

**PRELIMINARY STORMWATER POLLUTION  
PREVENTION PLAN (SWPPP)**

**TRELINA SOLAR ENERGY CENTER**

**TOWN OF WATERLOO  
SENECA COUNTY, NEW YORK**

**IN COMPLIANCE WITH THE  
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION GENERAL PERMIT GP-0-20-001  
FOR  
STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES**

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- Notice of Intent (NOI)
- SWPPP Preparer Certification Form
- Owner/Operator Certification Form
- NYSDEC NOI Acknowledgement Letter for Permit Coverage
- Notice of Termination (NOT) Form

**Appendix B – General Permit GP-0-20-001**

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- Construction Contact List
- Contractor Certification Form

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- NYSDEC Solar Panel Construction Stormwater Permitting/SWPPP Guidance Memorandum
- Maryland DEP Stormwater Design Guidance – Solar Panel Installation

**Appendix E – Environmental Background Information**

- Environmental and Cultural Resource Information
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- NYSDEC Technical Field Guidance: Spill Reporting and Initial Notification Requirements
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- Blank SWPPP Inspection Form
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## **1.0 Introduction**

This Preliminary Stormwater Pollution Prevention Plan (SWPPP) has been prepared by TRC for Trelina Solar Energy Center, LLC (Applicant) in regard to construction activities associated with the Trelina Solar Energy Center (Project).

The purpose of this SWPPP is to establish requirements and instructions for the management of construction-related stormwater discharges from the Project Area. Erosion and sediment controls have been designed and shall be installed and maintained to minimize the discharge of pollutants and prevent a violation of the water quality standards.

## **2.0 Regulatory Requirements**

This SWPPP has been prepared in accordance with the “New York State Department of Environmental Conservation (NYSDEC) State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity” General Permit GP-0-20-001, effective January 29, 2020 through January 28, 2025. The NYSDEC requires coverage under GP-0-20-001 for any “construction activities involving soil disturbances of one 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.”

The Project has also been prepared in accordance with the applicable design requirements of the Maryland “Stormwater Design Guidance – Solar Panel Installations” as required by the stipulations for the Article 10 Application. The Project has been designed to maintain the natural hydrology of the site, to the maximum extent practicable.

The Project is classified as a commercial-scale solar project. The Project involves construction activities that require the preparation of a SWPPP that only includes erosion and sediment control practices designed in conformance with Part III.B.1 of the permit. A copy of the General Permit GP-0-20-001 is provided in Appendix B of this SWPPP.

The Project shall comply with all applicable local, state, and federal regulations. The Project is subject to Article 10 of the Public Service Law, as Case No. 19-F-0366. This Preliminary SWPPP is included as Appendix 23-3 of the Project’s Article 10 Application. The Project is also expected to require a Pre-Construction Notification to the United States Army Corps of Engineers (USACE) under Section 401 and 404 of the Clean Water Act and USACE Nationwide Permit (NWP) #51 Land-Based Renewable Energy Generation Facilities.

## **3.0 Permit Coverage Information**

This SWPPP serves as the minimum requirements necessary to address soil exposure and stormwater management during construction activities. This SWPPP is a living document that may be amended for unforeseen circumstances. If unanticipated site conditions warrant changes or additions to existing practices, the Owner/Operator and the Contractor(s), in consultation with the Qualified Inspector or Project Engineer, will be required to implement those measures in accordance with the New York State Standards and Specifications for Erosion and Sediment Control (SSESC) and amendments to the SWPPP shall be made as appropriate. The SWPPP and associated documentation must be kept current to ensure the erosion and sediment control practices are accurately documented.

In accordance with GP-0-20-001, documented site inspections will be performed to ensure the required erosion and sediment control measures have been installed properly and are in good condition. Inspections will occur for the duration of construction, until earth-disturbing construction activities have ceased, and final stabilization has been achieved.

#### **4.0 SWPPP Amendments**

This SWPPP has been prepared in accordance with the General Permit and the SDESC. The SWPPP and associated documents must be kept current at all times. Amendments to the SWPPP and associated documents should be made:

- Whenever the current provisions are ineffective in minimizing impacts to the stormwater discharge from the Project Area;
- Whenever there is a change in design or construction activities and sequencing that has or could have an impact to the stormwater discharge; and
- To address deficiencies or issues identified during monitoring and inspection.

This Preliminary SWPPP will be amended to include site-specific post-construction stormwater practices for Final SWPPP. The Final SWPPP will detail the proposed post-construction stormwater practices which will be utilized to treat and control runoff from the Project per the requirements of the General Permit. The post-construction stormwater control practices will provide water quality volume treatment, runoff reduction, and will control the volume and rate of the stormwater runoff. The stormwater design will incorporate green infrastructure practices such as reduction in clearing and grading, using open spaces, and locating development in less sensitive areas to the maximum extent practicable. Anticipated stormwater practices may include infiltration basins, vegetated swales and level spreaders, as well as infiltration trenches along the access roads and adjacent to equipment pads. The proposed post-construction stormwater practices will be designed in accordance with the requirements of the General Permit, the SDESC, and the New York State (NYS) Stormwater Management Design Manual (SMDM).

In addition to the requirements of the General Permit, the Final SWPPP will be designed to include non-rooftop disconnection alternatives in accordance with the Maryland “Stormwater Design Guidance – Solar Panel Installation”. The non-rooftop disconnection for the Project considers the following factors:

- The vegetated area receiving runoff must be equal to or greater in length than the disconnected surface (e.g., width of the row of solar panels);
- Runoff must sheet flow onto and across vegetated areas to maintain the disconnection;
- Disconnections should be located on gradual slopes ( $\leq 5\%$ ) to maintain sheet flow. Level spreaders, terraces, or berms may be used to maintain sheet flow if the average slope is steeper than 5%. For slopes greater than 10%, an engineered plan will be developed to ensure adequate treatment of disconnected runoff and non-erosive runoff conditions;
- Construction vehicles and equipment should avoid areas used for disconnection during installation of the solar panels to avoid soil disturbance and compaction; and
- Groundcover vegetation in areas receiving disconnected runoff must be maintained in good condition.

The Final SWPPP will be amended to include all proposed post-construction stormwater practices and will be included as part of the Compliance Filing. Refer to GP-0-20-001 for additional information on SWPPP amendment procedures and requirements. Amendments to the SWPPP shall be documented in Appendix I.

## **5.0 Project Information**

The Project Area is located in the Town of Waterloo, Seneca County, New York. The Project Area is located within the NYSDEC Region 8 jurisdiction and the Geneva North United States Geological Survey (USGS) 7.5 Minute Topographic Quadrangle. Refer to Appendix E for additional Project Area information.

The Project proposes the installation of an approximate 79.5 - 80 megawatt (MW) solar array and associated electrical infrastructure, access roads, and security features. The general scope of work for the Project which may result in soil disturbance includes, but is not limited to, site clearing, grading, horizontal directional drilling (HDD), and installation of the electric utility infrastructure, access roads, and erosion and sediment controls.

The overall Project Area consists of approximately 1,067 acres, with a limit of disturbance (LOD) of 474.08 acres, of which up to approximately 33 acres of soil disturbance are anticipated. The existing groundcover of the Project Area is composed primarily of agricultural lands surrounded by forested lands and rural residential areas. The site topography is moderately flat (1 to 3 percent slopes), sloping very slightly to the south/southeast. Refer to the Preliminary Design Drawings in Appendix F as well as Appendix E for additional Project Area land cover, environmental resource, and topographic information.

The Project Area discharges to a minor, unnamed tributary to the Upper Seneca River, a NYSDEC Class C stream, and various isolated ponds and wetland areas. The Project Area does not discharge to a 303(d) waterbody segment.

### **5.1 Soils Classification**

Review of the United States Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey indicated the predominant soil series mapped within the Project Area are Claverack loamy fine sand, Hydrologic Soil Group (HSG) rating C/D; Claverack loamy fine sand, HSG rating C/D; Collamer silt loam, HSG rating C/D; Cosad loamy fine sand, HSG rating C/D; Lamson fine sandy loam and Mucky fine sandy loam, HSG rating A/D; Odessa silt loam, HSG rating D; Schoharie silt loam, HSG rating D; and Schoharie silty clay loam, HSG rating D. The Soil Conservation Service defines the HSGs as follows:

- Type A Soils: Soils having a high infiltration rate (low runoff potential).
- Type B Soils: Soils having a moderate infiltration rate.
- Type C Soils: Soils having a slow infiltration rate.
- Type D Soils: Soils having a very slow infiltration rate (high runoff potential).

For soils assigned to a dual hydrologic group, the first letter refers to drained areas and the second refers to undrained areas. In project areas of unknown soil type or areas not within agricultural land, the more conservative soil classification is assumed.

Refer to Appendix E for the USDA NRCS Soil Resource Report for the Project Area.

## **6.0 Contract Documents**

The Contractor is responsible for the implementation of this SWPPP, as well as the installation, construction, repair, replacement, inspection and maintenance of erosion and sediment control practices. Each Contractor shall sign the Contractor Certification Form provided in Appendix C prior to the commencement of construction activities.

This SWPPP and associated documentation, including but not limited to, a copy of the GP-0-20-001, NOI, NYSDEC NOI Acknowledgement Letter, Contractor Certification Form, Preliminary Design Drawings, inspection reports, and permit eligibility forms, must be maintained in a secure location for the duration of the Project.

## **7.0 Personnel Contact List**

The Construction Personnel Contact List for the Project is provided in Appendix C. The listed personnel are responsible for ensuring compliance with the SWPPP and associated permit conditions. Personnel responsibilities include, but are not limited to, the following:

- Implement the SWPPP;
- Oversee maintenance practices identified in the SWPPP;
- Conduct or provide for inspection and monitoring activities;
- Identify potential erosion, sedimentation, and pollutant sources during construction and ensure issues are addressed appropriately and in a timely manner;
- Identify necessary amendments to the SWPPP and ensure proper implementation; and,
- Document activities associated with the implementation of this SWPPP and supporting documents.

Refer to GP-0-20-001 for information regarding specific personnel responsibilities.

## **8.0 SWPPP Construction Requirements and Sequencing**

This section provides the Owner/Operator and the Contractor with a suggested order of construction that will minimize erosion and the transport of sediments. The individual objectives of the construction techniques described herein shall be considered an integral component of the Project design. The construction sequence is not intended to prescribe definitive construction methods and should not be interpreted as a construction specification document.

The Contractor shall follow the general principles outlined below throughout the construction phase:

- Protect and maintain existing vegetation wherever possible;
- Minimize the area of disturbance;
- To the extent possible, route unpolluted flows around disturbed areas;

- Install approved erosion and sediment control devices as early as possible;
- Minimize the time disturbed areas are left un-stabilized; and,
- Maintain erosion and sediment control devices in proper condition.

The Contractor should use the suggested construction sequence and techniques as a general guide and modify the suggested methods and procedures as required to best suit seasonal and site-specific physical constraints for the purpose of minimizing the environmental impact due to construction.

The Project is anticipated to involve three stages of work; site preparation, construction, and site restoration. Prior to the commencement of construction activities, temporary erosion and sediment control measures shall be installed per the Preliminary Design Drawings provided in Appendix F. The Project stages are detailed below.

### **Stage 1: Project Area Preparation**

- Establish access to the Project Area including the stabilized construction entrances and access roads;
- Stake/flag construction limits, staging/storage areas, concrete washout locations, environmentally sensitive areas, and other associated work areas;
- Mark existing utilities and infrastructure;
- Conduct tree clearing and vegetation management, if necessary, and grading of work areas, as required; and,
- Install the erosion and sediment controls as detailed on the Erosion and Sediment Control Plans.

### **Stage 2: Construction**

- Perform grading operations as needed;
- Installation of solar array mounting posts;
- Construction of the collection substation;
- Solar panel placement and setting;
- Installation of underground (and, if required, overhead) collection lines for connecting the solar arrays to the Project collection substation; and,
- Installation of any Project Area fencing and security measures.

### **Stage 3: Project Area Restoration**

- Remove and dispose of Project related waste material at an approved disposal facility;
- Prepare soils as needed (restoration of original grade, de-compaction, soil amendments, etc.), and seed and mulching all disturbed areas. Restore disturbed soils per NYSDEC standards and specifications;



- Remove the temporary erosion and sediment controls when 80% of natural vegetative cover has been achieved and erosion issues are no longer present;
- Submit the NOT to the NYSDEC in accordance with the General Permit.

## **9.0 Stormwater Management and Pollution Controls**

Prior to the commencement of construction activities, temporary erosion and sediment controls shall be installed to prevent erosion of the soils and prevent water quality degradation in wetlands and waterbodies. Erosion and sediment controls will be utilized to limit, control, and mitigate construction related impacts. The stormwater management and pollution controls shall include practices that involve runoff control, soil stabilization practices, and sediment control.

The erosion and sediment controls employed at the Project Area must be installed and maintained in accordance with GP-0-20-001 and the SDESC. Improper installation of practices may result in an increase in water quality impacts to nearby waterbodies or sedimentation impacts to undisturbed lands. Deviations from the SDESC standards should be discussed with the Qualified Inspector/Qualified Professional prior to utilizing the alternative practice. If the alternative practice is acceptable, documentation is required to detail the reasoning for the alternative practice and provide evidence that the alternative design is equivalent to the technical standard. The SWPPP shall be amended as appropriate to incorporate the alternative practice. In the event that an alternative practice fails and a standard SDESC practice is required, the Contractor shall install the required practice upon approval from the Qualified Inspector/ Qualified Professional and Owner/Operator. The SWPPP shall be amended as appropriate to document changes to the practice.

The following sections detail potential stormwater contamination sources due to construction related activities and the temporary and permanent erosion and sediment controls to be employed throughout the construction of the Project to mitigate impacts. Refer to the SDESC for additional guidance on installation, maintenance and removal.

### **9.1 Potential Impacts for Stormwater Contamination**

Construction activities and processes that result in either increased stormwater runoff or the potential to add pollutants to runoff are subject to the requirements of this SWPPP. These activities may include areas of land disturbed by grading, excavation, construction, or material storage. Water that comes in contact with the surface of the Project Area as a result of precipitation (snow, hail, rain, etc.) is classified as stormwater associated with the Project and is subject to the requirements of this SWPPP.

Construction activities that may negatively impact stormwater include, but are not limited to, the following:

- Tree Clearing and Vegetation Removal: Removal of vegetation can expose and weaken soils and may result in erosion.
- Construction Site Entrance: Vehicles leaving the Project Area can track soils onto public roadways.
- Grading Operations: Exposed soils have the potential for erosion and sedimentation when not stabilized.

- Fugitive Dust: Dust generated by vehicles or from strong winds during a drought period can be deposited in wetlands, waterways, and other environmentally sensitive areas, or may negatively impact the air quality.
- General Site Construction Activities: Maintenance and heavy use of access roads can expose soils, creating significant erosion potential. Soil stockpiling from site excavations and grading may promote erosion and sedimentation. Dewatering activities may result in concentrated flows and has the potential to increase erosion.
- Construction Vehicles and Equipment: Refueling of vehicles may result in spilling or dripping gasoline and diesel fuel onto the ground. On-site maintenance of excavating equipment may result in hydraulic oil, lubricants, or antifreeze dripping onto the ground. Sediment tracking and the spread of invasive species may occur if construction vehicles are improperly maintained. Ruts caused by equipment can create paths for concentrated water flows.
- Waste Management Practices: Typical construction projects often generate significant quantities of solid waste, such as wrappings, personnel-generated trash and waste, and construction debris.

Proper siting of staging and storage areas, stockpiling areas, and erosion and sediment controls will mitigate potential impacts to the stormwater. Refer to Section 10.1 for additional information on spill prevention and waste management procedures for the Project.

## **9.2 Protection of Existing Vegetation**

Natural vegetation shall be preserved to the maximum extent practicable. Preserving natural vegetation will reduce soil erosion and maintain the inherent integrity of the Project Area. Protection practices may include barrier fencing to prevent equipment and vehicle traffic in vegetated and environmentally sensitive areas.

## **9.3 Temporary Erosion and Sediment Controls**

Temporary erosion and sediment controls shall be employed to reduce erosion, sedimentation, and pollutants in stormwater discharges, and to prevent impacts to undisturbed areas, natural resources, wetlands, waterbodies, and downstream areas. Both stabilization techniques and structural methods will be utilized, as needed, to meet these objectives.

Temporary erosion and sediment control measures shall be applied during construction to:

- Minimize soil erosion and sedimentation through the stabilization of disturbed areas and removal of sediment from construction site discharges.
- Preserve existing vegetation to the maximum extent practicable and establish permanent vegetation on exposed soils following the completion of soil disturbance activities.
- Minimize the area and duration of soil disturbance through site preparation activities and construction sequencing.

Table 1, below, lists the erosion and sediment controls anticipated to be utilized at the Project Area.

**Table 1 - Proposed Erosion and Sediment Control Measures**

Construction Road Stabilization	Concrete Truck Washout
Dust Control	Protecting Vegetation During Construction
Site Pollution Prevention	Stabilized Construction Access
Temporary Access Waterway Crossing	Winter Stabilization
Check Dam	Rock Outlet Protection
Water Bar	Anchored Stabilization Matting
Land grading	Mulching
Permanent Construction Area Planting	Soil Restoration
Temporary Construction Area Seeding	Topsoiling
Cofferdam Structures	Compost Filter Sock
Geotextile Filter Bag	Silt Fence
Straw Bale Dike	

The standards and specification for the erosion and sediment control measures listed in Table 1 are provided in Appendix G. Refer to the SDESC for the Standards and Specifications of alternate measures and practices, as needed. The temporary erosion and sediment control measures not detailed in the SDESC are detailed below.

### **9.3.1 Temporary Stockpiling**

Temporary stockpiling of granular material (gravel, excavated spoils, select backfill, topsoils, etc.) is expected on-site throughout the construction process. Stockpiling of materials is not permitted in areas where health or safety risks are present, or where impacts to water quality may occur. Stockpiling is not permitted in wetland or wetland buffer areas.

Stockpile areas shall be contained and protected with the proper erosion and sediment controls such as silt fencing and mulch. Soil stockpiles shall be stabilized with vegetation, geotextile fabric or plastic covers if not utilized for seven days.

Stockpile areas should be inspected and maintained as needed or directed by the Project Engineer (or Qualified Inspector/Qualified Professional).

### **9.3.2 Temporary Spoil Stockpiling**

Spoil material shall be segregated, conserving topsoil for revegetation and disposing of the inorganic sub-soils. Spoils shall be free of construction debris including foreign chunks of concrete, and other construction-related materials.

A spoil disposal plan shall be developed prior to excavation, including the proposed quantities of spoil and the proposed location(s) and procedures for disposal. Spoils shall not be disposed of within wetlands, waterbodies, agricultural areas, or other environmentally sensitive areas. Excess topsoil is encouraged to be spread within the immediate disturbed areas, including agricultural areas, if the material is free of rocks. Inorganic spoils shall be buried and capped with the previously stripped, native topsoil to ensure revegetation. Additional topsoil may be required to adequately cover the spoil area. If additional space is needed for on-site disposal, the SWPPP shall be amended as appropriate. For spoils needing to be disposed of off-site, the disposal plan shall detail the location of the spoil disposal at an authorized facility off-site.

If the disposal plan does not detail the spoil stockpiling or disposal information, the SWPPP shall be amended as appropriate to document the necessary procedures. The amendment shall include the anticipated amount of spoils, the spoil stockpiling location, and the disposal method and location.

### **9.3.3 Timber Matting**

Timber ("swamp") matting is often utilized to distribute vehicle loads on agricultural, lawn, and wetland areas. The matting aids in reducing rutting, soil compaction, and restoration activities in protected areas. Poorly drained upland soils, such as wetland transitional areas, may be matted to reduce rutting and sediment tracking.

An additional benefit of matting in wetlands is that mats can be arranged to act as a containment surrounding excavations. This may be especially helpful in standing water situations where conventional erosion and sediment controls are not practicable. The Contractor should be cognizant of the hydrology of the area by recognizing water staining and bank full indicators. The Qualified Inspector can assist in this identification.

Headers and stringers shall be used in deeper or open water wetlands to allow wetland inundation under the matted drivable surface. The SWPPP specified wetland access does not account for poorly drained or poorly structured soils that are not wetlands. Transitional areas may experience severe rutting due to high traffic associated with the installation of the wetland access matting. Additional matting is recommended to reduce track out and restoration efforts, however it is not required for access.

Submerged wetland matting can create a "pumping" effect as vehicles pass, resulting in disturbed wetland soils, turbidity and sedimentation. This disturbance is a violation of the associated wetland permits. Although the presence of matting in this situation is still better than the alternative, pumping mats will require additional stabilization and sediment control practices not planned for in the Preliminary Design Drawings. Matting will need to be re-installed, or access will be shut down until water recedes to eliminate the erosion concern.

Refer to Appendix G for additional information regarding timber matting.

#### **9.3.4 Construction Access Systems**

Temporary construction access systems may be utilized to prevent or reduce impacts to sensitive areas, such as soft soil or wetlands. The construction access systems may include, but are not limited to, the use of portable mats, plastic roads, or access during frozen weather conditions.

Portable mats are reusable mats typically composed of fiberglass or high-density polyethylene (HDPE). The mats may be used in wetland areas or in areas of soft soils to prevent rutting and soil disturbance impacts.

Plastic road mats are composed of linking HDPE mats using a one-inch polyvinyl chloride (PVC) stringer. The mats are utilized to protect wetlands and prevent rutting by distributing the vehicle load across the roadway surface.

Access during frozen conditions may occur once the ground freezes. Snow cover may be packed down or removed for access. The frozen ground conditions will not experience rutting or sediment tracking. Periodic inspection of ground conditions is recommended to ensure frozen ground conditions are present.

Alternative construction access systems shall be approved by the Owner/Operator and the Qualified Professional prior to use. The alternate system shall be documented in the SWPPP amendments.

#### **9.3.5 Horizontal Directional Drilling (HDD)**

To avoid unnecessary disturbance or impact to the bed, banks, and aquatic habitat of the streams, horizontal directional drilling (HDD) will be performed for the construction of the pipeline at the stream crossings. The HDD process involves drilling boreholes with a fluid mixture, primarily composed of water and bentonite, a naturally occurring clay. The drilling fluid aids in the removal of cuttings from the borehole, stabilizes the borehole, and acts as a coolant and lubricant throughout the drilling process. The bentonite-water mixture is not classified as a toxic or hazardous substance, however, if released into waterbodies, bentonite has the potential to temporarily reduce water quality, and therefore, adversely impact fish and other aquatic species.

To protect public health and safety and natural resources, the Contractor shall establish operational procedures and responsibilities for the prevention, containment, and cleanup of inadvertent releases associated with the proposed HDD. The operational procedures should:

1. Minimize the potential for an inadvertent release of drilling fluids associated with HDD activities;
2. Provide for the timely detection of inadvertent returns;
3. Protect environmentally sensitive areas (streams, wetlands, etc.) while responding to an inadvertent release;
4. Ensure an organized, timely and “minimum-impact” response in the event of an inadvertent return and release of drilling fluids; and,
5. Ensure that all appropriate notifications are made immediately.

The Contractor shall comply with the Owner's/Operator's operational procedures for HDD.

#### **9.4 Temporary Stabilization for Frozen Conditions**

Winter stabilization standards apply to construction activities with ongoing soil disturbance and exposure between November 15<sup>th</sup> and April 1<sup>st</sup>. Temporary winter stabilization measures shall be employed prior to frozen conditions, as detailed in the SSESC.

Erosion and sediment control measures shall be inspected to ensure proper performance and winter stabilization function. Repairs should be made as necessary to prevent erosion and sedimentation during thawing or rain events.

