



# STORMWATER NEWSLETTER FOR CENTRAL NEW YORK CONTRACTORS & DEVELOPERS

**CNY Stormwater Coalition**, Protecting our Waters; working to meet regulatory stormwater management requirements while improving water quality in the Syracuse, New York Urbanized Area.

The Current Stormwater Newsletter for CNY Contractors & Developers is available online at the CNY Stormwater Coalition's website at: <http://www.cnyrpdb.org/cn2014>.

## TOPICS:

EPA's New Stormwater Rule For Construction Sites

Notice of Intent for Construction Activity

NYSDEC 4-Hour Erosion and Sediment Control Training

Watch for DRAFT Updates in August: SPDES General Permit for Stormwater Discharges from Construction Activity  
NYS Standards and Specifications for E&SC  
NYS Stormwater Management Design Manual

Stormwater BMP Concrete Washout



# EPA's New Stormwater Rule For Construction Sites



On March 6, 2014 the Environmental Protection Agency published a final rule for effluent limitation guidelines and Standards for the Construction and Development projects.

This rule applies to all construction projects subject to a National Pollutant Discharge Elimination System (NPDES) permit, which includes sites involving the construction, development or

subdivision of one or more acres of land. This ruling drops the proposed requirement of construction projects to test water leaving construction site for turbidity to ensure that a set numerical threshold has not been exceeded.

In New York State the NPDES permits issued under the Clean Water Act are administered by NYS DEC under the State Pollutant Discharge Elimination System (SPDES) regulatory program. Activities required to obtain permit coverage include construction of buildings, development, and general contracting.

EPA promulgated Effluent Limitations Guidelines and Standards for the Construction and Development Point Source Category (C&D rule) (Dec. 2009). The C&D rule established requirements based on Best Practicable Control Technology Currently Available, Best Available Technology Economically Achievable, Best Conventional Pollutant Control Technology, and New Source Performance Standards based on Best Available Demonstrated Control Technology. Construction activities like clearing, excavating, and grading significantly disturb the land. The disturbed soil, if not managed properly, can easily be washed off of the construction site during storms and enter water bodies. Stormwater discharges from construction activities can cause an array of physical, chemical and biological impacts to receiving streams. The C&D rule included non-numeric requirements (shown on the right).

Neither states nor EPA were required to incorporate the numeric turbidity limitation and monitoring requirements into NPDES permits because the numeric limitation was stayed. However, the remainder of the C&D rule was still in effect and had to be incorporated into newly issued NPDES permits. (79 Federal Register 12661, March 6, 2014)

To view EPA's Ruling:

<http://www.gpo.gov/fdsys/pkg/FR-2014-03-06/pdf/2014-04612.pdf>

## RULING SUMMARY:

💧 EPA drops numeric limitations and sampling requirements of turbidity for construction site stormwater discharge permits.

💧 Non-Numeric requirements to prevent Turbidity remain in place. (listed below)

- 💧 Erosion and sediment controls
- 💧 Soil stabilization
- 💧 Dewatering
- 💧 Pollution prevention measures
- 💧 Restriction of certain wash water discharges and discharges of pollutants used in vehicle and equipment operation and maintenance
- 💧 Utilization of surface outlets for discharging from basins and impoundments

# Notice of Intent for Construction Activity

Before commencing construction activity, the owner or operator of a construction project that will involve soil disturbance of one or more acres must obtain coverage under the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity.

In order to gain coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity, an owner or operator must:



💧 Develop a Stormwater Pollution Prevention Plan (**SWPPP**) in accordance with the requirements in the General Permit for Stormwater Discharges from Construction Activity.

💧 Submit a completed Notice of Intent (**NOI**) to the DEC **NOW ONLINE!**  
The NOI is a request for coverage under the SPDES General Permit for Stormwater Discharges from Construction Activities. The NOI can now be completed online through the NYSDEC eBusiness Forms Portal which you can find on the NYSDEC Stormwater Permit for Construction Activity Web Page: <http://www.dec.ny.gov/chemical/43133.html>

💧 Projects subject to MS4 regulation must submit a signed **SWPPP Acceptance Form** along with their NOI.

## When does permit coverage become effective?

💧 A construction project that is not within the boundary of a regulated MS4 that has prepared a Stormwater Pollution Prevention Plan (SWPPP) in conformance with New York State's technical standards is authorized to commence activity five (5) business days from the date the Department receives a completed Notice of Intent (NOI).

💧 A construction project that is not within the boundary of a regulated MS4 with a SWPPP that has not been prepared in conformance with the technical standards is authorized to commence activity sixty (60) business days from the date the Department receives a completed NOI.

💧 A construction project that is subject to the requirements of a regulated MS4 is authorized to commence activity five (5) business days from the date the Department receives a completed NOI and MS4 SWPPP Acceptance form.

## Municipal Separate Storm Sewer Systems (MS4s) SWPPP Acceptance Form

A federal regulation, commonly known as Stormwater Phase II, requires permits for stormwater discharges from Municipal Separate Storm Sewer Systems (MS4s) in urbanized areas. A SWPPP acceptance form is used by an owner/operator of a Municipal Separate Storm Sewer System (MS4) (e.g. town, city or village) to indicate acceptance of a SWPPP it has reviewed. To determine whether a project is subject to MS4 regulation, click on the link below and see the section titled **Steps to Authorization**.

