK" DATED MARCH 19, 1988 AS PREPARED BY GERALD ZIMMERMAN, P.L.S. AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON SEPTEMBER 14, 1988 AS FILED MAP #9098.
- 9. MAP REFERENCE: "MAP OF PROPOSED SUBDIVISION OF LANDS OF MORIELLO, NEW YORK STATE HIGHWAY ROUTE U.S. 9W. TOWN OF NEWBURGH. ORANGE COUNTY, NEW YORK" DATED OCTOBER 5, 1999, REVISED OCTOBER 5, 1999 AS PREPARED BY BRINNIER & LARIOS, P.C. AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON NOVEMBER 3, 1999 AS FILED MAP #246-99.

10. THIS LOT LINE CHANGE IS BEING CONSIDERED CONCURRENT WITH A SEPARATE SITE PLAN FOR A BUILDING ADDITION ON TAX PARCEL 9–1–22.2

![](_page_14_Picture_45.jpeg)

LOT LINE CHANGE AND LAND CONSOLIDATION MAP OF LANDS OF

# RANNE, LLC AND RICHARD SOLOMONS

TOWN OF NEWBURGH ORANGE COUNTY, NEW YORK

> **FEBRUARY 7, 2017** SCALE: 1'' = 40'

![](_page_14_Picture_50.jpeg)

TMDEPUY ENGINEERING & LAND SURVEYING, P.C. 2656 ROUTE 302, MIDDLETOWN, NY 10941 PHONE: (845) 361-5421 FAX: (845) 361-5229

SHEET 1 OF 1

#### NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program 625 Broadway, Fifth Floor, Albany, NY 12233-4757 P: (518) 402-8935 | F: (518) 402-8925 www.dec.ny.gov

April 17, 2017

Thomas M. DePuy T.M. Depuy Engineering and Land Surveying 2656 Route 302 Middletown, NY 10941

Re: Pet Hotel and Day Care Facility, 5351 Route 9W County: Orange Town/City: Newburgh

Dear Mr. DePuy:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur in the vicinity of the project site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

Our database is continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 3 Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

andres Chaloux

Andrea Chaloux Environmental Review Specialist New York Natural Heritage Program

![](_page_15_Picture_14.jpeg)

Department of Environmental Conservation

337

![](_page_16_Picture_1.jpeg)

### The following state-listed animals have been documented in the vicinity of your project site.

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed or are candidates for federal listing.

For information about any permit considerations for your project, please contact the Permits staff at the NYSDEC Region 3 Office at dep.r3@dec.ny.gov, (845) 256-3054. For information about potential impacts of your project on these species, and how to avoid, minimize, or mitigate any impacts, contact the Region 3 Wildlife staff at Wildlife.R3@dec.ny.gov, (845) 256-3098.

The following species have been documented within 2.2 miles of the project site. Individual animals may travel 2.5 miles from documented locations. The main impact of concern for bats is the removal of potential roost trees.

	COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING	
Maı	nmals				
	Indiana Bat	Myotis sodalis	Endangered	Endangered	11287
	Summer maternity colony				

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, and from NYSDEC at www.dec.ny.gov/animals/7494.html.

## T.M. DePUY ENGINEERING AND LAND SURVEYING, P.C.

2656 Route 302 Middletown, NY 10941 Tel # (845) 361-5421 Fax# (845) 361-5229

May 5, 2017

John Ewasutyn, Chairman Town of Newburgh Planning Board 308 Gardnertown Road Newburgh, New York 12550

> Re: Proposed Pet Hotel & Day Care Facility Section 9, Block 3, Lots 22.2, 23 & 22.1 (P/O) Town of Newburgh Job #2012-19

Dear Mr. Chairman:

Enclosed please find the following items on the referenced project for review:

- 14 sets of Revised Site Plan Drawings
- 14 copies of Lot Line Change & Land Consolidation Map
- 14 copies of NYSDEC NY Natural Heritage Program letter dated 04/17/17
- One copy of SWPPP

The following is in response to McGoey, Hauser and Edsall Consulting Engineers D.P.C. comments of March 31, 2017:

- 1. So noted.
- 2. The site plan and PERM33 was been submitted to Siby Zachariah-Carbone at NYSDOT on 4/26/17.
- See attached letter dated 04/17/17 from NY Natural Heritage Program; they indicated the area may have habitat for Indiana bat; therefore, will employ proper clearing technique (clearing between Nov 1<sup>st</sup> and March 31<sup>st</sup>)
- 4. Information forwarded to their attorney, Daniel Rusk on 04/17/17.
- 5. The landscape drawing has been revised; additional evergreen screening and buffer added on the westerly end of the project to aide in noise abatement. Additionally a solid fence has been added.
- 6. We submitted to NYSDEC on 04/18/17 for subsurface sanitary sewer approval.
- 7. We have noted that the drawing.
- 8. This has been corrected on the drawings.
- 9. Zoning data table has been corrected.
- 10. Disturbed area 1.2 acres; therefore a SWPPP has been prepared.

We wish to be placed on the May 18, 2017 agenda. Thank you.

Very truly mours, HOMAS M. DEPU

TMD/nk Enclosures cc: w/enc.via email – Patrick Hines, Town Enginer Michael Donnelly, Town Attorney Charlene Schaper Town of Newburgh Section 9, Block 3, Lot 23 and a portion of Section 9, Block 2, Lot 22.1 Job# 12003 May 2017

# STORMWATER POLLUTION PREVENTION

# PLAN

PREPARED FOR: Middlehope Pet Hotel & Day Care Facility 5351 US Route 9W Newburgh, New York 12550

![](_page_18_Picture_4.jpeg)

Thomas M. DePuy, P.E. NYS LIC#57844

T.M. DEPUY Engineering & Land Surveying, PC 2656 NYS RTE 302 Middletown, NY 10941

#### SWPPP Preparer Certification

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) for this project has been prepared in accordance with the terms and conditions of the GP-0-15-002. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of this permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Thomas M. DePuy, PE

DATE

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### **APPENDICES**

Appendix A	Soil Mapping and Information United States Department of Agriculture Natural Resources Conservation Service
Appendix B	Town of Newburgh SWPPP Acceptance Form
Appendix C	Site Plan
Appendix D	Stormwater Runoff Analysis for Middlehope Pet Hotel and Day Care Facility, 5351 US RTE 9W, Town of Newburgh, Orange County, New York
Appendix E	Drawings SWPPP-1 thru SWPPP-4
Appendix F	SPDES Inspection Form Construction Activities
Appendix G	NOI Application
Appendix H	NYSDEC Receipt of NOI
Appendix I	Copy of NYSDEC SPDES Permit for Stormwater Discharge from Construction Activities Permit No. GP-0-05-002
Appendix J	Notice of Termination Form (to be finalized upon completion of the project)
Appendix K	Long Term Inspection Form for the Bio-Retention/Rain Garden Operation, Maintenance and Management Inspection Checklist
Appendix L	Draft Stormwater Control Facility Maintenance Agreement

#### 1.0 **PROJECT INFORMATION**

#### 1.1 **Project Name and Location**

Proposed Pet Hotel and Day Care Facility 5351 Route 9W Newburgh, NY 12550

#### 1.2 Property Owner Name and Address

RANNE, LLC Richard Solomons 5351 Route 9W Newburgh, NY 12550

#### 1.3 Project Operator Name and Address

Charlene Schaper 5351 Route 9W Newburgh, NY 12550

#### 1.4 MS4 Community

Town of Newburgh 1496 Route 300 Newburgh, NY 12550

SWPPP Reviewer: Town Engineer, James Osborne MS4 Officer: James Osborne, Engineer

#### 2.0 **PROJECT DESCRIPTION**

#### 2.1 Purpose and Intent of Proposed Development

RANNE, L.L.C. is proposing the consolidation of tax lot Section 9, Block 3, Lot 22.2 and 23 consisting of 1.189 acres and 1.612 acres, respectively, for a combined parcel area of 2.801 acres. They propose the development of 11,580 SF building to house the expansion of their pet hotel and dog daycare center. The project is situated on the westerly side of Route 9W 490 feet north of the intersection of US Route 9W and Lattintown Road.

The overall site topography slopes from the westerly side of the property to the northeasterly side of the property and towards the small intermittent stream which traverses the northerly end of the property.

The project will collect the roof stormwater and discharge it to a bio-retention basin located adjacent to the building, which will be collected and conveyed through a pipe system and ultimately discharge to the small onsite stream. The proposed parking lot expansion will sheet flow to a filter strip and the access drive will be collected in two catch basins will be piped and conveyed to the northerly end of the project site to another bio retention which will ultimately discharge to the small on site stream.

The project will be serviced by the Town of Newburgh water system and obtain its sewage disposal from the development of an on-site treatment facility which will discharge to the small stream that traverses the property. In addition to the building, some additional outside dog runs are also proposed and will be integrated with their existing facility presently located and operating on the property.

The soils consist of Erie Gravelly Silt Loam (D), Bath Nassau Channery Silt, Hoosic Gravelly Sandy Loam and Udorthents. See Appendix A for soil mapping information.

2.2 Project Disturbance Area

Total Project Property Area: 4.046 Acres Total Disturbed Area: 1.20 Acres. Existing Impervious Area: 0.596 Acres Proposed Additional Impervious Area: 0.294 Acres

#### **3.0 SEQUENCE OF MAJOR ACTIVITIES**

#### 3.1 Sequence of Major Activities

This SWPPP presents both temporary and permanent erosion and sediment controls to assist the owner/operator in compliance with the project's SPDES General Permit for construction activity which must be reviewed and accepted by the Town of Newburgh (See Appendix B, SWPPP Acceptance Form. All temporary erosion and sediment control mitigation measures shall be installed immediately before associated project areas are disturbed in anticipation of all soil disturbing activities to follow. The project will be constructed under one sequence with the site being developed as the building construction is undertaken.

In general, the following list is the construction sequence which will be followed during the project.

- Prior to Commencing work, contract "Dig Safely New York" to mark underground utilities
- Install silt fence, straw bale dikes and other erosion control features around perimeter of areas to be disturbed and properly indicate the limits of the ACOE wetlands areas and floodplain in order to prevent any disturbance of these areas as shown on the plans.
- Install a rock construction site entrance at point where access to the work is being obtained (adjacent to the existing parking I)
- Install diversion ditches and siltation ponds as indicated on drawing.
- Once areas are configured to finish grade; topsoil, seed and mulch as soon as possible.
- Remove silt fence, straw bale dikes, stabilized construction entrances and other temporary erosion control features when permanent vegetative cover has established on exposed earth surfaces, and risk of soil erosion is low. The siltation ponds are to be cleaned and the permanent outlet structures installed to be utilized as polishing ponds as required in the overall urban pollution control portion of the project.
- Consistent with the New York Guideline for Urban Erosion and Sediment Control, there shall not be more than five (5) acres of disturbed soil at any one time without prior written approval from the Department (NYSDEC).
- 3.2 Name of Receiving Waters

The stormwater is being collected to the northerly side of the project discharging to the Tributary of Lattintown Creek.

## 4.0. STRUCTURAL AND VEGETATIVE MEASURES FOR SOIL STABILIZATION, RUNOFF CONTROL AND SEDIMENT CONTROL

#### 4.1 Temporary Controls

The construction is multi-phase with respect to initial disturbance, which will disturb approximately 1.2 acres. The layout of the applicable erosion and sedimentation control measures can be reviewed in Appendix C. (See Site Plan)

Install sediment barrier (silt) fence prior to any excavation work (including stump removal).

Install stabilized rock construction entrance prior to construction traffic entering and leaving site.

Construct temporary diversion swales at any point where surface water can be directed away from disturbed surfaces. If a surface water route crosses a disturbed area, provide a rip-rap channel as soon as possible after the construction has progressed beyond the water route.

Pick up trash and lightweight rubbish that may be swept away by wind.

Fill or grade vehicle tracks to avoid erosion.

4.2 Permanent Controls

Seed and mulch exposed earth areas to establish permanent vegetative cover as soon as practical after final grading. Mulch shall follow seeding by no more than 24 hours.

4.3 Temporary Controls That Are to Be Converted to Permanent Stormwater Management Facilities

None

#### 4.4 Implementation Schedule of Erosion and Sediment Controls

Sediment barrier (silt) fence shall be installed prior to any site disturbance.

Stabilized rock construction entrance shall be installed prior to heavy truck traffic entering or leaving the site.

Temporary diversion swales shall be installed as the work proceeds across the project area.

Rock check dams shall be placed where needed in conjunction with temporary swales, as the work proceeds across the project area.

Dust control shall be conducted during dry weather as needed or directed.

4.5 Maintenance Schedule for Erosion and Sediment Controls

Sediment barrier (silt) fence: maintain per detail.

Stabilized rock construction entrance shall be maintained in a condition that prevents traffic from tracking sediment onto the existing gravel parking lot. Inspect after each rain and periodically redress the top aggregate to maintain effectiveness.

Rock check dams are to be inspected after each rain. Repair any erosion damage and remove any accumulation of sediment in swale or in outlet area to restore operation.

Temporary swales shall be inspected after each rain. Repair any erosion damage and remove any accumulation of sediment in swale or in outlet area to restore operation.

4.6 Stormwater Management and Water Quality Measures

Detailed stormwater analysis utilizing TR55 was conducted and revealed that detention is required to bring the post construction runoff back to the predevelopment runoff amount. This is summarized in Appendix D as described in "Stormwater Runoff Analysis for Middlehope Proposed Pet Hotel and Day Care Facility, 5351 Route 9W, Town of Newburgh, Orange County, New York" and illustrated in Appendix E on Drawings SWPPP-1 thru SWPPP-4.

#### 4.7 Other Controls

#### Waste Materials

Foreign waste materials shall be collected and stored in a secured area until removal and disposal by a licensed solid waste management company. All trash and construction debris from the project area shall be disposed of in a portable container unit. No foreign waste materials shall be buried within the project area. All personnel shall be instructed regarding the correct procedure for waste disposal. Notices stating these practices shall be posted in the project trailer and the individual who manages day-to-day project operations shall be responsible for seeing that these procedures are followed.

#### Hazardous Waste

All Hazardous waste materials shall be disposed of in a manner specified by local or state regulations or by the manufacturer. Project personnel shall be instructed in these practices and the individual who manages day-to-day project operations shall be responsible for seeing that these practices are followed.

#### Sanitary Waste

Any sanitary waste from portable units shall be collected from the portable units by a licensed sanitary waste management contractor, as required by NYSDEC regulations.

#### Sediment Tracking by Vehicles

A stabilized construction entrance shall be installed (where depicted on attached plan) and maintained as necessary to help reduce vehicular tracking of sediment. The entrance shall be cleaned of sediment and redressed when voids in the crushed stone become filled and vehicular tracking of sediment is occurring. Dump trucks hauling materials to and from the construction project area shall be covered with a tarpaulin to reduce dust. Any sediment and debris tracked from work area along project adjacent roadways shall be immediately removed with a street sweeper or equivalent sweeping method. Further, sweeping of streets (including US Route 9W if necessary) adjacent to disturbed areas shall be performed prior to the end of each work day (at a minimum) when tracking of sediment is occurring.

#### Non Stormwater Discharges

Non-Stormwater discharges are not expected to exit the project area during construction.

4.8 Timing of Controls and Measures

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

4.9 Certification of Compliance with Federal, State and Local Regulations

The stormwater pollution prevention plan reflects the New York State requirements for stormwater management and erosion and sediment control. To ensure compliance, this plan was prepared in accordance with New York State Standards. There are no other applicable State or Federal requirements for sediment and erosion plans (or permits), or stormwater management plans (or permits).

#### 5.0 MAINTENANCE AND INSPECTION PROCEDURES

5.1 Erosion and Sedimentation Control Inspection and Maintenance Practices

A *Qualified Inspector* is to perform the inspections as outlined in the inspection form provided in Appendix F, SPDES Inspection Form Construction Activities.

These are the minimum required inspection and maintenance practices that shall be used to maintain erosion and sediment controls and are to be performed by a *Trained Individual*:

All control measures shall be inspected at least once each week and following any storm event of 0.5 inches or greater in a 24 hour period using the "SPDES Inspection"

Form Construction Activities" in Appendix F.

- A copy of the signed Notice of Intent (NOI) must be posted onsite, in a publicly accessible location. (See Appendix G for NOI Application and see Appendix H for NYSDEC Receipt of NOI.
- A copy of the SWPPP and the SPDES general permit must be retained at the construction site.
- The operator shall prepare a written summary of the SWPPP's status with respect to compliance with the General Permit (GP-0-15-002) (see Appendix I) at a minimum frequency of every three months during which coverage under the permit exists. The summary should address the status of achieving each component of the SWPPP.
- Prior to filing of the Notice of Termination (see Appendix J) or the end of permit term, the Operator shall preform a final project area inspection. This inspection shall certify that the project area has undergone final stabilization using either vegetative or structural stabilization methods and that all temporary erosion and sediment controls (such as silt fencing) not needed for long-term erosion control have been removed.
- All measures shall be maintained in good working order; if a repair is necessary, it will be initiated within 24 hours of report or as ordered by the owner's representatives.
- Built up sediment shall be removed from any silt fence when it has reached onethird the height of the fence/dike.
- Sediment fencing, and wetland protection barrier shall be inspected for depth of sediment, and tears, to see if fabric is securely attached to the fence posts, and to see that the fence posts are firmly in the ground.
- The construction entrances shall be cleaned of sediment and redressed when voids in the crushed stone become filled and vehicular tracking of sediment is occurring.
- Dust shall be controlled on access points and other disturbed areas subject to surface dust movement and blowing.
- Stabilization fabric and rock dams shall be inspected to ensure that slopes and swales are not being eroded. Fabric shall be replaced / reinstalled and rock dams added as necessary to prevent any such erosion.
- Inspection of diversion swales shall be conducted to check condition of swale.
- The temporary sediment basins (future permanent ponds) shall be inspected to check condition of basin.
- Inspection must verify that all practices are adequately operational, maintained

properly and that sediment is removed from all control structures.

- Inspection must look for evidence of soil erosion on the site, potential of pollutants entering drainage systems, problems at the discharge points, and signs of soil and mud transport from the site to the public road.
- The site operator or superintendent shall select the individuals who will be responsible for the inspections, maintenance, repair activities, and filling out the inspection and maintenance report.
- Personnel selected for inspection and maintenance responsibilities shall have received proper training in all the inspection and maintenance practices necessary for keeping the erosion and sediment control used on-site in good working order.
- The operator shall retain copies of inspection reports submitted in conjunction with this permit and records or all data used to complete the NOI to be covered by this permit for a period of at least three years from the date that the site is finally stabilized.
- 5.2 Post Construction Inspection and Maintenance Practices

Blackburne Farm Homeowners Association, Inc., its successors and/or assigns, will maintain operation of the site. Long-term inspection form the bio-retention/rain garden operation and maintenance referenced in Appendix K. Additionally, a stormwater management maintenance agreement between the Town of Goshen and the owner has been executed or about to be executed which requires the operation of maintenance of the permanent stormwater management facilities (See Appendix L for a draft copy of the agreement).