### **10.0 Construction Pollution Prevention**

Proper material storage, handling, and disposal practices shall be implemented during construction to reduce the risk of exposure of materials and hazardous substances to stormwater and environmental resources. The storage, handling, and disposal procedures to be enforced by the Owner/Operator, Contractor(s) and the Qualified Inspector are described below.

#### **10.1 Management of Spills and Releases**

The Owner/Operator must be notified in the event of a non-stormwater (fuel, oil, chemical, etc.) spill or release to ensure proper reporting and clean up. The Owner/Operator shall proceed as appropriate in accordance with the Owner/Operator's, local, state, and federal environmental policies and procedures.

A spill or release shall be reported to the NYSDEC Spill Hotline (1-800-457-7362), as applicable, within two hours of the release. The Contractor is responsible for retaining documentation containing the NYS spill number and spill information to provide to the Owner/Operator and the Qualified Inspector. The Contractor is responsible for the cleanup and response actions, in accordance with the on-site spill prevention procedures manual. Contaminated soil shall be removed from the Project Area and disposed of in accordance with the product specific Safety Data Sheets (SDS) and environmental guidance.

Potential pollutant sources are likely to be stored on the construction site. Bulk petroleum storage (1,100 gallon above ground tank and/or 110 below ground tank) and chemical storage (185 gallon above ground tank and/or any below ground tank) shall not be present onsite. Construction materials typically present on construction sites, as noted in the National Pollutant Discharge Elimination System (NPDES) Construction General Permit, include, but are not limited to, the following:

- Building Products: Asphalt sealants, copper flashing, roofing materials, adhesives, concrete admixtures, and gravel and/or mulch stockpiles;
- Chemicals: Pesticides, herbicides, insecticides, fertilizers, and landscape materials;
- Petroleum Products: Diesel fuel, oil, hydraulic fluids, gasoline, etc.;
- Hazardous or Toxic Waste: Paints, caulks, sealants, fluorescent light ballasts, solvents, petroleum-based products, wood preservatives, additives, curing compounds, and acids;

- Sanitary Facilities: Portable toilets; and,
- Construction Debris: Fill, vegetative debris, stumps, and construction waste.

Specific quantities cannot be estimated until construction methodology and contractor(s) are secured for construction.

Spill cleanup and response guidance is provided in Appendix H of this SWPPP.

## **10.2 Construction Housekeeping**

The Owner/Operator or the Contractor shall coordinate with local fire officials regarding on-site fire safety and emergency response. The Contractor shall keep the Construction Supervisor and the Qualified Inspector/Qualified Professional aware of chemicals and waste present on site. The Contractor shall periodically conduct safety inspections at the Project Area to identify housekeeping issues and employ spill prevention procedures.

### **10.2.1 Material Stockpiling**

Material resulting from clearing and grubbing, grading, and other construction activities, or new material delivered to the Project Area, shall be stockpiled upslope of disturbed areas. The stockpile areas shall have the proper erosion and sediment controls installed to prevent the migration of sediments and materials.

### **10.2.2 Staging, Storage, and Marshalling Areas**

Construction materials and equipment should be stored in designated staging areas as indicated on the Preliminary Design Drawings or as directed by the Project Engineer (or Qualified Inspector). The staging, storage, and marshalling areas should be located in an area which minimizes impacts to stormwater quality. Materials shall be properly stored and kept away from water resources and environmentally sensitive areas, including, but not limited to, wetlands, streams, storm drains, and ditches. or subject to ground water.

Chemicals, solvents, fertilizers, and other toxic materials must be stored in waterproof containers and must be kept in the proper storage facilities, except during use or application. Runoff containing such materials must be collected and disposed of at an approved solid waste or chemical disposal facility.

Bulk storage of materials will be staged at the Project marshalling yard per SDS specification and Environmental Health and Safety Standards, whichever is more restrictive. Contractor marshalling yards may be associated with other projects not covered under this SWPPP and General Permit. If the marshalling area is associated with this SWPPP, the yard shall be inspected by the Qualified Inspector until Project related activities have ceased. A Qualified Inspector shall inspect the marshalling yard to assess for environmental impacts prior to and throughout its use. If additional marshalling yards are required, they must abide by this SWPPP and GP-0-20-001. Amendments shall be made to the SWPPP, as necessary, for the additional marshalling areas.

### **10.2.3 Equipment Cleaning and Maintenance**

All on-site construction vehicles, including employee vehicles, shall be monitored for leaks and shall receive regular preventative maintenance to reduce the risk of leakage. Any

equipment leaking oil, fuel, or hydraulic fluid shall be repaired immediately or removed from the Project Area. Construction equipment and Contractor personal vehicles shall be parked, refueled and serviced at least 100 feet from a wetland, waterbody, or other ecologically sensitive area, at an upland location away from conveyance channels, unless approved by the Qualified Inspector/Qualified Professional.

Where there is no reasonable alternative, refueling may occur within these setbacks, but only under the observation of the Qualified Inspector or Trained Contractor and after proper precautions are taken to prevent an accidental spill. The Contractor shall take precautions to ensure that drips, spills, or seeps do not enter the ground. The use of absorbent towels and/or a portable basin beneath the fuel tank is recommended. Refueling activities shall be performed under continual surveillance with extreme care. In the event of a release, the spill shall be promptly cleaned up in accordance with the spill response and clean up procedures.

Petroleum products and hydraulic fluids that are not in vehicles shall be stored in tightly sealed containers that are clearly labeled. All gasoline and fuel storage vessels with greater than a 25-gallon capacity must have secondary containment constructed of an impervious material and be capable of holding 110% of the vessel capacity.

#### **10.2.4 Concrete Washout Areas**

Designated concrete washout areas should be provided as needed to allow concrete trucks to wash out or discharge surplus concrete and wash water on site. The concrete washout areas shall be a diked impervious area, located a minimum of 100 feet from a drainage way, waterbody, or wetland area. The concrete washout areas should be designed to prevent contact between the concrete wash and stormwater. The concrete washout areas shall have the proper signage to indicate the location of the facility. The Contractor is responsible for the maintenance of the concrete washout areas. Waste collected at the concrete washout areas shall be disposed of as non-hazardous construction waste material.

The washout facility should have sufficient volume to contain the concrete waste resulting from washout and a minimum freeboard of 12 inches. The washout areas should not be filled beyond 95% capacity and shall be cleaned out once 75% capacity has been met unless a new facility has been constructed. Refer to the SDESC for guidance on the construction and use of concrete washout areas.

### **10.3 Waste Management**

The Contractor shall comply with all required regulations governing the on-site management and off-site disposal of solid and hazardous waste generated during construction of the Project. Substances and materials with the potential to pollute surface and groundwaters must be handled, controlled and contained as appropriate to ensure they do not discharge from the Project Area.

A solid waste management program will be implemented to support proper solid waste disposal and recycling practices. Solid waste and debris that cannot be recycled, reused, or salvaged shall be stored in on-site containers for off-site disposal. The containers shall be emptied periodically by a licensed waste transport service and hauled away from the site for proper disposal. No loose materials shall be allowed at the Project Area and all waste material



shall be disposed of promptly and properly. The burning of crates, waste, and other refuse is not permitted.

If a hazardous material spill occurs, it must be contained and disposed of immediately. Contaminated soil shall be removed from the Project Area and disposed of in accordance with product specific SDS and associated guidelines. Reporting spills to the NYSDEC may be required per 17 New York Codes, Rules and Regulations (NYCRR) 32.3 and 32.4, and the Environmental Conservation Law (ECL) 17-1734.

## **11.0 Maintenance Inspections and Reporting Requirements**

### **11.1 Pre-Construction Inspection**

A site assessment shall be conducted by the Qualified Inspector prior to commencement of construction activities to ensure erosion and sediment controls have been adequately and appropriately installed. The Contractor is responsible for contacting the Qualified Inspector for the pre-construction inspection following the installation of the erosion and sediment control measures.

### **11.2 Construction Phase Inspections**

A Qualified Inspector shall conduct regular site inspections for the implementation of this SWPPP through final stabilization of the Project Area. Inspections shall occur at an interval of once every seven calendar days unless greater than five acres of soil is disturbed at any one time or if the Project Area directly discharges to a 303(d) waterbody segment or is located in one of the watersheds listed in Appendix C of GP-0-20-001, in which inspections shall occur at least twice per every seven calendar days. The two inspections shall be separated by a minimum of two full calendar days. Written authorization from the NYSDEC is required prior to disturbance of greater than five acres. If a portion of the Project Area is permanently stabilized, inspections can cease in that area as long as the condition has been documented by amending the SWPPP.

The Qualified Inspector shall conduct site inspections to assess the performance of the erosion and sediment controls and identify areas requiring modification or repair. The Qualified Inspector shall complete an inspection report following each inspection.

The Owner/Operator and the Contractor(s) must ensure the erosion and sediment control practices implemented at the Project Area have been maintained in accordance with GP-0-20-001 and the SSESC. The trained Contractor shall regularly inspect the erosion and sediment control practices and pollution prevention measures to ensure they are being maintained in effective operating condition at all times. Corrective actions to the identified deficiencies shall be made within a reasonable time frame.

The Qualified Inspector/Qualified Professional shall inspect the debris removal on a continual basis during construction to ensure proper management and disposal. When construction and restoration are complete, the Contractor is responsible for ensuring the Project Area is free of all construction debris and materials.

### **11.3 Temporary Construction Activity Suspension**

The Contractor must temporarily stabilize all disturbed areas prior to temporary suspension of construction activities. For construction sites where soil disturbance activities have been temporarily suspended and the appropriate temporary stabilization measures have been installed and applied to all disturbed areas, the Qualified Inspector shall begin conducting site inspections in accordance with Part IV.C.2 of GP-0-20-001. The trained Contractor may cease the regular maintenance inspections until soil disturbance activities resume.

The Owner/Operator must notify the NYSDEC Division of Water (DOW) Program contact at the Regional Office in writing prior to reducing the frequency of inspections. Correspondence with the NYSDEC DOW shall be included in Appendix D of this SWPPP.

#### **11.4 Partial Project Completion**

Construction sites where soil disturbance activities have been shut down with partial Project completion, the Qualified Inspector can stop conducting inspections once all disturbed areas have achieved final stabilization in conformance with this SWPPP.

The Owner/Operator must notify the NYSDEC DOW Program contact at the Regional Office in writing prior to shut down. Correspondence with the NYSDEC DOW shall be included in Appendix D of this SWPPP.

If soil disturbance activities have ceased for two years from the date of shutdown, the Owner/Operator shall have the Qualified Inspector complete a final inspection to certify final stabilization has been achieved and all temporary erosion and sediment control measures have been removed. The Owner/Operator shall complete the NOT form and submit the form to the NYSDEC. A copy of the completed NOT shall be included in Appendix A of this SWPPP.

#### **11.5 Reporting Requirements**

Inspection and maintenance reports shall be prepared in accordance with GP-0-20-001 from the commencement of construction activities until the NOT has been submitted to the NYSDEC. The Qualified Inspector shall provide a copy of the completed inspection report to the Owner/Operator and the Contractor(s) within one business day of inspection. A copy of the inspection report shall be included Appendix J of the on-site SWPPP. A blank SWPPP Inspection Form is provided in Appendix J.

#### **11.6 Post-Construction Record Archiving**

The Owner/Operator shall retain a copy of the SWPPP, permit coverage forms and associated documentation that were prepared in conjunction with GP-0-20-001 for a period of at least five years from the date that the NYSDEC received the completed NOT.

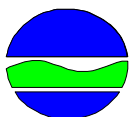
## **Appendix A – SWPPP Permit Coverage Forms**

- NOI -
- SWPPP Preparer Certification Form -
- Owner/Operator Certification Form -
- NYSDEC NOI Acknowledgement Letter for Permit Coverage -
- NOT Form -

## **Appendix A – Notice of Intent (NOI)**

The completed NOI will be included with the Final SWPPP.

## NOTICE OF INTENT



**New York State Department of Environmental Conservation**

## Division of Water

**625 Broadway, 4th Floor**

**Albany, New York 12233-3505**

NYR

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(for DEC use only)

**Stormwater Discharges Associated with Construction Activity Under State Pollutant Discharge Elimination System (SPDES) General Permit # GP-0-15-002**

**All sections must be completed unless otherwise noted.** Failure to complete all items may result in this form being returned to you, thereby delaying your coverage under this General Permit. Applicants must read and understand the conditions of the permit and prepare a Stormwater Pollution Prevention Plan prior to submitting this NOI. Applicants are responsible for identifying and obtaining other DEC permits that may be required.

**- IMPORTANT -**

**RETURN THIS FORM TO THE ADDRESS ABOVE**

**OWNER/OPERATOR MUST SIGN FORM**

### Owner/Operator Information

Owner/Operator (Company Name/Private Owner Name/Municipality Name)

[illegible]

Owner/Operator Contact Person Last Name (NOT CONSULTANT)

[illegible]

Owner/Operator Contact Person First Name

[illegible]

Owner/Operator Mailing Address

[illegible]

City

[illegible]

State

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Zip

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Phone (Owner/Operator)

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Fax (Owner/Operator)

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Email (Owner/Operator)

[illegible][illegible]

FED TAX ID

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(not required for individuals)



3. Select the predominant land use for both pre and post development conditions.

**SELECT ONLY ONE CHOICE FOR EACH**

**Pre-Development  
Existing Land Use**

- ☐ FOREST  
☐ PASTURE/OPEN LAND  
☐ CULTIVATED LAND  
☐ SINGLE FAMILY HOME  
☐ SINGLE FAMILY SUBDIVISION  
☐ TOWN HOME RESIDENTIAL  
☐ MULTIFAMILY RESIDENTIAL  
☐ INSTITUTIONAL/SCHOOL  
☐ INDUSTRIAL  
☐ COMMERCIAL  
☐ ROAD/HIGHWAY  
☐ RECREATIONAL/SPORTS FIELD  
☐ BIKE PATH/TRAIL  
☐ LINEAR UTILITY  
☐ PARKING LOT  
☐ OTHER

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**Post-Development  
Future Land Use**

- ☐ SINGLE FAMILY HOME  
☐ SINGLE FAMILY SUBDIVISION  
☐ TOWN HOME RESIDENTIAL  
☐ MULTIFAMILY RESIDENTIAL  
☐ INSTITUTIONAL/SCHOOL  
☐ INDUSTRIAL  
☐ COMMERCIAL  
☐ MUNICIPAL  
☐ ROAD/HIGHWAY  
☐ RECREATIONAL/SPORTS FIELD  
☐ BIKE PATH/TRAIL  
☐ LINEAR UTILITY (water, sewer, gas, etc.)  
☐ PARKING LOT  
☐ CLEARING/GRADING ONLY  
☐ DEMOLITION, NO REDEVELOPMENT  
☐ WELL DRILLING ACTIVITY \*(Oil, Gas, etc.)  
☐ OTHER

Number of Lots

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**\*Note:** for gas well drilling, non-high volume hydraulic fractured wells only

4. In accordance with the larger common plan of development or sale, enter the total project site area; the total area to be disturbed; existing impervious area to be disturbed (for redevelopment activities); and the future impervious area constructed within the disturbed area. (Round to the nearest tenth of an acre.)

**Total Site  
Area**

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

**Total Area To  
Be Disturbed**

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

**Existing Impervious  
Area To Be Disturbed**

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

**Future Impervious  
Area Within  
Disturbed Area**

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5. Do you plan to disturb more than 5 acres of soil at any one time? ☐ Yes ☐ No

6. Indicate the percentage of each Hydrologic Soil Group(HSG) at the site.

**A**  

--	--	--	--

 %

**B**  

--	--	--	--

 %

**C**  

--	--	--	--

 %

**D**  

--	--	--	--

 %

7. Is this a phased project? ☐ Yes ☐ No

8. Enter the planned start and end dates of the disturbance activities.

**Start Date**

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**End Date**

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15. Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)? ☐ Yes ☐ No ☐ Unknown

- [illegible]

17. Does any runoff from the site enter a sewer classified as a Combined Sewer? ☐ **Yes** ☐ **No** ☐ **Unknown**

18. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law? ☐ Yes ☐ No

19. Is this property owned by a state authority, state agency, federal government or local government? ☐ Yes ☐ No

20. Is this a remediation project being done under a Department approved work plan? (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.) ☐ **Yes** ☐ **No**

21. Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book)? ☐ Yes ☐ No

22. Does this construction activity require the development of a SWPPP that includes the post-construction stormwater management practice component (i.e. Runoff Reduction, Water Quality and Quantity Control practices/techniques)? ☐ **Yes** ☐ **No**
- If No, skip questions 23 and 27-39.**

23. Has the post-construction stormwater management practice component of the SWPPP been developed in conformance with the current NYS Stormwater Management Design Manual? ☐ Yes ☐ No

24. The Stormwater Pollution Prevention Plan (SWPPP) was prepared by:

- ☐ Professional Engineer (P.E.)
- ☐ Soil and Water Conservation District (SWCD)
- ☐ Registered Landscape Architect (R.L.A.)
- ☐ Certified Professional in Erosion and Sediment Control (CPESC)
- ☐ Owner/Operator
- ☐ Other

[illegible]

SWPPP Preparer

[illegible]

Contact Name (Last, Space, First)

[illegible]

Mailing Address

[illegible]

City

[illegible]

State Zip

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Phone

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Fax

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Email

[illegible][illegible]

## 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.

First Name

[illegible]

MI

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**Last Name**

[illegible]

Signature

--

Date \_\_\_\_\_

--	--	--	--

25. Has a construction sequence schedule for the planned management practices been prepared? ☐ Yes ☐ No

26. Select **all** of the erosion and sediment control practices that will be employed on the project site:

## Temporary Structural

- ☐ Check Dams
- ☐ Construction Road Stabilization
- ☐ Dust Control
- ☐ Earth Dike
- ☐ Level Spreader
- ☐ Perimeter Dike/Swale
- ☐ Pipe Slope Drain
- ☐ Portable Sediment Tank
- ☐ Rock Dam
- ☐ Sediment Basin
- ☐ Sediment Traps
- ☐ Silt Fence
- ☐ Stabilized Construction Entrance
- ☐ Storm Drain Inlet Protection
- ☐ Straw/Hay Bale Dike
- ☐ Temporary Access Waterway Crossing
- ☐ Temporary Stormdrain Diversion
- ☐ Temporary Swale
- ☐ Turbidity Curtain
- ☐ Water bars

## Biotechnical

- Brush Matting
- Wattling

## Other

[illegible]

## Vegetative Measures

- Brush Matting
- Dune Stabilization
- Grassed Waterway
- Mulching
- Protecting Vegetation
- Recreation Area Improvement
- Seeding
- Sodding
- Straw/Hay Bale Dike
- Streambank Protection
- Temporary Swale
- Topsoiling
- Vegetating Waterways

## Permanent Structural

- ☐ Debris Basin
- ☐ Diversion
- ☐ Grade Stabilization Structure
- ☐ Land Grading
- ☐ Lined Waterway (Rock)
- ☐ Paved Channel (Concrete)
- ☐ Paved Flume
- ☐ Retaining Wall
- ☐ Riprap Slope Protection
- ☐ Rock Outlet Protection
- ☐ Streambank Protection

**Post-construction Stormwater Management Practice (SMP) Requirements**

**Important:** Completion of Questions 27-39 is not required if response to Question 22 is No.

27. Identify all site planning practices that were used to prepare the final site plan/layout for the project.

- ☐ Preservation of Undisturbed Areas
- ☐ Preservation of Buffers
- ☐ Reduction of Clearing and Grading
- ☐ Locating Development in Less Sensitive Areas
- ☐ Roadway Reduction
- ☐ Sidewalk Reduction
- ☐ Driveway Reduction
- ☐ Cul-de-sac Reduction
- ☐ Building Footprint Reduction
- ☐ Parking Reduction

27a. Indicate which of the following soil restoration criteria was used to address the requirements in Section 5.1.6("Soil Restoration") of the Design Manual (2010 version).

- ☐ All disturbed areas will be restored in accordance with the Soil Restoration requirements in Table 5.3 of the Design Manual (see page 5-22).
- ☐ Compacted areas were considered as impervious cover when calculating the **WQv Required**, and the compacted areas were assigned a post-construction Hydrologic Soil Group (HSG) designation that is one level less permeable than existing conditions for the hydrology analysis.

28. Provide the total Water Quality Volume (WQv) required for this project (based on final site plan/layout).

**Total WQv Required**

.     acre-feet

29. Identify the RR techniques (Area Reduction), RR techniques (Volume Reduction) and Standard SMPs with RRv Capacity in Table 1 (See Page 9) that were used to reduce the Total WQv Required (#28).

Also, provide in Table 1 the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

**Note:** Redevelopment projects shall use Tables 1 and 2 to identify the SMPs used to treat and/or reduce the WQv required. If runoff reduction techniques will not be used to reduce the required WQv, skip to question 33a after identifying the SMPs.

Table 1 - Runoff Reduction (RR) Techniques  
and Standard Stormwater Management  
Practices (SMPs)

RR Techniques (Area Reduction)	Total Contributing Area (acres)	Total Contributing Impervious Area(acres)
○ Conservation of Natural Areas (RR-1) ...	<input type="text"/> <input type="text"/> <input type="text"/> · <input type="text"/> <input type="text"/> <input type="text"/>	and/or <input type="text"/> <input type="text"/> <input type="text"/> · <input type="text"/> <input type="text"/> <input type="text"/>
○ Sheetflow to Riparian Buffers/Filters Strips (RR-2) .....	<input type="text"/> <input type="text"/> <input type="text"/> · <input type="text"/> <input type="text"/> <input type="text"/>	and/or <input type="text"/> <input type="text"/> <input type="text"/> · <input type="text"/> <input type="text"/> <input type="text"/>
○ Tree Planting/Tree Pit (RR-3) .....	<input type="text"/> <input type="text"/> <input type="text"/> · <input type="text"/> <input type="text"/> <input type="text"/>	and/or <input type="text"/> <input type="text"/> <input type="text"/> · <input type="text"/> <input type="text"/> <input type="text"/>
○ Disconnection of Rooftop Runoff (RR-4) ..	<input type="text"/> <input type="text"/> <input type="text"/> · <input type="text"/> <input type="text"/> <input type="text"/>	and/or <input type="text"/> <input type="text"/> <input type="text"/> · <input type="text"/> <input type="text"/> <input type="text"/>
<u>RR Techniques (Volume Reduction)</u>		
○ Vegetated Swale (RR-5) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Rain Garden (RR-6) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Stormwater Planter (RR-7) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Rain Barrel/Cistern (RR-8) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Porous Pavement (RR-9) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Green Roof (RR-10) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
<u>Standard SMPs with RRv Capacity</u>		
○ Infiltration Trench (I-1) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Infiltration Basin (I-2) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Dry Well (I-3) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Underground Infiltration System (I-4) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Bioretention (F-5) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Dry Swale (O-1) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
<u>Standard SMPs</u>		
○ Micropool Extended Detention (P-1) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Wet Pond (P-2) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Wet Extended Detention (P-3) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Multiple Pond System (P-4) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Pocket Pond (P-5) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Surface Sand Filter (F-1) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Underground Sand Filter (F-2) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Perimeter Sand Filter (F-3) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Organic Filter (F-4) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Shallow Wetland (W-1) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Extended Detention Wetland (W-2) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Pond/Wetland System (W-3) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Pocket Wetland (W-4) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>
○ Wet Swale (O-2) .....	<input type="text"/> <input type="text"/> <input type="text"/>	· <input type="text"/> <input type="text"/> <input type="text"/>

Table 2 - Alternative SMPs (DO NOT INCLUDE PRACTICES BEING USED FOR PRETREATMENT ONLY)																												
<u>Alternative SMP</u>	<u>Total Contributing Impervious Area(acres)</u>																											
<input type="radio"/> Hydrodynamic .....	<table border="1" style="display: inline-table; vertical-align: middle;"><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr></table> <span style="font-size: small; vertical-align: middle;">=</span> <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr></table>																											
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Provide the name and manufacturer of the Alternative SMPs (i.e.  
proprietary practice(s)) being used for WQv treatment.

