

Updates
SPDES General Permit for
Construction Activity
(GP-0-10-001)

March 2010



Summary of Changes

- 2 Major Changes
- Numerous Less Significant Changes
- See Fact Sheet and Responsiveness Summary



Major Changes Design Manual Updates

- Updated NYS Stormwater Management Design Manual to include Green Infrastructure (GI) approach
- Effective 6 months from final revision date of Design Manual



Major Changes, cont'd

New Impaired Watershed

- Oscawana Lake Watershed added to Appendix C
- Designs must meet Enhanced Phosphorus Removal Standards (Chapter 10)



Other Changes

- Duty To Provide Information
(See Part II.A.4 and Part VII.F)
 - Owner must make NOI, SWPPP and inspection reports available for review
 - 5 business days
 - Included in GP-02-01



Other Changes, cont'd

- Keeping The SWPPP Current
(See Part III.A.4)
 - SWPPP must be amended:
 1. when current design is ineffective
 2. when there is change in design, construction or operation
 3. to address issues/deficiencies identified by qualified inspector, DEC or other regulatory authority
 - Included in GP-02-01



Other Changes, cont'd

- MS4 Notification of SWPPP Amendments
(See Part II.C.5)
 - Owner must notify MS4 of planned amendments or modifications to post-construction practice required by Part III.A.4 and 5.
 - Amendments must be reviewed and accepted by MS4 prior to commencing construction, unless otherwise notified by MS4



Other Changes, cont'd

- Additional Inspection Requirement for Qualified Inspector
(See Part IV.C.3)
 - Inspect all points of discharge to natural surface waterbodies located within, or immediately adjacent to, property boundaries



Other Changes, cont'd

- Additional Reporting Requirement for Qualified Inspector (See Part IV.C.4.e)
 - Describe condition of all points of discharge to natural surface waters located within, or immediately adjacent to, property boundaries which receive runoff from disturbed areas



Other Changes, cont'd

- Additional Reporting Requirement for Qualified Inspector (See Part IV.C.4.k)
 - Digital photographs of practices identified as needing corrective actions
 - Digital photographs after corrective actions have been completed



Other Changes, cont'd

- MS4 Acceptance of NOT (See Part V.A.4)
 - Owner must have MS4 sign “MS4 Acceptance” statement on NOT
 - MS4 has performed final inspection or accepts qualified inspector’s inspection



MS4 Acceptance

- "I have determined that it is acceptable for the owner or operator of the construction project identified in question 5 to submit the Notice of Termination at this time."
- Similar requirement in MS4 permit



Questions



Effluent Limitation Guidelines (ELGs) For Construction

March, 2010



Background

- EPA published final rule on 12/1/09
- Located in 40 CFR Part 450
- Includes both numeric and non-numeric limitations
- Required in all NPDES permits issued after 2/1/10



Implementation Schedule

- Non-numeric limitations effective 2/1/10
 - apply to all regulated sites
- Numeric effluent limitation effective:
 - 8/1/11 for sites that disturb 20 or more acres at any one time
 - 2/1/14 for sites that disturb 10 or more acres at any one time



“Non-numeric” Effluent Limitations

- Erosion and Sediment Controls
- Soil Stabilization
- Dewatering
- Pollution Prevention Measures
- Prohibited Discharges
- Surface Outlets



Erosion and Sediment Controls

- “Design, install and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants.” Examples include:
 - Minimize the amount of soil exposed during construction.
 - Minimize disturbance of steep slopes
 - Provide and maintain natural buffers around surface waters



Soil Stabilization

- Stabilization of disturbed areas must be initiated immediately whenever earth disturbing activities have permanently or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days.
- Addressed in “Standards and Specifications for Erosion and Sediment Control”



Dewatering

- Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited unless managed by appropriate controls.



Pollution Prevention Measures

- Minimize the discharge of pollutants from vehicle washing, wheel wash water and other wash water.
- Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers... and other materials to precipitation and to stormwater.
- Minimize the discharge of pollutants from spills and leaks of chemicals.



Prohibited Discharges

- Wastewater from washout of concrete, unless managed by an appropriate control
- Wastewater from washout of stucco, paint, form release oils, curing compounds and other construction materials
- Fuels, oils or other pollutants used in vehicle operation and maintenance
- Soaps or solvents used in vehicle and equipment washing



Surface Outlets

- “When discharging from basins and impoundments, utilize outlet structures that withdraw water from the surface, unless infeasible.”



DEC Considerations “Non-Numeric” ELGs

- How to define “minimize”



“Numeric” Effluent Limitation

- Turbidity monitoring required when there is discharge
- Average turbidity of any discharge must not exceed 280 NTUs
- Monitoring conducted and analyzed in accordance with permit authority requirements
- Monitoring not required on a day when storm event exceeds local 2yr, 24 hour storm



DEC Considerations “Numeric” ELG

- Monitoring locations
- Sampling frequency (3 samples/day)
- Sampling method (field-turbidity meter, laboratory)
- Sampling times (weekend, work week)
- Monitoring for linear construction projects
- Reporting (DMR)



Next Steps

- EPA scheduled to issue their permit with ELG requirements in June 2011
- Address considerations
- Modify general permit to include ELGs
- Public notice draft permit 4-6 months from date EPA's permit is issued



Questions

- Contact Information

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