#### 6.0 INVENTORY FOR POLLUTION PREVENTION PLAN

The materials or substances listed below are expected to be within the project area during construction:

- Portland cement concrete
- Fertilizers / seeding materials
- Stone
- Bituminous asphalt
- Petroleum based products
- Silt fence fabric
- Lumber
- Pavement marking paint
- Bonded fiber matrix material
- HDPE Geomembrane Material
- HDPE Pipe

The following are the material management practices that shall be used to reduce the risk of spills or other accidental exposure of materials and substances to stormwater runoff.

#### 7.1 Good Housekeeping

The following good housekeeping practices shall be followed within the project areas during construction:

- An effort shall be made to store only enough products required to do the job.
- All materials stored within project areas shall be stored in a neat, orderly manner in their appropriate containers and, if possible, under a roof or other enclosure.
- Products shall be kept in their original containers with the original manufacturer's label.
- Substances shall not be mixed with one another unless recommended by the manufacturer.
- Whenever possible, all of a product shall be used up before disposing of the container.
- Manufacturers' recommendations for proper use and disposal shall be followed.
- The project superintendent shall inspect daily to ensure proper use and disposal of materials.

#### 7.2 Hazardous Products

These practices are used to reduce the risks associated with hazardous materials:

- Products shall be kept in original containers unless they are not resalable.
- Original labels and material safety data shall be retained.
- If surplus product must be disposed of, manufacturers' or local and state recommended methods of proper disposal shall be followed.
- Material Safety Data Sheets for all hazardous products shall be within the project area for the duration of construction.

#### Product Specific Practices

The following product-specific practices shall be followed within the project areas:

#### Petroleum Products

All project related vehicles shall be monitored for leaks and receive regular preventative maintenance to reduce the chance of leakage. Petroleum products shall be stored in

tightly sealed containers which are clearly labeled. Any asphalt substances used during construction shall be applied according to the manufacturer's recommendations.

#### Fertilizers

Fertilizers shall be applied only in the minimum amounts recommended by the manufacturer. Once applied, fertilizer shall be worked into the soil to limit exposure to stormwater. Fertilizers shall be stored in a covered or other contained area.

#### Paints

All containers shall be tightly sealed and stored when not required for use. Excess paint shall not be discharged to the storm sewer system but shall be properly disposed of according to manufacturer's instructions or State regulations.

#### Concrete Trucks

Concrete trucks shall be allowed to wash out within project areas provided that the contractor provides an area which collects and contains any concrete / slurry material washed from trucks for recovery and disposal at a later time. No concrete / slurry shall be discharged from the property at any time of construction. If such washing is anticipated, the contractor shall submit a plan detailing the control of concrete / slurry to the engineer for approval.

### 7.3 Spill Control Practices

The contractor will be responsible for preparing a project area and specific spill control plan in accordance with local and NYS DEC regulations. At a minimum this plan should:

- Reduce stormwater contact if there is a spill.
- Contain the spill.
- Stop the source of the spill.
- Dispose of contaminated material in accordance with manufacturer's procedures, and NYSDEC regulations.
- Identify responsible and trained personnel.
- Ensure spill area is well ventilated.

#### 8.0 UPDATING THE SWPPP

The SWPPP shall be updated/revised as conditions merit or as directed by the regulating authority. The attached inspection forms included with this document allows for the certification of any updates/revisions.

### 9.0 SWPPP CERTIFICATIONS

See the following Contractor's Certification Form on next page, which must be signed by the on-site contractors and trained personnel.

-,

#### CONTRACTOR'S CERTIFICATION

I hereby certify that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identified by the qualified inspector during a site inspection. I also understand that the *owner* or *operator* must comply with the terms and conditions of the New York State Pollutant Discharge Elimination System ("SPDES") general permit for stormwater discharges from construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings."

Owner & Operator Name(s):	RANNE, LLC - Richard Solomons
Contact Person	
Signature	Date
Contractor's Name	
Construction Responsibility	
Trained Individual	
Signature	Date
Contractor's Name	
Construction Responsibility	
Trained Individual	
Signature	Date

#### 10.0 **DEFINITIONS**

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

**Trained Individual** - means an employee from a contracting (construction) firm that has received four (4) hours of training, which has been endorsed by the Department, from a Soil and Water Conservation District, CPESC, Inc. or other Department endorsed entity, in proper erosion and sediment control principles no later than two (2) years from the date this general permit is issued. After receiving the initial training, the trained individual shall receive four (4) hours of training every three (3) years. This individual will be responsible for implementation of the SWPPP. The owner or operator shall ensure that at least one trained individual is on site on a daily basis when soil disturbance activities are being performed.

### **APPENDIX A**

SOIL MAPPING AND INFORMATION United States Department of Agriculture Natural Resources Conservation Service
**APPENDIX B** 

Town of Newburgh SWPPP ACCEPTANCE FORM

# **APPENDIX C**

# PROPOSED PET HOTEL AND DAY CARE FACILITY

SITE PLAN



## **APPENDIX D**

STORMWATER RUNOFF ANALYSIS FOR MIDDLEHOPE PROPOSED PET HOTEL AND DAY CARE FACILITY 5351 ROUTE 9W TOWN OF NEWBURGH ORANGE COUNTY, NEW YORK - See Report Separately -

**TO BE INSERTED** 

# **APPENDIX E DRAWINGS**

SWPPP-1 THRU SWPPP-4

#### STORMWATER POLLUTION PREVENTION PLAN

FOR ALL CONSTRUCTION ACTIVITIES SUBJECT TO THIS GENERAL PERMIT (GP-0-15-002) EFFECTIVE: JANUARY 29, 2015 EXPIRES: JANUARY 28, 2020

#### CENERAL

- CONTRACTORS SHALL TAKE METRICE THAT THE WATERS OF THE UNITED STATES ARE PROTECTORS SHALL TAKE METRICE THAT THE WATERS OF THE UNITED STATES ARE PROTECTOR UNDER THE REDSHAL LAW KNOWN AS THE CLEWN WHITER AT TO THE UNITED STATES ARE UNAWARYLL UNLESS AUTHORIZED BY A MATCONL POLITICANT DISCHARGE ELIMINATION SYSTEM ("NPOES") PERMIT, THE NEW YORK STATE DEPARTMENT OF ENROPHENTAL CONSERVATION ("NFOSCO") ADMINISTERS THE STATE POLITICATION SYSTEM ("NPOES") PERMIT, THE NEW YORK STATE DECAMPRE ELIMINATION SYSTEM ("SPOES") PERMIT PROCEND, IN CONFORMANCE WITH THE POEDFUL STORM WHITE (WHOSS) REGULTANTS.
- OWNER OR OPERATOR MEANS THE PERSON, PERSONS OR LEGAL ENTITY WHICH OWNS OR LEASES THE PROPERTY ON WHICH THE CONSTRUCTION ACTIMITY IS COURTING AND AND AN EXTERN THAT HAS AND SPECIFICATIONS, INCLUDING ACIMUM ACIMUM
- MOURFAILENS TO THE FLANS AND SPELIFICATIONS. CONTRACTORS SHALL TAKE NOTICE THAT THE OWNER OR OPERATOR HAS FILED OR IS ABOUT TO THE A NOTICE OF INTENT ("NOT) WITH THE INTSDEC, AND IS THE PERMITTEE REFERE TO DEREGNATE. THIS "NOT APPLICATION INCLUDES THE STORM WATER POLLITION PREVENTION FLAN ("SIMPOP") PREPARED FOR THIS SUBDAYSION, AND APPLIES TO THE PUBLIC UMPROVEMENTS INDICATED FOR THIS SUBDAYSION, AND IN CONTRACTOR SHALL SUBMIT A SEPARATE SOL EROSION AND SEDIMENTATION CONTROL PUAN WITH LICK MPECTATION FOR A SULLING PERMIT.
- THE CONTRACTOR AND HIS/HER SUBCONTRACTORS ARE SUBJECT TO THE TERMS AND CONDITONS OF THE SPOES GENERAL PERMIT ISSUED TO THE PERMITTEE FOR THE CONSTRUCTION OF THIS RESIDENTAL SUBDANSION, WITHOUT LIMITING THE FOREGOIN THE SWPPP PROVIDES THE DETAILED INFORMATION FOR COMPLIANCE.
- THE SWPPP PROVIDES THE DETAILED INFORMATION FOR COMPLIANCE.
- PROJECT DESCRIPTION
- 1. THE PURPOSE OF THIS PROJECT IS TO CONSTRUCT AN ADDITION TO THE EXISTING PET HOTEL AND DAYCARE BUILDING, INCREASING THE NUMBER OF POTENTIAL BOARDERS.
- INCLUDED WITH THE BUILDING ADDITION IS A REVISED PARKING LOT AND ACCESS DRIVE, NEW SEPTIC DISPOSAL SYSTEM AND STORMWATER MANAGEMENT FEATURES.
- 3. CONTRACTORS SHALL TAKE NOTE THAT AS A CONTINUOUSLY OPERATING PET BOARDING FACILITY AND VETERINARY CLINIC, SPECIAL ATTENTION SHALL BE GIVEN TO ANY CONSTRUCTION ACTIVITY AND/OR INSTALLATION OF SOLE FOSION AND SEDUENT CONTROL MEASURES SO AS TO PROTECT THE SAFE ACCESS ROUTES FOR THE GENERAL PUBLIC TO THESE LOCATIONS.
- C. SITE DESCRIPTION
- . THE SITE COVERS THREE SEPARATE PARCELS UNDER THE SAME OWNERSHIP, THESE PARCELS HAVE BEEN PREVOUSLY IMPROVED WITH BUILDINGS, PARKING AREAS AND UNDERGROUND UTLITES.
- . Soils located in the front portion of the site tend to be silt loans with to indrologic classification. Soil near the rear property line are more gravely and may and "a" classification.
- RESPONSIBILITY AND IMPLEMENTATION OF THE STORMWATER POLLUTION PREVENTION PLAN.
- FOLLO HOW FREVENTION FEAN. THE OPERATOR IS THE PORTITEE PURSUANT TO THE NEW YORK STATE SPOES PERMIT COVERING THE WORK THE CONTRACTOR, AND HIS/HER SUBCONTRACTORS, IS THE OPERATOR OF ANY EPOSION CONTROL PRICINCE INSTALLED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS, OR AS DIRECTED.
- UPON COMPLETION OF THE WORK AND ACCEPTANCE OF THE STORMMATER POLLIDION PREVENTION SYSTEM CONSTRUCTED IN ACCORDANCE WITH THESE PLANS, THE TOWN OF NEMBURCH WILL BE RESPONSIBLE FOR THE OPERATION AND MUNITERVANCE OF SAID SYSTEM IN ACCORDANCE WITH THE CONDITIONS OF SAID SPOES' PERMIT.
- E CONSTRUCTION SEQUENCE
- INSTALL SILT FENCE, STRAW BALE DIKES AND OTHER EROSION CONTROL FEATURES AROUND PERMITER OF AREAS TO BE DISTURBED, INSTALL CONSTRUCTION BARRICADE FENCE AROUND TREE TO BE SAVED AND TO SEPARATE CONSTRUCTION AREA FROM PERSONS USING THE EXISTING FACILITIES.
- 2. PROVIDE SOUD WASTE CONTAINERS (00: DUMPSTERS, TRASH BINS, GARBAGE CANS) FOR DISPOSAL OF ANCILLARY CONSTRUCTION DEBRIS, TRASH AND GARBAGE.
- 3. REMOVE SILT FENCE, STRAW BALE DIKES, STABILIZED CONSTRUCTION ENTRANCES AND OTHER TEMPORARY EROSION CONTROL FEATURES WHEN PERMANENT VECETATIVE COVER MAS ESTABLISHED ON EXPOSED FARTH SILVEFACES AND REK OF SOUL EROSION IS LOW
- F. POLLUTION PREVENTION MEASURES
- THE CONTRACTOR SHALL PROVIDE DUST CONTROL, AS REQUIRED, ON A REGULAR BASIS TO ELIMINATE THE MIGRATION OF AIRBORNE SOIL PARTICLES. DUST CONTROL IS TO BE ACHIEVED BY SPRINKLING WITH WATER.
- THE CONTRACTOR SHALL PROVIDE LITTER CONTROL WITH THE USE OF COVERED TRASH RECEPTICLES, AND THE REGULAR CLEAN UP OF WASTE PAPER, WRAPPERS, CONTAINERS PACKARING AND SMULAR TRASH GENERATED BY THE WORK AND WORKERS.
- 3. ALL OILS, GREASE, SOLVENTS AND OTHER FLUIDS NECESSARY FOR THE MAINTENANCE AND OFERATION OF EDUIPMENT USED FOR THE WORK ARE TO BE HANDLED PROPERLY, CONTINUES AND COLLECTED FOR USE OR DISPOSAL AT THE APPROPRIATE RECYCLING CENTER OR GOLLECTION STE.
- DEBRIS AND TRASH FROM CONSTRUCTION ACTIVITY SMALL BE COLLECTED BY THE CONTRACTOR ON A DAILY BASIS. THIS WASTE MATERIAL IS TO BE STORED IN CLOSED CONTRACTOR ON A DAILY BASIS. THIS WASTE MATERIAL IS TO BE STORED IN CLOSED CONTRACTOR ON A DAILY BASIS. THIS WASTE MATERIAL OF TRASH IS PERMITED.
- G. CONSTRUCTION WASTE MATERIAL
- DEBRIS AND TRASH FROM CONSTRUCTION ACTIVITY SHALL BE COLLECTED BY THE CONTRACTOR ON A DAILY BASIS. THIS WASTE MATERIA, IS TO BE STORED IN CLOSED CONTINIERS (SEE E (5) BOOVE) AND ULTIMATELY REMOVED FROM THE STE AND DISPOSED OF AT AN APPROVED DISPOSAL SITE. NO ON SITE BURIAL OF TRASH IS PERMITED.
- H. STRUCTURAL AND VEGETATIVE MEASURES FOR SOIL STABILIZATION RUNOFF CONTROL AND SEDIMENT CONTROL

- 2. PERMANENT CONTROLS
- FUNMENT COMINUS A SEED MO MULCH EXPOSED EARTH AREAS TO ESTABLISH PERMANENT VEDETATIVE COVER AS SOOM AS PRACTICAL AFTER FINAL GRADING. MULCH SHALL FOLLOW SEEDING BY NO MORE THAN 24 HOURS.
- 3. TEMPORARY CONTROLS THAT ARE TO BE CONVERTED TO PERMANENT STORMWATER MANAGEMENT FACILITIES
- A) RIP--RAP OUTLET PROTECTION AND STONE LINED SWALES USED FOR SEDIMENT CONTROL SHALL BE RETAINED AS PERMANENT. 4. IMPLEMENTATION SCHEDULE OF EROSION AND SEDIMENT CONTROLS
- A) SEDMIENT BARRIER (SILT) FENCE SHALL BE INSTALLED PRIOR TO ANY SITE DISTURBANCE. B) STABULED ROCK CONSTRUCTION ENTRANCE SHALL BE INSTALLED PRIOR TO HEAVY TRUCK THEFTIC ENTERING OR LEARNE THE SITE. C) TEMPORARY DMERSION SMILES SHALL BE INSTALLED AS THE WORK PROCEEDS ACROSS THE PROJECT AREA. D) STRUM BALE DIESS SHALL BE PLACED WHERE NEEDED IN COMMUNITON WITH TEMPORARY SWILES AND WHITE BURS, AS THE WORK PROCEEDS THE PROJECT AREA. D) DIST CONTROL SHALL BE COMPUCED DURING DRY MEATHER AS NEEDED DR DRECTED. E) DUST CONTROL SHALL BE COMPUCED DURING DRY MEATHER AS NEEDED DR DRECTED.

- 5. MAINTENANCE SCHEDULE FOR FROSION AND SEDIMENT CONTROLS
- A) SEDIMENT BARRIER (SILT) FENCE: MUNITAIN PER DETAL B) STABLIZED ROCK CONSTRUCTION ENTRANCE SMULL BE MUNITAINED IN A COMOTION THAT PREVENTS TRAFFIC FROM TRACKING SEDIMENT ONTO PUBLIC ROUMANTS. INSPECT AFTER EACH RAW AND PERIDOKALLY REDRESS THE TOP AGGREGATE TO MUNITAIN FERSOTRENESS.
- NSPECT AFTER EACH FAM AND PERDORALLY REDRESS THE TOP AGGREGATE TO MANTAIN EFFECTIVENESS REF FREQUENT RESPECTIVA AFTER EACH PANN, AND SHALL SO THE REDRIVED AND REPLACED WHEN THEY HAVE SERVED THER USETLANDS, DIEMPORARY SWALES SALL BE REPECTED AFTER EACH FAIN, REPAR MY ENDISON DIEMPORARY SWALES SALL BE REPECTED AFTER EACH FAIN, REPAR MY ENDISON DIEMPORARY SWALES SALL BE REPECTED AFTER EACH FAIN, REPAR MY ENDISON DIEMPORARY SWALES SALL BE REPECTED AFTER EACH FAIN, REPAR MY ENDISON DIEMPORARY SWALES SALL BE REPECTED AFTER EACH FAIN, REPAR MY ENDISON DIEMPORARY SWALES SALL BE REPECTED AFTER EACH FAIN SWALE OR IN OUTLET AREA TO RESTORE OPERATION.
- I. DRAINAGE CHARACTERISTICS AND CONTROL
- THE WORK AREA IS TRIBUTARY TO THE STATE HIGHWAY AND/OR THE UNNAMED STREAM CROSSING THE SITE ON THE NORTHERLY SIDE.
- DISTURBED, UNPROTECTED SOILS WILL TEND TO MIGRATE WITH RUMOFF WATER AND RISK CONTAMINATING SAID UNNAMED STEMM. MAINTAINING COVER OVER THESE BARE SOILS SIGNIFICANTLY REDUCES THIS UNDESIRABLE MIGRATION.
- SURFACE RUNOFF WATER THAT IS RELATIVELY CLEAN AND SEDIMENT FREE AND SHALL BE DIVERTED FROM THE WORK WHENEVER POSSIBLE. 3.