Name	<table border="1" style="width: 100%; height: 20px;"></table>
Manufacturer	<table border="1" style="width: 100%; height: 20px;"></table>

**Note:** Redevelopment projects which do not use RR techniques, shall use questions 28, 29, 33 and 33a to provide SMPs used, total WQv required and total WQv provided for the project.

[illegible]

30. Indicate the Total RRv provided by the RR techniques (Area/Volume Reduction) and Standard SMPs with RRv capacity identified in question 29.

--	--	--

 · 

--	--	--

 acre-feet

If Yes, go to question 36.  
If No, go to question 32.

--	--	--

.

--	--	--

acre-feet

If No, sizing criteria has not been met, so NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

33. Identify the Standard SMPs in Table 1 and, if applicable, the Alternative SMPs in Table 2 that were used to treat the remaining total WQv(=Total WQv Required in 28 - Total RRv Provided in 30).

Also, provide in Table 1 and 2 the total impervious area that contributes runoff to each practice selected.

**Note:** Use Tables 1 and 2 to identify the SMPs used on Redevelopment projects.

- 33a. Indicate the Total WQv provided (i.e. WQv treated) by the SMPs identified in question #33 and Standard SMPs with RRv Capacity identified in question 29.

**WQv Provided**

.  acre-feet

**Note:** For the standard SMPs with RRv capacity, the WQv provided by each practice = the WQv calculated using the contributing drainage area to the practice - RRv provided by the practice. (See Table 3.5 in Design Manual)

34. Provide the sum of the Total RRv provided (#30) and the WQv provided (#33a).

.

35. Is the sum of the RRv provided (#30) and the WQv provided (#33a) greater than or equal to the total WQv required (#28)? ☐ Yes ☐ No

If Yes, go to question 36.

If No, sizing criteria has not been met, so NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

36. Provide the total Channel Protection Storage Volume (CPv) required and provided or select waiver (36a), if applicable.

**CPv Required**

.  acre-feet

**CPv Provided**

.  acre-feet

- 36a. The need to provide channel protection has been waived because:

- ☐ Site discharges directly to tidal waters or a fifth order or larger stream.
- ☐ Reduction of the total CPv is achieved on site through runoff reduction techniques or infiltration systems.

37. Provide the Overbank Flood (Qp) and Extreme Flood (Qf) control criteria or select waiver (37a), if applicable.

**Total Overbank Flood Control Criteria (Qp)**

**Pre-Development**

.  CFS

**Post-development**

.  CFS

**Total Extreme Flood Control Criteria (Qf)**

**Pre-Development**

.  CFS

**Post-development**

.  CFS

37a. The need to meet the Qp and Qf criteria has been waived because:

- ☐ Site discharges directly to tidal waters or a fifth order or larger stream.
- ☐ Downstream analysis reveals that the Qp and Qf controls are not required

- Site discharges directly to tidal waters or a fifth order or larger stream.
- Downstream analysis reveals that the Qp and Qf controls are not required

☐ Yes      ☐ No

If Yes, Identify the entity responsible for the long term  
Operation and Maintenance

[illegible]

39. Use this space to summarize the specific site limitations and justification for not reducing 100% of WQv required(#28). (See question 32a)  
This space can also be used for other pertinent project information.



40. Identify other DEC permits, existing and new, that are required for this project/facility.

○ Air Pollution Control

○ Coastal Erosion

☐ Hazardous Waste

○ Long Island Wells

○ Mined Land Reclamation

○ Solid Waste

○ Navigable Waters Protection / Article 15

○ Water Quality Certificate

○ Dam Safety

○ Water Supply

○ Freshwater Wetlands/Article 24

○ Tidal Wetlands

○ Wild, Scenic and Recreational Rivers

○ Stream Bed or Bank Protection / Article 15

○ Endangered or Threatened Species(Incidental Take Permit)

- Individual SPDES

○ SPDES Multi-Sector GP								
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☐ Other

☐ None

41. Does this project require a US Army Corps of Engineers Wetland Permit? ☐ ☐ ☐ ☐ ☐ ☐

☐ Yes    ☐ No

If Yes, Indicate Size of Impact.				
.				

42. Is this project subject to the requirements of a regulated, traditional land use control MS4?  
(If No, skip question 43)

☐ Yes      ☐ No

43. Has the "MS4 SWPPP Acceptance" form been signed by the principal executive officer or ranking elected official and submitted along with this NOI?

☐ Yes    ☐ No

44. If this NOI is being submitted for the purpose of continuing or transferring coverage under a general permit for stormwater runoff from construction activities, please indicate the former SPDES number assigned.

<b>Owner/Operator Certification</b>	
<p>I have read or been advised of the permit conditions and believe that I understand them. I also understand that, under the terms of the permit, there may be reporting requirements. I hereby certify that this document and the corresponding documents were prepared under my direction or supervision. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further understand that coverage under the general permit will be identified in the acknowledgment that I will receive as a result of submitting this NOI and can be as long as sixty (60) business days as provided for in the general permit. I also understand that, by submitting this NOI, I am acknowledging that the SWPPP has been developed and will be implemented as the first element of construction, and agreeing to comply with all the terms and conditions of the general permit for which this NOI is being submitted.</p>	
<b>Print First Name</b> <div style="border: 1px solid black; height: 30px; width: 100%;"></div>	<b>MI</b> <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
<b>Print Last Name</b> <div style="border: 1px solid black; height: 30px; width: 100%;"></div>	
<b>Owner/Operator Signature</b> <div style="border: 1px solid black; height: 60px; width: 100%;"></div>	<b>Date</b> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 40px; height: 30px; margin-right: 5px;"></div> <div style="margin: 0 5px;">/</div> <div style="border: 1px solid black; width: 40px; height: 30px; margin-right: 5px;"></div> <div style="margin: 0 5px;">/</div> <div style="border: 1px solid black; width: 40px; height: 30px; margin-right: 5px;"></div> <div style="border: 1px solid black; width: 40px; height: 30px;"></div> </div>

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## **Appendix A – SWPPP Preparer Certification Form**

The signed SWPPP Preparer Certification Form will be included with the Final SWPPP.



Department of  
Environmental  
Conservation

# SWPPP Preparer Certification Form

---

*SPDES General Permit for Stormwater Discharges  
From Construction Activity (GP-0-15-002)*

## Project Site Information

**Project/Site Name**

## Owner/Operator Information

**Owner/Operator (Company Name/Private Owner/Municipality Name)**

## Certification Statement – SWPPP Preparer

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.

First name

MI

Last Name

Signature

Date

## **Appendix A – Owner/Operator Certification Form**

The signed Owner/Operator Certification Form will be included with the Final SWPPP.



# **Owner/Operator Certification Form**

## **SPDES General Permit For Stormwater Discharges From Construction Activity (GP-0-15-002)**

**Project/Site Name:** \_\_\_\_\_

**eNOI Submission Number:** \_\_\_\_\_

**eNOI Submitted by:**                      **Owner/Operator**                      **SWPPP Preparer**                      **Other**

### **Certification Statement - Owner/Operator**

I have read or been advised of the permit conditions and believe that I understand them. I also understand that, under the terms of the permit, there may be reporting requirements. I hereby certify that this document and the corresponding documents were prepared under my direction or supervision. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further understand that coverage under the general permit will be identified in the acknowledgment that I will receive as a result of submitting this NOI and can be as long as sixty (60) business days as provided for in the general permit. I also understand that, by submitting this NOI, I am acknowledging that the SWPPP has been developed and will be implemented as the first element of construction, and agreeing to comply with all the terms and conditions of the general permit for which this NOI is being submitted.

Owner/Operator First Name                      M.I.                      Last Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## **Appendix A – NYSDEC NOI Acknowledgement Letter for Permit Coverage**

The NOI Acknowledgement Letter will be included with the Final SWPPP.

## **Appendix A – Notice of Termination (NOT) Form**



**New York State Department of Environmental Conservation  
Division of Water  
625 Broadway, 4th Floor  
Albany, New York 12233-3505**

\*(NOTE: Submit completed form to address above)\*

**NOTICE OF TERMINATION** for Storm Water Discharges Authorized  
under the SPDES General Permit for Construction Activity

**Please indicate your permit identification number:** NYR \_\_\_\_ \_

**I. Owner or Operator Information**

1. Owner/Operator Name:

2. Street Address:

3. City/State/Zip:

4. Contact Person:

4a. Telephone:

4b. Contact Person E-Mail:

**II. Project Site Information**

5. Project/Site Name:

6. Street Address:

7. City/Zip:

8. County:

**III. Reason for Termination**

9a. ☐ All disturbed areas have achieved final stabilization in accordance with the general permit and SWPPP. \***Date final stabilization completed** (month/year): \_\_\_\_\_

9b. ☐ Permit coverage has been transferred to new owner/operator. Indicate new owner/operator's permit identification number: NYR \_\_\_\_ \_

(Note: Permit coverage can not be terminated by owner identified in I.1. above until new owner/operator obtains coverage under the general permit)

9c. ☐ Other (Explain on Page 2)

**IV. Final Site Information:**

10a. Did this construction activity require the development of a SWPPP that includes post-construction stormwater management practices? ☐ yes ☐ no (If no, go to question 10f.)

10b. Have all post-construction stormwater management practices included in the final SWPPP been constructed? ☐ yes ☐ no (If no, explain on Page 2)

10c. Identify the entity responsible for long-term operation and maintenance of practice(s)?

\_\_\_\_\_

**NOTICE OF TERMINATION for Storm Water Discharges Authorized under the  
SPDES General Permit for Construction Activity - continued**

10d. Has the entity responsible for long-term operation and maintenance been given a copy of the operation and maintenance plan required by the general permit?    ☐ yes    ☐ no

10e. Indicate the method used to ensure long-term operation and maintenance of the post-construction stormwater management practice(s):

- ☐ Post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain practice(s) have been deeded to the municipality.
- ☐ Executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s).
- ☐ For post-construction stormwater management practices that are privately owned, a mechanism is 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.
- ☐ For post-construction stormwater management practices that are owned by a public or private institution (e.g. school, university or hospital), government agency or authority, or public utility; policy and procedures are in place that ensures operation and maintenance of the practice(s) in accordance with the operation and maintenance plan.

10f. Provide the total area of impervious surface (i.e. roof, pavement, concrete, gravel, etc.) constructed within the disturbance area? \_\_\_\_\_  
(acres)

11. Is this project subject to the requirements of a regulated, traditional land use control MS4?    ☐ yes  
☐ no  
(If Yes, complete section VI - "MS4 Acceptance" statement)

**V. Additional Information/Explanation:**  
(Use this section to answer questions 9c. and 10b., if applicable)

**VI. MS4 Acceptance - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative** (Note: Not required when 9b. is checked -transfer of coverage)

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.

Printed Name:

Title/Position:

Signature:

Date:

**NOTICE OF TERMINATION** for Storm Water Discharges Authorized under the  
SPDES General Permit for Construction Activity - continued

**VII. Qualified Inspector Certification - Final Stabilization:**

I hereby certify that all disturbed areas have achieved final stabilization as defined in the current version of the general permit, and that all temporary, structural erosion and sediment control measures have been removed. 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.

Printed Name:

Title/Position:

Signature:

Date:

**VIII. Qualified Inspector Certification - Post-construction Stormwater Management Practice(s):**

I hereby certify that all post-construction stormwater management practices have been constructed in conformance with the SWPPP. 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.

Printed Name:

Title/Position:

Signature:

Date:

**IX. Owner or Operator Certification**

I hereby certify that this document was prepared by me or under my direction or supervision. My determination, based upon my inquiry of the person(s) who managed the construction activity, or those persons directly responsible for gathering the information, is that the information provided in this document is true, accurate and complete. 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.

Printed Name:

Title/Position:

Signature:

Date:

(NYS DEC Notice of Termination - January 2015)

## **Appendix B – General Permit GP-0-20-001**



Department of  
Environmental  
Conservation

NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

SPDES GENERAL PERMIT  
FOR STORMWATER DISCHARGES

From

**CONSTRUCTION ACTIVITY**

Permit No. GP- 0-20-001

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

Effective Date: January 29, 2020

Expiration Date: January 28, 2025

John J. Ferguson

Chief Permit Administrator

A handwritten signature in black ink, appearing to be "John J. Ferguson", written over a horizontal line. The signature is stylized and cursive.

Authorized Signature

1-23-20

Date

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 administers the approved State Pollutant Discharge Elimination System (SPDES) program with permits issued in accordance with the New York State Environmental Conservation Law (ECL) Article 17, Titles 7, 8 and Article 70.

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 ECL section 17-0505 and 17-0701, the *owner or operator* must have coverage under a SPDES permit prior to *commencing construction activity*. The *owner or operator* 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.**

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM  
CONSTRUCTION ACTIVITIES**

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## Part 1. 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:

1. *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.

1. 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 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*, including both peak flowrates and total stormwater volume, 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;
  - (viii) Unless *infeasible*, preserve a sufficient amount of topsoil to complete soil restoration and establish a uniform, dense vegetative cover; and
  - (ix) *Minimize* dust. On areas of exposed soil, *minimize* dust through the appropriate application of water or other dust suppression techniques to control the generation of pollutants that could be discharged from the site.
- 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 from dewatering of trenches and excavations, must be managed by appropriate control measures.*
- 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, hazardous and toxic 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 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 post-construction stormwater management practices pursuant to Part III.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 post-construction stormwater management practices pursuant to Part III.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 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:
  - (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.

### c. Sizing Criteria for Redevelopment Activity

- (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 III.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.
- (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 *ECL* 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 implement 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 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 SPDES 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*; including stormwater runoff, snowmelt runoff, and surface runoff and drainage, from *construction activities*.
3. Notwithstanding paragraphs E.1 and E.2 above, the following non-stormwater discharges are authorized by this permit: those listed in 6 NYCRR 750-1.2(a)(29)(vi), with the following exception: “Discharges from firefighting activities are authorized only when the firefighting activities are emergencies/unplanned”; waters to which other components have not been added that are used to control dust in accordance with the SWPPP; and uncontaminated *discharges* from *construction site* de-watering operations. All non-stormwater discharges must be identified in the SWPPP. Under all circumstances, the *owner or operator* must still comply with *water quality standards* in Part I.D 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 **not** authorized by this permit:

1. *Discharges* after *construction activities* have been completed and the site has undergone *final stabilization*;
2. *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 *owner or*

*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 II.D.2 of this permit;

5. *Discharges* which either cause or contribute to a violation of *water quality standards* adopted pursuant to the *ECL* 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 are undertaken on land with no existing *impervious cover*; and
  - c. Which disturb one (1) or more acres of land designated on the current United States Department of Agriculture ("USDA") Soil Survey as Soil Slope Phase "D", (provided the map unit name is inclusive of slopes greater than 25%), or Soil Slope Phase "E" or "F" (regardless of the map unit name), or a combination of the three designations.
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 are undertaken on land with no existing *impervious cover*; and
  - c. Which disturb two (2) or more acres of land designated on the current USDA Soil Survey as Soil Slope Phase "D" (provided the map unit name is inclusive of slopes greater than 25%), or Soil Slope Phase "E" or "F" (regardless of the map unit name), or a combination of the three designations.

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 II.D.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
    - (i) 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
- (iii) Executed Memorandum of Agreement, or

d. Documentation that:

- (i) SHPA Section 14.09 has been completed by NYS DEC or another state agency.

9. *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. PERMIT COVERAGE

### A. How to Obtain Coverage

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 Notice of Intent (NOI) to the Department to be authorized to discharge under this permit.
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 the 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.
3. The requirement for an *owner or operator* to have its SWPPP reviewed and accepted by the *regulated, traditional land use control 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 II.F. (Change of Owner or Operator) or where the *owner or operator* of the *construction activity* is the *regulated, traditional land use control MS4*. This exemption does not apply to *construction activities* subject to the New York City Administrative Code.

## **B. Notice of Intent (NOI) Submittal**

1. Prior to December 21, 2020, 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, 4<sup>th</sup> Floor  
Albany, New York 12233-3505**

2. Beginning December 21, 2020 and in accordance with EPA's 2015 NPDES Electronic Reporting Rule (40 CFR Part 127), the *owner or operator* must submit the NOI electronically using the *Department's* online NOI.
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.

## **C. 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 all 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 (<http://www.dec.ny.gov/>) for more information,
  - b. where required, all necessary Department permits subject to the *Uniform Procedures Act* ("UPA") (see 6 NYCRR Part 621), or the equivalent from another New York State agency, 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 *owner or operator* that has satisfied the requirements of Part II.C.2 above will be authorized to *discharge* stormwater from their *construction activity* in accordance with the following schedule:
- a. For *construction activities* that are not 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 III.B.1 and the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.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 not been prepared in conformance with the design criteria in technical standard referenced in Part III.B.1. or, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C., the *performance criteria* in the technical standard referenced in Parts III.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 III.B.1 and the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.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. 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 II.C. of this permit.

#### **D. General Requirements For Owners or Operators With Permit Coverage**

- 1. 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 III.A.4. of this permit.
- 2. The *owner or operator* shall maintain a copy of the General Permit (GP-0-20-001), NOI, *NOI Acknowledgment Letter*, SWPPP, MS4 SWPPP Acceptance form, inspection reports, responsible contractor’s or subcontractor’s certification statement (see Part III.A.6.), 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* is not the *owner or 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 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 or consistent with Part VII.K..
  5. 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*.
  6. 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.

#### **E. Permit Coverage for Discharges Authorized Under GP-0-15-002**

1. Upon renewal of SPDES General Permit for Stormwater Discharges from *Construction Activity* (Permit No. GP-0-15-002), an *owner or operator* of a *construction activity* with coverage under GP-0-15-002, as of the effective date of GP- 0-20-001, shall be authorized to *discharge* in accordance with GP- 0-20-001, 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-0-20-001.

#### **F. 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. For *construction activities* subject to the requirements of a *regulated, traditional land use control MS4*, the original *owner or operator* must also notify the MS4, in writing, of the change in ownership at least 30 calendar days prior to the change in ownership.
2. 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 II.B.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.
3. 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. 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, including construction drawings:
  - 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*;
  - c. to address issues or deficiencies identified during an inspection by the *qualified inspector*, the Department or other regulatory authority; and
  - d. to document the final construction conditions.
5. The Department may notify the *owner or operator* at any time that the 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's* coverage under this permit or require the *owner or operator* to obtain coverage under an individual SPDES permit in accordance with Part II.D.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 *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**

1. 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 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;
- i. A maintenance inspection schedule for the contractor(s) identified in Part III.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
  - l. 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 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) 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 B are required to prepare a SWPPP that only includes erosion and sediment control practices designed in conformance with Part III.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 III.B.2 or 3 of this permit.

## **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 management 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.B.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

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 III.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),
  - New York State Erosion and Sediment Control Certificate Program holder
  - 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 B, with the exception of:
    - 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 not located

in one of the watersheds listed in Appendix C and not 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 not located in one of the watersheds listed in Appendix C and not 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 the *owner or operator* has received authorization in accordance with Part II.D.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* (provided 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 inspector* 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 II.B.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 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;
- h. 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;
- 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

- I. 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 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 III.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 II.D.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 II.B.1 of this permit. The NOT form shall be one which is associated with this permit, signed in accordance with Part VII.H of this permit.
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; and all areas of disturbance have achieved *final stabilization*; and all temporary, structural erosion and sediment control measures have been removed; and all post-construction stormwater management practices have been constructed in conformance with the SWPPP and are operational;

- b. Planned shutdown with partial project completion - All soil disturbance activities have ceased; and all areas disturbed as of the project shutdown date have achieved *final stabilization*; and all temporary, structural erosion and sediment control measures have been removed; 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. A new *owner or operator* has obtained coverage under this permit in accordance with Part II.F. 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* can make this determination by performing a final site inspection themselves or by accepting the *qualified inspector’s* final site inspection certification(s) required in Part V.A.3. of this permit.
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 right-of-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 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 II.B.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. 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 archaeological remains 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.



### **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 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
    - (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).
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 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 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.

## **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.

## **O. Definitions**

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

## **P. Re-Opener Clause**

1. 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 – Acronyms and Definitions**

### **Acronyms**

APO – Agency Preservation Officer  
BMP – Best Management Practice  
CPESC – Certified Professional in Erosion and Sediment Control  
Cpv – Channel Protection Volume  
CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq)  
DOW – Division of Water  
EAF – Environmental Assessment Form  
ECL - Environmental Conservation Law  
EPA – U. S. Environmental Protection Agency  
HSG – Hydrologic Soil Group  
MS4 – Municipal Separate Storm Sewer System  
NOI – Notice of Intent  
NOT – Notice of Termination  
NPDES – National Pollutant Discharge Elimination System  
OPRHP – Office of Parks, Recreation and Historic Places  
Qf – Extreme Flood  
Qp – Overbank Flood  
RRv – Runoff Reduction Volume  
RWE – Regional Water Engineer  
SEQR – State Environmental Quality Review  
SEQRA - State Environmental Quality Review Act  
SHPA – State Historic Preservation Act  
SPDES – State Pollutant Discharge Elimination System  
SWPPP – Stormwater Pollution Prevention Plan  
TMDL – Total Maximum Daily Load  
UPA – Uniform Procedures Act  
USDA – United States Department of Agriculture  
WQv – Water Quality Volume

## Definitions

All definitions in this section are solely for the purposes of this permit.

**Agricultural Building** – a structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products; excluding any structure designed, constructed or used, in whole or in part, for human habitation, as a place of employment where agricultural products are processed, treated or packaged, or as a place used by the public.

**Agricultural Property** – means the land for construction of a barn, *agricultural building*, silo, stockyard, pen or other structural practices identified in Table II in the “Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State” prepared by the Department in cooperation with agencies of New York Nonpoint Source Coordinating Committee (dated June 2007).

**Alter Hydrology from Pre to Post-Development Conditions** - means the post-development 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.

**Construction Site** – means the land area where *construction activity(ies)* will occur. See definition for “*Commence (Commencement of) Construction Activities*” and “*Larger Common Plan of Development or Sale*” also.

**Dewatering** – means the act of draining rainwater and/or groundwater from building foundations, vaults or excavations/trenches.

**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*.

**Embankment** – means an earthen or rock slope that supports a road/highway.

**Endangered or Threatened Species** – see 6 NYCRR Part 182 of the Department’s rules and regulations for definition of terms and requirements.

**Environmental Conservation Law (ECL)** - means chapter 43-B 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).

**Natural Buffer** – means an undisturbed area with natural cover running along a surface water (e.g. wetland, stream, river, lake, etc.).

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

**New York State Erosion and Sediment Control Certificate Program** – a certificate program that establishes and maintains a process to identify and recognize individuals who are capable of developing, designing, inspecting and maintaining erosion and sediment control plans on projects that disturb soils in New York State. The certificate program is administered by the New York State Conservation District Employees Association.

**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*.

**Nonpoint Source** - means any source of water pollution or pollutants which is not a discrete conveyance or *point source* permitted pursuant to Title 7 or 8 of Article 17 of the Environmental Conservation Law (see ECL Section 17-1403).

**Overbank** –means flow events that exceed the capacity of the stream channel and spill out into the adjacent floodplain.

**Owner or Operator** - means the person, persons or legal entity which owns or leases the property on which the *construction activity* is occurring; an entity that has operational control over the construction plans and specifications, including the ability to make modifications to the plans and specifications; and/or an entity that has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions.

**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.

**Point Source** - means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel or other floating craft, or landfill leachate collection system from which *pollutants* are or may be discharged.

**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, New York State Erosion and Sediment Control Certificate Program holder 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 shall receive four (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 licensed to practice in the State of New York.