NYSDEC Stormwater Permit for Construction Activity Web Page:  
<http://www.dec.ny.gov/chemical/43133.html>

# NYSDEC 4-Hour E&SC Training



Onondaga County  
Soil and Water  
Conservation District



Under the SPDES Permit for Stormwater Discharges from Construction Activity, prior to the commencement of construction activities a **Trained Contractor** needs to be identified as being responsible for implementation of the SWPPP. A trained contractor must be on site on a daily basis when soil disturbance activities are being performed and will be responsible for implementation of the practices included in the SWPPP.

To become a **Trained Contractor**, one must have received 4-hours of DEC endorsed training in the principles and practices of erosion and sediment control (E&SC). The 4-hour training in E&SC is good for a 3 year period. Additional information about the requirements and courses can be found at the DEC's web page: <http://www.dec.ny.gov/chemical/8699.html>

Onondaga County Soil and Water Conservation District delivers the DEC endorsed 4-hour E&SC training course. The Syracuse Builders Exchange hosts courses in Onondaga County, for additional information contact: Melissa Gould at Syracuse Builders Exchange 315-437-9936 X25 [mgould@sywabex.com](mailto:mgould@sywabex.com) [www.sywabex.com](http://www.sywabex.com)

If you have a group of twenty or more in need of the 4-hour E&SC training, contact Doug Fisher at Onondaga County Soil and Water Conservation District to schedule a class at your location.

Phone: 315-457-0325 E-mail: [info@ocswcd.org](mailto:info@ocswcd.org)

## Stormwater BMP Concrete Washout



Concrete washwater is a slurry containing toxic metals. It's also caustic and corrosive, having a pH near 12. Caustic washwater can harm gills, eyes, and interfere with reproduction of aquatic life. The safe pH ranges for aquatic life habitats are 6.5 – 9 for freshwater.

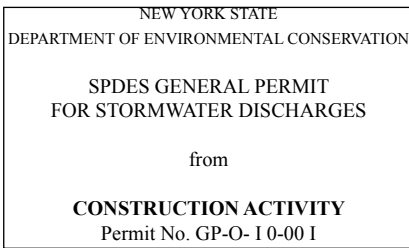
If the washwater is dumped on the ground, it can run off the construction site and enter storm drains, which discharge to surface waters such as rivers, lakes, or streams. Rainwater polluted with concrete washwater can percolate down through the soil and alter the soil chemistry, inhibit plant growth, and contaminate the groundwater.

The best management practice objectives for concrete washout are to (a) collect and retain all the concrete washout water and solids in leak proof containers, so that this caustic material does not reach the soil surface and then migrate to surface waters or into the ground water, and (b) recycle 100 percent of the collected concrete washout water and solids.

For more information on proper construction washout practices see the EPA's Stormwater Best Management Practice, Concrete Washout PDF:

<http://www.epa.gov/npdes/pubs/concretewashout.pdf>

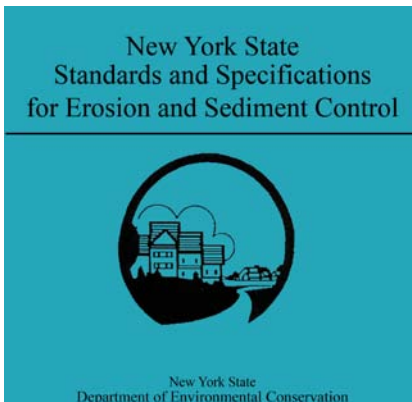
# Watch for DRAFT Updates in August



SPDES General Permit for Stormwater Discharges from Construction Activity was issued in January 2010, and expires January 28, 2015. New York State Department of Environmental Conservation requirements for construction activities are included in the SPDES General Permit for Stormwater Discharges from Construction Activity.

The SPDES General Permit for Stormwater Discharges from Construction Activity is being updated. The DRAFT update is expected to be made publicly available in August with a 30-day comment period to follow.

The draft will be posted on the DEC's Web page: <http://www.dec.ny.gov/chemical/43133.html>



The New York State Standards and Specifications for Erosion and Sediment Control manual provides the minimum standards and specifications for meeting criteria for stormwater discharges associated with construction activity. The standards and specifications provide criteria on minimizing erosion and sediment impacts from construction activity involving soil disturbance. These standards and specifications were developed for use by planners, design engineers, developers, contractors, landscape architects, property owners, and resource managers. Proper use of these standards will protect the waters of the state from sediment loading during runoff events.

The NYS Standards and Specifications for Erosion and Sediment Control manual is being updated. The DRAFT update is expected to be made publicly available in August with a 30-day comment period to follow.

The draft will be posted on the DEC's Web page: <http://www.dec.ny.gov/chemical/29066.html>



The New York State Stormwater Management Design Manual provides designers with a general overview on how to size, design, select, and locate stormwater management practices at a development site to comply with State stormwater performance standards. This manual is a key component of the Phase II State Pollution Discharge Elimination System (SPDES) general permit for stormwater runoff from construction activities from all sizes of disturbance.

The NYS Stormwater Management Design Manual is being updated. The DRAFT update is expected to be made publicly available in August with a 30-day comment period to follow.

The draft will be posted on the DEC's Web page: <http://www.dec.ny.gov/chemical/29072.html>

## 2014 CNY Stormwater Coalition Meeting Schedule

|                  |             |                                                           |
|------------------|-------------|-----------------------------------------------------------|
| August 5, 2014   | 1:00 - 3:00 | DeWitt Town Hall, 5400 Butternut Drive, East Syracuse, NY |
| October 28, 2014 | 1:00 - 3:00 | Geddes Town Hall, 1000 Woods Road, Solvay, NY             |

The CNY Stormwater Coalition is staffed and coordinated by the CNY RPDB, for additional information visit the CNY Stormwater website at <http://www.cnyrpdb.org/stormwater/>