II FOR CONSTRUCTION ACTIVITIES WITH WATER QUALITY & WATER QUANTITY CONTROLS

- A. POST CONSTRUCTION STORMWATER CONTROLS: POST CONSTRUCTION STORMWATER CONTROLS INCLUDE THE MAINTENANCE OF THE PROPOSED RAIN GARDENS, STONE INFILTRATION TRENCH AND STORMWATER POND. REFER TO THE GREEN INFRASTRUCTURE PLAN AND DETAILS FOR THE LOCATIONS AND CONSTRUCTION OF THESE STORMMATER CONTROLS.
- B. DRAINAGE REPORT (SEE SEPARATE DOCUMENTS): REFER TO SEPARATE REPORTS HEREBY MADE PART OF THIS SWPP PLAN:
- C. MAINTENANCE SCHEDULE FOR POST-CONSTRUCTION STORM WATER CONTROL PRACTICES:

STORMWATER CONTROL DEVICES INCLUDING CATCON DASHIG AND PONDS SHALL BE INSPECTED AND CLEANED WHEN SEDWIDTA ACCUMULATIONS REACH 1/2 THE GENONED SEDWIDT SHALL BE DEPOSITED IN SUCH A LOCATION AND MANNER THAT IT WILL NOT ERDE.

- D. SITE ASSESSMENT AND INSPECTIONS:
- SITE ASSESSMENT AND INSPECTIONS. THE OPERATOR SHALL HAVE A QUALIFIED PROFESSIONAL CONDUCT AN ASSESSMENT OF THE SITE PRIOR TO THE COMMENCEMENT OF CONSTRUCTION AND CERTIFY IN AN INSPECTION REPORT THAT THE APPROPRIATE EROSON AND SEDMENT CONTROLS DESCRIBED IN (). THE SUMPP OF THIS PERMIT HAVE BEEN ADDUALTLY INSTALLED OR DESCRIBED IN (). THE SUMPP OF THIS PERMIT HAVE BEEN ADDUALTLY INSTALLED OR DESCRIBED ON (). THE SUMPP OF THIS PERMIT HAVE BEEN ADDUALTLY INSTALLED OR DESCRIBED CONDUCTED BY THE COLLED PROFESSION (). ONSTRUCTION STALLED CONSTRUCTION, FOLLOWING LAP ROMANDED PROFESSION (). ONSTRUCTION STALLED ADDIA DAYS AND WITHIN 24 HOURS OF THE END OF A STORM EVENT OF 0.5 MIC. SLENDAR DAYS AND WITHIN 24 HOURS OF THE END OF A STORM EVENT OF 0.5 MIC. SLENDAR GREATER DURING EACH INSPECTION, THE QUALIFIED PROFESSIONAL SHALL RECORD THE FOLLOWING INFORMATION:
- e) ON A SITE MAP, INDICATE THE EXTENT OF ALL DISTURBED SITE AREAS AND DRAIMAGE PATHWAYS, INDICATE SITE AREAS THAT ARE EXPECTED TO UNDERGO INTIAL, DISTURBANCE OR SIGNIFICANT SITE WORK WITHIN THE NEXT 14-DAY PERIOD;
- b) INDICATE ON A SITE MAP ALL AREAS OF THE SITE THAT HAVE UNDERGONE TEMPORARY OR PERMANENT STABILIZATION:
- c) INDICATE ALL DISTURBED SITE AREAS THAT HAVE NOT UNDERGONE ACTIVE SITE WORK DURING THE PREVIOUS 14-DAY PERIOD:
- d) INSPECT ALL SEDIMENT CONTROL PRACTICES AND RECORD THE APPROXIMATE DEGREE OF SEDIMENT ACCUMULATION AS A PERCENTAGE OF THE SEDIMENT STORAGE VOLUME (FOR EXAMPLE, 10 PERCENT, 20 PERCENT), SO PERCENT);
- e) INSPECT ALL EROSION AND SEDIMENT CONTROL PRACTICES AND RECORD ALL MAINTENANCE RECURRENTS SUCH AS VERIFING THE INTEGRITY OF BARRIER OR DMRRSION SYSTEMS (GARTHEN BERMS OR SILT FENCING) AND CONTAINMENT SYSTEMS (SEDIMENT BASINS AND SEDIMENT TRAPS).
- I) IDENTIFY ANY EVIDENCE OR RILL OR GULLY EROSION OCCURRING ON SLOPES AND ANY LOSS OF STABILIZING VEGETATION OR SEEDING/MULCHING. IMS BEEN REDUCED BY FIFTY (30) PERCENT FROM THE DESIGN CAPACITY.
- 9) DOCUMENT ANY EXCESSIVE DEPOSITION OF SEDIMENT OR PONDING WATER ALONG BARRIER OR DIVERSION SYSTEMS.
- h) RECORD THE DEPTH OF SEDIMENT WITHIN CONTAINMENT STRUCTURES, ANY EROSION NEAR OUTLET AND OVERFLOW STRUCTURES, AND VEHITY THE ABULTY OF ROCK FILTERS AROUND PERFORMEDE NESER PIPES TO PASS WATER;
- i) ALL DEFICIENCIES THAT ARE IDENTIFIED WITH THE IMPLEMENTATION OF THE SWPPP.
- THE OPERATOR SHALL MAINTAIN A RECORD OF ALL INSPECTION REPORTS IN A SITE LOG BOOK. THE SITE LO BOOK SHALL BE MAINTAINED ON SITE AND BE MADE AVAILABLE TO THE PERMITTIES AUTHORITY DEPON RESULTS. PROOF TO THE COMMENCEMENT OF SITE PERMITTIES AUTHORITY DEPON RESULTS. PROOF TO THE COMMENCEMENT OF SITE PERMITTIES AUTHORITY DEPON RESULTS. THE OFFENSION AND SECONDARY OF THE SITE PERMITTIES AUTHORITY OF THE SITE INSPECTION ACTIVITIES ON A MONTALY BASS.
- 3. PRIOR TO FILING OF THE NOTICE OF TERMINATION (NOT) OR THE END OF PERMIT TERM. THE OPERATOR SHALL HAVE THE OLALIFED PROFESSIONL, PERFORM A FINAL STR INSPECTION. THE OLALIFED PROFESSIONAL SHALL CERTIFY THAT THE STE MIS UNDERCOME FINAL STABILIZATION (2) USING EITHER VEGETATIVE OR STRUCTURAL STABILIZATION METHODS AND THAT ALL TEMPORARY ENGSION AND SEDMENT CONTROLS EROSMON OF HAVE BEEN REMOVED (SUCH AS STRLT FENSIO) NOT MEEDED FOR
- 4. THE OPERATOR SHALL CERTIFY THAT THE REQUIREMENTS OF THIS PERMIT HAVE BEEN SATISFIED WITHIN 48 HOURS OF ACTUALLY MEETING SUCH REQUIREMENTS,
- E. STABILIZATION
- THE OPERATOR SHALL INITIATE STABILIZATION MEASURES AS SOON AS PRACTICABLE IN PORTIONS OF THE STE WHERE SOIL DISTURBANCE ACTIVITIES HAVE TEMPORARILY OR PERMUNETY CASED, BUT IN NO CASE MORE THAN 7 DATS ATTER THE SOIL DISTURBANCE ACTIMTY IN THAT PORTION OF THE STE HAS TEMPORARILY OR PERMUNETY CEASED. TEMPORARY STABILIZATION MEANS THAT EXPOSED SOIL HAS BEEN COVERED WITH MATERIAL(S) SET FORTH IN THE TECHNICAL STANDARD, TO PREVENT SOIL FROM ERODING.
- ERODING. TO FORTH IN THE TECHNICAL STANDARD, TO PREVENT SOLF ROM FINAL STABILIZATION MEANS THAT ALL SOL DISTURBANCE ACTIVITIES HAVE CEASED AND A UNIFORM PERENIMAL VEGETATIVE COVER WITH A STEM DENSITY OF EICHTY (BO) PERCENT OVER THE ENTITE PERVIOUS SUMPLIE HAS BEEN ESTABLISHED, OR OTHER ECONTRATING SUBJECT OF THE STANDARD AND ADDRESS AND LOD ON ALL DISTURBED AREAST TOWAR ARE NOT COVERED BY PERMANENT STRUCTURES, CONCRETE OR PAVEMENT.
- F. MAINTENANCE
  - SEDIMENT SHALL BE REMOVED FROM SEDIMENT TRAPS OR SEDIMENT PONDS WHENEVER THEIR CAPACITY HAS BEEN REDUCED BY FIFTY (50) PERCENT FROM THE DESIGN CAPACITY.

IV RECORDS, REPORTING & RETENTION OF RECORDS

A BECORD RETEXTION - THE OWNER OR OPERATOR SMULL RETURN A COPY OF THE NOL, NOT ACCOMMENDATION - THE OWNER OR OPERATOR SMULL RETURN A COPY OF THE NOL, INSPECTION REPORTS THAT WERE PREPARED IN COMMUNICION WITH THIS PERMIT FOR A PERIOD OF AT LEAST FIRE (S) YEARS FROM THE DUE THAT THE STREE ACHEVES FINAL STABILIZATION, THIS PERIOD MAY BE EXTENDED BY THE DEPARTMENT, IN ITS SOLE DISCRETION, AT ANY TIME UPON WRITHEN NOTIFICATION,

B. ADDRESSES. - WITH THE EXCEPTION OF THE NOL NOT, AND MS4 SWPPP ACCEPTANCE FORM (WHICH MUST BE SUBMITED TO THE ADDRESS REFERENCED IN PART HA.1), ALL WRITEN CORRESPONDENCE REQUESTED BY THE DEPARTMENT, INCLUMING INDIVIDUAL PERMIT APPLICATIONS, SHALL BE SENT TO THE ADDRESS OF THE APPROPRIATE DEPARTMENT REGIONAL OFTICE USED

NTS DEPT. OF ENVIRONMENTAL CONSERT DATSTON OF ENVIRONMENTAL PERMITS 21 SOUTH PUTTS CORNERS ROAD NEW PALTZ, NY 12561-1696 TOWN OF WALLKILL 99 TOWER DRIVE BUILDING A MIDDLETOWN, NY 10941

#### VI STANDARD PERMIT CONDITIONS

(DEPARTMENT: NYS DEPT. OF ENVIRONMENTAL CONSERVATION)

- DUTY TO COMPLY. THE OPERATOR MUST COMPLY WITH ALL CONDITIONS OF THIS PERMIT ALL CONTRACTORS AND SUBCONTRACTORS ASSOCIATED WITH THE PROJECT MUST COMPLY WITH THE TENDS OF THE SWPPP, AND FERMIT MONCOMPLANCE CONSERVATION LAW, AND IS GROINDES FOR AN ENFORCEMENT ACTION ADMNST THE OWNER OR OF DEFINITOR AND/GR THE CONTRACTOR'S DEFINIT REVOCATION OR WODERCATION, OR DEMAL OF A FERMIT RENEWL APPLICATION WOMER OR OF DEFINITOR AND/GR THE CONTRACTOR, SUBCONTRACTOR, PERMIT REVOCATION OR WODERCATION, OR DEMAL OF A FERMIT RENEWL APPLICATION OWNER OR OF DEFINITOR AND/GR THE CONTRACTOR, SUBCONTRACTOR, PERMIT REVOCATION OR WODERCATION, OR DEMAL OF A FERMIT RENEWL APPLICATION CONSTRUCTION ACTIVITY AT THE SITE UNTIL THE MON-COMPLANCE IS REMEDIED. THE STOP WORK ORDER SHALL BE SENT TO THE OWNER OR OFFENTION OR COMPLICATES ON OFENTIAL BALL BE SENT TO THE OWNER OR OFFENTION OR THE STOP WORK ORDER SHALL BE SENT TO THE OWNER OR OFFENTION.
- THE OWNER'S OR OPERATOR'S ON-SITE REPRESENTATIVE. CONTINUATION OF THE EXPIRED CENERAL PERMIT, THE PERMIT EXPIRES TWO (2) EXPIRET TOUE DETERTIONS THE DEVINE TO ANY BE OBTINED UNDER THE EXPIRET TOUE DETERTIONS TO ANY BE OBTINED UNDER THE NEW GENERAL PERMIT IS ISSUED. AFTER ESSUANCE OF A NEW GENERAL PERMIT. THOSE WITH COVERAGE UNDER OP-O-10-001 MILL INVESSI (6) MONTHS FROM THE SERVICE OF THE NEW GENERAL PERMIT TO COMPLETE THEIR PROJECT NEW GENERAL PERMIT IS ISSUED. AFTER ESSUANCE OF A NEW GENERAL PERMIT. THOSE WITH COVERAGE UNDER OF 0-0-10-001 MILL INVESSI (6) MONTHS FROM THE SERVICE OF THE NEW GENERAL PERMIT TO COMPLETE THEIR PROJECT IN COMPLETE THE NEW GENERAL PERMIT TO COMPLETE THEIR PROJECT IN CONTAINED THE TENSS OF SUCH ON THE OWNER OF OPERATOR, ITS CONTRACTORS, SUBCONTRACTORS, AGENTS AND/OR SIGNS TO STRUCTLY ADVERTE TO ANY OF THE PERMIT REOURGENENTS CONTAINED HEREIN SHALL CONSTITUTE A PERMIT WOLATION. SUBCONTRACTORS, AGENTS AND/OR SIGNS OF THIS FEMALT. FUEDBELIENTS OF AND FOR SUCH AND OF THE PERMIT, INCLATION: SUBCONTRACTORS, AGENTS CONTAINED HEREIN SHALL CONSTITUTE A PERMIT WOLATION. SUBCONTRACTORS, AGENTS CONTAINED HEREIN SHALL CONSTITUTE A PERMIT WOLATION. SUBCONTRACTORS, AGENTS CONTAINED HEREIN SHALL CONSTITUTE A PERMIT WOLATION. SUBCONTRACTORS, AGENTS CONTAINED HEREIN SHALL CONSTITUTE A PERMIT WOLATION. SUBCONTRACTORS, AGENTS CONTAINED HEREIN SHALL CONSTITUTE A PERMIT WOLATION. SUBCONTRACTORS, AGENTS CONTAINED HEREIN SHALL CONSTITUTE A PERMIT WOLATION. SUBCONTRACTORS, AGENTS CONTAINED HEREINS FOR THE PERMIT, FINES OF THE PERMIT REQUIREMENTS CONTAINED HEREIN SHALL CONSTITUTE A PERMIT WOLATION. SUBCONTRACTORS, AGENTS CONTAINED HEREIN SHALL CONSTITUTE A PERMIT WOLATION. SUBCONTRACTORS, AGENTS CONTAINED HEREINS FOR THE PERMIT, FINES OF THE SUBCONTRACTORS, AGENTS CONTAINED HEREIN SHALL CONSTITUTE A PERMIT OF THE PERMIT REQUIREMENTS CONTAINED HEREINS FOR THE SECOND OF THE SUBCONTRACTORS, AGENTS CONTAINED OF THE SECOND OF THE FORMATI. SUBCONTRACTORS, AGENTS CONTAINED ADALTER ADD DE
- NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENCE TO SHALL NOT BE A DEFENSE TOR AN UMBER OR DEPENTOR IN AN ENFORCEMENT ACTION THAT IT WOULD HAVE BEEN NECESSARY TO HALT OR REDUCE THE CONSTRUCTION ACTIVITY IN ORDER TO MANTAIN COMPLUNCE WITH THE CONDITIONS OF THIS PERMIT.
- <u>DUTY TO MITGATE:</u> THE OWNER OR OPERATOR AND ITS CONTRACTORS AND SUBCONTRACTORS SHALL TAKE ALL REASONABLE STEPS TO MINIMIZE OR PREVENT ANY DISCHARGE N VIOLATION OF THIS PENNIT MICH. HAS A REASONABLE LIKELIHOOD OF ADVERSELY AFFECTING HUMAN HEALTH OR THE ENVIRONMENT.
- <u>DUITY TO PROVIDE NETOEMATION:</u> THE OWNER OR OPERATOR SHALL MAKE AVAILABLE TO THE DEPARTMENT FOR INSPECTION AND COPYING OR FUNNISH TO THE DEPARTMENT WITHIN THE (2) DUIXESS DAYS OF REDDIT OF A PEDIATION AND DUISEST FOR SLOW INFORMATION, AND COMPLANCE WITH THIS CONCENT, TOR SLOW INFORMATION, BUT NOT LIMITED TO, THE NOI, NOT ACKNOMLEDGLENT LETTER, SWPPP, MSG WITH THIS GENERAL PERMIT THIS CON INCLUDE, BUT IS NOT LIMITED TO, THE NOI, NOT ACKNOMLEDGLENT LETTER, SWPPP, MSG INSPEP ACCEPTANCE FORM, EXECUTED WANTEDWARE ARREEMENT, INSPECTION REPORTS FALURE TO PROVIDE WAODMATION REQUESTED BY THE DEPARTMENT SHALL BE A VOLUTION OF THS PERMIT.
- BY THE DEPARTMENT SHALL BE A VOLATION OF THIS FEMILY. CONFER INFORMATION: WHEN THE OWNER OR OPERATOR BECOMES AWARE THAT THEY FALLED TO SUBWIT ANY RELEVANT PACTS. OR SUBWITTED INCORRECT INFORMATION IN THE NOI ON IN ANY OTHER REPORT. OR HAVE MADE SUBSTANTIVE REVISIONS TO THE SWPPP (4.9. THE SCOPE OF THE MANAGEMENT PRACTICALIT. THE POST-CONSTRUCTION STOMMATER MANAGEMENT PRACTICE(S) CHAVES. THERE IS A REDUCTION IN THE SIZING DEFINITION. THEY STOLED THE SWPPP (4.9. THE SCOPE OF THE INFORMET CHAVES SKIMMED AND INFORMATION STOMMATER MANAGEMENT PRACTICE(S) CHAVES. THERE IS A REDUCTION IN THE SIZING DEFINITION. THEY SHALL PROMPTLY SUBWIT SUCH TACTS OF NOTMATION. FALLINE TO THE OWNER OR OPERATOR TO CORRECT OR SUPPLEMENT ANY RELEVANT FACIS WITH INFO (S) BUSINESS DAYS OF BECOMME AWARE OF THE DEFICIENCY SHALL CONSTITUTE A PERMIT MOLATION.
- H. SIGNATORY REQUIREMENTS:
  - 1. ALL NOIS AND NOTS SHALL BE SIGNED AS FOLLOWS: FOR A CORPORATION THESE FORMS SHALL BE SIGNED BY A RESPONSIBLE CORPORTE OFFICER. FOR THE PURPOSE OF THIS SECTION, A RESPONSIBLE CORPORTE OFFICER MEMONS:
    - I. A PRESIDENT, SECRETARY, TREASURER, OR VICE-PRESIDENT OF THE CORPORATION IN CHARGE OF A PRINCIPAL BUSINESS FUNCTION, OR ANT OTHER PERSON WHO PERFORMS SIMILAR POLICY OR DECISION-MANING FUNCTIONS FOR THE CORPORATION;
    - ON II. THE MANAGER OF ONE OR MORE MANUFACTURING, PRODUCTION OR III. THE MANAGER OF ONE OR MORE MANAGER IS AUTHORIZED TO MAKE MANAGEMENT DESTINGNS THINGH GOVERN THE OPERATION OF THE REGULATED FACILITY INCLUDING HAVING THE EXPLICIT OR INFLICT DUTY OF MANING MAJOR CAPTAL INVESTIGATI RECOMMENDATIONS, AND INTIATION AND DIRECTING OTHER RECOMMENDATIONS, AND INTIATION AND INFLORMENTAL COMPUTANCE WITH ENVIRONMENTAL AND SAND REGULATIONS. THE MANAGER CAN ENSURE THAT THE NECESSARY SYSTEMS ARE ESTABLISHED OR ACTIONS TAKEN TO GATHER COMPLETE AND ACCURATE INTORNATION FOR PERMIT APPLICATION REGULAREDNS; AND WHERE AUTHORIZITY TO SIGN DOCUMENTS THAS BEEN ASSIGNED OR DECLINES; ON DECLINES; AND WHERE AUTHORIZED TO THE MANAGER IN ACCORDANCE WITH CORPORATE PROCEEDINGES;
  - B. FOR A PARTNERSHIP OR SOLE PROPRIETORSHIP THESE FORMS SHALL BE SIGNED BY A GENERAL PARTNER OR THE PROPRIETOR, RESPECTIVELY: OR
  - C. FOR A MUNICIPALITY, STATE, FEDERAL, OR OTHER PUBLIC AGENCY THESE FORMS SHALL BE SIGNED BY ETHER 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, OR27 (PART VILH.1.C) 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).
  - THE SWPPP AND OTHER INFORMATION REDUCTED BY THE DEPARTMENT SHALL BE SIGNED BY A PERSON DESCRIBED IN PART VILH, 1. OR BY A DULY AUTHORIZED REPRESENTATIVE OF THAT PERSON. A PERSON IS A DULY AUTHORIZED REPRESENTATIVE ONLY IF:
  - A. THE AUTHORIZATION IS MADE IN WRITING BY A PERSON DESCRIBED ABOVE
  - B. THE AUTHORIZATION SPECIFIES EITHER AN INDIVIDUAL OR A POSITION HAVING RESPONSIBILITY FOR THE OVERALL OPERATION OF THE REGULATED FACILITY OR ACTIVITY, SUCH AS THE POSITION OF PLANT MANAGER, OPERATOR OF A WELL OR A WELL FIELD, SUPERIMTENDENT, 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 INDIMIDUAL OCCUPTING A NAMED POSITION) AND,
  - C. THE WRITTEN AUTHORIZATION SHALL INCLUDE THE NAME, TITLE AND SIGNATURE OF THE AUTHORIZED REPRESENTATIVE AND BE ATTACHED TO THE SWPPP.
- 3. ALL INSPECTION REPORTS SHALL BE SIGNED BY THE QUALIFIED INSPECTOR THAT PERFORMS THE INSPECTION.
- PERFORMS THE INSPECTION. THE MS4 SWPPP ACCEPTANCE FORM SHALL BE SIGNED BY THE PRINCIPAL EXECUTIVE OFFICER OR RANKING ELECTED OFFICIAL FROM THE RESULATED, TRADITIONAL LAND USE CONTROL MS4. OR BY A DULY AUTHORIZED REPRESENTATIVE OF THAT PERSON. IT SHALL CONSTITUTE A DEFINIT VIOLATION IF AN INCORRECT AND/OR IMPROPER SIGNATORY AUTHORIZES ANY REQUIRED FORMS, SWPPP AND/OR INSPECTION REPORTS.