**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 authorized to discharge under New York State DEC's

SPDES General Permit For Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s) or the City of New York's Individual SPDES Permit for their Municipal Separate Storm Sewer Systems (NY-0287890).

**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,
- 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 stabilizes 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 designated on the current United States Department of Agriculture (“USDA”) Soil Survey as Soil Slope Phase “D”, (provided the map unit name is inclusive of slopes greater than 25%) , or Soil Slope Phase E or F, (regardless of the map unit name), or a combination of the three designations.

**Streambank** – as used in this permit, means the terrain alongside the bed of a creek or stream. The bank consists of the sides of the channel, between which the flow is confined.

**Stormwater Pollution Prevention Plan (SWPPP)** – means a project specific report, including construction drawings, that among other things: describes the construction activity(ies), identifies the potential sources of pollution at the *construction site*; describes and shows the stormwater controls that will be used to control the pollutants (i.e. erosion and sediment controls; for many projects, includes post-construction stormwater management controls); and identifies procedures the *owner or operator* will implement to comply with the terms and conditions of the permit. See Part III of the permit for a complete description of the information that must be included in the SWPPP.

**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 III.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 III.A.6., that meets the *qualified inspector* qualifications (e.g. licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, New York State Erosion and Sediment Control Certificate Program holder, 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.

## APPENDIX B – Required SWPPP Components by Project Type

**Table 1**  
**Construction Activities that Require the Preparation of a SWPPP That Only Includes Erosion and Sediment Controls**

<p><b>The following construction activities that involve soil disturbances of one (1) or more acres of land, but less than five (5) acres:</b></p> <ul style="list-style-type: none"><li>• Single family home <u>not</u> located in one of the watersheds listed in Appendix C or <u>not directly discharging</u> 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 site build-out and <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</li><li>• Construction of a barn or other <i>agricultural building</i>, silo, stock yard or pen.</li></ul>
<p><b>The following construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land:</b></p> <p>All 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.</p>
<p><b>The following construction activities that involve soil disturbances of one (1) or more acres of land:</b></p> <ul style="list-style-type: none"><li>• Installation of underground, linear utilities; such as gas lines, fiber-optic cable, cable TV, electric, telephone, sewer mains, and water mains</li><li>• Environmental enhancement projects, such as wetland mitigation projects, stormwater retrofits and stream restoration projects</li><li>• Pond construction</li><li>• Linear bike paths running through areas with vegetative cover, including bike paths surfaced with an impervious cover</li><li>• Cross-country ski trails and walking/hiking trails</li><li>• Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that are not part of residential, commercial or institutional development;</li><li>• Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that include incidental shoulder or curb work along an existing highway to support construction of the sidewalk, bike path or walking path.</li><li>• Slope stabilization projects</li><li>• Slope flattening that changes the grade of the site, but does not significantly change the runoff characteristics</li></ul>



**Table 1 (Continued) CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP  
THAT ONLY INCLUDES EROSION AND SEDIMENT CONTROLS**

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

- Spoil areas that will be covered with vegetation
- Vegetated open space projects (i.e. recreational parks, lawns, meadows, fields, downhill ski trails) excluding projects that *alter hydrology from pre to post development* conditions,
- Athletic fields (natural grass) that do not include the construction or reconstruction of *impervious area* and do not *alter hydrology from pre to post development* conditions
- Demolition project where vegetation will be established, and no redevelopment is planned
- Overhead electric transmission line project that does not include the construction of permanent access roads or parking areas surfaced with *impervious cover*
- Structural practices as identified in Table II in the “Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State”, excluding projects that involve soil disturbances of greater than five acres and construction activities that include the construction or reconstruction of impervious area
- Temporary access roads, median crossovers, detour roads, lanes, or other temporary impervious areas that will be restored to pre-construction conditions once the construction activity is complete

**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 home that disturbs five (5) or more acres of land
- 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 duplexes, townhomes, condominiums, senior housing complexes, apartment complexes, and mobile home parks
- Airports
- Amusement parks
- Breweries, cideries, and wineries, including establishments constructed on agricultural land
- 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.
- Golf courses
- Institutional development; includes hospitals, prisons, schools and colleges
- Industrial facilities; includes industrial parks
- Landfills
- Municipal facilities; includes highway garages, transfer stations, office buildings, POTW's, water treatment plants, and water storage tanks
- Office complexes
- Playgrounds that include the construction or reconstruction of impervious area
- Sports complexes
- Racetracks; includes racetracks with earthen (dirt) surface
- Road construction or reconstruction, including roads constructed as part of the construction activities listed in Table 1

Table 2 (Continued)

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

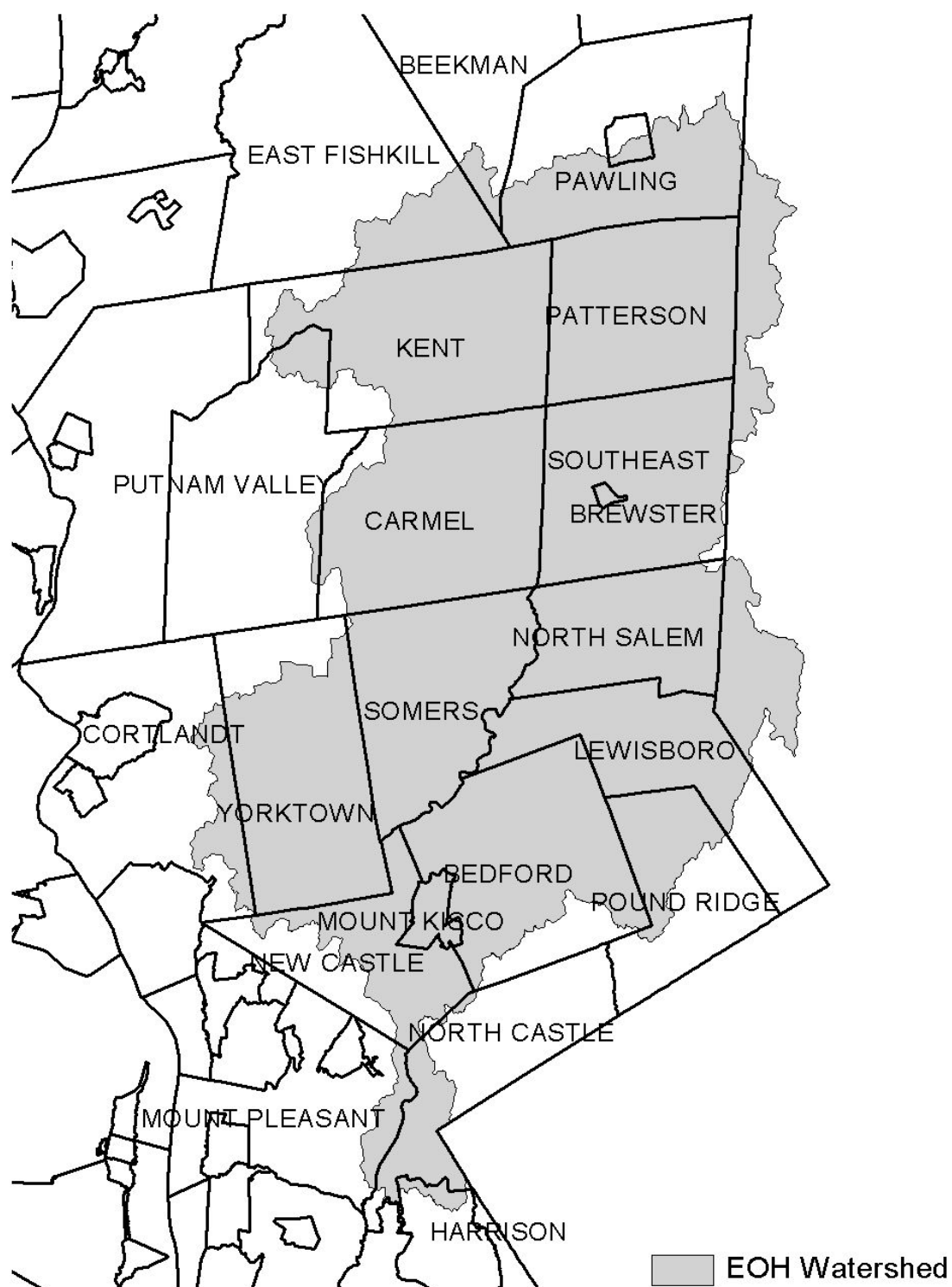
**The following construction activities that involve soil disturbances of one (1) or more acres of land:**

- Parking lot construction or reconstruction, including parking lots constructed as part of the construction activities listed in Table 1
- 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
- Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that are part of a residential, commercial or institutional development
- Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that are part of a highway construction or reconstruction project
- All other construction activities that include the construction or reconstruction of *impervious area* or *alter the hydrology from pre to post development* conditions, and are not listed in Table 1

## APPENDIX C – Watersheds Requiring Enhanced Phosphorus Removal

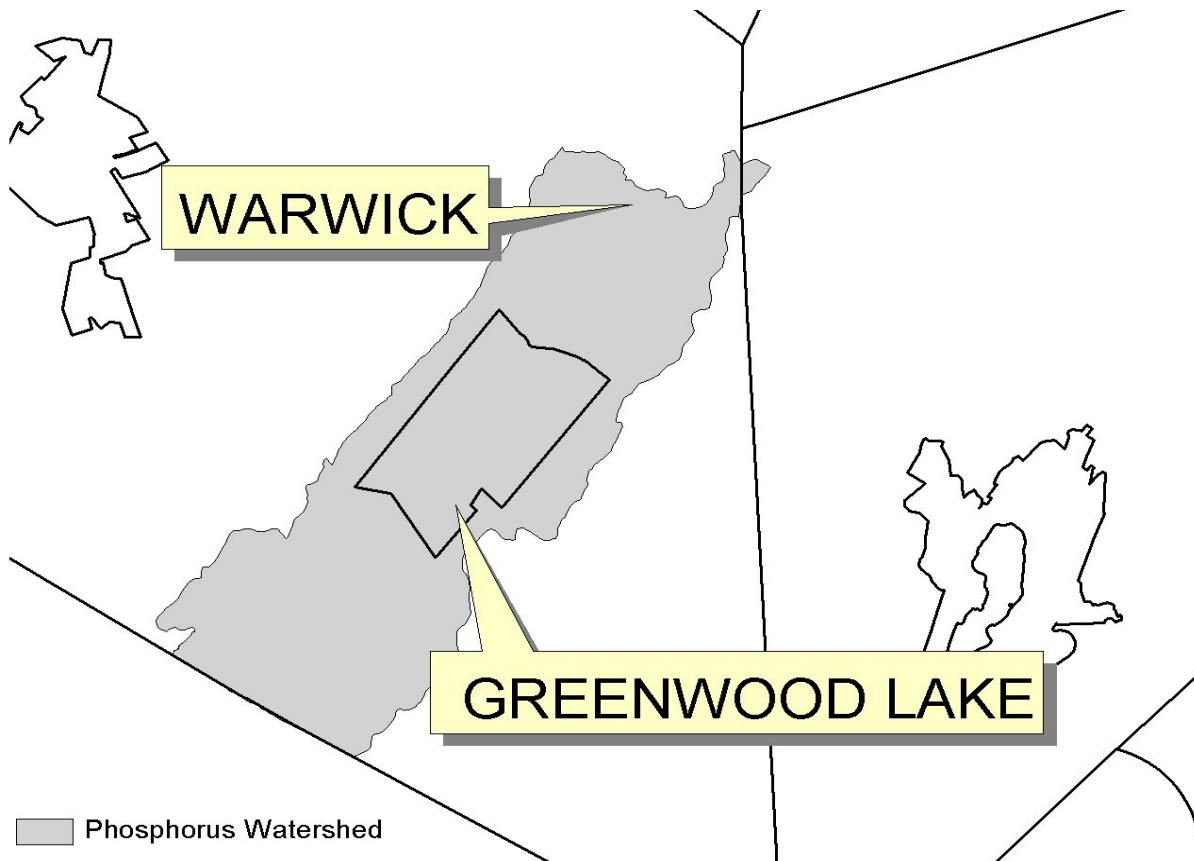
**Watersheds where *owners or operators* of construction activities identified in Table 2 of Appendix B must prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the Enhanced Phosphorus Removal Standards included in the technical standard, New York 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

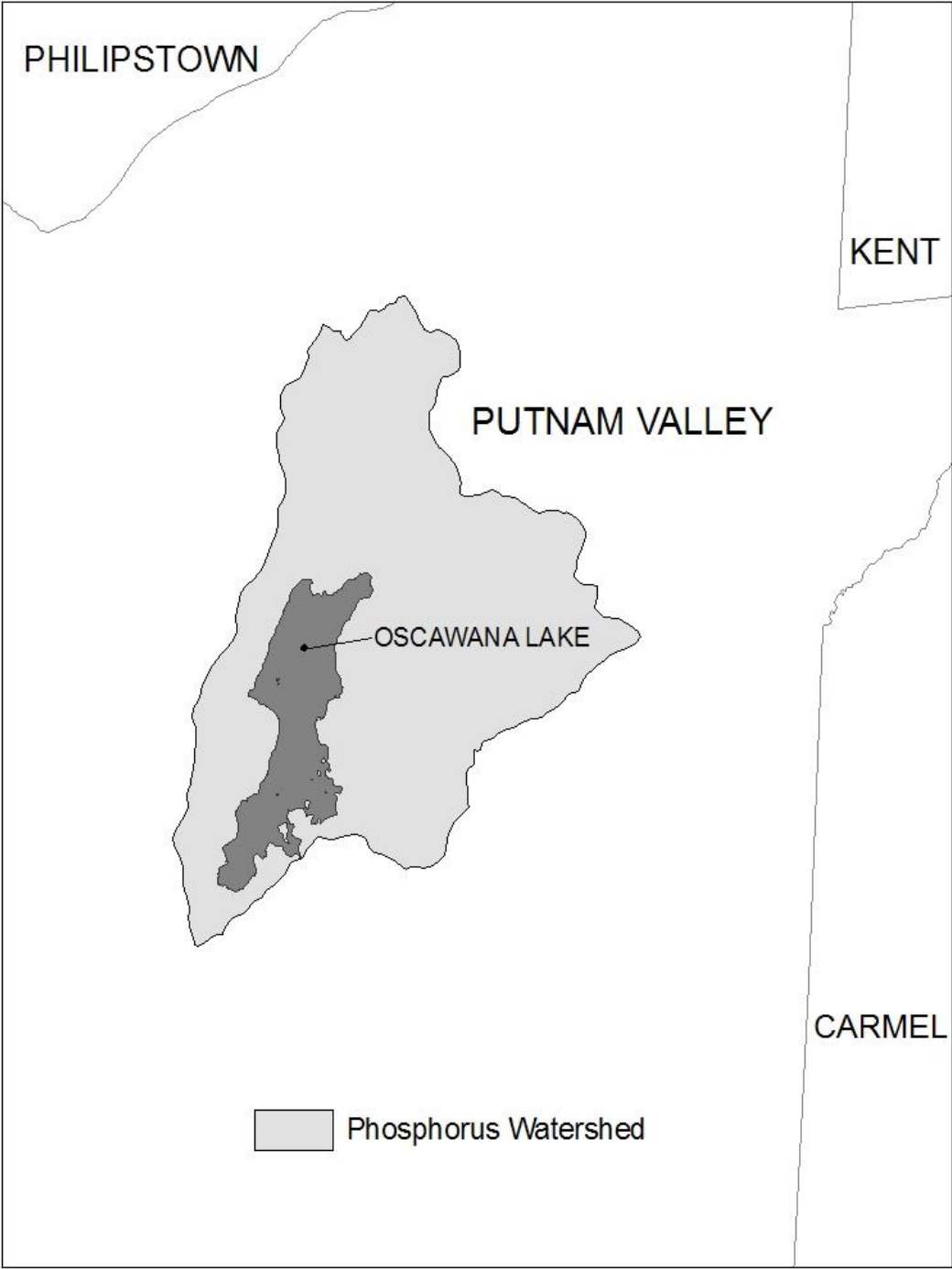
**Figure 1 - New York City Watershed East of the Hudson**

**Figure 2 - Onondaga Lake Watershed**

**Figure 3 - Greenwood Lake Watershed**

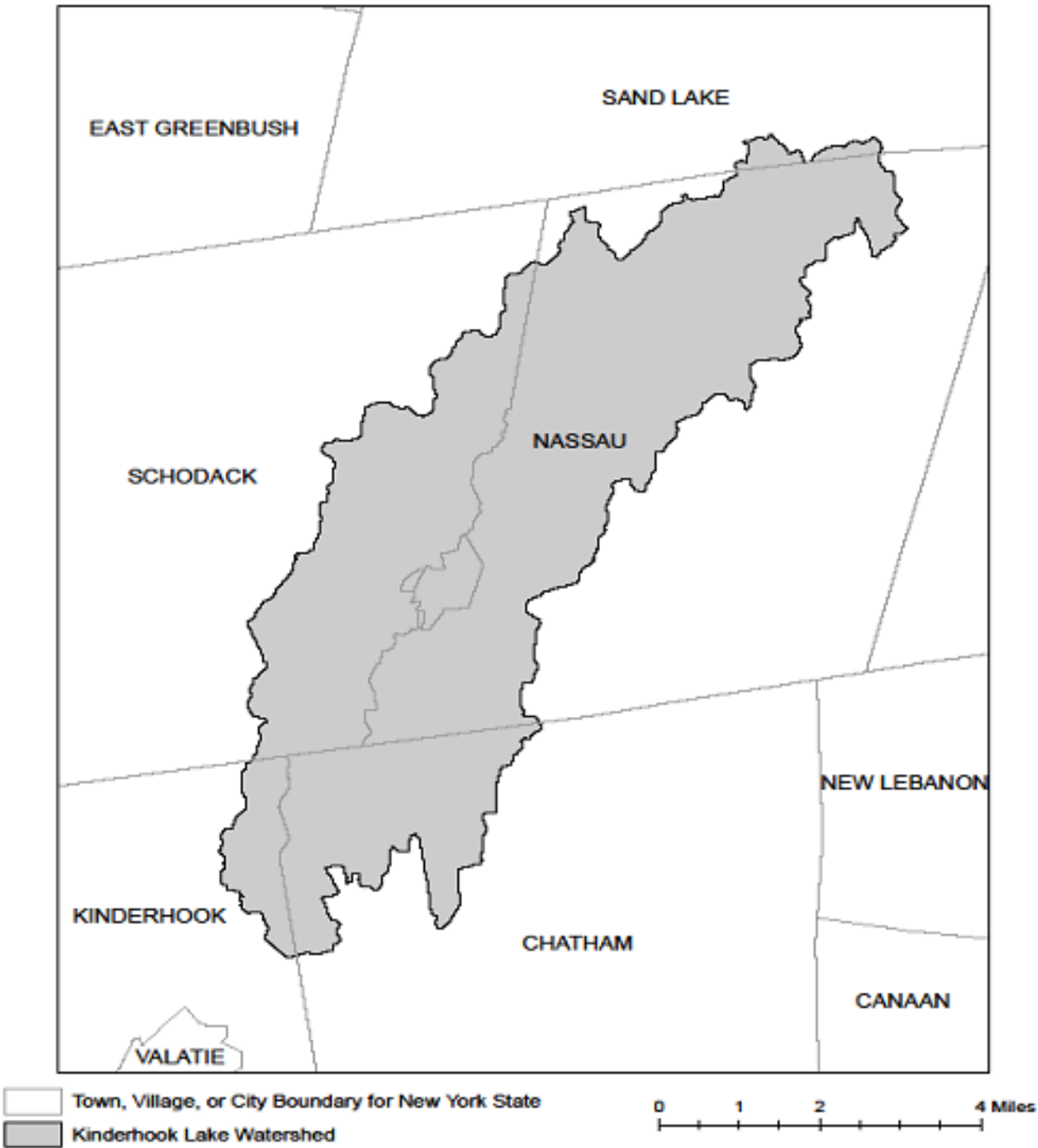


**Figure 4 - Oscawana Lake Watershed**





**Figure 5 - Kinderhook Lake Watershed**



## **APPENDIX D – Watersheds with Lower Disturbance Threshold**

**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
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## APPENDIX E – 303(d) Segments Impaired by Construction Related Pollutant(s)

List of 303(d) segments impaired by pollutants related to *construction activity* (e.g. silt, sediment or nutrients). The list was developed using "The Final New York State 2016 Section 303(d) List of Impaired Waters Requiring a TMDL/Other Strategy" dated November 2016. *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	POLLUTANT
Albany	Ann Lee (Shakers) Pond, Stump Pond	Nutrients
Albany	Basic Creek Reservoir	Nutrients
Allegany	Amity Lake, Saunders Pond	Nutrients
Bronx	Long Island Sound, Bronx	Nutrients
Bronx	Van Cortlandt Lake	Nutrients
Broome	Fly Pond, Deer Lake, Sky Lake	Nutrients
Broome	Minor Tribs to Lower Susquehanna (north)	Nutrients
Broome	Whitney Point Lake/Reservoir	Nutrients
Cattaraugus	Allegheny River/Reservoir	Nutrients
Cattaraugus	Beaver (Alma) Lake	Nutrients
Cattaraugus	Case Lake	Nutrients
Cattaraugus	Linlyco/Club Pond	Nutrients
Cayuga	Duck Lake	Nutrients
Cayuga	Little Sodus Bay	Nutrients
Chautauqua	Bear Lake	Nutrients
Chautauqua	Chadakoin River and tribs	Nutrients
Chautauqua	Chautauqua Lake, North	Nutrients
Chautauqua	Chautauqua Lake, South	Nutrients
Chautauqua	Findley Lake	Nutrients
Chautauqua	Hulburt/Clymer Pond	Nutrients
Clinton	Great Chazy River, Lower, Main Stem	Silt/Sediment
Clinton	Lake Champlain, Main Lake, Middle	Nutrients
Clinton	Lake Champlain, Main Lake, North	Nutrients
Columbia	Kinderhook Lake	Nutrients
Columbia	Robinson Pond	Nutrients
Cortland	Dean Pond	Nutrients

### 303(d) Segments Impaired by Construction Related Pollutant(s)

Dutchess	Fall Kill and tribs	Nutrients
Dutchess	Hillside Lake	Nutrients
Dutchess	Wappingers Lake	Nutrients
Dutchess	Wappingers Lake	Silt/Sediment
Erie	Beeman Creek and tribs	Nutrients
Erie	Ellicott Creek, Lower, and tribs	Silt/Sediment
Erie	Ellicott Creek, Lower, and tribs	Nutrients
Erie	Green Lake	Nutrients
Erie	Little Sister Creek, Lower, and tribs	Nutrients
Erie	Murder Creek, Lower, and tribs	Nutrients
Erie	Rush Creek and tribs	Nutrients
Erie	Scajaquada Creek, Lower, and tribs	Nutrients
Erie	Scajaquada Creek, Middle, and tribs	Nutrients
Erie	Scajaquada Creek, Upper, and tribs	Nutrients
Erie	South Branch Smoke Cr, Lower, and tribs	Silt/Sediment
Erie	South Branch Smoke Cr, Lower, and tribs	Nutrients
Essex	Lake Champlain, Main Lake, South	Nutrients
Essex	Lake Champlain, South Lake	Nutrients
Essex	Willsboro Bay	Nutrients
Genesee	Bigelow Creek and tribs	Nutrients
Genesee	Black Creek, Middle, and minor tribs	Nutrients
Genesee	Black Creek, Upper, and minor tribs	Nutrients
Genesee	Bowen Brook and tribs	Nutrients
Genesee	LeRoy Reservoir	Nutrients
Genesee	Oak Orchard Cr, Upper, and tribs	Nutrients
Genesee	Tonawanda Creek, Middle, Main Stem	Nutrients
Greene	Schoharie Reservoir	Silt/Sediment
Greene	Sleepy Hollow Lake	Silt/Sediment
Herkimer	Steele Creek tribs	Silt/Sediment
Herkimer	Steele Creek tribs	Nutrients
Jefferson	Moon Lake	Nutrients
Kings	Hendrix Creek	Nutrients
Kings	Prospect Park Lake	Nutrients
Lewis	Mill Creek/South Branch, and tribs	Nutrients
Livingston	Christie Creek and tribs	Nutrients
Livingston	Conesus Lake	Nutrients
Livingston	Mill Creek and minor tribs	Silt/Sediment
Monroe	Black Creek, Lower, and minor tribs	Nutrients
Monroe	Buck Pond	Nutrients
Monroe	Cranberry Pond	Nutrients

### 303(d) Segments Impaired by Construction Related Pollutant(s)

Monroe	Lake Ontario Shoreline, Western	Nutrients
Monroe	Long Pond	Nutrients
Monroe	Mill Creek and tribs	Nutrients
Monroe	Mill Creek/Blue Pond Outlet and tribs	Nutrients
Monroe	Minor Tribs to Irondequoit Bay	Nutrients
Monroe	Rochester Embayment - East	Nutrients
Monroe	Rochester Embayment - West	Nutrients
Monroe	Shipbuilders Creek and tribs	Nutrients
Monroe	Thomas Creek/White Brook and tribs	Nutrients
Nassau	Beaver Lake	Nutrients
Nassau	Camaans Pond	Nutrients
Nassau	East Meadow Brook, Upper, and tribs	Silt/Sediment
Nassau	East Rockaway Channel	Nutrients
Nassau	Grant Park Pond	Nutrients
Nassau	Hempstead Bay	Nutrients
Nassau	Hempstead Lake	Nutrients
Nassau	Hewlett Bay	Nutrients
Nassau	Hog Island Channel	Nutrients
Nassau	Long Island Sound, Nassau County Waters	Nutrients
Nassau	Massapequa Creek and tribs	Nutrients
Nassau	Milburn/Parsonage Creeks, Upp, and tribs	Nutrients
Nassau	Reynolds Channel, west	Nutrients
Nassau	Tidal Tribs to Hempstead Bay	Nutrients
Nassau	Tribs (fresh) to East Bay	Nutrients
Nassau	Tribs (fresh) to East Bay	Silt/Sediment
Nassau	Tribs to Smith/Halls Ponds	Nutrients
Nassau	Woodmere Channel	Nutrients
New York	Harlem Meer	Nutrients
New York	The Lake in Central Park	Nutrients
Niagara	Bergholtz Creek and tribs	Nutrients
Niagara	Hyde Park Lake	Nutrients
Niagara	Lake Ontario Shoreline, Western	Nutrients
Niagara	Lake Ontario Shoreline, Western	Nutrients
Oneida	Ballou, Nail Creeks and tribs	Nutrients
Onondaga	Harbor Brook, Lower, and tribs	Nutrients
Onondaga	Ley Creek and tribs	Nutrients
Onondaga	Minor Tribs to Onondaga Lake	Nutrients
Onondaga	Ninemile Creek, Lower, and tribs	Nutrients
Onondaga	Onondaga Creek, Lower, and tribs	Nutrients
Onondaga	Onondaga Creek, Middle, and tribs	Nutrients

### 303(d) Segments Impaired by Construction Related Pollutant(s)

Onondaga	Onondaga Lake, northern end	Nutrients
Onondaga	Onondaga Lake, southern end	Nutrients
Ontario	Great Brook and minor tribs	Silt/Sediment
Ontario	Great Brook and minor tribs	Nutrients
Ontario	Hemlock Lake Outlet and minor tribs	Nutrients
Ontario	Honeoye Lake	Nutrients
Orange	Greenwood Lake	Nutrients
Orange	Monhagen Brook and tribs	Nutrients
Orange	Orange Lake	Nutrients
Orleans	Lake Ontario Shoreline, Western	Nutrients
Orleans	Lake Ontario Shoreline, Western	Nutrients
Oswego	Lake Neatahwanta	Nutrients
Oswego	Pleasant Lake	Nutrients
Putnam	Bog Brook Reservoir	Nutrients
Putnam	Boyd Corners Reservoir	Nutrients
Putnam	Croton Falls Reservoir	Nutrients
Putnam	Diverting Reservoir	Nutrients
Putnam	East Branch Reservoir	Nutrients
Putnam	Lake Carmel	Nutrients
Putnam	Middle Branch Reservoir	Nutrients
Putnam	Oscawana Lake	Nutrients
Putnam	Palmer Lake	Nutrients
Putnam	West Branch Reservoir	Nutrients
Queens	Bergen Basin	Nutrients
Queens	Flushing Creek/Bay	Nutrients
Queens	Jamaica Bay, Eastern, and tribs (Queens)	Nutrients
Queens	Kissena Lake	Nutrients
Queens	Meadow Lake	Nutrients
Queens	Willow Lake	Nutrients
Rensselaer	Nassau Lake	Nutrients
Rensselaer	Snyders Lake	Nutrients
Richmond	Grasmere Lake/Bradys Pond	Nutrients
Rockland	Congers Lake, Swartout Lake	Nutrients
Rockland	Rockland Lake	Nutrients
Saratoga	Ballston Lake	Nutrients
Saratoga	Dwaas Kill and tribs	Silt/Sediment
Saratoga	Dwaas Kill and tribs	Nutrients
Saratoga	Lake Lonely	Nutrients
Saratoga	Round Lake	Nutrients
Saratoga	Tribs to Lake Lonely	Nutrients

### 303(d) Segments Impaired by Construction Related Pollutant(s)

Schenectady	Collins Lake	Nutrients
Schenectady	Duane Lake	Nutrients
Schenectady	Mariaville Lake	Nutrients
Schoharie	Engleville Pond	Nutrients
Schoharie	Summit Lake	Nutrients
Seneca	Reeder Creek and tribs	Nutrients
St.Lawrence	Black Lake Outlet/Black Lake	Nutrients
St.Lawrence	Fish Creek and minor tribs	Nutrients
Steuben	Smith Pond	Nutrients
Suffolk	Agawam Lake	Nutrients
Suffolk	Big/Little Fresh Ponds	Nutrients
Suffolk	Canaan Lake	Silt/Sediment
Suffolk	Canaan Lake	Nutrients
Suffolk	Flanders Bay, West/Lower Sawmill Creek	Nutrients
Suffolk	Fresh Pond	Nutrients
Suffolk	Great South Bay, East	Nutrients
Suffolk	Great South Bay, Middle	Nutrients
Suffolk	Great South Bay, West	Nutrients
Suffolk	Lake Ronkonkoma	Nutrients
Suffolk	Long Island Sound, Suffolk County, West	Nutrients
Suffolk	Mattituck (Marratooka) Pond	Nutrients
Suffolk	Meetinghouse/Terrys Creeks and tribs	Nutrients
Suffolk	Mill and Seven Ponds	Nutrients
Suffolk	Millers Pond	Nutrients
Suffolk	Moriches Bay, East	Nutrients
Suffolk	Moriches Bay, West	Nutrients
Suffolk	Peconic River, Lower, and tidal tribs	Nutrients
Suffolk	Quantuck Bay	Nutrients
Suffolk	Shinnecock Bay and Inlet	Nutrients
Suffolk	Tidal tribs to West Moriches Bay	Nutrients
Sullivan	Bodine, Montgomery Lakes	Nutrients
Sullivan	Davies Lake	Nutrients
Sullivan	Evens Lake	Nutrients
Sullivan	Pleasure Lake	Nutrients
Tompkins	Cayuga Lake, Southern End	Nutrients
Tompkins	Cayuga Lake, Southern End	Silt/Sediment
Tompkins	Owasco Inlet, Upper, and tribs	Nutrients
Ulster	Ashokan Reservoir	Silt/Sediment
Ulster	Esopus Creek, Upper, and minor tribs	Silt/Sediment
Warren	Hague Brook and tribs	Silt/Sediment

### 303(d) Segments Impaired by Construction Related Pollutant(s)

Warren	Huddle/Finkle Brooks and tribs	Silt/Sediment
Warren	Indian Brook and tribs	Silt/Sediment
Warren	Lake George	Silt/Sediment
Warren	Tribs to L.George, Village of L George	Silt/Sediment
Washington	Cossayuna Lake	Nutrients
Washington	Lake Champlain, South Bay	Nutrients
Washington	Tribs to L.George, East Shore	Silt/Sediment
Washington	Wood Cr/Champlain Canal and minor tribs	Nutrients
Wayne	Port Bay	Nutrients
Westchester	Amawalk Reservoir	Nutrients
Westchester	Blind Brook, Upper, and tribs	Silt/Sediment
Westchester	Cross River Reservoir	Nutrients
Westchester	Lake Katonah	Nutrients
Westchester	Lake Lincolndale	Nutrients
Westchester	Lake Meahagh	Nutrients
Westchester	Lake Mohegan	Nutrients
Westchester	Lake Shenorock	Nutrients
Westchester	Long Island Sound, Westchester (East)	Nutrients
Westchester	Mamaroneck River, Lower	Silt/Sediment
Westchester	Mamaroneck River, Upper, and minor tribs	Silt/Sediment
Westchester	Muscoot/Upper New Croton Reservoir	Nutrients
Westchester	New Croton Reservoir	Nutrients
Westchester	Peach Lake	Nutrients
Westchester	Reservoir No.1 (Lake Isle)	Nutrients
Westchester	Saw Mill River, Lower, and tribs	Nutrients
Westchester	Saw Mill River, Middle, and tribs	Nutrients
Westchester	Sheldrake River and tribs	Silt/Sediment
Westchester	Sheldrake River and tribs	Nutrients
Westchester	Silver Lake	Nutrients
Westchester	Teatown Lake	Nutrients
Westchester	Titicus Reservoir	Nutrients
Westchester	Truesdale Lake	Nutrients
Westchester	Wallace Pond	Nutrients
Wyoming	Java Lake	Nutrients
Wyoming	Silver Lake	Nutrients



## APPENDIX F – List of NYS DEC Regional Offices

<u>Region</u>	<u>COVERING THE FOLLOWING COUNTIES:</u>	<u>DIVISION OF ENVIRONMENTAL PERMITS (DEP) PERMIT ADMINISTRATORS</u>	<u>DIVISION OF WATER (DOW) WATER (SPDES) PROGRAM</u>
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 NEW PALTZ, 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	1115 STATE ROUTE 86, Po Box 296 RAY BROOK, NY 12977-0296 TEL. (518) 897-1234	232 GOLF COURSE ROAD WARRENSBURG, NY 12885-1172 TEL. (518) 623-1200
6	HERKIMER, JEFFERSON, LEWIS, ONEIDA AND ST. LAWRENCE	STATE OFFICE BUILDING 317 WASHINGTON STREET WATERTOWN, NY 13601-3787 TEL. (315) 785-2245	STATE OFFICE BUILDING 207 GENESEE STREET UTICA, NY 13501-2885 TEL. (315) 793-2554
7	BROOME, CAYUGA, CHENANGO, CORTLAND, MADISON, ONONDAGA, OSWEGO, TIOGA AND TOMPKINS	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 ROADAVON, NY 14414-9519 TEL. (585) 226-2466	6274 EAST AVON-LIMA RD. AVON, NY 14414-9519 TEL. (585) 226-2466
9	ALLEGANY, CATTARAUGUS, CHAUTAUQUA, ERIE, NIAGARA AND WYOMING	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7165	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7070

## **Appendix C – Construction Personnel Contact List**

- Construction Contact List -
- Contractor Certification Form -

## **Appendix C – Construction Contact List**

## **Appendix C – Contractor Certification Form**

## **Contractor Certification Form**

**Stormwater Pollution Prevention Plan (SWPPP)  
State Pollutant Discharge Elimination System (SPDES) General Permit for  
Stormwater Discharges from Construction Activity  
GP-0-20-001**

Trelina Solar Energy Center  
Town of Waterloo, Seneca County, NY

All Contractors and Subcontractors performing construction activities shall sign the following certification before they commence construction activities. A copy of the certification shall be included in Appendix A of the on-site SWPPP. All Contractors and Subcontractors must identify at least one trained person from their company, who has met the requirements of a *Trained Contractor* as defined in GP-0-20-001, that will be responsible for the implementation of the SWPPP.

"I hereby certify under penalty of the 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 SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-20-001) 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."

---

Name of Construction Company

---

Address of Construction Company

---

Telephone Number

---

Printed Name of Authorized Representative

---

Title

---

Signature of Authorized Representative

---

Date

---

Printed Name of Trained Contractor(s)

---

Title(s)

---

Type of construction services to be provided:

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## **Appendix D – Agency Correspondence and Notifications**

- NYSDEC Solar Panel Construction Stormwater Permitting/SWPPP Guidance -
- Maryland Department of the Environment (MDEP) Stormwater Design Guidance – Solar  
Panel Installation -

Agency correspondence and notifications will be included with the Final SWPPP.


## **Appendix D – NYSDEC Solar Panel Construction Stormwater Permitting/SWPPP Guidance**

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Bureau of Water Permits  
625 Broadway, Albany, New York 12233-3505  
P: (518) 402-8111 | F: (518) 402-9029  
www.dec.ny.gov

## MEMORANDUM

**TO:** Regional Water Engineers

**FROM:** Robert Wither, Chief, South Permit Section 

**SUBJECT:** Solar Panel Construction Stormwater Permitting/SWPPP Guidance

**DATE:** April 6, 2018

### Issue

The Department is seeing an increase in the number of solar panel construction projects across New York State. This has resulted in an increase in the number of questions on Construction General Permit (CGP) and Stormwater Pollution Prevention Plan (SWPPP) requirements from design professionals because the current CGP (GP-0-15-002) does not include a specific reference to the SWPPP requirements for solar panel projects in Tables 1 and 2 of Appendix B. To address this issue, the Division of Water (DOW) has developed the following guidance on CGP/SWPPP requirements for the different types of solar panel projects.

### Scenario 1

The DOW considers solar panel projects designed and constructed in accordance with the following criteria to be a "*Land clearing and grading for the purposes of creating vegetated open space (i.e. recreational parks, lawns, meadows, fields)*" type project as listed in Table 1, Appendix B of the CGP. Therefore, the SWPPP for this type of project will typically just need to address erosion and sediment controls.

1. Solar panels are constructed on post or rack systems and elevated off the ground surface,
2. The panels are spaced apart so that rain water can flow off the down gradient side of the panel and continue as sheet flow across the ground surface\*,
3. For solar panels constructed on slopes, the individual rows of solar panels are generally installed along the contour so rain water sheet flows down slope\*,
4. The ground surface below the panels consist of a well-established vegetative cover (see "Final Stabilization" definition in Appendix A of the CGP),
5. The project does not include the construction of any traditional impervious areas (i.e. buildings, substation pads, gravel access roads or parking areas, etc.),
6. Construction of the solar panels will not alter the hydrology from pre-to post development conditions (see Appendix A of the CGP, for definition of "Alter the hydrology..."). Note: The design professional shall perform the necessary site assessment/hydrology analysis to make this determination.



Department of  
Environmental  
Conservation



\*Refer to Maryland's "Stormwater Design Guidance- Solar Panel Installations" attached for guidance on panel installation.

\*\*See notes below for additional criteria.

## **Scenario 2**

If the design and construction of the solar panels meets all the criteria above, except for item 6, the project will fall under the "*All other construction activities that include the construction or reconstruction of impervious area or alter the hydrology from pre-to post development conditions, and are not listed in Table 1*" project type as listed in Table 2, Appendix B of the CGP. Therefore, the SWPPP for this type of project must address post-construction stormwater practices designed in accordance with the sizing criteria in Chapter 4 of the NYS Stormwater Management Design Manual, dated January 2015 (Note: Chapter 10 for projects in NYC EOH Watershed). The Water Quality Volume (WQv)/Runoff Reduction Volume (RRv) sizing criteria can be addressed by designing and constructing the solar panels in accordance with the criteria in items 1 – 4 above, however, the quantity control sizing criteria (Cpv, Qp and Qf) from Chapter 4 (or 10) of the Design Manual must still be addressed, unless one of the waiver criteria from Chapter 4 can be applied. \*\*See notes below for additional criteria.

## **\*\* Notes**

- **Item 1:** For solar panel projects where the panels are mounted directly to the ground (i.e. no space below panel to allow for infiltration of runoff), the SWPPP must address post-construction stormwater management controls designed in accordance with the sizing criteria in Chapter 4 of the NYS Stormwater Management Design Manual, dated January 2015 (Note: Chapter 10 for projects in NYC EOH Watershed).

- **Item 5:** For solar panel projects that include the construction of traditional impervious areas (i.e. buildings, substation pads, gravel access roads or parking areas, etc.), the SWPPP must address post-construction stormwater management controls for those areas of the project. This applies to both Scenario 1 and 2 above.

cc: Carol Lamb-Lafay, BWP  
Dave Gasper, BWP

**Appendix D – Maryland Department of the Environment (MDEP)**  
**Stormwater Design Guidance – Solar Panel Installation**



## Stormwater Design Guidance – Solar Panel Installations

Revisions to Maryland's stormwater management regulations in 2010 require that environmental site design (ESD) be used to the maximum extent practicable (MEP) to mimic natural hydrology, reduce runoff to reflect forested wooded conditions, and minimize the impact of land development on water resources. This applies to any residential, commercial, industrial, or institutional development where more than 5,000 square feet of land area is disturbed. Consequently, stormwater management must be addressed even when permeable features like solar panel installations exceed 5,000 square feet of land disturbance.

Depending on local soil conditions and proposed imperviousness, the amount of rainfall that stormwater requirements are based on varies from 1.0 to 2.6 inches. However, addressing stormwater management does not mean that structural or micro-scale practices must be constructed to capture and treat large volumes of runoff. Using nonstructural techniques like disconnecting impervious cover reduces runoff by promoting overland filtering and infiltration. Commonly used with smaller or narrower impervious areas like driveways or open roads, the Disconnection of Non-Rooftop Runoff technique (see pp. 5.61 to 5.65 of the **2000 Maryland Stormwater Design Manual**<sup>1</sup>) is a low cost alternative for treating runoff in situations like rows of solar panels.

When non-rooftop disconnection is used to treat runoff, the following factors should be considered:

- The vegetated area receiving runoff must be equal to or greater in length than the disconnected surface (e.g., width of the row of solar panels)
- Runoff must sheet flow onto and across vegetated areas to maintain the disconnection
- Disconnections should be located on gradual slopes ( $\leq 5\%$ ) to maintain sheetflow. Level spreaders, terraces, or berms may be used to maintain sheetflow conditions if the average slope is steeper than 5%. However, installations on slopes greater than 10% will require an engineered plan that ensures adequate treatment and the safe and non-erosive conveyance of runoff to the property line or downstream stormwater management practice.
- Disconnecting impervious surfaces works best in undisturbed soils. To minimize disturbance and compaction, construction vehicles and equipment should avoid areas used for disconnection during installation of the solar panels.
- Groundcover vegetation must be maintained in good condition in those areas receiving disconnected runoff. Typically this maintenance is no different than other lawn or landscaped areas. However, areas receiving runoff should be protected (e.g., planting shrubs or trees along the perimeter) from future compaction.

Depending on the layout and number of panels installed, the disconnection of non-rooftop runoff technique may address some or all of the stormwater management requirements for an individual project. Where the imperviousness is high or there is other infrastructure (e.g., access roads, transformers), additional runoff may need to be treated. In these situations, other ESD techniques or micro-scale practices may be needed to provide stormwater management for these features.

### Example 1 – Using Non-Rooftop Disconnection Where the Average Slope $\leq 5\%$

Several rows of solar panels will be installed in an existing meadow. The soils within the meadow are hydrologic soil group (HSG) B and the average slope does not exceed 5%. Each row of panels is 10 feet wide and the distance between rows is 20 feet. The rows of solar panels will be installed according to Figure 1 below. In this scenario, the disconnection length is the same as the distance between rows (20 feet) and is greater than the width of each row (10 feet). Therefore, each row of panels is adequately disconnected and the runoff from 1.0 inch of rainfall is treated.

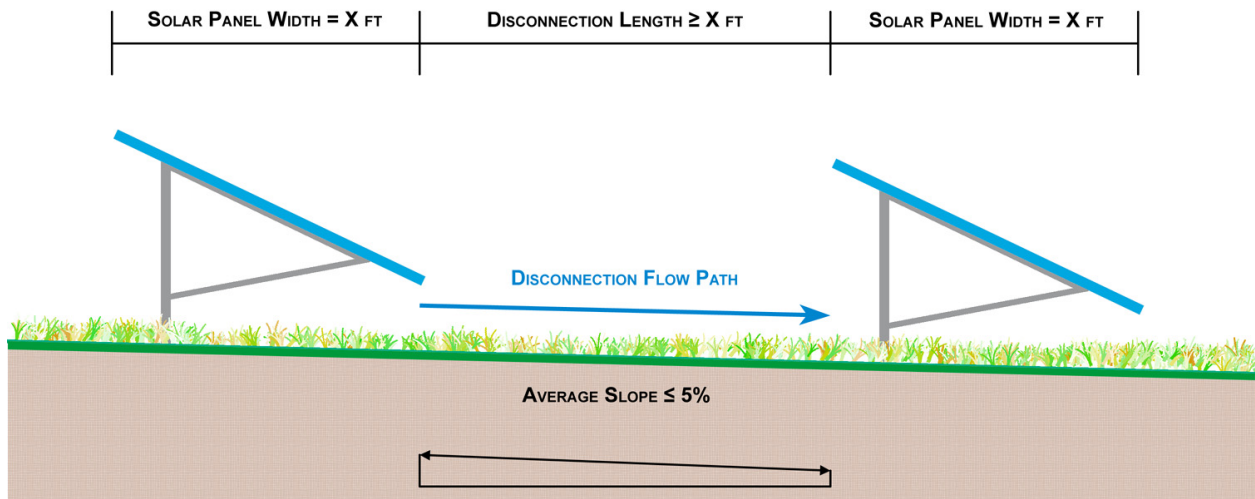


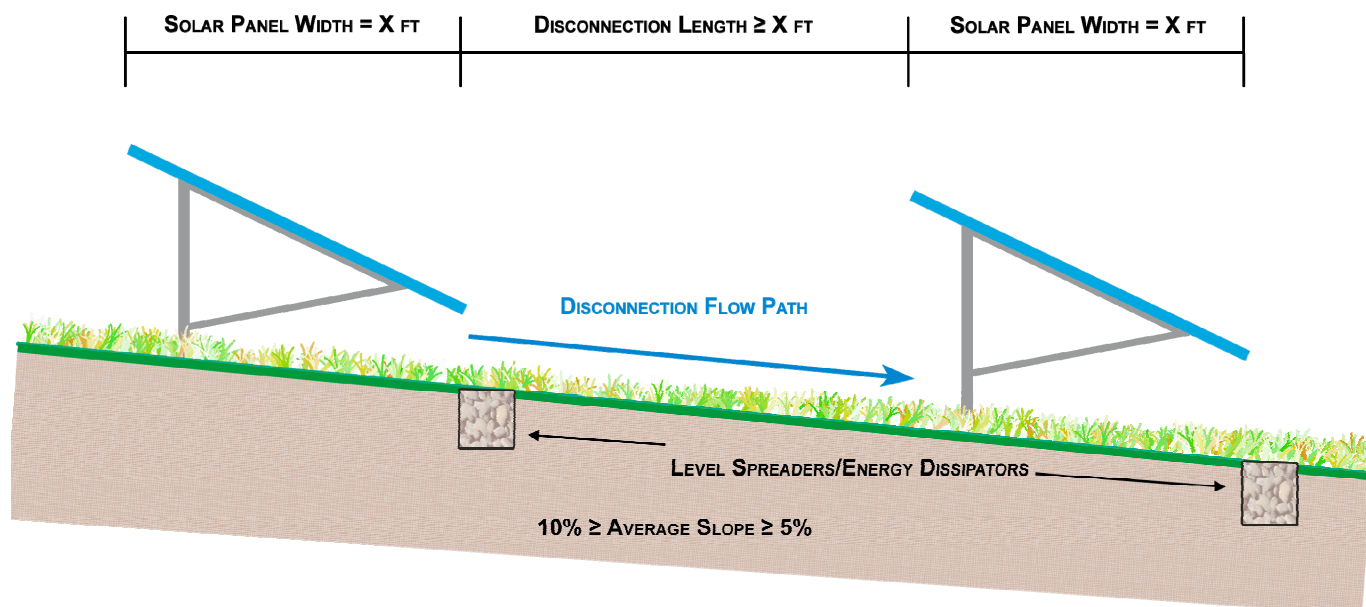
Figure 1. Typical Installation - Slope  $\leq 5\%$

### Example 2 – Using Non-Rooftop Disconnection Where the Average Slope $\geq 5\%$ but $\leq 10\%$

Several rows of solar panels will be installed in an existing meadow. The soils within the meadow are hydrologic soil group (HSG) B and the average slope is greater than 5% but less than 10%. Each row of panels is 10 feet wide and the distance between rows is 20 feet. The rows of solar panels will be installed as shown in Figure 2 below. The disconnection length is the same as the distance between rows (20 feet) and is greater than the width of each row (10 feet). However, in this example, a level spreader (typically 1 to 2-foot wide and 1 foot deep) has been located at the drip edge of each row of panels to dissipate energy and maintain sheetflow.