L <u>PROPERTY RIGHTS</u>... THE ISSUANCE OF THIS PERMIT DOES NOT CONVEY ANY PROPERTY RIGHTS OF ANY SORT, NOR ANY EXCLUSAE PRIVLEGES, NOR DOES IT ANTHORIZE ANY INVIRY TO PRIVATE PROPERTY NOR ANY INVISION OF PERSONAL RIGHTS, NOR ANY INFRINGEMENT OF FEDERAL, STATE OR LOCAL LANS OR REGULATIONS, OWNERS OR OF DEPENTIONS MUST OBTIAN ANY APPLICABLE CONVERIANCES, EASEMENTS, OLEXANSS MUST OBTIAN ANY APPLICABLE COMMETANCES, EASEMENTS, OLEXANSS MUST OBTIAN ANY PROPERTY PRIOR TO COMMENCING CONSTRUCTION ACTIVITY. L. SUTRABILIT. -: THE PROVISIONS OF THIS PERMIT ARE SEVERABLE, AND IF ANY PROVISION OF THIS PERMIT, OR THE APPLICATION OF ANY PROVISION OF THIS PERMIT TO ANY CIRCUMSTANCES, IS HELD INVALID, THE APPLICATION OF SUCH PROVISION TO OTHER CIRCUMSTANCES, AND THE REMAINDER OF THIS PERMIT SHALL NOT BE AFFECTED THEREBY. K. DENIAL OF COVERAGE UNDER THIS PERMIT.

AT ALL TIMES TWOETEL OF CONTROLE AND WAINING ALL PAULTING AND STS OF TREATMENT AND CONTROL (AND RELATED APPUTENANCES) WHICH ARE INSTALLED OR USED BY THE OWNER OR OPERATOR TO ACHIEVE COMPLIANCE WITH THE CONDITIONS OF THIS PERMIT AND WITH THE REQUIREMENTS OF THE SWPPP.

2. HAVE ACCESS TO AND COPY AT REASONABLE TIMES, ANY RECORDS THAT MUST BE KEPT UNDER THE CONDITIONS OF THIS PERMIT; AND

E. COW

ANGLE FIRST STAKE TOWARD PREVIOUSLY-LAID BALE

ANCHORING DETAIL

CONSTRUCTION SPECIFICATIONS

DRAINAGE AREA NO MORE THAN 1/4 AC. PER 100 FT. OF STRAW BALE DIKE FOR SLOPES LESS THAN 25%

5. BALES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFULNESS SO AS NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.

FLOW

3. INSPECT AT REASONABLE TIMES ANY FACILITIES OR EQUIPMENT (INCLUDING MONITORING AND CONTROL EQUIPMENT).











THIS DRAWING IS ONE IN A SET OF DRAWINGS & IS INCOMPLETE & INVALID WHEN IT IS SEPARATED FROM THIS SET.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DRAWING IS A VIOLATION OF SECTION 7209 (2) OF THE NY STATE EDUCATION LAW.



## **APPENDIX F**

# SPDES INSPECTION FORMS CONSTRUCTION ACTIVITIES

**APPENDIX G** 

**NOI APPLICATION** 

**APPENDIX H** 

NYSDEC RECEIPT OF NOI

Insert NYSDEC NOI Acknowledgment when Received **APPENDIX I** 

COPY OF NYSDEC SPDES PERMIT FOR STORMWATER DISCHARGE FROM CONSTRUCTION ACTIVITIES PERMIT NO. GP-0-15-002



## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES

From

## **CONSTRUCTION ACTIVITY**

Permit No. GP-0-15-002

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

Effective Date: January 29, 2015

Expiration Date: January 28, 2020

Modification Date:

July 14, 2015 - Correction of typographical error. in definition of "New Development", Appendix A

November 23, 2016- Updated to require the use of the New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016. The use of this standard will be required as of February 1, 2017.

John J. Ferguson Chief Permit Administrator

Date: 7-15-15

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

## PREFACE

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

This general permit ("permit") is issued pursuant to Article 17, Titles 7, 8 and Article 70 of the ECL. An *owner or operator* may obtain coverage under this permit by submitting a Notice of Intent ("NOi") to the Department. Copies of this permit and the NOi for New York are available by calling (518) 402-8109 or at any New York State Department of Environmental Conservation ("the Department") regional office {see Appendix G).They are also available on the Department's website at: http://www.dec.ny.gov/

An owner or operator of a construction activity that is eligible for coverage under this permit must obtain coverage prior to the *commencement of construction activity*. Activities that fit the definition of *"construction activity"*, as defined under 40 CFR 122.26(b)(14)(x), (15){i}, and {15)(ii}, constitute construction of a point source and therefore, pursuant to Article 17-0505 of the ECL, the *owner or operator* must have coverage under a SPDES permit prior to *commencing construction activity*. They cannot wait until there is an actual *discharge* from the construction site to obtain permit coverage.

## \*Note: The italicized words/phrases within this permit are defined in Appendix A.

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## (Part I)

## Part I. PERMIT COVERAGE AND LIMITATIONS

## A. Permit Application

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

- Construction activities involving soil disturbances of one (1) or more acres; including disturbances of less than one acre that are part of a *larger common plan of development or sale* that will ultimately disturb one or more acres of land; excluding *routine maintenance activity* that is performed to maintain the original line and grade, hydraulic capacity or original purpose of a facility;
- 2. Construction activities involving soil disturbances of less than one (1) acre where the Department has determined that a *SPDES* permit is required for stormwater *discharges* based on the potential for contribution to a violation of a *water quality standard* or for significant contribution of *pollutants* to *surface waters of the State.*
- 3. *Construction activities* located in the watershed(s) identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

**B.** Effluent Limitations Applicable to Discharges from Construction Activities *Discharges* authorized by this permit must achieve, at a minimum, the effluent limitations in Part I.B.1. (a)-(f) of this permit. These limitations represent the degree of effluent reduction attainable by the application of best practicable technology currently available.\_

 Erosion and Sediment Control Requirements - The owner or operator must select, design, install, implement and maintain control measures to minimize the discharge of pollutants and prevent a violation of the water quality standards. The selection, design, installation, implementation, and maintenance of these control measures must meet the non-numeric effluent limitations in Part I.B.1.(a) - (f) of this permit and be in accordance with the New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016, using sound engineering judgment. Where control measures are not designed in conformance with the design criteria included in the technical standard, the owner or operator must include in the Stormwater Pollution Prevention Plan ("SWPPP") the reason(s) for the deviation or alternative design and provide information

## (Part 1.8.1)

which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

- a. **Erosion and Sediment Controls.** Design, install and maintain effective erosion and sediment controls to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards.* At a minimum, such controls must be designed, installed and maintained to:
  - *(i) Minimize* soil erosion through application of runoff control and soil stabilization control measure to *minimize pollutant discharges;*
  - (ii) Control stormwater discharges to minimize channel and streambank erosion and scour in the immediate vicinity of the discharge points;
  - (iii) Minimize the amount of soil exposed during construction activity;
  - *(iv) Minimize* the disturbance of *steep slopes;*
  - (v) *Minimize* sediment *discharges* from the site;
  - (vi) Provide and maintain natural buffers around surface waters, direct stormwater to vegetated areas and maximize stormwater infiltration to reduce *pollutant discharges*, unless *infeasible*;
  - (vii) Minimize soil compaction. Minimizing soil compaction is not required where the intended function of a specific area of the site dictates that it be compacted; and
  - (viii) Unless *infeasible*, preserve a sufficient amount of topsoil to complete soil restoration and establish a uniform, dense vegetative cover.
- b. Soil Stabilization. In areas 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 fourteen (14) days from the date the current soil disturbance activity ceased. For construction sites that *directly discharge* to one of the 303(d) segments listed in Appendix E or is located in one of the watersheds listed in Appendix C, 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. See Appendix A for definition of *Temporarily Ceased*.
- c. Dewatering. Discharges from dewatering activities, including discharges

#### (Part 1.8.1.c)

from dewatering of trenches and excavations, must be managed by appropriate controlmeasures.

- d. **Pollution Prevention Measures.** Design, install, implement, and maintain effective pollution prevention measures to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards.* At a minimum, such measures must be designed, installed, implemented and maintained to:
  - (i) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. This applies to washing operations that use clean water only. Soaps, detergents and solvents cannot be used;
  - (ii) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste and other materials present on the site to precipitation and to stormwater. Minimization of exposure is not required in cases where the exposure to precipitation and to stormwater will not result in a *discharge* of *pollutants*, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use); and
  - (iii) Prevent the *discharge* of *pollutants* from spills and leaks and implement chemical spill and leak prevention and response procedures.
- e. Prohibited Discharges. The following discharges are prohibited:
  - (i) Wastewater from washout of concrete;
  - (ii) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
  - (iii) Fuels, oils, or other *pollutants* used in vehicle and equipment operation and maintenance;
  - (iv) Soaps or solvents used in vehicle and equipment washing; and
  - (v) Toxic or hazardous substances from a spill or other release.
- f. Surface Outlets. When discharging from basins and impoundments, the outlets shall be designed, constructed and maintained in such a manner that sediment does not leave the basin or impoundment and that erosion

(Part 1.8.1.f)

at or below the outlet does not occur.

#### C. Post-construction Stormwater Management Practice Requirements

- 1. The owner or operator of a construction activity that requires postconstruction stormwater management practices pursuant to Part 111.C. of this permit must select, design, install, and maintain the practices to meet the performance criteria in the New York State Stormwater Management Design Manual ("Design Manual"), dated January 2015, using sound engineering judgment. Where post-construction stormwater management practices ("SMPs") are not designed in conformance with the performance criteria in the Design Manual, the owner or operator must include in the SWPPP the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is equivalent to the technical standard.
- 2. The owner or operator of a construction activity that requires postconstruction stormwater management practices pursuant to Part 111.C. of this permit must design the practices to meet the applicable *sizing criteria* in Part I.C.2.a., b., c. or d. of this permit.

#### a. Sizing Criteria for New Development

- (i) Runoff Reduction Volume ("RRv"): Reduce the total Water Quality Volume ("WQv") by application of RR techniques and standard SMPs with RRv capacity. The total WQv shall be calculated in accordance with the criteria in Section 4.2 of the Design Manual.
- (ii) Minimum RRv and Treatment of Remaining Total WQv: Construction activities that cannot meet the criteria in Part I.C.2.a.(i) of this permit due to site limitations shall direct runoff from all newly constructed impervious areas to a RR technique or standard SMP with RRv capacity unless infeasible. The specific site limitations that prevent the reduction of 100% of the WQv shall be documented in the SWPPP. For each impervious area that is not directed to a RR technique or standard SMP with RRv capacity, the SWPPP must include documentation which demonstrates that all options were considered and for each option explains why it is considered infeasible.

In no case shall the runoff reduction achieved from the newly constructed *impervious areas* be less than the Minimum RRv as calculated using the criteria in Section 4.3 of the Design Manual. The remaining portion of the total WQv {Part I.C.2.a.ii)

that cannot be reduced shall be treated by application of standard SMPs.

- (iii) Channel Protection Volume ("Cpv"): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event; remaining after runoff reduction. The Cpv requirement does not apply when:
  - (1) Reduction of the entire Cpv is achieved by application of runoff reduction techniques or infiltration systems, or
  - (2) The site *discharges* directly to tidal waters, or fifth order or larger streams.
- (iv) Overbank Flood Control Criteria ("Qp"): Requires storage to attenuate the post-development 10-year, 24-hour peak *discharge* rate (Qp) to predevelopment rates. The Qp requirement does not apply when:
  - (1) the site *discharges* directly to tidal waters or fifth order or larger streams, or
  - (2) A downstream analysis reveals that overbank control is not required.
- (v) Extreme Flood Control Criteria ("Qf'): Requires · storage to attenuate the post-development 100-year, 24-hour peak *discharge* rate (Qf) to predevelopment rates. The Qf requirement does not apply when:
  - (1) the site *discharges* directly to tidal waters or fifth order or larger streams, or
  - (2) A downstream analysis reveals that overbank control is not required.

## b. Sizing Criteria for New Development in Enhanced Phosphorus Removal Watershed

- (i) Runoff Reduction Volume (RRv): Reduce the total Water Quality Volume (WQv) by application of RR techniques and standard SMPs with RRv capacity. The total WQv is the runoff volume from the 1-year, 24 hour design storm over the post-developed watershed and shall be calculated in accordance with the criteria in Section 10.3 of the Design Manual.
- (ii) Minimum RRv and Treatment of Remaining Total WQv: Construction activities that cannot meet the criteria in Part I.C.2.b.(i) of this permit due to site limitations shall direct runoff from all newly constructed impervious areas to a RR technique or

standard SMP with RRv capacity unless *infeasible*. The specific *site limitations* that prevent the reduction of 100% of the WQv shall be documented in the SWPPP. For each *impervious area* that is not directed to a RR technique or standard SMP with RRv capacity, the SWPPP must include documentation which demonstrates that all options were considered and for each option explains why it is considered *infeasible*.

In no case shall the runoff reduction achieved from the newly constructed *impervious areas* be less than the Minimum RRv as calculated using the criteria in Section 10.3 of the Design Manual. The remaining portion of the total WQv that cannot be reduced shall be treated by application of standard SMPs.

- (iii) Channel Protection Volume (Cpv): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event; remaining after runoff reduction. The Cpv requirement does not apply when:
  - Reduction of the entire Cpv is achieved by application of runoff reduction techniques or infiltration systems, or
  - (2) The site *discharges* directly to tidal waters, or fifth order or larger streams.
- (iv) Overbank Flood Control Criteria (Qp): Requires storage to attenuate the post-development 10-year, 24-hour peak *discharge* rate (Qp) to predevelopment rates. The Qp requirement does not apply when:
  - (1) the site *discharges* directly to tidal waters or fifth order or larger streams, or
  - (2) A downstream analysis reveals that overbank control is not required.
- (v) Extreme Flood Control Criteria (Qf): Requires storage to attenuate the post-development 100-year, 24-hour peak *discharge* rate (Qf) to predevelopment rates. The Qf requirement does not apply when:
  - (1) the site *discharges* directly to tidal waters or fifth order or larger streams, or
  - (2) A downstream analysis reveals that overbank control is not required.