### Discussion

To meet State and local stormwater management requirements, ESD must be used to the MEP to reduce runoff to reflect forested conditions. While all reasonable options for implementing ESD must be investigated, minimally, the runoff from 1 inch of rainfall must be treated. In each of the examples above, there may be additional opportunities to implement ESD techniques or practices and reduce runoff that should be explored. However, simply disconnecting the runoff from the solar panel arrays captures and treats the runoff from 1.0 inch of rainfall. Where imperviousness is low and soil conditions less optimal (e.g., HSG C or D), this may be sufficient to completely address stormwater management requirements. In more dense applications or in sandy soils, additional stormwater management may be required.



**Figure 2. Typical Installation – Slope  $\geq 5\%$  but  $\leq 10\%$**

## Conclusion

The primary purpose of Maryland's stormwater management program is to mimic natural hydrologic runoff characteristics and minimize the impact of land development on water resources. Any land development project that exceeds 5,000 square feet of disturbance, including solar panel projects, must address stormwater management. However, for solar panels, stormwater management may be provided in a cost-effective manner by disconnecting each row of panels and directing runoff over the vegetated areas between the individual rows.

## Resources

<sup>1</sup> 2000 Maryland Stormwater Design Manual, Volumes I and II, MDE, October 2000  
[http://www.mde.state.md.us/programs/Water/StormwaterManagementProgram/MarylandStormwaterDesignManual/Pages/Programs/WaterPrograms/SedimentandStormwater/stormwater\\_design/index.aspx](http://www.mde.state.md.us/programs/Water/StormwaterManagementProgram/MarylandStormwaterDesignManual/Pages/Programs/WaterPrograms/SedimentandStormwater/stormwater_design/index.aspx)

## **Appendix E – Environmental Background Information**

- Environmental and Cultural Resource Information -
- USDA NRCS Soil Resource Report -

## **Appendix E – Environmental and Cultural Resource Information**

Environmental and cultural resource information will be included with the Final SWPPP.

Refer to Exhibits 20, 22, and 23 of the Article 10 Application for detailed discussion on environmental and cultural resources at the Project.

## **Appendix E – USDA NRCS Soil Resource Report**





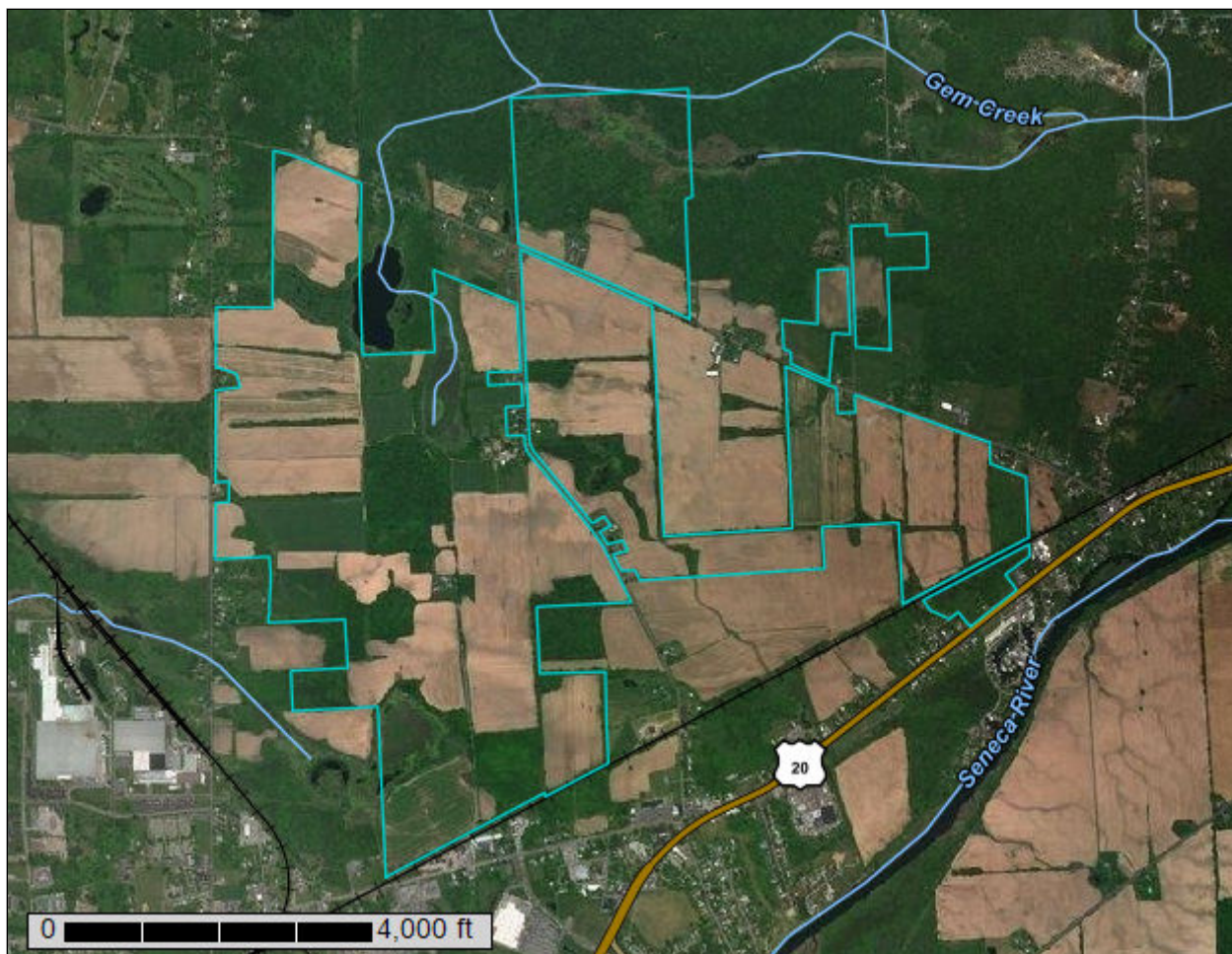
United States  
Department of  
Agriculture

NRCS

Natural  
Resources  
Conservation  
Service

A product of the National  
Cooperative Soil Survey,  
a joint effort of the United  
States Department of  
Agriculture and other  
Federal agencies, State  
agencies including the  
Agricultural Experiment  
Stations, and local  
participants

# Custom Soil Resource Report for **Seneca County, New York**



August 6, 2020

# Preface

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Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist ([http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2\\_053951](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951)).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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# How Soil Surveys Are Made

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Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

## Custom Soil Resource Report

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

# Soil Map

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The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.



Soil Map

Map Scale: 1:26,400 if printed on A landscape (11" x 8.5") sheet.

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

## Custom Soil Resource Report

### MAP LEGEND

#### Area of Interest (AOI)

 Area of Interest (AOI)

#### Soils

 Soil Map Unit Polygons


 Soil Map Unit Lines

 Soil Map Unit Points

#### Special Point Features

 Blowout

 Borrow Pit


 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot


 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water

 Perennial Water

 Rock Outcrop

 Saline Spot

 Sandy Spot

 Severely Eroded Spot


 Sinkhole

 Slide or Slip


 Sodic Spot

 Spoil Area

 Stony Spot


 Very Stony Spot

 Wet Spot

 Other

 Special Line Features

#### Water Features

 Streams and Canals


#### Transportation

 Rails


 Interstate Highways

 US Routes

 Major Roads

 Local Roads

#### Background

 Aerial Photography

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Seneca County, New York

Survey Area Data: Version 18, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 22, 2013—Oct 11, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Al	Alluvial land	0.1	0.0%
ArB	Arkport loamy fine sand, 1 to 6 percent slopes	44.1	4.1%
ArC	Arkport loamy fine sand, 6 to 12 percent slopes	3.7	0.3%
Ca	Canandaigua silt loam	3.9	0.4%
CkA	Claverack loamy fine sand, 0 to 2 percent slopes	158.7	14.9%
CkB	Claverack loamy fine sand, 2 to 6 percent slopes	143.5	13.4%
CIA	Collamer silt loam, 0 to 2 percent slopes	45.5	4.3%
CIB	Collamer silt loam, 2 to 6 percent slopes	11.3	1.1%
Cu	Cosad loamy fine sand	163.6	15.3%
Ed	Edwards muck	12.9	1.2%
EIB	Elnora loamy fine sand, 2 to 6 percent slopes	8.2	0.8%
Fw	Fresh water marsh	13.0	1.2%
LcA	Lakemont silty clay loam, 0 to 3 percent slopes	10.3	1.0%
Lf	Lamson fine sandy loam and Mucky fine sandy loam	61.2	5.7%
Md	Made land, tillable	0.0	0.0%
Mr	Muck, deep	31.9	3.0%
Ng	Niagara silt loam	32.9	3.1%
OdA	Odessa silt loam, 0 to 3 percent slopes	87.2	8.2%
SeB	Schoharie silt loam, 2 to 6 percent slopes	110.0	10.3%
ShA	Schoharie silty clay loam, 0 to 3 percent slopes	77.7	7.3%
ShB	Schoharie silty clay loam, 2 to 6 percent slopes	11.0	1.0%
ShC3	Schoharie silty clay loam, 6 to 12 percent slopes	11.9	1.1%
Sn	Sloan silt loam	5.7	0.5%
Sr	Stafford loamy fine sand	16.9	1.6%
W	Water	2.3	0.2%
<b>Totals for Area of Interest</b>		<b>1,067.4</b>	<b>100.0%</b>

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas

shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.



## Seneca County, New York

### AI—Alluvial land

#### Map Unit Setting

*National map unit symbol:* 9wmm  
*Elevation:* 100 to 3,000 feet  
*Mean annual precipitation:* 32 to 36 inches  
*Mean annual air temperature:* 45 to 48 degrees F  
*Frost-free period:* 145 to 185 days  
*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Fluvaquents and similar soils:* 46 percent  
*Udifuvents and similar soils:* 44 percent  
*Minor components:* 10 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Fluvaquents

##### Setting

*Landform:* Flood plains  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Dip  
*Down-slope shape:* Concave  
*Across-slope shape:* Concave  
*Parent material:* Alluvium with highly variable texture

##### Typical profile

*H1 - 0 to 5 inches:* gravelly silt loam  
*H2 - 5 to 70 inches:* very gravelly sand

##### Properties and qualities

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Poorly drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to very high (0.06 to 19.98 in/hr)  
*Depth to water table:* About 0 inches  
*Frequency of flooding:* FrequentNone  
*Frequency of ponding:* Frequent  
*Calcium carbonate, maximum content:* 15 percent  
*Available water capacity:* Moderate (about 6.1 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 5w  
*Hydrologic Soil Group:* A/D  
*Hydric soil rating:* Yes

#### Description of Udifuvents

##### Setting

*Landform:* Flood plains  
*Landform position (two-dimensional):* Summit  
*Landform position (three-dimensional):* Talf

## Custom Soil Resource Report

*Down-slope shape:* Concave  
*Across-slope shape:* Convex  
*Parent material:* Alluvium with a wide range of texture

### Typical profile

*H1 - 0 to 4 inches:* very gravelly loam  
*H2 - 4 to 70 inches:* very gravelly sand

### Properties and qualities

*Slope:* 0 to 5 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Moderately well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to very high (0.06 to 19.98 in/hr)  
*Depth to water table:* About 24 to 72 inches  
*Frequency of flooding:* FrequentNone  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 15 percent  
*Available water capacity:* Low (about 5.9 inches)

### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 5w  
*Hydrologic Soil Group:* A  
*Hydric soil rating:* No

### Minor Components

#### Sloan

*Percent of map unit:* 5 percent  
*Landform:* Flood plains  
*Hydric soil rating:* Yes

#### Wallkill

*Percent of map unit:* 5 percent  
*Landform:* Flood plains  
*Hydric soil rating:* Yes

## ArB—Arkport loamy fine sand, 1 to 6 percent slopes

### Map Unit Setting

*National map unit symbol:* 9wmv  
*Elevation:* 300 to 900 feet  
*Mean annual precipitation:* 32 to 36 inches  
*Mean annual air temperature:* 45 to 48 degrees F  
*Frost-free period:* 145 to 185 days  
*Farmland classification:* All areas are prime farmland

### Map Unit Composition

*Arkport and similar soils:* 75 percent

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*Minor components: 25 percent*

*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Arkport

#### Setting

*Landform: Deltas on lake plains*

*Landform position (two-dimensional): Summit*

*Landform position (three-dimensional): Tread*

*Down-slope shape: Convex*

*Across-slope shape: Convex*

*Parent material: Glaciofluvial or deltaic deposits with a high content of fine and very fine sand*

#### Typical profile

*H1 - 0 to 9 inches: loamy fine sand*

*H2 - 9 to 18 inches: loamy fine sand*

*H3 - 18 to 59 inches: stratified loamy fine sand to fine sandy loam*

*H4 - 59 to 99 inches: sand*

#### Properties and qualities

*Slope: 1 to 6 percent*

*Depth to restrictive feature: More than 80 inches*

*Drainage class: Well drained*

*Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)*

*Depth to water table: More than 80 inches*

*Frequency of flooding: None*

*Frequency of ponding: None*

*Calcium carbonate, maximum content: 15 percent*

*Available water capacity: Low (about 5.9 inches)*

#### Interpretive groups

*Land capability classification (irrigated): None specified*

*Land capability classification (nonirrigated): 2e*

*Hydrologic Soil Group: A*

*Ecological site: F101XY005NY - Dry Outwash*

*Hydric soil rating: No*

### Minor Components

#### Cosad

*Percent of map unit: 4 percent*

*Hydric soil rating: No*

#### Dunkirk

*Percent of map unit: 4 percent*

*Hydric soil rating: No*

#### Stafford

*Percent of map unit: 4 percent*

*Hydric soil rating: No*

#### Claverack

*Percent of map unit: 4 percent*

*Hydric soil rating: No*

#### Elnora

*Percent of map unit: 4 percent*



*Hydric soil rating:* No

**Collamer**

*Percent of map unit:* 3 percent

*Hydric soil rating:* No

**Palmyra**

*Percent of map unit:* 2 percent

*Hydric soil rating:* No

**ArC—Arkport loamy fine sand, 6 to 12 percent slopes**

**Map Unit Setting**

*National map unit symbol:* 9wmw

*Elevation:* 300 to 900 feet

*Mean annual precipitation:* 32 to 36 inches

*Mean annual air temperature:* 45 to 48 degrees F

*Frost-free period:* 145 to 185 days

*Farmland classification:* Farmland of statewide importance

**Map Unit Composition**

*Arkport and similar soils:* 85 percent

*Minor components:* 15 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

**Description of Arkport**

**Setting**

*Landform:* Deltas on lake plains

*Landform position (two-dimensional):* Shoulder

*Landform position (three-dimensional):* Tread

*Down-slope shape:* Convex

*Across-slope shape:* Convex

*Parent material:* Glaciofluvial or deltaic deposits with a high content of fine and very fine sand

**Typical profile**

*H1 - 0 to 9 inches:* loamy fine sand

*H2 - 9 to 18 inches:* loamy fine sand

*H3 - 18 to 59 inches:* stratified loamy fine sand to fine sandy loam

*H4 - 59 to 99 inches:* sand

**Properties and qualities**

*Slope:* 6 to 12 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Well drained

*Capacity of the most limiting layer to transmit water (Ksat):* High (1.98 to 5.95 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

## Custom Soil Resource Report

*Calcium carbonate, maximum content:* 15 percent

*Available water capacity:* Low (about 5.9 inches)

### **Interpretive groups**

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 3e

*Hydrologic Soil Group:* A

*Ecological site:* F101XY005NY - Dry Outwash

*Hydric soil rating:* No

### **Minor Components**

#### **Dunkirk**

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

#### **Unnamed soils**

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

#### **Palmyra**

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

## **Ca—Canandaigua silt loam**

### **Map Unit Setting**

*National map unit symbol:* 9wn4

*Elevation:* 100 to 1,000 feet

*Mean annual precipitation:* 32 to 36 inches

*Mean annual air temperature:* 45 to 48 degrees F

*Frost-free period:* 145 to 185 days

*Farmland classification:* Farmland of statewide importance

### **Map Unit Composition**

*Canandaigua and similar soils:* 80 percent

*Minor components:* 20 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Canandaigua**

#### **Setting**

*Landform:* Depressions

*Landform position (two-dimensional):* Toeslope

*Landform position (three-dimensional):* Tread

*Down-slope shape:* Concave

*Across-slope shape:* Concave

*Parent material:* Silty and clayey glaciolacustrine deposits

#### **Typical profile**

*H1 - 0 to 9 inches:* silt loam

*H2 - 9 to 27 inches:* silt loam

## Custom Soil Resource Report

*H3 - 27 to 60 inches: stratified silt loam to very fine sandy loam*

### Properties and qualities

*Slope: 0 to 2 percent*

*Depth to restrictive feature: More than 80 inches*

*Drainage class: Poorly drained*

*Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)*

*Depth to water table: About 0 inches*

*Frequency of flooding: None*

*Frequency of ponding: None*

*Available water capacity: High (about 11.0 inches)*

### Interpretive groups

*Land capability classification (irrigated): None specified*

*Land capability classification (nonirrigated): 4w*

*Hydrologic Soil Group: C/D*

*Ecological site: F101XY010NY - Wet Lake Plain Depression*

*Hydric soil rating: Yes*

### Minor Components

#### Alden

*Percent of map unit: 5 percent*

*Landform: Depressions*

*Hydric soil rating: Yes*

#### Collamer

*Percent of map unit: 5 percent*

*Hydric soil rating: No*

#### Dunkirk

*Percent of map unit: 5 percent*

*Hydric soil rating: No*

#### Niagara

*Percent of map unit: 5 percent*

*Hydric soil rating: No*

## CkA—Claverack loamy fine sand, 0 to 2 percent slopes

### Map Unit Setting

*National map unit symbol: 9wnd*

*Elevation: 600 to 1,800 feet*

*Mean annual precipitation: 32 to 36 inches*

*Mean annual air temperature: 45 to 48 degrees F*

*Frost-free period: 145 to 185 days*

*Farmland classification: All areas are prime farmland*

### Map Unit Composition

*Claverack and similar soils: 80 percent*

*Minor components: 20 percent*

## Custom Soil Resource Report

*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Claverack

#### Setting

*Landform:* Lake plains

*Landform position (two-dimensional):* Summit

*Landform position (three-dimensional):* Tread

*Down-slope shape:* Concave

*Across-slope shape:* Convex

*Parent material:* Sandy glaciolacustrine deposits, derived primarily from non-calcareous sandstone or granite, that overlie clayey glaciolacustrine deposits

#### Typical profile

*H1 - 0 to 8 inches:* loamy fine sand

*H2 - 8 to 32 inches:* loamy fine sand

*H3 - 32 to 60 inches:* silty clay

#### Properties and qualities

*Slope:* 0 to 2 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Moderately well drained

*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to moderately high (0.06 to 0.20 in/hr)

*Depth to water table:* About 18 to 24 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Calcium carbonate, maximum content:* 10 percent

*Available water capacity:* Moderate (about 6.3 inches)

#### Interpretive groups

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 2w

*Hydrologic Soil Group:* C/D

*Ecological site:* F101XY006NY - Moist Outwash

*Hydric soil rating:* No

### Minor Components

#### Cosad

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

#### Elnora

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

#### Arkport

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

#### Lakemont

*Percent of map unit:* 5 percent

*Landform:* Depressions

*Hydric soil rating:* Yes

## **CkB—Claverack loamy fine sand, 2 to 6 percent slopes**

### **Map Unit Setting**

*National map unit symbol:* 9wnf  
*Elevation:* 600 to 1,800 feet  
*Mean annual precipitation:* 32 to 36 inches  
*Mean annual air temperature:* 45 to 48 degrees F  
*Frost-free period:* 145 to 185 days  
*Farmland classification:* All areas are prime farmland

### **Map Unit Composition**

*Claverack and similar soils:* 75 percent  
*Minor components:* 25 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Claverack**

#### **Setting**

*Landform:* Lake plains  
*Landform position (two-dimensional):* Summit  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Concave  
*Across-slope shape:* Convex  
*Parent material:* Sandy glaciolacustrine deposits, derived primarily from non-calcareous sandstone or granite, that overlie clayey glaciolacustrine deposits

#### **Typical profile**

*H1 - 0 to 8 inches:* loamy fine sand  
*H2 - 8 to 32 inches:* loamy fine sand  
*H3 - 32 to 60 inches:* silty clay

#### **Properties and qualities**

*Slope:* 2 to 6 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Moderately well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to moderately high (0.06 to 0.20 in/hr)  
*Depth to water table:* About 18 to 24 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 10 percent  
*Available water capacity:* Moderate (about 6.3 inches)

#### **Interpretive groups**

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 2w  
*Hydrologic Soil Group:* C/D  
*Ecological site:* F101XY006NY - Moist Outwash  
*Hydric soil rating:* No

**Minor Components**

**Elnora**

*Percent of map unit: 5 percent*  
*Hydric soil rating: No*

**Lakemont**

*Percent of map unit: 5 percent*  
*Landform: Depressions*  
*Hydric soil rating: Yes*

**Cosad**

*Percent of map unit: 5 percent*  
*Hydric soil rating: No*

**Arkport**

*Percent of map unit: 5 percent*  
*Hydric soil rating: No*

**Odessa**

*Percent of map unit: 3 percent*  
*Hydric soil rating: No*

**Schoharie**

*Percent of map unit: 2 percent*  
*Hydric soil rating: No*

**CIA—Collamer silt loam, 0 to 2 percent slopes**

**Map Unit Setting**

*National map unit symbol: 9wng*  
*Elevation: 380 to 840 feet*  
*Mean annual precipitation: 32 to 36 inches*  
*Mean annual air temperature: 45 to 48 degrees F*  
*Frost-free period: 145 to 185 days*  
*Farmland classification: All areas are prime farmland*

**Map Unit Composition**

*Collamer and similar soils: 85 percent*  
*Minor components: 15 percent*  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

**Description of Collamer**

**Setting**

*Landform: Lake plains*  
*Landform position (two-dimensional): Summit*  
*Landform position (three-dimensional): Tread*  
*Down-slope shape: Concave*  
*Across-slope shape: Convex*  
*Parent material: Silty and clayey glaciolacustrine deposits*

## Custom Soil Resource Report

### Typical profile

*H1 - 0 to 9 inches:* silt loam  
*H2 - 9 to 14 inches:* silt loam  
*H3 - 14 to 22 inches:* sandy clay loam  
*B3 - 22 to 60 inches:* silt loam

### Properties and qualities

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Moderately well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to moderately high (0.06 to 0.57 in/hr)  
*Depth to water table:* About 18 to 24 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 1 percent  
*Available water capacity:* High (about 10.0 inches)

### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 2w  
*Hydrologic Soil Group:* C/D  
*Ecological site:* F101XY009NY - Moist Lake Plain  
*Hydric soil rating:* No

### Minor Components

#### Niagara

*Percent of map unit:* 5 percent  
*Hydric soil rating:* No

#### Canandaigua

*Percent of map unit:* 5 percent  
*Landform:* Depressions  
*Hydric soil rating:* Yes

#### Dunkirk

*Percent of map unit:* 5 percent  
*Hydric soil rating:* No

## CIB—Collamer silt loam, 2 to 6 percent slopes

### Map Unit Setting

*National map unit symbol:* 9wnh  
*Elevation:* 380 to 670 feet  
*Mean annual precipitation:* 32 to 36 inches  
*Mean annual air temperature:* 45 to 48 degrees F  
*Frost-free period:* 145 to 185 days  
*Farmland classification:* All areas are prime farmland

### **Map Unit Composition**

*Collamer and similar soils: 85 percent*

*Minor components: 15 percent*

*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Collamer**

#### **Setting**

*Landform: Lake plains*

*Landform position (two-dimensional): Summit*

*Landform position (three-dimensional): Tread*

*Down-slope shape: Concave*

*Across-slope shape: Convex*

*Parent material: Silty and clayey glaciolacustrine deposits*

#### **Typical profile**

*H1 - 0 to 9 inches: silt loam*

*H2 - 9 to 14 inches: silt loam*

*H3 - 14 to 22 inches: sandy clay loam*

*B3 - 22 to 60 inches: silt loam*

#### **Properties and qualities**

*Slope: 2 to 6 percent*

*Depth to restrictive feature: More than 80 inches*

*Drainage class: Moderately well drained*

*Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.57 in/hr)*

*Depth to water table: About 18 to 24 inches*

*Frequency of flooding: None*

*Frequency of ponding: None*

*Calcium carbonate, maximum content: 1 percent*

*Available water capacity: High (about 10.0 inches)*

#### **Interpretive groups**

*Land capability classification (irrigated): None specified*

*Land capability classification (nonirrigated): 2e*

*Hydrologic Soil Group: C/D*

*Ecological site: F101XY009NY - Moist Lake Plain*

*Hydric soil rating: No*

### **Minor Components**

#### **Canandaigua**

*Percent of map unit: 5 percent*

*Landform: Depressions*

*Hydric soil rating: Yes*

#### **Dunkirk**

*Percent of map unit: 5 percent*

*Hydric soil rating: No*

#### **Niagara**

*Percent of map unit: 5 percent*

*Hydric soil rating: No*



## **Cu—Cosad loamy fine sand**

### **Map Unit Setting**

*National map unit symbol:* 9wnn  
*Elevation:* 200 to 800 feet  
*Mean annual precipitation:* 32 to 36 inches  
*Mean annual air temperature:* 45 to 48 degrees F  
*Frost-free period:* 145 to 185 days  
*Farmland classification:* Prime farmland if drained

### **Map Unit Composition**

*Cosad and similar soils:* 80 percent  
*Minor components:* 20 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Cosad**

#### **Setting**

*Landform:* Lake plains  
*Landform position (two-dimensional):* Footslope  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Concave  
*Across-slope shape:* Linear  
*Parent material:* Sandy glaciofluvial or deltaic deposits over clayey glaciolacustrine deposits

#### **Typical profile**

*H1 - 0 to 9 inches:* loamy fine sand  
*H2 - 9 to 30 inches:* loamy fine sand  
*H3 - 30 to 60 inches:* silty clay

#### **Properties and qualities**

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Somewhat poorly drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to moderately high (0.06 to 0.20 in/hr)  
*Depth to water table:* About 6 to 18 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 15 percent  
*Available water capacity:* Moderate (about 6.7 inches)

#### **Interpretive groups**

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 3w  
*Hydrologic Soil Group:* C/D  
*Ecological site:* F101XY006NY - Moist Outwash  
*Hydric soil rating:* No

## Minor Components

### Lakemont

*Percent of map unit:* 5 percent

*Landform:* Depressions

*Hydric soil rating:* Yes

### Claverack

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

### Lamson

*Percent of map unit:* 5 percent

*Landform:* Depressions

*Hydric soil rating:* Yes

### Stafford

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

## Ed—Edwards muck

### Map Unit Setting

*National map unit symbol:* 9wnx

*Elevation:* 600 to 1,000 feet

*Mean annual precipitation:* 32 to 36 inches

*Mean annual air temperature:* 45 to 48 degrees F

*Frost-free period:* 145 to 185 days

*Farmland classification:* Not prime farmland

### Map Unit Composition

*Edwards and similar soils:* 80 percent

*Minor components:* 20 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Edwards

#### Setting

*Landform:* Swamps, marshes

*Landform position (two-dimensional):* Toeslope

*Landform position (three-dimensional):* Talf

*Down-slope shape:* Concave

*Across-slope shape:* Concave

*Parent material:* Organic material over marl

#### Typical profile

*H1 - 0 to 33 inches:* muck

*H2 - 33 to 60 inches:* marl

#### Properties and qualities

*Slope:* 0 to 2 percent

## Custom Soil Resource Report

*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Very poorly drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.06 in/hr)  
*Depth to water table:* About 0 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* Frequent  
*Calcium carbonate, maximum content:* 90 percent  
*Available water capacity:* Very high (about 13.2 inches)

### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 5w  
*Hydrologic Soil Group:* D  
*Hydric soil rating:* Yes

### Minor Components

#### Muck, deep

*Percent of map unit:* 5 percent  
*Landform:* Swamps, marshes  
*Hydric soil rating:* Yes

#### Alden

*Percent of map unit:* 5 percent  
*Landform:* Depressions  
*Hydric soil rating:* Yes

#### Muck, shallow

*Percent of map unit:* 5 percent  
*Landform:* Marshes, swamps  
*Hydric soil rating:* Yes

#### Sloan

*Percent of map unit:* 5 percent  
*Landform:* Flood plains  
*Hydric soil rating:* Yes

## EIB—Elnora loamy fine sand, 2 to 6 percent slopes

### Map Unit Setting

*National map unit symbol:* 9wp0  
*Elevation:* 380 to 510 feet  
*Mean annual precipitation:* 32 to 36 inches  
*Mean annual air temperature:* 45 to 48 degrees F  
*Frost-free period:* 145 to 185 days  
*Farmland classification:* All areas are prime farmland

### Map Unit Composition

*Elnora and similar soils:* 85 percent  
*Minor components:* 15 percent

## Custom Soil Resource Report

*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Elnora

#### Setting

*Landform:* Beach ridges, deltas

*Landform position (two-dimensional):* Summit

*Landform position (three-dimensional):* Tread

*Down-slope shape:* Concave

*Across-slope shape:* Convex

*Parent material:* Sandy glaciofluvial, eolian, or deltaic deposits

#### Typical profile

*H1 - 0 to 8 inches:* loamy fine sand

*H2 - 8 to 34 inches:* loamy fine sand

*H3 - 34 to 60 inches:* loamy fine sand

#### Properties and qualities

*Slope:* 2 to 6 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Moderately well drained

*Capacity of the most limiting layer to transmit water (Ksat):* High (1.98 to 5.95 in/hr)

*Depth to water table:* About 18 to 24 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Available water capacity:* Low (about 4.1 inches)

#### Interpretive groups

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 2w

*Hydrologic Soil Group:* A/D

*Hydric soil rating:* No

### Minor Components

#### Arkport

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

#### Cosad

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

#### Stafford

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

### Fw—Fresh water marsh

#### Map Unit Setting

*National map unit symbol:* 9wp6

## Custom Soil Resource Report

*Elevation:* 380 to 490 feet  
*Mean annual precipitation:* 32 to 36 inches  
*Mean annual air temperature:* 45 to 48 degrees F  
*Frost-free period:* 145 to 185 days  
*Farmland classification:* Not prime farmland

### Map Unit Composition

*Fresh water marsh and similar soils:* 85 percent  
*Minor components:* 15 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Fresh Water Marsh

#### Setting

*Landform:* Marshes

#### Properties and qualities

*Depth to restrictive feature:* More than 80 inches  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* Frequent

### Minor Components

#### Muck, deep

*Percent of map unit:* 5 percent  
*Landform:* Swamps, marshes  
*Hydric soil rating:* Yes

#### Muck, shallow

*Percent of map unit:* 5 percent  
*Landform:* Swamps, marshes  
*Hydric soil rating:* Yes

#### Sloan

*Percent of map unit:* 5 percent  
*Landform:* Flood plains  
*Hydric soil rating:* Yes

## LcA—Lakemont silty clay loam, 0 to 3 percent slopes

### Map Unit Setting

*National map unit symbol:* 2spjw  
*Elevation:* 300 to 1,800 feet  
*Mean annual precipitation:* 31 to 57 inches  
*Mean annual air temperature:* 41 to 50 degrees F  
*Frost-free period:* 100 to 190 days  
*Farmland classification:* Farmland of statewide importance

### Map Unit Composition

*Lakemont and similar soils:* 85 percent

## Custom Soil Resource Report

*Minor components: 15 percent*

*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Lakemont

#### Setting

*Landform: Depressions*

*Landform position (two-dimensional): Toeslope*

*Landform position (three-dimensional): Tread*

*Down-slope shape: Concave*

*Across-slope shape: Concave*

*Parent material: Red clayey glaciolacustrine deposits derived from calcareous shale*

#### Typical profile

*Ap - 0 to 6 inches: silty clay loam*

*Eg - 6 to 10 inches: silty clay loam*

*Btg1 - 10 to 15 inches: silty clay*

*Btg2 - 15 to 31 inches: silty clay*

*C - 31 to 79 inches: silty clay*

#### Properties and qualities

*Slope: 0 to 3 percent*

*Depth to restrictive feature: More than 80 inches*

*Drainage class: Poorly drained*

*Runoff class: Very low*

*Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.14 in/hr)*

*Depth to water table: About 0 inches*

*Frequency of flooding: None*

*Frequency of ponding: None*

*Calcium carbonate, maximum content: 25 percent*

*Available water capacity: Moderate (about 8.9 inches)*

#### Interpretive groups

*Land capability classification (irrigated): None specified*

*Land capability classification (nonirrigated): 4w*

*Hydrologic Soil Group: D*

*Ecological site: F101XY010NY - Wet Lake Plain Depression*

*Hydric soil rating: Yes*

### Minor Components

#### Odessa

*Percent of map unit: 5 percent*

*Landform: Lake plains*

*Landform position (two-dimensional): Footslope*

*Landform position (three-dimensional): Tread*

*Down-slope shape: Concave*

*Across-slope shape: Linear*

*Hydric soil rating: No*

#### Canandaigua

*Percent of map unit: 4 percent*

*Landform: Depressions*

*Landform position (two-dimensional): Toeslope*

*Landform position (three-dimensional): Tread*

## Custom Soil Resource Report

*Down-slope shape:* Concave  
*Across-slope shape:* Concave  
*Hydric soil rating:* Yes

### **Fonda**

*Percent of map unit:* 4 percent  
*Landform:* Depressions  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Concave  
*Across-slope shape:* Concave  
*Hydric soil rating:* Yes

### **Barre**

*Percent of map unit:* 2 percent  
*Landform:* Depressions  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Base slope, tread  
*Down-slope shape:* Concave  
*Across-slope shape:* Concave  
*Hydric soil rating:* Yes

## **Lf—Lamson fine sandy loam and Mucky fine sandy loam**

### **Map Unit Setting**

*National map unit symbol:* 9wpk  
*Elevation:* 50 to 1,100 feet  
*Mean annual precipitation:* 32 to 36 inches  
*Mean annual air temperature:* 45 to 48 degrees F  
*Frost-free period:* 145 to 185 days  
*Farmland classification:* Not prime farmland

### **Map Unit Composition**

*Lamson and similar soils:* 85 percent  
*Minor components:* 15 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Lamson**

#### **Setting**

*Landform:* Depressions  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Concave  
*Across-slope shape:* Concave  
*Parent material:* Deltaic or glaciolacustrine deposits with a high content of fine and very fine sand

#### **Typical profile**

*H1 - 0 to 13 inches:* fine sandy loam  
*H2 - 13 to 33 inches:* fine sandy loam

## Custom Soil Resource Report

*H3 - 33 to 60 inches: stratified loamy fine sand to fine sand to silty clay*

### Properties and qualities

*Slope: 0 to 2 percent*

*Depth to restrictive feature: More than 80 inches*

*Drainage class: Very poorly drained*

*Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high  
(0.57 to 5.95 in/hr)*

*Depth to water table: About 0 inches*

*Frequency of flooding: None*

*Frequency of ponding: Frequent*

*Available water capacity: Moderate (about 6.3 inches)*

### Interpretive groups

*Land capability classification (irrigated): None specified*

*Land capability classification (nonirrigated): 5w*

*Hydrologic Soil Group: A/D*

*Ecological site: F101XY007NY - Wet Outwash*

*Hydric soil rating: Yes*

### Minor Components

#### Muck, shallow

*Percent of map unit: 5 percent*

*Landform: Swamps, marshes*

*Hydric soil rating: Yes*

#### Stafford

*Percent of map unit: 5 percent*

*Hydric soil rating: No*

#### Elnora

*Percent of map unit: 5 percent*

*Hydric soil rating: No*

## Md—Made land, tillable

### Map Unit Setting

*National map unit symbol: 9wq1*

*Elevation: 380 to 850 feet*

*Mean annual precipitation: 32 to 36 inches*

*Mean annual air temperature: 45 to 48 degrees F*

*Frost-free period: 145 to 185 days*

*Farmland classification: Not prime farmland*

### Map Unit Composition

*Udorthents and similar soils: 100 percent*

*Estimates are based on observations, descriptions, and transects of the mapunit.*



## Description of Udorthents

### Typical profile

*H1 - 0 to 4 inches:* gravelly loam

*H2 - 4 to 70 inches:* very gravelly sandy loam

### Properties and qualities

*Slope:* 0 to 8 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Moderately well drained

*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to high  
(0.06 to 5.95 in/hr)

*Depth to water table:* About 36 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Calcium carbonate, maximum content:* 15 percent

*Available water capacity:* Low (about 5.4 inches)

### Interpretive groups

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 6s

*Hydrologic Soil Group:* B

*Hydric soil rating:* Unranked

## Mr—Muck, deep

### Map Unit Setting

*National map unit symbol:* 9wq2

*Elevation:* 600 to 1,200 feet

*Mean annual precipitation:* 32 to 36 inches

*Mean annual air temperature:* 45 to 48 degrees F

*Frost-free period:* 145 to 185 days

*Farmland classification:* Not prime farmland

### Map Unit Composition

*Muck, deep, and similar soils:* 85 percent

*Minor components:* 15 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

## Description of Muck, Deep

### Setting

*Landform:* Swamps, marshes

*Landform position (two-dimensional):* Toeslope

*Landform position (three-dimensional):* Talf

*Down-slope shape:* Concave

*Across-slope shape:* Concave

*Parent material:* Organic material

### Typical profile

*H1 - 0 to 66 inches:* muck

**Properties and qualities**

*Slope:* 0 to 2 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Very poorly drained

*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high  
(0.20 to 5.95 in/hr)

*Depth to water table:* About 0 inches

*Frequency of flooding:* None

*Frequency of ponding:* Frequent

*Available water capacity:* Very high (about 23.9 inches)

**Interpretive groups**

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 5w

*Hydrologic Soil Group:* A/D

*Hydric soil rating:* Yes

**Minor Components**

**Fonda**

*Percent of map unit:* 5 percent

*Landform:* Depressions

*Hydric soil rating:* Yes

**Muck, shallow**

*Percent of map unit:* 5 percent

*Landform:* Marshes, swamps

*Hydric soil rating:* Yes

**Edwards**

*Percent of map unit:* 5 percent

*Landform:* Swamps, marshes

*Hydric soil rating:* Yes

**Ng—Niagara silt loam**

**Map Unit Setting**

*National map unit symbol:* 9wq4

*Elevation:* 380 to 1,280 feet

*Mean annual precipitation:* 32 to 36 inches

*Mean annual air temperature:* 45 to 48 degrees F

*Frost-free period:* 145 to 185 days

*Farmland classification:* Prime farmland if drained

**Map Unit Composition**

*Niagara and similar soils:* 85 percent

*Minor components:* 15 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

## Description of Niagara

### Setting

*Landform:* Lake plains  
*Landform position (two-dimensional):* Footslope  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Concave  
*Across-slope shape:* Linear  
*Parent material:* Silty and clayey glaciolacustrine deposits

### Typical profile

*H1 - 0 to 12 inches:* silt loam  
*H2 - 12 to 35 inches:* silt loam  
*H3 - 35 to 60 inches:* stratified silt loam to very fine sandy loam to loamy very fine sand

### Properties and qualities

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Somewhat poorly drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high (0.20 to 0.57 in/hr)  
*Depth to water table:* About 6 to 18 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 15 percent  
*Available water capacity:* High (about 10.0 inches)

### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 3w  
*Hydrologic Soil Group:* C/D  
*Ecological site:* F101XY009NY - Moist Lake Plain  
*Hydric soil rating:* No

## Minor Components

### Collamer

*Percent of map unit:* 5 percent  
*Hydric soil rating:* No

### Unnamed soils

*Percent of map unit:* 5 percent  
*Hydric soil rating:* No

### Canandaigua

*Percent of map unit:* 5 percent  
*Landform:* Depressions  
*Hydric soil rating:* Yes

## **OdA—Odessa silt loam, 0 to 3 percent slopes**

### **Map Unit Setting**

*National map unit symbol:* 2wrd8  
*Elevation:* 260 to 1,540 feet  
*Mean annual precipitation:* 31 to 57 inches  
*Mean annual air temperature:* 41 to 50 degrees F  
*Frost-free period:* 100 to 195 days  
*Farmland classification:* Prime farmland if drained

### **Map Unit Composition**

*Odessa and similar soils:* 85 percent  
*Minor components:* 15 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Odessa**

#### **Setting**

*Landform:* Lake terraces  
*Landform position (two-dimensional):* Footslope  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Concave  
*Across-slope shape:* Linear  
*Parent material:* Red clayey glaciolacustrine deposits derived from calcareous shale

#### **Typical profile**

*Ap - 0 to 8 inches:* silt loam  
*Bt/E - 8 to 10 inches:* silty clay loam  
*Bt1 - 10 to 15 inches:* silty clay  
*Bt2 - 15 to 25 inches:* silty clay  
*C - 25 to 79 inches:* silty clay

#### **Properties and qualities**

*Slope:* 0 to 3 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Somewhat poorly drained  
*Runoff class:* Very high  
*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.14 in/hr)  
*Depth to water table:* About 6 to 18 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 25 percent  
*Available water capacity:* High (about 9.5 inches)

#### **Interpretive groups**

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 3w  
*Hydrologic Soil Group:* D

## Custom Soil Resource Report

*Ecological site:* F101XY009NY - Moist Lake Plain

*Hydric soil rating:* No

### Minor Components

#### Schoharie

*Percent of map unit:* 5 percent

*Landform:* Lake plains

*Landform position (two-dimensional):* Summit

*Landform position (three-dimensional):* Tread

*Down-slope shape:* Convex

*Across-slope shape:* Convex

*Hydric soil rating:* No

#### Lakemont

*Percent of map unit:* 5 percent

*Landform:* Depressions

*Landform position (two-dimensional):* Toeslope

*Landform position (three-dimensional):* Tread

*Down-slope shape:* Concave

*Across-slope shape:* Concave

*Hydric soil rating:* Yes

#### Churchville

*Percent of map unit:* 3 percent

*Landform:* Drumlinoid ridges

*Landform position (two-dimensional):* Footslope

*Landform position (three-dimensional):* Base slope

*Down-slope shape:* Concave

*Across-slope shape:* Linear

*Hydric soil rating:* No

#### Rhinebeck

*Percent of map unit:* 2 percent

*Landform:* Lake plains

*Landform position (two-dimensional):* Footslope

*Landform position (three-dimensional):* Tread

*Down-slope shape:* Concave

*Across-slope shape:* Linear

*Hydric soil rating:* No

### SeB—Schoharie silt loam, 2 to 6 percent slopes

#### Map Unit Setting

*National map unit symbol:* 2xgh4

*Elevation:* 260 to 1,280 feet

*Mean annual precipitation:* 31 to 57 inches

*Mean annual air temperature:* 41 to 50 degrees F

*Frost-free period:* 100 to 190 days

*Farmland classification:* All areas are prime farmland

### Map Unit Composition

*Schoharie and similar soils:* 85 percent

*Minor components:* 15 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Schoharie

#### Setting

*Landform:* Lake terraces

*Landform position (two-dimensional):* Summit, shoulder

*Landform position (three-dimensional):* Tread

*Down-slope shape:* Convex

*Across-slope shape:* Convex

*Parent material:* Red clayey glaciolacustrine deposits derived from calcareous shale

#### Typical profile

*Ap - 0 to 8 inches:* silt loam

*E - 8 to 11 inches:* silt loam

*Bt/E - 11 to 18 inches:* silty clay

*Bt - 18 to 33 inches:* clay

*C1 - 33 to 52 inches:* silty clay

*C2 - 52 to 79 inches:* silty clay

#### Properties and qualities

*Slope:* 2 to 6 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Moderately well drained

*Runoff class:* Low

*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.14 in/hr)

*Depth to water table:* About 18 to 36 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Calcium carbonate, maximum content:* 25 percent

*Available water capacity:* High (about 9.3 inches)

#### Interpretive groups

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 2e

*Hydrologic Soil Group:* D

*Hydric soil rating:* No

### Minor Components

#### Odessa

*Percent of map unit:* 5 percent

*Landform:* Lake terraces

*Landform position (two-dimensional):* Footslope

*Landform position (three-dimensional):* Tread

*Down-slope shape:* Concave

*Across-slope shape:* Linear

*Hydric soil rating:* No

#### Cazenovia

*Percent of map unit:* 5 percent

## Custom Soil Resource Report

*Landform:* Reworked lake plains, till plains  
*Landform position (two-dimensional):* Summit  
*Landform position (three-dimensional):* Crest  
*Down-slope shape:* Concave  
*Across-slope shape:* Convex  
*Hydric soil rating:* No

### **Cayuga**

*Percent of map unit:* 3 percent  
*Landform:* Lake plains, till plains  
*Landform position (two-dimensional):* Summit  
*Landform position (three-dimensional):* Crest, tread  
*Down-slope shape:* Concave  
*Across-slope shape:* Convex  
*Hydric soil rating:* No

### **Collamer**

*Percent of map unit:* 2 percent  
*Landform:* Lake plains  
*Landform position (two-dimensional):* Summit  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Concave  
*Across-slope shape:* Convex  
*Hydric soil rating:* No

## **ShA—Schoharie silty clay loam, 0 to 3 percent slopes**

### **Map Unit Setting**

*National map unit symbol:* 2wrd  
*Elevation:* 410 to 1,080 feet  
*Mean annual precipitation:* 31 to 57 inches  
*Mean annual air temperature:* 41 to 50 degrees F  
*Frost-free period:* 100 to 190 days  
*Farmland classification:* All areas are prime farmland