## c. Sizing Criteria for Redevelopment Activity

(Part I.C.2.c.i)

- (i) Water Quality Volume (WQv): The WQv treatment objective for redevelopment activity shall be addressed by one of the following options. Redevelopment activities located in an Enhanced Phosphorus Removal Watershed (see Part 111.B.3. and Appendix C of this permit) shall calculate the WQv in accordance with Section 10.3 of the Design Manual. All other redevelopment activities shall calculate the WQv in accordance with Section 4.2 of the Design Manual.
  - (1) Reduce the existing *impervious cover* by a minimum of 25% of the total disturbed, *impervious area*. The Soil Restoration criteria in Section 5.1.6 of the Design Manual must be applied to all newly created pervious areas, or
  - (2) Capture and treat a minimum of 25% of the WQv from the disturbed, *impervious area* by the application of standard SMPs; or reduce 25% of the WQv from the disturbed, *impervious area* by the application of RR techniques or standard SMPs with RRv capacity., or
  - (3) Capture and treat a minimum of 75% of the WQv from the disturbed, *impervious area* as well as any additional runoff from tributary areas by application of the alternative practices discussed in Sections 9.3 and 9.4 of the Design Manual., or
  - (4) Application of a combination of 1, 2 and 3 above that provide a weighted average of at least two of the above methods. Application of this method shall be in accordance with the criteria in Section 9.2.1{B) (IV) of the Design Manual.

If there is an existing post-construction stormwater management practice located on the site that captures and treats runoff from the *impervious area* that is being disturbed, the WQv treatment option selected must, at a minimum, provide treatment equal to the treatment that was being provided by the existing practice(s) if that treatment is greater than the treatment required by options 1 - 4 above.

- (ii) Channel Protection Volume (Cpv): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site.
- (iii) Overbank Flood Control Criteria {Qp): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site.

(Part I.C.2.c.iv)

(iv) Extreme Flood Control Criteria (Qf): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site.

## d. Sizing Criteria for Combination of Redevelopment Activity and New Development

Construction projects that include both *New Development* and *Redevelopment Activity* shall provide post-construction stormwater management controls that meet the *sizing criteria* calculated as an aggregate of the *Sizing Criteria* in Part I.C.2.a. or b. of this permit for the *New Development* portion of the project and Part I.C.2.c of this permit for *Redevelopment Activity* portion of the project.

## D. Maintaining Water Quality

The Department expects that compliance with the conditions of this permit will control *discharges* necessary to meet applicable *water quality standards*. It shall be a violation of the *EGL* for any discharge to either cause or contribute to a violation of *water quality standards* as contained in Parts 700 through 705 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York, such as:

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

If there is evidence indicating that the stormwater *discharges* authorized by this permit are causing, have the reasonable potential to cause, or are contributing to a violation of the *water quality standards;* the *owner or operator* must take appropriate corrective action in accordance with Part IV.C.5. of this general permit and document in accordance with Part IV.C.4. of this general permit. To address the *water quality standard* violation the *owner or operator* may need to provide additional information, include and im-plement appropriate controls in the SWPPP to correct the problem, or obtain an individual SPDES permit.

If there is evidence indicating that despite compliance with the terms and conditions of this general permit it is demonstrated that the stormwater *discharges* authorized by this permit are causing or contributing to a violation of *water quality standards*, or

### (Part 1.0)

if the Department determines that a modification of the permit is necessary to prevent a violation of *water quality standards*, the authorized *discharges* will no longer be eligible for *coverage* under this permit. The Department may require the *owner or operator* to obtain an individual SPOES permit to continue discharging.

### E. Eligibility Under This General Permit

- 1. This permit may authorize all *discharges* of stormwater from *construction activity* to *surface waters of the State* and *groundwaters* except for ineligible *discharges* identified under subparagraph F. of this Part.
- 2. Except for non-stormwater *discharges* explicitly listed in the next paragraph, this permit only authorizes stormwater *discharges* from *construction activities*.
- 3. Notwithstanding paragraphs E.1 and E.2 above, the following nonstormwater discharges may be authorized by this permit: discharges from firefighting activities; fire hydrant flushings; waters to which cleansers or other components have not been added that are used to wash vehicles or control dust in accordance with the SWPPP, routine external building washdown which does not use detergents; pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; air conditioning condensate; uncontaminated groundwater or spring water; uncontaminated *discharges* from construction site de-watering operations; and foundation or footing drains where flows are not contaminated with process materials such as solvents. For those entities required to obtain coverage under this permit, and who *discharge* as noted in this paragraph, and with the exception of flows from firefighting activities, these discharges must be identified in the SWPPP. Under all circumstances, the owner or operator must still comply with water quality standards in Part 1.0 of this permit.
- 4. The owner or operator must maintain permit eligibility to discharge under this permit. Any discharges that are not compliant with the eligibility conditions of this permit are not authorized by the permit and the owner or operator must either apply for a separate permit to cover those ineligible discharges or take steps necessary to make the discharge eligible for coverage.
- **F.** Activities Which Are Ineligible for Coverage Under This General Permit All of the following are <u>not</u> authorized by this permit:

### (Part 1.F)

- 1. Discharges after construction activities have been completed and the site has undergone *final stabilization;*
- Discharges that are mixed with sources of non-stormwater other than those expressly authorized under subsection E.3. of this Part and identified in the SWPPP required by this permit;
- 3. *Discharges* that are required to obtain an individual SPDES permit or another SPDES general permit pursuant to Part VII.K. of this permit;
- 4. Construction activities or discharges from construction activities that may adversely affect an endangered or threatened species unless the owneror operator has obtained a permit issued pursuant to 6 NYCRR Part 182 for the project or the Department has issued a letter of non-jurisdiction for the project. All documentation necessary to demonstrate eligibility shall be maintained on site in accordance with Part 11.C.2 of this permit.
- 5. *Discharges* which either cause or contribute to a violation of *water quality standards* adopted pursuant to the *EGL* and its accompanying regulations;
- 6. Construction activities for residential, commercial and institutional projects:
  - a. Where the *discharges* from the *construction activities* are tributary to waters of the state classified as AA or AA-s; and
  - b. Which disturb one or more acres of land with no existing *impervious cover*, and
  - c. Which are undertaken on land with a Soil Slope Phase that is identified as an E or F, or the map unit name is inclusive of 25% or greater slope, on the United States Department of Agriculture ("USDA") Soil Survey for the County where the disturbance will occur.
- 7. Construction activities for linear transportation projects and linear utility projects:
  - a. Where the *discharges* from the *construction activities* are tributary to waters of the state classified as AA or AA-s; and
  - *b.* Which disturb two or more acres of land with no existing *impervious cover*, and
  - c. Which are undertaken on land with a Soil Slope Phase that is identified as an E or F, or the map unit name is inclusive of 25% or greater slope, on the USDA Soil Survey for the County where the disturbance will occur.

## (Part I.F.8)

- 8. Construction activities that have the potential to affect an historic property, unless there is documentation that such impacts have been resolved. The following documentation necessary to demonstrate eligibility with this requirement shall be maintained on site in accordance with Part 11.C.2 of this permit and made available to the Department in accordance with Part VII.F of this permit:
  - a. Documentation that the *construction activity* is not within an archeologically sensitive area indicated on the sensitivity map, and that the *construction activity* is not located on or immediately adjacent to a property listed or determined to be eligible for listing on the National or State Registers of Historic Places, and that there is no new permanent building on the construction site within the following distances from a building, structure, or object that is more than 50 years old, or if there is such a new permanent building on the construction site within those parameters that NYS Office of Parks, Recreation and Historic Preservation (OPRHP), a Historic Preservation Commission of a Certified Local Government, or a qualified preservation professional has determined that the building, structure, or object more than 50 years old is not historically/archeologically significant.
    - 1-5 acres of disturbance 20 feet
    - 5-20 acres of disturbance 50 feet
    - 20+ acres of disturbance 100 feet, or
  - b. DEC consultation form sent to OPRHP, and copied to the NYS DEC Agency Historic Preservation Officer (APO), and
    - the State Environmental Quality Review (SEQR) Environmental Assessment Form (EAF) with a negative declaration or the Findings Statement, with documentation of OPRHP's agreement with the resolution; or
    - (ii) documentation from OPRHP that the *construction activity* will result in No Impact; or
    - (iii) documentation from OPRHP providing a determination of No Adverse Impact; or
    - (iv) a Letter of Resolution signed by the owner/operator, OPRHP and the DEC APO which allows for this *construction activity* to be eligible for coverage under the general permit in terms of the State Historic Preservation Act (SHPA); or
  - c. Documentation of satisfactory compliance with Section 106 of the National Historic Preservation Act for a coterminous project area:
    - (i) No Affect
    - (ii) No Adverse Affect

(Part I.F.8.c.iii)

- (iii) Executed Memorandum of Agreement, or
- d. Documentation that:
  - (i) SHPA Section 14.09 has been completed by NYS DEC or another state agency.
- Discharges from construction activities that are subject to an existing SPDES individual or general permit where a SPDES permit for construction activity has been terminated or denied; or where the owner or operator has failed to renew an expired individual permit.

## Part II. OBTAINING PERMIT COVERAGE

#### A.Notice of Intent (NOi) Submittal

1. An owner or operator of a construction activity that is not subject to the requirements of a regulated, traditional land use control MS4 must first prepare a SWPPP in accordance with all applicable requirements of this permit and then submit a completed NOi form to the Department in order to be authorized to discharge under this permit. An owner or operator shall use either the electronic (eNOI) or paper version of the NOi that the Department prepared. Both versions of the NOi are located on the Department's website (http://www.dec.ny.gov/). The paper version of the NOi shall be signed in accordance with Part VII.H. of this permit and submitted to the following address.

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

2. An owner or operator of a construction activity that is subject to the requirements of a regulated, traditional land use control MS4 must first prepare a SWPPP in accordance with all applicable requirements of this permit and then have its SWPPP reviewed and accepted by the regulated, traditional land use control MS4 prior to submitting the NOi to the Department. The owner or operator shall have the "MS4 SWPPP Acceptance" form signed in accordance with Part VII.H., and then submit that form along with a completed NOi to the Department. An owner or operator shall use either the electronic (eNOI) or paper version of the NOi.

The paper version of the NOi shall be signed in accordance with Part VII.H. of this permit and submitted to the address in Part 11.A.1.

## (Part 11.A.2)

The requirement for an *owner or operator* to have its SWPPP reviewed and accepted by the *MS4* prior to submitting the NOi to the Department does not apply to an *owner or operator* that is obtaining permit coverage in accordance with the requirements in Part 11.E. (Change of *Owner or Operator*) or where the *owner or operator* of the *construction activity* is the *regulated, traditional land use control MS4.* 

- 3. The *owner or operator* shall have the SWPPP preparer sign the "SWPPP Preparer Certification" statement on the NOi prior to submitting the form to the Department.
- 4. As of the date the NOi is submitted to the Department, the *owner or operator* shall make the NOi and SWPPP available for review and copying in accordance with the requirements in Part VII.F. of this permit.

## **B.** Permit Authorization

- 1. An owner or operator shall not commence construction activity until their authorization to discharge under this permit goes into effect.
- 2. Authorization to *discharge* under this permit will be effective when the *owner* or operator has satisfied <u>all</u> of the following criteria:
  - a. project review pursuant to the State Environmental Quality Review Act ("SEQRA"} have been satisfied, when SEQRA is applicable. See the Department's website (<u>http://www.dec.ny.gov/</u>) for moreinformation,
  - b. where required, all necessary Department permits subject to the Uniform Procedures Act ("UPA'? (see 6 NYCRR Part 621) have been obtained, unless otherwise notified by the Department pursuant to 6 NYCRR 621.3(a)(4). Owners or operators of construction activities that are required to obtain UPA permits must submit a preliminary SWPPP to the appropriate DEC Permit Administrator at the Regional Office listed in Appendix F at the time all other necessary UPA permit applications are submitted. The preliminary SWPPP must include sufficient information to demonstrate that the construction activity qualifies for authorization under this permit,
  - c. the final SWPPP has been prepared, and
  - d. a complete NOi has been submitted to the Department in accordance with the requirements of this permit.
- 3. An owneroroperatorthat has satisfied the requirements of Part 11.B.2 above

#### (Part 11.B.3)

will be authorized to *discharge* stormwater from their *construction activity* in accordance with the following schedule:

- a. For construction activities that are <u>not</u> subject to the requirements of a *regulated, traditional land use control MS4:* 
  - (i) Five (5) business days from the date the Department receives a complete electronic version of the NOi (eNOI) for *construction activities* with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part 111.B.1 and the *performance criteria* in the technical standard referenced in Parts 111.B., 2 or 3, for *construction activities* that require post-construction stormwater management practices pursuant to Part 111.C.; or
  - (ii) Sixty (60) business days from the date the Department receives a complete NOi (electronic or paper version) for *construction activities* with a SWPPP that has <u>not</u> been prepared in conformance with the design criteria in technical standard referenced in Part 111.B.1. or, for *construction activities* that require post-construction stormwater management practices pursuant to Part 111.C., the *performance criteria* in the technical standard referenced in Parts 111.B., 2 or 3, or;
  - (iii) Ten (10) business days from the date the Department receives a complete paper version of the NOi for *construction activities* with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part 111.B.1 and the *performance criteria* in the technical standard referenced in Parts 111.B., 2 or 3, for *construction activities* that require post-construction stormwater management practices pursuant to Part 111.C.
- b. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4:* 
  - (i) Five (5) business days from the date the Department receives both a complete electronic version of the NOi (eNOI) and signed "MS4 SWPPP Acceptance" form, or
  - (ii) Ten (10) business days from the date the Department receives both a complete paper version of the NOi and signed "MS4 SWPPP Acceptance" form.
- 4. The Department may suspend or deny an owner's or operator's coverage

(Part 11.B.4)

under this permit if the Department determines that the SWPPP does not meet the permit requirements. In accordance with statute, regulation, and the terms and conditions of this permit, the Department may deny coverage under this permit and require submittal of an application for an individual SPDES permit based on a review of the NOi or other information pursuant to Part II.

5. Coverage under this permit authorizes stormwater *discharges* from only those areas of disturbance that are identified in the NOi. If an *owner or operator* wishes to have stormwater *discharges* from future or additional areas of disturbance authorized, they must submit a new NOi that addresses that phase of the development, unless otherwise notified by the Department. The *owner or operator* shall not *commence construction activity* on the future or additional areas until their authorization to *discharge* under this permit goes into effect in accordance with Part 11.B. of this permit.

## C. General Requirements For Owners or Operators With Permit Coverage

- The owner or operator shall ensure that the provisions of the SWPPP are implemented from the commencement of construction activity until all areas of disturbance have achieved final stabilization and the Notice of Termination ("NOT') has been submitted to the Department in accordance with Part V. of this permit. This includes any changes made to the SWPPP pursuant to Part 111.A.4. of this permit.
- 2. The owner or operator shall maintain a copy of the General Permit (GP-0-15-002), NOi, NOi Acknowledgment Letter, SWPPP, MS4 SWPPP Acceptance form, inspection reports, and all documentation necessary to demonstrate eligibility with this permit at the construction site until all disturbed areas have achieved *final stabilization* and the NOT has been submitted to the Department. The documents must be maintained in a secure location, such as a job trailer, on-site construction office, or mailbox with lock. The secure location must be accessible during normal business hours to an individual performing a compliance inspection.
- 3. The owner or operator of a construction activity shall not disturb greater than five (5) acres of soil at any one time without prior written authorization from the Department or, in areas under the jurisdiction of a regulated, traditional land use control MS4, the regulated, traditional land use control MS4 (provided the regulated, traditional land use control MS4 (provided the regulated, traditional land use control operator of the construction activity). At a minimum, the owner or operator must comply with the following requirements in order to be authorized to disturb greater than five (5) acres of soil at any one time:

  a. The owner or operator shall

#### (Part 11.C.3.a)

have a *qualified inspector* conduct **at least** two (2) site inspections in accordance with Part IV.C. of this permit every seven (7) calendar days, for as long as greater than five (5) acres of soil remain disturbed. The. two (2) inspections shall be separated by a minimum of two (2) full calendar days.

- b. In areas 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 shall be in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016.
- c. The owner or operator shall prepare a phasing plan that defines maximum disturbed area per phase and shows required cuts and fills.
- d. The owner or operator shall install any additional site specific practices needed to protect water quality.
- e. The owner or operator shall include the requirements above in their SWPPP.
- 4. In accordance with statute, regulations, and the terms and conditions of this permit, the Department may suspend or revoke an *owner's or operator's* coverage under this permit at any time if the Department determines that the SWPPP does not meet the permit requirements. Upon a finding of significant non-compliance with the practices described in the SWPPP or violation of this permit, the Department may order an immediate stop to all activity at the site until the non-compliance is remedied. The stop work order shall be in writing, describe the non-compliance in detail, and be sent to the *owner or operator*.
- 5. For construction activities that are subject to the requirements of a regulated, traditional land use control MS4, the owner or operator shall notify the regulated, traditional land use control MS4 in writing of any planned amendments or modifications to the post-construction stormwater management practice component of the SWPPP required by Part III.A. 4. and 5. of this permit. Unless otherwise notified by the regulated, traditional land use control MS4, the owner or operator shall have the SWPPP amendments or modifications reviewed and accepted by the regulated, traditional land use control MS4 prior to commencing construction of the post-construction stormwater management practice
(Part 11.D)

## D. Permit Coverage for Discharges Authorized Under GP-0-10-001

 Upon renewal of SPDES General Permit for Stormwater Discharges from *Construction Activity* (Permit No. GP-0-10-001), an *owner or operator* of a *construction activity* with coverage under GP-0-10-001, as of the effective date of GP-0-15-002, shall be authorized to *discharge* in accordance with GP-0-15-002, unless otherwise notified by the Department.

An *owner or operator* may continue to implement the technical/design components of the post-construction stormwater management controls provided that such design was done in conformance with the technical standards in place at the time of initial project authorization. However, they must comply with the other, non-design provisions of GP-0-15-002.

## E. Change of Owner or Operator

1. When property ownership changes or when there is a change in operational control over the construction plans and specifications, the original owner or operator must notify the new owner or operator, in writing, of the requirement to obtain permit coverage by submitting a NOi with the Department. Once the new owner or operator obtains permit coverage, the original owner or operator shall then submit a completed NOT with the name and permit identification number of the new owner or operator to the Department at the address in Part 11.A.1. of this permit. If the original owner or operator maintains ownership of a portion of the construction activity and will disturb soil, they must maintain their coverage under the permit.

Permit coverage for the new *owner or operator* will be effective as of the date the Department receives a complete **NOi**, provided the original *owner or operator* was not subject to a sixty (60) business day authorization period that has not expired as of the date the Department receives the NOi from the new *owner or operator*. (Part III)

## Part III. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

## A. General SWPPP Requirements

- 1. A SWPPP shall be prepared and implemented by the *owner or operator* of each *construction activity* covered by this permit. The SWPPP must document the selection, design, installation, implementation and maintenance of the control measures and practices that will be used to meet the effluent limitations in Part I.B. of this permit and where applicable, the post-construction stormwater management practice requirements in Part I.C. of this permit. The SWPPP shall be prepared prior to the submittal of the NOi. The NOi shall be submitted to the Department prior to the *commencement of construction activity*. A copy of the completed, final NOi shall be included in the SWPPP.
- 2. The SWPPP shall describe the erosion and sediment control practices and where required, post-construction stormwater management practices that will be used and/or constructed to reduce the *pollutants* in stormwater *discharges* and to assure compliance with the terms and conditions of this permit. In addition, the SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater *discharges*.
- 3. All SWPPPs that require the post-construction stormwater management practice component shall be prepared by a *qualified professional* that is knowledgeable in the principles and practices of stormwater management and treatment.
- 4. The *owner or operator* must keep the SWPPP current so that it at all times accurately documents the erosion and sediment controls practices that are being used or will be used during construction, and all post-construction stormwater management practices that will be constructed on the site. At a minimum, the *owner or operator* shall amend the SWPPP:
  - a. whenever the current provisions prove to be ineffective in minimizing *pollutants* in stormwater *discharges* from the site;
  - b. whenever there is a change in design, construction, or operation at the construction site that has or could have an effect on the *discharge* of *pollutants;* and
  - c. to address issues or deficiencies identified during an inspection by the *qualified inspector,* the Department or other regulatory authority.
- 5. The Department may notify the owner or operator at any time that the

(Part 111.A.5)

SWPPP does not meet one or more of the minimum requirements of this permit. The notification shall be in writing and identify the provisions of the SWPPP that require modification. Within fourteen (14) calendar days of such notification, or as otherwise indicated by the Department, the *owner or operator* shall make the required changes to the SWPPP and submit written notification to the Department that the changes have been made. If the *owner or operator* does not respond to the Department's comments in the specified time frame, the Department may suspend the *owner's or operator* so obtain coverage under this permit or require the *owner or operator* to obtain 11.C.4. of this permit.

6. Prior to the *commencement of construction activity*, the *owner or operator* must identify the contractor(s) and subcontractor(s) that will be responsible for installing, constructing, repairing, replacing, inspecting and maintaining the erosion and sediment control practices included in the SWPPP; and the contractor(s) and subcontractor(s) that will be responsible for constructing the post-construction stormwater management practices included in the SWPPP. The *owner or operator* shall have each of the contractors and subcontractors identify at least one person from their company that will be responsible for implementation of the SWPPP. This person shall be known as the *trained contractor*. The *owner or operator* shall ensure that at least one *trained contractor* is on site on a daily basis when soil disturbance activities are being performed.

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

"I hereby certify under penalty of law that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identified by the *qualified inspector* during a site inspection. I also understand that the *owner or operator* must comply with the terms and conditions of the most current version of the New York State Pollutant Discharge Elimination System ("SPDES") general permit for stormwater *discharges* from *construction activities* and that it is unlawful for any person to cause or contribute to a violation of *water quality standards*. Furthermore, I am aware that there are significant penalties for submitting false information, that I do not believe to be true, including the possibility of fine and imprisonment for knowing violations"

In addition to providing the certification statement above, the certification page must also identify the specific elements of the SWPPP that each contractor and subcontractor will be responsible for and include the name and title of the person providing the signature; the name and title of the

#### (Part 111.A.6)

trained contractor responsible for SWPPP implementation; the name, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification statement is signed. The owner or operator shall attach the certification statement(s) to the copy of the SWPPP that is maintained at the construction site. If new or additional contractors are hired to implement measures identified in the SWPPP after construction has commenced, they must also sign the certification statement and provide the information listed above.

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

#### **B. Required SWPPP Contents**

- Erosion and sediment control component All SWPPPs prepared pursuant to this permit shall include erosion and sediment control practices designed in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016. Where erosion and sediment control practices are not designed in conformance with the design criteria included in the technical standard, the *owner or operator* must demonstrate *equivalence* to the technical standard. At a minimum, the erosion and sediment control component of the SWPPP shall include the following:
  - a. Background information about the scope of the project, including the location, type and size of project;
  - b. A site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map shall show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water(s); floodplain/floodway boundaries; wetlands and drainage patterns that could be affected by the *construction activity;* existing and final contours ; locations of different soil types with boundaries; material, waste, borrow or equipment storage areas located on adjacent properties; and location(s) of the stormwater *discharge(s);*
  - c. A description of the soil(s) present at the site, including an identification of the Hydrologic Soil Group (HSG);
  - d. A construction phasing plan and sequence of operations describing the intended order of *construction activities*, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other

(Part 111.B.1.d)

activity at the site that results in soil disturbance;

- e. A description of the minimum erosion and sediment control practices to be installed or implemented for each *construction activity* that will result in soil disturbance. Include a schedule that identifies the timing of initial placement or implementation of each erosion and sediment control practice and the minimum time frames that each practice should remain in place or be implemented;
- *f.* A temporary and permanent soil stabilization plan that meets the requirements of this general permit and the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016, for each stage of the project, including initial land clearing and grubbing to project completion and achievement of *final stabilization;*
- g. A site map/construction drawing(s) showing the specific location(s), size(s), and length(s) of each erosion and sediment control practice;
- h. The dimensions, material specifications, installation details, and operation and maintenance requirements for all erosion and sediment control practices. Include the location and sizing of any temporary sediment basins and structural practices that will be used to divert flows from exposed soils;
- A maintenance inspection schedule for the contractor(s) identified in Part 111.A.6. of this permit, to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection schedule shall be in accordance with the requirements in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016;
- *j.* A description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a *pollutant* source in the stormwater *discharges;*
- k. A description and location of any stormwater *discharges* associated with industrial activity other than construction at the site, including, but not limited to, stormwater *discharges* from asphalt plants and concrete plants located on the construction site; and
- Identification of any elements of the design that are not in conformance with the design criteria in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016. Include the reason for the deviation or alternative design

#### (Part 111.B.1.I)

and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

2. Post-construction stormwater management practice component - The *owner or operator* of any construction project identified in Table 2 of Appendix B as needing post-construction stormwater management practices shall prepare a SWPPP that includes practices designed in conformance with the applicable *sizing criteria* in Part I.C.2.a., c. or d. of this permit and the *performance criteria* in the technical standard, New York State Stormwater Management Design Manual dated January 2015

Where post-construction stormwater management practices are not designed in conformance with the *performance criteria* in the technical standard, the *owner or operator* must include in the SWPPP the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

The post-construction stormwater management practice component of the SWPPP shall include the following:

- a. Identification of all post-construction stormwater management practices to be constructed as part of the project. Include the dimensions, material specifications and installation details for each post-construction stormwater management practice;
- b. A site map/construction drawing(s) showing the specific location and size of each post-construction stormwater management practice;
- c. A Stormwater Modeling and Analysis Report that includes:
  - (i) Map(s) showing pre-development conditions, including watershed/subcatchments boundaries, flow paths/routing, and design points;
  - (ii) Map(s) showing post-development conditions, including watershed/subcatchments boundaries, flow paths/routing, design points and post-construction stormwater management practices;
  - (iii) Results of stormwater modeling (i.e. hydrology and hydraulic analysis) for the required storm events. Include supporting calculations (model runs), methodology, and a summary table that compares pre and post-development runoff rates and volumes for the different storm events;
  - $(iv) \quad Summary \ table, with \ supporting \ calculations, \ which \ demonstrates$

that each post-construction stormwater management practice has been designed in conformance with the *sizing criteria* included in the Design Manual;

- (v) Identification of any *sizing criteria* that is not required based on the requirements included in Part I.C. of this permit; and
- (vi) Identification of any elements of the design that are not in conformance with the *performance criteria* in the Design Manual. Include the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the Design Manual;
- d. Soil testing results and locations (test pits, borings);
- e. Infiltration test results, when required; and
- f. An operations and maintenance plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each post-construction stormwater management practice. The plan shall identify the entity that will be responsible for the long term operation and maintenance of each practice.
- 3. Enhanced Phosphorus Removal Standards All construction projects identified in Table 2 of Appendix B that are located in the watersheds identified in Appendix C shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the applicable *sizing criteria* in Part I.C.2. b., c. or d. of this permit and the *performance criteria*, Enhanced Phosphorus Removal Standards included in the Design Manual. At a minimum, the post-construction stormwater management practice component of the SWPPP shall include items 2.a 2.f. above.

## C. Required SWPPP Components by Project Type

Unless otherwise notified by the Department, *owners or operators* of *construction activities* identified in Table 1 of Appendix Bare required to prepare a SWPPP that only includes erosion and sediment control practices designed in conformance with Part 111.B.1 of this permit. *Owners or operators* of the *construction activities* identified in Table 2 of Appendix B shall prepare a SWPPP that also includes post-construction stormwater management practices designed in conformance with Part 111.B.2 or 3 of this permit.

## (Part IV)

## Part IV. INSPECTION AND MAINTENANCE REQUIREMENTS

#### A. General Construction Site Inspection and Maintenance Requirements

- 1. The owner or operator must ensure that all erosion and sediment control practices (including pollution prevention measures) and all post-construction stormwater man13gement practices identified in the SWPPP are inspected and maintained in accordance with Part IV.B. and C. of this permit.
- 2. The terms of this permit shall not be construed to prohibit the State of New York from exercising any authority pursuant to the ECL, common law or federal law, or prohibit New York State from taking any measures, whether civil or criminal, to prevent violations of the laws of the State of New York, or protect the public health and safety and/or the environment.

## **B.** Contractor Maintenance Inspection Requirements

- 1. The owner or operator of each construction activity identified in Tables 1 and 2 of Appendix B shall have a *trained contractor* inspect the erosion and sediment control practices and pollution prevention measures being implemented within the active work area daily to ensure that they are being maintained in effective operating condition at all times. If deficiencies are identified, the contractor shall begin implementing corrective actions within one business day and shall complete the corrective actions in a reasonable time frame.
- 2. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and *temporary stabilization* measures have been applied to all disturbed areas, the *trained contractor* can stop conducting the maintenance inspections. The *trained contractor* shall begin conducting the maintenance inspections in accordance with Part IV.8.1. of this permit as soon as soil disturbance activities resume.
- 3. For construction sites where soil disturbance activities have been shut down with partial project completion, the *trained contractor* can stop conducting the maintenance inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational.

#### C. Qualified Inspector Inspection Requirements

#### (Part IV.C)

The *owner or operator* shall have a *qualified inspector* conduct site inspections in conformance with the following requirements:

[Note: The *trained contractor* identified in Part 111.A.6. and IV.B. of this permit **cannot** conduct the *qualified inspector* site inspections unless they meet the *qualified inspector* qualifications included in Appendix A. In order to perform these inspections, the *trained contractor* would have to be a:

- licensed Professional Engineer,
- Certified Professional in Erosion and Sediment Control (CPESC),
- Registered Landscape Architect, or

- someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity].

- 1. A *qualified inspector* shall conduct site inspections for all *construction activities* identified in Tables 1 and 2 of Appendix 8, <u>with the exception of</u>:
  - a. the construction of a single family residential subdivision with 25% or less impervious cover at total site build-out that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is <u>not</u> located in one of the watersheds listed in Appendix C and <u>not</u> directly discharging to one of the 303(d) segments listed in Appendix E;
  - b. the construction of a single family home that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is <u>not</u> located in one of the watersheds listed in Appendix C and <u>not</u> directly discharging to one of the 303(d) segments listed in Appendix E;
  - c. construction on agricultural property that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres; and
  - d. *construction activities* located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.
- 2. Unless otherwise notified by the Department, the *qualified inspector* shall conduct site inspections in accordance with the following timetable:
  - a. For construction sites where soil disturbance activities are on-going, the *qualified inspector* shall conduct a site inspection at least once every seven (7) calendar days.
  - b. For construction sites where soil disturbance activities are on-going and

## (Part IV.C.2.b)

the *owner or operator* has received authorization in accordance with Part 11.C.3 to disturb greater than five (5) acres of soil at any one time, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days'.

- c. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and *temporary stabilization* measures have been applied to all disturbed areas, the *qualified inspector* shall conduct a site inspection at least once every thirty (30) calendar days. The owner or operator shall notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix F) or, in areas under the jurisdiction of a *regulated, traditional land use control MS4*, the *regulated, traditional land use control MS4*, is not the owner or operator of the construction activity) in writing prior to reducing the frequency of inspections.
- d. For construction sites where soil disturbance activities have been shut down with partial project completion, the qualified insp ctor can stop conducting inspections if all areas disturbed as of the project shutdown date have achieved final stabilization and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational. The owner or operator shall notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix F) or, in areas under the jurisdiction of a regulated, traditional land use control MS4, the regulated, traditional land use control MS4 (provided the regulated, traditional land use control MS4 is not the owner or operator of the construction activity) in writing prior to the shutdown. If soil disturbance activities are not resumed within 2 years from the date of shutdown, the owner or operator shall have the qualified inspector perform a final inspection and certify that all disturbed areas have achieved final stabilization, and all temporary, structural erosion and sediment control measures have been removed; and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP by signing the "Final Stabilization" and "Post-Construction Stormwater Management Practice" certification statements on the NOT. The owner or operator shall then submit the completed NOT form to the address in Part 11.A.1 of this permit.
- e. For construction sites that directly *discharge* to one of the 303(d) segments listed in Appendix E or is located in one of the watersheds listed in Appendix C, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall

(Part IV.C.2.e)

be separated by a minimum of two (2) full calendar days.

- 3. At a minimum, the *qualified inspector* shall inspect all erosion and sediment control practices and pollution prevention measures to ensure integrity and effectiveness, all post-construction stormwater management practices under construction to ensure that they are constructed in conformance with the SWPPP, all areas of disturbance that have not achieved *final stabilization*, all points of *discharge* to natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the construction site, and all points of *discharge* from the construction site.
- 4. The *qualified inspector* shall prepare an inspection report subsequent to each and every inspection. At a minimum, the inspection report shall include and/or address the following:
  - a. Date and time of inspection;
  - b. Name and title of person(s) performing inspection;
  - c. A description of the weather and soil conditions (e.g. dry, wet, saturated) at the time of the inspection;
  - d. A description of the condition of the runoff at all points of *discharge* from the construction site. This shall include identification of any *discharges* of sediment from the construction site. Include *discharges* from conveyance systems (i.e. pipes, culverts, ditches, etc.) and overland flow;
  - e. A description of the condition of all natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the construction site which receive runoff from disturbed areas. This shall include identification of any *discharges* of sediment to the surface waterbody.;
  - f. Identification of all erosion and sediment control practices and pollution prevention measures that need repair or maintenance;
  - g. Identification of all erosion and sediment control practices and pollution prevention measures that were not installed properly or are not functioning as designed and need to be reinstalled or replaced;
  - Description and sketch of areas with active soil disturbance activity, areas that have been disturbed but are inactive at the time of the inspection, and areas that have been stabilized (temporary and/or final) since the last inspection;

(Part IV.C.4.i)

- i. Current phase of construction of all post-construction stormwater management practices and identification of all construction that is not in conformance with the SWPPP and technical standards;
- j. Corrective action(s) that must be taken to install, repair, replace or maintain erosion and sediment control practices and pollution prevention measures; and to correct deficiencies identified with the construction of the post-construction stormwater management practice(s);
- k. Identification and status of all corrective actions that were required by previous inspection; and
- 1. Digital photographs, with date stamp, that clearly show the condition of all practices that have been identified as needing corrective actions. The *qualified inspector* shall attach paper color copies of the digital photographs to the inspection report being maintained onsite within seven (7) calendar days of the date of the inspection. The *qualified inspector* shall also take digital photographs, with date stamp, that clearly show the condition of the practice(s) after the corrective action has been completed. The *qualified inspector* shall attach paper color copies of the digital photographs to the inspection report that documents the completion of the corrective action work within seven (7) calendar days of the digital photographs to the inspection report that documents the completion of the corrective action work within seven (7) calendar days of that inspection.
- 5. Within one business day of the completion of an inspection, the *qualified inspector* shall notify the *owner or operator* and appropriate contractor or subcontractor identified in Part 111.A.6. of this permit of any corrective actions that need to be taken. The contractor or subcontractor shall begin implementing the corrective actions within one business day of this notification and shall complete the corrective actions in a reasonable time frame.
- 6. All inspection reports shall be signed by the *qualified inspector*. Pursuant to Part 11.C.2. of this permit, the inspection reports shall be maintained on site with the SWPPP.

## Part V. TERMINATION OF PERMIT COVERAGE

## A. Termination of Permit Coverage

1. An owner or operator that is eligible to terminate coverage under this permit must submit a completed NOT form to the address in Part 11.A.1 of this permit. The NOT form shall be one which is associated with this permit, signed in accordance with Part VII.Hof this permit.

## (Part V.A.2)

- 2. An *owner or operator* may terminate coverage when one or more the following conditions have been met:
  - a. Total project completion All construction activity identified in the SWPPP has been completed; <u>and</u> all areas of disturbance have achieved *final* stabilization; <u>and</u> all temporary, structural erosion and sediment control measures have been removed; <u>and</u> all post-construction stormwater management practices have been constructed in conformance with the SWPPP and are operational;
  - b. Planned shutdown with partial project completion All soil disturbance activities have ceased; <u>and all areas disturbed as of the project shutdown</u> date have achieved *final stabilization*; <u>and all temporary</u>, structural erosion and sediment control measures have been removed; <u>and all postconstruction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational;</u>
  - c. A new *owner or operator* has obtained coverage under this permit in accordance with Part 11.E. of this permit.
  - d. The *owner or operator* obtains coverage under an alternative SPDES general permit or an individual SPDES permit.
- 3. For construction activities meeting subdivision 2a. or 2b. of this Part, the owner or operator shall have the qualified inspector perform a final site inspection prior to submitting the NOT. The qualified inspector shall, by signing the "Final Stabilization" and "Post-Construction Stormwater Management Practice certification statements on the NOT, certify that all the requirements in Part V.A.2.a. or b. of this permit have been achieved.
- 4. For construction activities that are subject to the requirements of a regulated, traditional land use control MS4 and meet subdivision 2a. or 2b. of this Part, the owner or operator shall have the regulated, traditional land use control MS4 sign the "MS4 Acceptance" statement on the NOT in accordance with the requirements in Part VII.H. of this permit. The regulated, traditional land use control MS4 official, by signing this statement, has determined that it is acceptable for the owner or operator to submit the NOT in accordance with the requirements of this Part. The regulated, traditional land use control MS4 official, by signing the statement, has determined that it is acceptable for the owner or operator to submit the NOT in accordance with the requirements of this Part. The regulated, traditional land use control MS4 can make this determination by performing a final site inspection themselves or by accepting the qualified inspectors final site inspection certification(s) required in Part V.A.3. of this permit.

## (Part V.A.5)

- 5. For *construction activities* that require post-construction stormwater management practices and meet subdivision 2a. of this Part, the *owner or operator* must, prior to submitting the NOT, ensure one of the following:
  - a. the post-construction stormwater management practice(s) and any rightof-way(s) needed to maintain such practice(s) have been deeded to the municipality in which the practice(s) is located,
  - b. an executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s),
  - c. for post-construction stormwater management practices that are privately owned, the owner or operator has a mechanism in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan, such as a deed covenant in the owner or operator's deed of record,
  - d. for post-construction stormwater management practices that are owned by a public or private institution (e.g. school, university, hospital), government agency or authority, or public utility; the *owner or operator* has policy and procedures in place that ensures operation and maintenance of the practices in accordance with the operation and maintenance plan.

## Part VI. REPORTING AND RETENTION OF RECORDS

#### A. Record Retention

The owner or operator shall retain a copy of the NOi, NOi

Acknowledgment Letter, SWPPP, MS4 SWPPP Acceptance form and any inspection reports that were prepared in conjunction with this permit for a period of at least five (5) years from the date that the Department receives a complete NOT submitted in accordance with Part V. of this general permit.

## **B.** Addresses

With the exception of the NOi, NOT, and MS4 SWPPP Acceptance form (which must be submitted to the address referenced in Part 11.A.1 of this permit), all written correspondence requested by the Department, including individual permit applications, shall be sent to the address of the appropriate DOW Water (SPDES) Program contact at the Regional Office listed in Appendix F.

## (Part VII)

## Part VII. STANDARD PERMIT CONDITIONS

## A. Duty to Comply

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

If any human remains or archaeologicalremains are encountered during excavation, the *owner or operator* must immediately cease, or cause to cease, all *construction activity* in the area of the remains and notify the appropriate Regional Water Engineer (RWE). *Construction activity* shall not resume until written permission to do so has been received from the RWE.

## **B.** Continuation of the Expired General Permit

This permit expires five (5) years from the effective date. If a new general permit is not issued prior to the expiration of this general permit, an *owner or operator* with coverage under this permit may continue to operate and *discharge* in accordance with the terms and conditions of this general permit, if it is extended pursuant to the State Administrative Procedure Act and 6 NYCRR Part 621, until a new general permit is issued.

#### C. Enforcement

Failure of the *owner or operator*, its contractors, subcontractors, agents and/or assigns to strictly adhere to any of the permit requirements contained herein shall constitute a violation of this permit. There are substantial criminal, civil, and administrative penalties associated with violating the provisions of this permit. Fines of up to \$37,500 per day for each violation and imprisonment for up to fifteen (15) years may be assessed depending upon the nature and degree of the offense.

#### D. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for an *owner or operator* in an enforcement action that it would have been necessary to halt or reduce the *construction activity* in order to maintain compliance with the conditions of this permit.

## (Part VILE)

## E. Duty to Mitigate

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

## F. Duty to Provide Information

The owner or operator shall furnish to the Department, within a reasonable specified time period of a written request, all documentation necessary to demonstrate eligibility and any information to determine compliance with this permit or to determine whether cause exists for modifying or revoking this permit, or suspending or denying coverage under this permit, in accordance with the terms and conditions of this permit. The NOi, SWPPP and inspection reports required by this permit are public documents that the owner or operator must make available for review and copying by any person within five (5) business days of the owner or operator receiving a written request by any such person to review these documents. Copying of documents will be done at the requester's expense.

## G. Other Information

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

## H. Signatory Requirements

- 1. All NOIs and NOTs shall be signed as follows:
  - a. For a corporation these forms shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
    - (i) a president, secretary, treasurer, or vice-president of the

(Part VII.H.1.a.i)

corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

- (ii) the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
- b. For a partnership or sole proprietorship these forms shall be signed by a general partner or the proprietor, respectively; or
- c. For a municipality, State, Federal, or other public agency these forms shall be signed by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:
  - (i) the chief executive officer of the agency, or
  - a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).
- 2. The SWPPP and other information requested by the Department shall be signed by a person described in Part VII.H.1. of this permit or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - a. The authorization is made in writing by a person described in Part VII.H.1. of this permit;
  - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position of *equivalent* responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named

#### (Part VII.H.2.b)

individual or any individual occupying a named position) and,

- c. The written authorization shall include the name, title and signature of the authorized representative and be attached to the SWPPP.
- 3. All inspection reports shall be signed by the *qualified inspector* that performs the inspection.
- 4. The MS4 SWPPP Acceptance form shall be signed by the principal executive officer or ranking elected official from the *regulated, traditional land use control MS4*, or by a duly authorized representative of that person.

It shall constitute a permit violation if an incorrect and/or improper signatory authorizes any required forms, SWPPP and/or inspection reports.

## I. Property Rights

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

#### J. Severability

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

#### K. Requirement to Obtain Coverage Under an Alternative Permit

1. The Department may require any *owner or operator* authorized by this permit to apply for and/or obtain either an individual SPDES permit or another SPDES general permit. When the Department requires any *discharger* authorized by a general permit to apply for an individual SPDES permit, it shall notify the *discharger* in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a time frame for the *owner or operator* to file the application for an individual SPDES permit, and a deadline, not sooner than 180 days from *owner or operator* receipt of the notification letter, whereby the authorization to

(Part VII.K.1)

*discharge* under this general permit shall be terminated. Applications must be submitted to the appropriate Permit Administrator at the Regional Office. The Department may grant additional time upon demonstration, to the satisfaction of the Department, that additional time to apply for an alternative authorization is necessary or where the Department has not provided a permit determination in accordance with Part 621 of this Title.

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

## L. Proper Operation and Maintenance

The owner or operator shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the owner or operator to achieve compliance with the conditions of this permit and with the requirements of the SWPPP.

## M. Inspection and Entry

The *owner or operator* shall allow an authorized representative of the Department, EPA, applicable county health department, or, in the case of a construction site which *discharges* through an MS4, an authorized representative of the MS4 receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

- 1. Enter upon the *owner's or operator's* premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
- 2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and
- 3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment), practices or operations regulated or required by this permit.
- 4. Sample or monitor at reasonable times, for purposes of assuring permit compliance or as otherwise authorized by the Act or ECL, any substances or parameters at any location.

(Part VII.N)

## **N. Permit Actions**

This permit may, at any time, be modified, suspended, revoked, or renewed by the Department in accordance with 6 NYCRR Part 621. The filing of a request by the *owner or operator* for a permit modification, revocation and reissuance, termination, a notification of planned changes or anticipated noncompliance does not limit, diminish and/or stay compliance with any terms of this permit.

## 0. Definitions

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

## P. Re-Opener Clause

- If there is evidence indicating potential or realized impacts on water quality due to any stormwater discharge associated with *construction activity* covered by this permit, the *owner or operator* of such discharge may be required to obtain an individual permit or alternative general permit in accordance with Part VII.K. of this permit or the permit may be modified to include different limitations and/or requirements.
- 2. Any Department initiated permit modification, suspension or revocation will be conducted in accordance with 6 NYCRR Part 621, 6 NYCRR 750-1.18, and 6 NYCRR 750-1.20.

## Q. Penalties for Falsification of Forms and Reports

In accordance with 6NYCRR Part 750-2.4 and 750-2.5, any person who knowingly makes any false material statement, representation, or certification in any application, record, report or other document filed or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished in accordance with ECL §71-1933 and or Articles 175 and 210 of the New York State Penal Law.

## R. Other Permits

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

## **APPENDIX A**

## Definitions

Alter Hydrology from Pre to Post-Development Conditions - means the postdevelopment peak flow rate(s) has increased by more than 5% of the pre-developed condition for the design storm of interest (e.g. 10 yr and 100 yr).

**Combined Sewer** • means a sewer that is designed to collect and convey both "sewage" and "stormwater".

**Commence (Commencement of) Construction Activities •** means the initial disturbance of soils associated with clearing, grading or excavation activities; or other construction related activities that disturb or expose soils such as demolition, stockpiling of fill material, and the initial installation of erosion and sediment control practices required in the SWPPP. See definition for *"Construction Activity(ies)"* also.

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

**Direct Discharge (to a specific surface waterbody)** • means that runoff flows from a construction site by overland flow and the first point of discharge is the specific surface waterbody, or runoff flows from a construction site to a separate storm sewer system and the first point of discharge from the separate storm sewer system is the specific surface waterbody.

**Discharge(s)** - means any addition of any pollutant to waters of the State through an outlet or point source.

**Environmental Conservation Law (ECL)** - means chapter 43-8 of the Consolidated Laws of the State of New York, entitled the Environmental Conservation Law.

**Equivalent (Equivalence)-** means that the practice or measure meets all the performance, longevity, maintenance, and safety objectives of the technical standard and will provide an equal or greater degree of water quality protection.

**Final Stabilization** • means that all soil disturbance activities have ceased and a uniform, perennial vegetative cover with a density of eighty (80) percent over the entire pervious surface has been established; or other equivalent stabilization measures, such as permanent landscape mulches, rock rip-rap or washed/crushed stone have been applied

on all disturbed areas that are not covered by permanent structures, concrete or pavement.

**General SPDES permit** - means a SPDES permit issued pursuant to 6 NYCRR Part 750-1.21 and Section 70-0117 of the ECL authorizing a category of discharges.

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

**Historic Property-** means any building, structure, site, object or district that is listed on the State or National Registers of Historic Places or is determined to be eligible for listing on the State

or National Registers of Historic Places.

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

**Infeasible** - means not technologically possible, or not economically practicable and achievable in light of best industry practices.

Larger Common Plan of Development or Sale • means a contiguous area where multiple separate and distinct *construction activities* are occurring, or will occur, under one plan. The term "plan" in "larger common plan of development or sale" is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, marketing plan, advertisement, drawing, permit application, State Environmental Quality Review Act (SEQRA} environmental assessment form or other documents, 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.

**Minimize** - means reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practices.

**Municipal Separate Storm Sewer (MS4)** - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters,

ditches, man-made

channels, or storm drains):

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

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

**New Development** - means any land disturbance that does not meet the definition of Redevelopment Activity included in this appendix.

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

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

**Performance Criteria** - means the design criteria listed under the "Required Elements" sections in Chapters 5, 6 and 10 of the technical standard, New York State Stormwater Management Design Manual, dated January 2015. It does not include the Sizing Criteria (i.e. WQv, RRv, Cpv, Qp and Qf) in Part I.C.2. of the permit.

**Pollutant** - means dredged spoil, filter backwash, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, municipal, agricultural waste and ballast discharged into water; which may cause or might reasonably be expected to cause pollution of the waters of the state in contravention of the standards or guidance values adopted as provided in 6 NYCRR Parts 700 et seq.

**Qualified Inspector** - means a person that is knowledgeable in the principles and practices of erosion and sediment control, such as a licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), 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 supervision of the licensed Professional working under the direct supervision of the licensed Professional (4) hours of training the initial training, the individual working under the direct supervision of the licensed Professional (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 stormwater management practices that include structural components, such as a dam for an impoundment, shall be performed by a licensed Professional Engineer.

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

**Redevelopment Activity{ies)** - means the disturbance and reconstruction of existing impervious area, including impervious areas that were removed from a project site within five (5) years of preliminary project plan submission to the local government (i.e. site plan, subdivision, etc.).

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

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

- Re-grading of gravel roads or parking lots,

- Stream bank restoration projects (does not include the placement of spoil material),

- Cleaning and shaping of existing roadside ditches and culverts that maintains the approximate original line and grade, and hydraulic capacity of the ditch,

- Cleaning and shaping of existing roadside ditches that does not maintain the approximate original grade, hydraulic capacity and purpose of the ditch if the changes to the line and grade, hydraulic capacity or purpose of the ditch are installed to improve water quality and quantity controls (e.g. installing grass lined ditch),

- Placement of aggregate shoulder backing that makes the transition between the road shoulder and the ditch or embankment,

- Full depth milling and filling of existing asphalt pavements, replacement of concrete pavement slabs, and similar work that does not expose soil or disturb the bottom six (6) inches of subbase material,

- Long-term use of equipment storage areas at or near highway maintenance facilities,

- Removal of sediment from the edge of the highway to restore a previously existing sheet-flow drainage connection from the highway surface to the highway ditch or embankment,

- Existing use of Canal Corp owned upland disposal sites for the canal, and

- Replacement of curbs, gutters, sidewalks and guide rail posts.

**Site limitations** - means site conditions that prevent the use of an infiltration technique and or infiltration of the total WQv. Typical site limitations include: seasonal high groundwater, shallow depth to bedrock, and soils with an infiltration rate less than 0.5 inches/hour. The existence of site limitations shall be confirmed and documented using actual field testing (i.e. test pits, soil borings, and infiltration test) or using information from the most current United States Department of Agriculture (USDA) Soil Survey for the County where the project is located.

**Sizing Criteria** - means the criteria included in Part I.C.2 of the permit 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)** - means the system established pursuant to Article 17 of the ECL and 6 NYCRR Part 750 for issuance of permits authorizing discharges to the waters of the state.

Steep Slope - means land area with a Soil Slope Phase that is identified as an E or F, or

the map unit name is inclusive of 25% or greater slope, on the United States Department of Agriculture ("USDA") Soil Survey for the County where the disturbance will occur.

**Surface Waters of the State** - shall be construed to include lakes, bays, sounds, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic ocean within the territorial seas of the state of New York and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface waters), which are wholly or partially within or bordering the state or within its jurisdiction. Waters of the state are further defined in 6 NYCRR Parts 800 to 941.

**Temporarily Ceased** - means that an existing disturbed area will not be disturbed again within 14 calendar days of the previous soil disturbance.

**Temporary Stabilization** - means that exposed soil has been covered with material(s) as set forth in the technical standard, New York Standards and Specifications for Erosion and Sediment Control, to prevent the exposed soil from eroding. The materials can include, but are not limited to, mulch, seed and mulch, and erosion control mats (e.g. jute twisted yarn, excelsior wood fiber mats).

**Total Maximum Daily Loads** (TMDLs) - A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources. It is a calculation of the maximum amount of a pollutant that a waterbody can receive on a daily basis and still meet *water quality standards,* and an allocation of that amount to the pollutant's sources. A TMDL stipulates wasteload allocations (WLAs) for point source discharges, load allocations (LAs) for nonpoint sources, and a margin of safety (MOS).

**Trained Contractor** - means an employee from the contracting (construction) company, identified in Part 111.A.6., that 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 *trained contractor* shall receive four (4) hours of training every three (3) years.

It can also mean an employee from the contracting (construction) company, identified in Part 111.A.6., that meets the *qualified inspector* qualifications (e.g. licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, or someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity).

The trained contractor is responsible for the day to day implementation of the SWPPP.

Uniform Procedures Act (UPA) Permit- means a permit required under 6 NYCRR Part

621 of the Environmental Conservation Law (ECL), Article 70.

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

#### APPENDIXB

## Required SWPPP Components by Project Type

# Table 1CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPPTHAT ONLY INCLUDES EROSION AND SEDIMENT CONTROLS

The following construction activities that involve soil disturbances of one (1) or more acres of land, but less than five (5) acres:	
<ul> <li>Single family home <u>not</u> located in one of the watersheds listed in Appendix C or <u>n</u> discharging to one of the 303(d) segments listed in Appendix E</li> <li>Single family residential subdivisions with 25% or less impervious cover at total s and <u>not located</u> in one of the watersheds listed in Appendix C and <u>not directly dis</u> one of the 303(d) segments listed in Appendix E</li> <li>Construction of a barn or other agricultural building, silo, stock yard or pen.</li> </ul>	<u>iot </u> directly site build-out scharging to
The following construction activities that involve soil disturbances of one $(1)$ or more acres of land:	
<ul> <li>Installation of underground, linear utilities; such as gas lines, fiber-optic cable, cat electric, telephone, sewer mains, and water mains</li> <li>Environmental enhancement projects, such as wetland mitigation projects, stormwretrofits and stream restoration projects</li> <li>Bike paths and trails</li> <li>Sidewalk construction projects that are not part of a road/ highway construction or reconstruction project</li> <li>Slope stabilization projects</li> <li>Slope flattening that changes the grade of the site, but does not significantly chan runoff characteristics</li> <li>Spoil areas that will be covered with vegetation</li> <li>Land clearing and grading for the purposes of creating vegetated open space (i.e recreational parks, lawns, meadows, fields), excluding projects that <i>alter hydrolog to post development</i> conditions</li> <li>Athletic fields (natural grass) that do not include the construction or reconstruction project where vegetation will be established and no redevelopment is</li> <li>Overhead electric transmission line project that does not include the construction permanent access roads or parking areas surfaced with <i>impervious cover</i></li> <li>Structural practices as identified in Table II in the "Agricultural Management F Catalog for Nonpoint Source Pollution in New York State", excluding projects that disturbances of less than five acres and construction activities that include the construction or reconstruction of impervious area</li> </ul>	ble TV, water or nge the gy from pre on of ons planned of Practices at involve soil onstruction
The following construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land:	
<ul> <li>All construction activities located in the watersheds identified in Appendix D involve soil disturbances between five thousand (5,000) square feet and on land.</li> </ul>	0 that ne (1) acre of

## Table 2

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

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

- Single family home located in one of the watersheds listed in Appendix C or *directly discharging* to one of the 303(d) segments listed in Appendix E
- Single family residential subdivisions located in one of the watersheds listed in Appendix C
  or directly discharging to one of the 303(d) segments listed in Appendix E
- Single family residential subdivisions that involve soil disturbances of between one (1) and five (5) acres of land with greater than 25% impervious cover at total site build-out
- Single family residential subdivisions that involve soil disturbances of five (5) or more acres of land, and single family residential subdivisions that involve soil disturbances of less than five (5) acres that are part of a larger common plan of development or sale that will ultimately disturb five or more acres of land
- Multi-family residential developments; includes townhomes, condominiums, senior housing complexes, apartment complexes, and mobile home parks
- Airports
- Amusement parks
- Campgrounds
- Cemeteries that include the construction or reconstruction of impervious area (>5% of disturbed area) or alter the hydrology from pre to post development conditions
- Commercial developments
- Churches and other places of worship
- Construction of a barn or other agricultural building(e.g. silo) and structural practices as identified in Table II in the "Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State" that include the construction or reconstruction of *impervious area*, excluding projects that involve soil disturbances of less than five acres.
- Golfcourses
- Institutional, includes hospitals, prisons, schools and colleges
- · Industrial facilities, includes industrial parks
- Landfills
- Municipal facilities; includes highway garages, transfer stations, office buildings, POTW's and water treatment plants
- Office complexes
- Sports complexes
- · Racetracks, includes racetracks with earthen (dirt) surface
- Road construction or reconstruction
- Parking lot construction or reconstruction
- Athletic fields (natural grass) that include the construction or reconstruction of impervious area (>5% of disturbed area) or *alter the hydrology from pre to post development* conditions
- Athletic fields with artificial turf
- Permanent access roads, parking areas, substations, compressor stations and well drilling pads, surfaced with *impervious cover*, and constructed as part of an over-head electric transmission line project, wind-power project, cell tower project, oil or gas well drilling project, sewer or water main project or other linear utility project
- All other construction activities that include the construction or reconstruction of *impervious* area <u>or alter the hydrology from pre to post development</u> conditions, <u>and</u> are not listed in Table 1

## APPENDIXC

Watersheds Where Enhanced Phosphorus Removal Standards Are Required

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

- Entire New York City Watershed located east of the Hudson River Figure 1
- Onondaga Lake Watershed Figure 2
- Greenwood Lake Watershed -Figure 3
- Oscawana Lake Watershed Figure 4
- Kinderhook Lake Watershed Figure 5









## Figure 3 - Greenwood Lake Watershed



Figure 4 • Oscawana Lake Watershed





Figure 5: Kinderhook Lake Watershed

## APPENDIX D

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

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

List of 303(d) segments impaired by pollutants related to *construction activity* (e.g. silt, sediment or nutrients). *Owners or operators* of single family home and single family residential subdivisions with 25% or less total impervious cover at total site build-out that involve soil disturbances of one or more acres of land, but less than 5 acres, and *directly discharge* to one of the listed segments below shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the New York State Stormwater Management Design Manual ("Design Manual"), dated January 2015.

COUNTY WATERBODY		COUNTY WATERBODY	
Albany	Ann Lee (Shakers) Pond, Stump Pond	Greene	Sleepy Hollow Lake
Albany	Basic Creek Reservoir	Herkimer	Steele Creek tribs
Allegheny	Amity Lake, Saunders Pond	Kings	Hendrix Creek
Bronx	Van Cortlandt Lake	Lewis	Mill Creek/South Branch and tribs
Broome	Whitney Point Lake/Reservoir	Livingston	Conesus Lake
Broome	Fly Pond, Deer Lake	Livingston	Jaycox Creek and tribs
Broome	Minor Tribs to Lower Susquehanna	Livingston	Mill Creek and minor tribs
	(north)	Livingston	Bradner Creek and tribs
Cattaraugus	Allegheny River/Reservoir	Livingston	Christie Creek and tribs
Cattarauqus	Case Lake	Monroe	Lake Ontario Shoreline, Western
Cattaraugus	Linlyco/Club Pond	Monroe	Mill Creek/Blue Pond Outlet and tribs
Cayuga	Duck Lake	Monroe	Rochester Embayment - East
Chautauqua	Chautaugua Lake, North	Monroe	Rochester Embayment - West
Chautauqua	Chautauqua Lake. South	Monroe	Unnamed Trib to Honeoye Creek
Chautauqua	Bear Lake	Monroe	Genesee River, Lower, Main Stem
Chautauqua	Chadakoin River and tribs	Monroe	Genesee River, Middle, Main Stem
Chautauqua	Lower Cassadaga Lake	Monroe	Black Creek, Lower, and minor tribs
Chautauqua	Middle Cassadaga Lake	Monroe	Buck Pond
Chautauqua	Findley Lake	Monroe	Long Pond
Clinton	Great Chazy River, Lower, Main Stem	Monroe	CranberryPond
Columbia	KinderhookLake	Monroe	Mill Creek and tribs
Columbia	Robinson Pond	Monroe	Shipbuilders Creek and tribs
Dutchess	Hillside Lake	Monroe	Minor tribs to Irondequoit Bay
Dutchess	Wappinger Lakes	Monroe	Thomas Creek/White Brook and tribs
Dutchess	Fall Kill and tribs	Nassau	Glen Cove Creek, Lower, and tribs
Erie	Green Lake	Nassau	LI Tribs (fresh) to East Bay
Erie	Scajaquada Creek, Lower, and tribs	Nassau	East Meadow Brook, Upper, and tribs
Erie	Scajaquada Creek, Middle, and tribs	Nassau	HempsteadBay
Erie	Scajaquada Creek, Upper, and tribs	Nassau	Hempstead Lake
Erie	Rush Creek and tribs	Nassau	Grant ParkPond
Erie	Ellicott Creek, Lower, and tribs	Nassau	BeaverLake
Erie	Beeman Creek and tribs	Nassau	Camaans Pond
Erie	Murder Creek, Lower, and tribs	Nassau	HallsPond
Erie	South Branch Smoke Cr, Lower, and	Nassau	LI Tidal Tribs to Hempstead Bay
	tribs	Nassau	Massapequa Creek and tribs
Erie	Little Sister Creek, Lower, and tribs	Nassau	Reynolds Channel, east
Essex	Lake George (primary county: Warren)	Nassau	Reynolds Channel, west
Genesee	Black Creek, Upper, and minor tribs	Nassau	Silver Lake, Lofts Pond
Genesee	Tonawanda Creek, Middle, Main Stem	Nassau	vvoodmere Channel
Genesee	Oak Orchard Creek, Upper, and tribs	Niagara	Hyde Park Lake
Genesee	Bowen Brook and tribs	Niagara	Lake Untario Shoreline, Western
Genesee	Bigelow Creek and tribs	Niagara	Bergnoitz Creek and tribs
Genesee	Black Creek, Middle, and minor tribs	Uneida	Ballou, Nall Creeks
Genesee	LeRoy Reservoir	Unondaga	Ley Creek and tribs
Greene	Schoharie Reservoir	Unondaoa	Unondaoa Creek, Lower and tribs

#### **APPENDIX E**

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

COUNTY	WATERBODY	COUNTY	WATERBODY
Onondaga	Onondaga Creek, Middle and tribs	Suffolk	Great South Bay, West
Onondaga	Onondaga Creek, Upp, and minor tribs	Suffolk	Mill and Seven Ponds
Onondaga	Harbor Brook. Lower. and tribs	Suffolk	Moriches Bay, East
Onondaga	Ninemile Creek, Lower, and tribs	Suffolk	Moriches Bay, West
Onondaga	Minor tribs to Onondaga Lake	Suffolk	Quantuck Bay
Onondaga	Onondaga Creek, Lower, and tribs	Suffolk	Shinnecock Bay (and Inlet)
Ontario	Honeove Lake	Sullivan	Bodine, Montgomery Lakes
Ontario	Hemlock Lake Outlet and minor tribs	Sullivan	Davies Lake
Ontario	Great Brook and minor tribs	Sullivan	Pleasure Lake
Orange	Monhagen Brook and tribs	Sullivan	Swan Lake
Orange	Orange Lake	Tompkins	Cayuga Lake, Southern End
Orleans	Lake Ontario Shoreline. Western	Tompkins	Owasco Inlet, Upper, and tribs
Oswego	Pleasant Lake	Ulster	Ashokan Reservoir
Oswego	Lake Neatahwanta	Ulster	Esopus Creek, Upper, and minor
Putnam	Oscawana Lake	1	tribs
Putnam	Palmer Lake	Ulster	Esopus Creek, Lower, Main Stem
Putnam	Lake Carmel	Ulster	Esopus Creek, Middle, and minor
Queens	Jamaica Bay, Eastern, and tribs (Queens)	1	tribs
Queens	Bergen Basin	Warren	Lake George
Queens	Shellbank Basin	Warren	Tribs to L.George, Village of L
Rensselaer	Nassau Lake		George
Rensselaer	Snyders Lake	Warren	Huddle/Finkle Brooks and tribs
Richmond	Grasmere, Arbutus and Wolfes Lakes	Warren	Indian Brook and tribs
Rockland	Congers Lake, Swartout Lake	Warren	Hague Brook and tribs
Rockland	Rockland Lake	Washington	Tribs to L.George, East Shr Lk
Saratoga	Ballston Lake		George
Saratoga	Round Lake	Washington	Cossayuna Lake
Saratoga	Dwaas Kill and tribs	Washington	Wood Cr/Champlain Canal, minor
Saratoga	Tribs to Lake Lonely		tribs
Saratoga	Lake Lonelv	Wayne	Port Bay
Schenectady	Collins Lake	Wayne	Marbletown Creek and tribs
Schenectadv	Duane Lake	Westchester	Lake Katonah
Schenectady	Mariaville Lake	Westchester	Lake Mohegan
Schoharie	Engleville Pond	Westchester	Lake Shenorock
Schoharie	Summit Lake	Westchester	Reservoir No.1 (Lake Isle)
Schuvler	Cavuta Lake	Westchester	Saw Mill River, Middle, and tribs
St. Lawrence	Fish Creek and minor tribs	Westchester	Silver Lake
St. Lawrence	Black Lake Outlet/Black Lake	Westchester	Leatown Lake
Steuben	Lake Salubria	Westchester	Truesdale Lake
Steuben	Smith Pond	Westchester	Wallace Pond
Suffolk	Millers Pond	Westchester	Peach Lake
Suffolk	Mattituck (Marratooka) Pond	vvestchester	Mamaroneck River, Lower
Suffolk	Tidal tribs to West Moriches Bav	Westchester	Mamaroneck River, Upp, and tribs
Suffolk	Canaan Lake	Westchester	Sheidrake River and tribs
Suffolk	Lake Ronkonkoma	vvestchester	Blind Brook, Lower
Suffolk	Beaverdam Creek and tribs	vvestchester	Blind Brook, Upper, and tribs
Suffolk	Bia/Little Fresh Ponds	vvestchester	Lake Lincolndale
Suffolk	Fresh Pond	vvestcnester	Lake Meanaugn
Suffolk	Great South Bav. East	vvyorning	Java Lake
Suffolk	Great South Bay, Middle	vvvoming	Silver Lake

Note: The hst above identifies those waters from the final New York State "2014 Section 303(d) List of Impaired Waters Requiring a TMDUOther Strategy", dated January 2015, that are impaired by silt, sediment or nutrients.

### APPENDIXF

### LIST OF NYS DEC REGIONAL OFFICES

<u>Region</u>	COVERING THE FOLLOWING COUNTIES:	DIVISION OF ENVIRONMENTAL PERMITS (DEP) <u>PERMIT</u> <u>ADMINISTRATORS</u>	DIVISION OF WATER (DOW) <u>WATER {SPDES}</u> PROGRAM
1	NASSAU AND SUFFOLK	50 CIRCLE ROAD STONY BROOK, NY 11790 TEL. (631) 444-0365	50 CIRCLE ROAD STONY BROOK, NY 11790-3409 TEL. (631) 444-0405
2	BRONX, KINGS, NEW YORK, QUEENS AND RICHMOND	1 HUNTERS POINT PLAZA, 47-40 21ST ST. LONG ISLAND CITY, NY 11101-5407 TEL. (718) 482-4997	1 HUNTERS POINT PLAZA, 47-40 21ST ST. LONG ISLAND CITY, NY 11101-5407 TEL. (718) 482-4933
3	DUTCHESS,ORANGE,PUTNAM, ROCKLAND,SULLIVAN,ULSTER AND WESTCHESTER	21 SOUTH PUTT CORNERS ROAD NEWPALTZ,NY 12561-1696 TEL. (845) 256-3059	100 HILLSIDE AVENUE, SUITE 1W WHITE PLAINS, NY 10603 TEL. (914) 428 • 2505
4	ALBANY, COLUMBIA, DELAWARE, GREENE, MONTGOMERY, OTSEGO, RENSSELAER,SCHENECTADY AND SCHOHARIE	1150 NORTH WESTCOTT ROAD SCHENECTADY, NY 12306-2014 TEL. (518) 357-2069	1130 NORTH WESTCOTT ROAD SCHENECTADY, NY 12306-2014 TEL. (518) 357-2045
5	CLINTON, Essex, FRANKLIN, FULTON, HAMILTON, SARATOGA, WARREN AND WASHINGTON	1115STATE ROUTE 86, Po Box296 RAY BROOK, NY 12977-0296 TEL. (518) 897-1234	232 GOLF COURSE ROAD WARRENSBURG,NY12885-1172 TEL. (518) 623-1200
6	HERKIMER, JEFFERSON, LEWIS, ONEIDA AND ST. LAWRENCE	STATE OFFICE BUILDING 317 WASHINGTON STREET WATERTOWN, NY 13601-3787 TEL. 1315) 785-2245	STATE OFFICE BUILDING 207 GENESEE STREET UTICA, NY 13501-2885 TEL. 1315) 793-2554
7	BROOME, CAYUGA, CHENANGO, CORTLAND, <b>MADISON, ONONDAGA,</b> OSWEGO, TIOGA AND <b>TOMPKINS</b>	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7438	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7500
8	CHEMUNG, GENESEE, LIVINGSTON, MONROE, ONTARIO, ORLEANS, SCHUYLER, SENECA, STEUBEN, WAYNE AND YATES	6274 EAST AVON-LIMA ROAD AVON, NY 14414-9519 TEL. (585) 226-2466	6274 EAST AVON-LIMA RD. AVON, NY 14414-9519 TEL. (585) 226-2466
9	ALLEGANY, <b>CATTARAUGUS,</b> CHAUTAUQUA, ERIE, NIAGARA AND WYOMING	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7165	270 MICHIGAN AVE. BUFFALO, NY 14203-2999 TEL. (716) 851-7070

# **APPENDIX J**

NOTICE OF TERMINATION FORM (TO BE FINALIZED UPON COMPLETION OF THE PROJECT)

## **APPENDIX K**

LONG TERM INSPECTION FORM FOR THE BIO-RETENTION/RAIN GARDEN OPERATION, MAINTENANCE AND MANAGEMENT INSPECTION CHECKLIST

### Bio-Retention / Rain Garden Operation, Maintenance and Management Inspection Checklist

Project:Middlehope Pet Hotel and Day Care FacilityLocation:5351 US Route 9W, Town of NewburghSite Status:Date:Date:Inspector:

Maintenance Item	Satisfactory/Unsatisfactory	Comments		
1. Debris Cleanout (Monthly)				
Bio-Retention and contributing areas clean of debris				
No dumping of yard wastes into practice				
Litter (branches, etc.) have been removed				
2. Vegetation (Monthly)				
Plant height not less than design water depth				
Fertilized per specifications				
Plant composition according to approved plans				
No placement of inappropriate plants				
Grass height not greater than 6 inches				
No evidence of erosion				
3. Dewatering (Monthly)				
Dewater between storms				
No evidence of standing water				

Maintenance Item	Satisfactory/Unsatisfactory	Comments		
4. Sediment Deposition (Annual)				
Swale clean of sediments				
Sediments should not be >20% of swale design depth				
5. Overflow Spillway (Annual, After Major Storms)				
Good condition, no need for repair				
No evidence of erosion				
No evidence of any blockages				
6. Integrity of Filter Bed (Annual)				
Filter bed has not been blocked or filled inappropriately				
7. Inspection by Professional Engineer (Annual)				
Overall inspection of facility conducted (See comments and actions to be taken below)				

Comments:

Actions to be Taken:

# **APPENDIX L**

# DRAFT STORMWATER CONTROL FACILITY MAINTENANCE AGREEMENT

### STORMWATER CONTROL FACILITY MAINTENANCE AGREEMENT RANNE LLC (AKA Middlehope Pet Hotel and Day Care Facility) Job# 12003

Whereas, the Municipality of the Town of Newburgh ("Municipality") and the RANNE LLC (Middlehope Pet Hotel and Day Care Facility) ("facility owner") want to enter into an agreement to provide for the long term maintenance and continuation of stormwater control measures approved by the Municipality for the below named project, Proposed Pet Hotel and Day Care Facility.

Whereas, the Municipality and the facility owner desire that the stormwater control measures be built in accordance with the approved project plans and thereafter be maintained, cleaned, repaired, replaced and continued in perpetuity in order to ensure optimum performance of the components. Therefore, the Municipality and the facility owner agree as follows:

1. This agreement binds the Municipality and the facility owner, its successors and assigns, to the maintenance provisions depicted in the approved project plans which are attached as Schedule A of this agreement.

2. The facility owner shall maintain, clean, repair, replace and continue the stormwater control measures depicted in <u>Schedule A</u> as necessary to ensure optimum performance of the measures to design specifications. 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 reflection ponds.

3. The facility owner shall be responsible for all expenses related to the maintenance of the stormwater control measures and shall establish a means for the collection and distribution of expenses among parties for any commonly owned facilities.

4. The facility owner shall provide for the periodic inspection of the stormwater control measures, not less than once in every five year period, to determine the condition and integrity of the measures. Such inspection shall be performed by a Professional Engineer licensed by the State of New York. The inspecting engineer shall prepare and submit to the Municipality within 30 days of the inspection, a written report of the findings including recommendations for those actions necessary for the continuation of the stormwater control measures.

5. The facility owner shall not authorize, undertake or permit alteration, abandonment, modification or discontinuation of the stormwater control measures except in accordance with written approval of the Municipality.

6. The facility owner shall undertake necessary repairs and replacement of the stormwater control measures at the direction of the Municipality or in accordance with the recommendations of the inspecting engineer.

7. The facility owner shall provide to the Municipality within 30 days of the date of this agreement, a security for the maintenance and continuation of the stormwater control measures in the form of (a Bond, letter of credit or escrow amount).

8. This agreement shall be recorded in the Office of the County Clerk, County of Orange and shall be included in any offering plan and/or prospectus or lease. All rights, titles and privileges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors, assigns and legal representatives

9. If ever the Municipality determines that the facility owner has failed to construct or maintain the stormwater control measures in accordance with the project plan or has failed to undertake corrective action specified by the Municipality or by the inspecting engineer, the Municipality is authorized to undertake such steps as reasonably necessary for the preservation, continuation or maintenance of the stormwater control measures and to affix the expenses thereof as a lien against the property.

10. In WITNESS WHEREOF, this agreement has been signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

### TOWN OF NEWBURGH

RANNE, LLC

Ву\_\_\_\_

Supervisor Gilbert J. Piaquadio

Ву\_\_\_\_\_

Richard Solomons, President

STATE OF NEW YORK )

) ss.:

COUNTY OF ORANGE )

On this day of \_\_\_\_\_\_, 20 , before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public – State of New York

STATE OF NEW YORK )

) ss.:

COUNTY OF ORANGE )

On this day of \_\_\_\_\_\_, 20 , before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.