### **Map Unit Composition**

*Schoharie and similar soils:* 85 percent  
*Minor components:* 15 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Schoharie**

#### **Setting**

*Landform:* Lake terraces  
*Landform position (two-dimensional):* Summit  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Parent material:* Red clayey glaciolacustrine deposits derived from calcareous shale

**Typical profile**

*Ap - 0 to 8 inches:* silty clay loam  
*E - 8 to 11 inches:* silt loam  
*Bt/E - 11 to 18 inches:* silty clay  
*Bt - 18 to 33 inches:* clay  
*C1 - 33 to 52 inches:* silty clay  
*C2 - 52 to 79 inches:* silty clay

**Properties and qualities**

*Slope:* 0 to 3 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Moderately well drained  
*Runoff class:* Very low  
*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.14 in/hr)  
*Depth to water table:* About 18 to 36 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 25 percent  
*Available water capacity:* High (about 9.3 inches)

**Interpretive groups**

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 2w  
*Hydrologic Soil Group:* D  
*Hydric soil rating:* No

**Minor Components**

**Odessa**

*Percent of map unit:* 5 percent  
*Landform:* Lake terraces  
*Landform position (two-dimensional):* Footslope  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Concave  
*Across-slope shape:* Linear  
*Hydric soil rating:* No

**Cazenovia**

*Percent of map unit:* 5 percent  
*Landform:* Reworked lake plains, till plains  
*Landform position (two-dimensional):* Summit  
*Landform position (three-dimensional):* Crest  
*Down-slope shape:* Concave  
*Across-slope shape:* Convex  
*Hydric soil rating:* No

**Cayuga**

*Percent of map unit:* 3 percent  
*Landform:* Till plains, lake plains  
*Landform position (two-dimensional):* Summit  
*Landform position (three-dimensional):* Crest, tread  
*Down-slope shape:* Concave  
*Across-slope shape:* Convex  
*Hydric soil rating:* No



**Collamer**

*Percent of map unit:* 2 percent  
*Landform:* Lake plains  
*Landform position (two-dimensional):* Summit  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Concave  
*Across-slope shape:* Convex  
*Hydric soil rating:* No

**ShB—Schoharie silty clay loam, 2 to 6 percent slopes**

**Map Unit Setting**

*National map unit symbol:* 2xggg  
*Elevation:* 280 to 610 feet  
*Mean annual precipitation:* 31 to 57 inches  
*Mean annual air temperature:* 41 to 50 degrees F  
*Frost-free period:* 100 to 190 days  
*Farmland classification:* All areas are prime farmland

**Map Unit Composition**

*Schoharie and similar soils:* 85 percent  
*Minor components:* 15 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

**Description of Schoharie**

**Setting**

*Landform:* Lake terraces  
*Landform position (two-dimensional):* Summit, shoulder  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Parent material:* Red clayey glaciolacustrine deposits derived from calcareous shale

**Typical profile**

*Ap - 0 to 8 inches:* silty clay loam  
*E - 8 to 11 inches:* silt loam  
*Bt/E - 11 to 18 inches:* silty clay  
*Bt - 18 to 33 inches:* clay  
*C1 - 33 to 52 inches:* silty clay  
*C2 - 52 to 79 inches:* silty clay

**Properties and qualities**

*Slope:* 2 to 6 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Moderately well drained  
*Runoff class:* Low  
*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.14 in/hr)

## Custom Soil Resource Report

*Depth to water table:* About 18 to 36 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 25 percent  
*Available water capacity:* High (about 9.3 inches)

### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 2e  
*Hydrologic Soil Group:* D  
*Hydric soil rating:* No

### Minor Components

#### Cazenovia

*Percent of map unit:* 5 percent  
*Landform:* Till plains, reworked lake plains  
*Landform position (two-dimensional):* Summit  
*Landform position (three-dimensional):* Crest  
*Down-slope shape:* Concave  
*Across-slope shape:* Convex  
*Hydric soil rating:* No

#### Odessa

*Percent of map unit:* 5 percent  
*Landform:* Lake terraces  
*Landform position (two-dimensional):* Footslope  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Concave  
*Across-slope shape:* Linear  
*Hydric soil rating:* No

#### Cayuga

*Percent of map unit:* 3 percent  
*Landform:* Lake plains, till plains  
*Landform position (two-dimensional):* Summit  
*Landform position (three-dimensional):* Crest, tread  
*Down-slope shape:* Concave  
*Across-slope shape:* Convex  
*Hydric soil rating:* No

#### Collamer

*Percent of map unit:* 2 percent  
*Landform:* Lake plains  
*Landform position (two-dimensional):* Summit  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Concave  
*Across-slope shape:* Convex  
*Hydric soil rating:* No

## **ShC3—Schoharie silty clay loam, 6 to 12 percent slopes**

### **Map Unit Setting**

*National map unit symbol:* 2xggl  
*Elevation:* 260 to 1,340 feet  
*Mean annual precipitation:* 31 to 57 inches  
*Mean annual air temperature:* 41 to 50 degrees F  
*Frost-free period:* 100 to 190 days  
*Farmland classification:* Not prime farmland

### **Map Unit Composition**

*Schoharie and similar soils:* 85 percent  
*Minor components:* 15 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Schoharie**

#### **Setting**

*Landform:* Lake terraces  
*Landform position (two-dimensional):* Shoulder, backslope  
*Landform position (three-dimensional):* Riser  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Parent material:* Red clayey glaciolacustrine deposits derived from calcareous shale

#### **Typical profile**

*Ap - 0 to 8 inches:* silty clay loam  
*E - 8 to 11 inches:* silt loam  
*Bt/E - 11 to 18 inches:* silty clay  
*Bt - 18 to 33 inches:* clay  
*C1 - 33 to 52 inches:* silty clay  
*C2 - 52 to 79 inches:* silty clay

#### **Properties and qualities**

*Slope:* 6 to 12 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Moderately well drained  
*Runoff class:* Medium  
*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.14 in/hr)  
*Depth to water table:* About 18 to 36 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 25 percent  
*Available water capacity:* High (about 9.3 inches)

#### **Interpretive groups**

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 3e

## Custom Soil Resource Report

*Hydrologic Soil Group: D*  
*Hydric soil rating: No*

### Minor Components

#### Odessa

*Percent of map unit: 5 percent*  
*Landform: Lake terraces*  
*Landform position (two-dimensional): Footslope*  
*Landform position (three-dimensional): Tread*  
*Down-slope shape: Concave*  
*Across-slope shape: Linear*  
*Hydric soil rating: No*

#### Cazenovia

*Percent of map unit: 5 percent*  
*Landform: Reworked lake plains, till plains*  
*Landform position (two-dimensional): Summit*  
*Landform position (three-dimensional): Crest*  
*Down-slope shape: Concave*  
*Across-slope shape: Convex*  
*Hydric soil rating: No*

#### Cayuga

*Percent of map unit: 3 percent*  
*Landform: Lake plains, till plains*  
*Landform position (two-dimensional): Summit*  
*Landform position (three-dimensional): Crest, tread*  
*Down-slope shape: Concave*  
*Across-slope shape: Convex*  
*Hydric soil rating: No*

#### Collamer

*Percent of map unit: 2 percent*  
*Landform: Lake plains*  
*Landform position (two-dimensional): Summit*  
*Landform position (three-dimensional): Tread*  
*Down-slope shape: Concave*  
*Across-slope shape: Convex*  
*Hydric soil rating: No*

### Sn—Sloan silt loam

#### Map Unit Setting

*National map unit symbol: 9wqx*  
*Elevation: 900 to 1,000 feet*  
*Mean annual precipitation: 32 to 36 inches*  
*Mean annual air temperature: 45 to 48 degrees F*  
*Frost-free period: 145 to 185 days*  
*Farmland classification: Farmland of statewide importance*

**Map Unit Composition**

*Sloan and similar soils: 80 percent*

*Minor components: 20 percent*

*Estimates are based on observations, descriptions, and transects of the mapunit.*

**Description of Sloan**

**Setting**

*Landform: Flood plains*

*Landform position (two-dimensional): Toeslope*

*Landform position (three-dimensional): Dip*

*Down-slope shape: Concave*

*Across-slope shape: Concave*

*Parent material: Loamy alluvium*

**Typical profile**

*H1 - 0 to 17 inches: silt loam*

*H2 - 17 to 36 inches: silt loam*

*H3 - 36 to 60 inches: silty clay loam*

**Properties and qualities**

*Slope: 0 to 2 percent*

*Depth to restrictive feature: More than 80 inches*

*Drainage class: Very poorly drained*

*Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high  
(0.20 to 1.98 in/hr)*

*Depth to water table: About 0 to 12 inches*

*Frequency of flooding: FrequentNone*

*Frequency of ponding: None*

*Calcium carbonate, maximum content: 15 percent*

*Available water capacity: High (about 10.8 inches)*

**Interpretive groups**

*Land capability classification (irrigated): None specified*

*Land capability classification (nonirrigated): 3w*

*Hydrologic Soil Group: B/D*

*Hydric soil rating: Yes*

**Minor Components**

**Eel**

*Percent of map unit: 5 percent*

*Hydric soil rating: No*

**Wallkill**

*Percent of map unit: 5 percent*

*Landform: Flood plains*

*Hydric soil rating: Yes*

**Muck, shallow**

*Percent of map unit: 5 percent*

*Landform: Marshes, swamps*

*Hydric soil rating: Yes*

**Muck, deep**

*Percent of map unit: 5 percent*

*Landform: Swamps, marshes*

*Hydric soil rating:* Yes

## **Sr—Stafford loamy fine sand**

### **Map Unit Setting**

*National map unit symbol:* 9wqy

*Elevation:* 380 to 520 feet

*Mean annual precipitation:* 32 to 36 inches

*Mean annual air temperature:* 45 to 48 degrees F

*Frost-free period:* 145 to 185 days

*Farmland classification:* Farmland of statewide importance

### **Map Unit Composition**

*Stafford and similar soils:* 85 percent

*Minor components:* 15 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Stafford**

#### **Setting**

*Landform:* Beach ridges, deltas

*Landform position (two-dimensional):* Footslope

*Landform position (three-dimensional):* Tread

*Down-slope shape:* Concave

*Across-slope shape:* Linear

*Parent material:* Sandy glaciofluvial or glaciolacustrine deposits

#### **Typical profile**

*H1 - 0 to 8 inches:* loamy fine sand

*H2 - 8 to 34 inches:* loamy fine sand

*H3 - 34 to 60 inches:* fine sand

#### **Properties and qualities**

*Slope:* 0 to 2 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Somewhat poorly drained

*Capacity of the most limiting layer to transmit water (Ksat):* High to very high (1.98 to 19.98 in/hr)

*Depth to water table:* About 6 to 18 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Available water capacity:* Low (about 3.0 inches)

#### **Interpretive groups**

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 3w

*Hydrologic Soil Group:* A/D

*Hydric soil rating:* No

### **Minor Components**

#### **Lamson**

*Percent of map unit: 5 percent*

*Landform: Depressions*

*Hydric soil rating: Yes*

#### **Unnamed soils**

*Percent of map unit: 5 percent*

*Hydric soil rating: No*

#### **Elnora**

*Percent of map unit: 5 percent*

*Hydric soil rating: No*

## **W—Water**

### **Map Unit Setting**

*National map unit symbol: 9wr0*

*Mean annual precipitation: 32 to 36 inches*

*Mean annual air temperature: 45 to 48 degrees F*

*Frost-free period: 145 to 185 days*

*Farmland classification: Not prime farmland*

### **Map Unit Composition**

*Water: 100 percent*

*Estimates are based on observations, descriptions, and transects of the mapunit.*

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- United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelprdb1043084>



## Custom Soil Resource Report

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## **Appendix F – Construction Drawings**

Refer to Appendix 11-1 of the Article 10 Application for the Preliminary Design Drawings.

## **Appendix G – Standards and Specifications for Erosion and Sediment Controls**

The Standards and Specification for Erosion and Sediment Controls provide are based on the Preliminary Design Drawings.

The Standards and Specifications will be finalized for the Final SWPPP.

## **Appendix H – Spill Cleanup and Reporting Guidance**

- NYSDEC Technical Field Guidance: Spill Reporting and Initial Notification Requirements -
- NYSDEC CP-51: Soil Cleanup Guidance -

## **Appendix H – NYSDEC Technical Field Guidance: Spill Reporting and Initial Notification Requirements**

## **Appendix H – NYSDEC CP-51: Soil Cleanup Guidance**

# CP-51 / Soil Cleanup Guidance

New York State Department of Environmental Conservation

## DEC Policy

**Issuing Authority:** Alexander B. Grannis, Commissioner

**Date Issued:** October 21, 2010

**Latest Date Revised:**

### I. Summary

This policy provides the framework and procedures for the selection of soil cleanup levels appropriate for each of the remedial programs in the New York State Department of Environmental Conservation (DEC) Division of Environmental Remediation (DER). This policy applies to the Inactive Hazardous Waste Disposal Site Remedial Program, known as the State Superfund Program (SSF); Brownfield Cleanup Program (BCP); Voluntary Cleanup Program (VCP); Environmental Restoration Program (ERP); Spill Response Program - Navigation Law (NL) section 176 (SRP); and the Resource Conservation and Recovery Act (RCRA) Corrective Action Program. It replaces *Technical and Administrative Guidance Memorandum (TAGM) 4046: Determination of Soil Cleanup Objectives and Cleanup Levels* (January 24, 1994); the *Petroleum Site Inactivation and Closure Memorandum* (February 23, 1998); and Sections III and IV of *Spill Technology and Remediation Series (STARS) #1* (August 1992).

This document is used in conjunction with the applicable statutes, regulations and guidance. Site-specific soil cleanup levels, determined in accordance with this guidance, are only applied after:

- the site, or area of concern, is fully investigated to determine the nature and extent of contamination;
- all sources of contamination are addressed consistent with the hierarchy provided in 6 NYCRR 375-1.8(c) or consistent with the RCRA Corrective Action Program (as appropriate);
- groundwater, if contaminated, has been evaluated for appropriate remedial actions consistent with 6 NYCRR 375-1.8(d) or consistent with the RCRA Corrective Action Program (as appropriate); and
- impacts on adjacent residential properties, surface water, aquatic ecological resources are evaluated, as well as indoor air, soil vapor, vapor intrusion and other appropriate media.

### II. Policy

It is DEC's policy, consistent with applicable statutes and regulations, that all remedies will be protective of public health and the environment. DEC's preference is that remedial programs, including the selection of soil cleanup levels, be designed such that the performance standard results in the implementation of a permanent remedy resulting in no future land use restrictions. However, some of

DEC's remedial programs are predicated on future site use. Further, it is not always feasible to return to a condition where no restrictions are required.

The procedures set forth herein are intended for the use and guidance of both DEC and remedial parties to provide a uniform and consistent process for the determination of soil cleanup levels. This guidance is not intended to create any substantive or procedural rights, enforceable by any party in administrative or judicial litigation with DEC. DEC reserves the right to act at variance with these procedures to address site-specific circumstances and to change the procedures in this guidance at any time.

Please note that this guidance focuses only on soil cleanup levels. All remedies must be fully protective of public health and the environment and must prevent further off-site migration to the extent feasible, with special emphasis on preventing or minimizing migration onto adjacent residential properties. A remedial party is required to evaluate and investigate, if necessary, all environmental media including soil, groundwater, surface water, sediments, soil vapor, ambient air, and biota. [See 6 NYCRR 375-1.8(a)(6) or RCRA Corrective Action Program (as appropriate)]. This investigation will determine if any of the referenced media are, or may be, impacted by site contamination. Applicable guidance should be consulted for media other than soil.

Nothing contained in this guidance, in itself, forms the basis for changes to previously selected remedies. However, a change in the site remedy may be considered consistent with *DER-2: Making Changes to Selected Remedies* (April 1, 2008). [See Section VI, Related References.] To the extent that a change to a selected remedy at a site in one of DER's remedial programs is necessary as provided in DER-2, as applicable, the Soil Cleanup Objectives (SCOs) may be considered in the evaluation of appropriate changes to the selected remedy. For sites in other programs, applicable regulations and guidance must be used.

### **III. Purpose and Background**

DEC has a number of different remedial programs that were developed over time based on separate and distinct authorities. These programs use different procedures to determine the extent of soil cleanup necessary to satisfy the remedial program goals. The purpose of this document is to set forth how soil cleanup levels are selected for the different programs.

Legislation establishing New York State's Brownfield Cleanup Program (Article 27, Title 14 of the Environmental Conservation Law [ECL]) required DEC, in consultation with the New York State Department of Health (NYSDOH), to develop an approach for the remediation of contamination at brownfield sites. The resulting regulation includes seven sets of SCOs. Four sets provide for the protection of public health for different land uses (residential, restricted residential, commercial, and industrial); two sets provide for the protection of other resources (groundwater and ecological resources); and one set includes SCOs for protection of public health and the environment for all uses (unrestricted use).

With the promulgation of the SCOs, it is necessary to discuss how the SCOs, and soil cleanup levels generally, are arrived at for a specific site. Some key definitions in understanding how cleanup levels for soil are arrived at follow.



**Feasible**, which means suitable to site conditions, capable of being successfully carried out with available technology, implementable and cost effective [see 6 NYCRR 375-1.2(s)].

**Presumptive remedy**, which means a technology or technique where experience has shown the remedy to be a proven solution for specific types of sites and/or contaminant classes [See *DER-15: Presumptive/Proven Remedial Technologies* February 27, 2007. Refer to Section VI, Related References.]

**Soil cleanup level**, which means the concentration of a given contaminant for a specific site that must be achieved under a remedial program for soil. Depending on the regulatory program, a soil cleanup level may be based on the regulation [6 NYCRR 375-6.8(a) or (b)], modified from the regulatory value based on site-specific differences, or based on other information, including background levels or feasibility. Soil cleanup levels may include:

- SCOs promulgated at 6 NYCRR 375-6;
- Supplemental Soil Cleanup Objectives (SSCOs);
- a “totals” approach for a family of contaminants known as Polycyclic Aromatic Hydrocarbons (PAHs);
- Presumptive remedy for Polychlorinated Biphenyls (PCBs); and
- Nuisance Condition.

**Soil Cleanup Objective (SCO)**, which means the chemical concentrations for soil cleanup of individual chemicals contained in 6 NYCRR 375-6.8(a) or (b). The SCOs were developed using the process outlined in the Technical Support Document (TSD). The SCOs and the SSCO defined below are applicable statewide and do not account for many site-specific considerations which could potentially result in higher levels. Soil concentrations that are higher than the SCOs and SSCO are not necessarily a health or environmental concern. When an SCO (or SSCO) is exceeded, the degree of public health or environmental concern depends on several factors, including the magnitude of the exceedance, the accuracy of the exposure estimates, other sources of exposure to the contaminant, and the strength and quality of the available toxicological information on the contaminant.

**Supplemental Soil Cleanup Objective (SSCO)**, which means a) an existing soil cleanup level for a contaminant which had been included in former TAGM 4046 and was not included in 6 NYCRR 375-6; b) has been developed using the same process used for development of the SCOs; and c) new cleanup levels for soil developed by the remedial party following the approach detailed in Appendix E of the TSD. The TSD provides information relative to the development of cleanup objectives for soil that are not set forth in 6 NYCRR 375-6. Cleanup objectives that have been established at the direction of DEC or the election of remedial parties are included in Table 1.

**Technical Support Document (TSD)**, which refers to the document dated December 2006 detailing the development of the SCOs that were promulgated in 6 NYCRR 375-6. It provides the technical background and provides a detailed discussion of the considerations for development of the SCOs for the different land uses and exposure pathways. The TSD is available on DEC’s website [see Section VI, Related References].

The purpose of this guidance is NOT to focus on media other than soil. Accordingly, the remedial program may require remedial activities to address media other than soil (e.g., groundwater, surface

water, sediment, and vapor). Applicable guidance should be consulted for media other than soil. This guidance is to be used in conjunction with the applicable statutes, regulations and guidance. Site-specific soil cleanup levels, determined in accordance with this guidance, are only applied after:

- the site, or area of concern, is fully investigated to determine the nature and extent of contamination;
- all sources of contamination are addressed consistent with the hierarchy provided in 6 NYCRR 375-1.8(c) or consistent with the RCRA Corrective Action Program (as appropriate);
- groundwater, if contaminated, has been evaluated for appropriate remedial actions consistent with 6 NYCRR 375-1.8(d) or consistent with the RCRA Corrective Action Program (as appropriate); and
- an evaluation of impacts on adjacent residential properties, surface water, aquatic ecological resources, as well as indoor air, soil vapor, vapor intrusion and other appropriate media.

## **IV. Responsibility**

The responsibility for maintaining and updating this policy lies with DER. DEC staff are responsible for implementing this policy, with input (as applicable) from NYSDOH.

## **V. Procedures**

### **A. General Approaches to the Selection of Soil Cleanup Levels**

The determination of soil cleanup levels for a site is dependent on:

1. The regulatory program pursuant to which the site is being addressed;
2. Whether the groundwater beneath or down gradient of the site is, or may become contaminated with site-related contaminants;
3. Whether ecological resources constitute an important component of the environment at or adjacent to a site, and which are, or may be, impacted by site-related contaminants; and
4. Other impacted environmental media such as surface water, sediment, and soil vapor.

After fully evaluating the nature and extent of soil contamination associated with a site, the soil cleanup levels will be based on one, or a combination of, the following four approaches.

**Approach 1: Utilize the Unrestricted Use Soil Cleanup Objectives** [see 6 NYCRR Table 375-6.8(a)]. Under this approach, the soil cleanup levels will be established consistent with the SCOs set forth in 6 NYCRR Table 375-6.8(a). For contaminants of concern which are not included in the rule, DEC may direct development of a soil cleanup level which is protective of public health and the environment without restrictions following the procedure outlined in Appendix E of the TSD. Under this approach, the unrestricted SCOs are applied throughout the soil matrix to the top of bedrock (including the saturated zone).

**Approach 2: Utilize the Restricted Use Soil Cleanup Objectives** [see 6 NYCRR Table 375-6.8(b)]. Under this approach, soil cleanup levels will be established consistent with the SCOs set forth in 6 NYCRR Table 375-6.8(b) selecting the lowest SCO in the categories described in A

through C below. Generally, after source removal, the soil cleanup levels do not need to be achieved to more than 15 feet below ground surface or to the top of bedrock, whichever is shallower.

- A. Select the applicable land use category for the protection of public health (residential, restricted residential, commercial or industrial);
- B. Determine if the SCOs for the protection of groundwater are applicable (see Section V.D); and
- C. Determine if the SCOs for the protection of ecological resources are applicable (see Section V.C).

**Approach 3: Limited Site-Specific Modifications to Soil Cleanup Objectives.** This approach allows for consideration of site-specific information to modify the SCOs promulgated in 6 NYCRR Tables 375-6.8 (a) and (b) following the approach detailed in Appendix E of the TSD. The equations and basic methodology specified for calculating the 6 NYCRR 375-6.8 (a) and (b) values may not be modified under this approach. However, in instances where site-specific parameters were used in the calculation of the SCOs, site data different from the assumptions used to calculate the SCOs may be used to modify the soil cleanup levels for a specific site. These instances are very limited and occur only in certain pathways that are listed below.

- Protection of groundwater pathway
- Particulate inhalation pathway
- Volatile inhalation pathway
- Protection of ecological resources pathway

It should be noted that even if site-specific data modifies these pathways, it may not result in modifying the SCOs because the lowest value from all applicable pathways is used to determine each SCO. The inhalation pathway is very seldom the controlling pathway in the determination of the protection of public health. The specific parameters that can be modified are identified in Appendix E of the TSD (e.g., inhalation dispersion terms, fraction of organic carbon in soil, etc.).

The remedial party should consider the cost of collecting the data necessary to support a request to modify the SCOs with the potential for deriving a higher SCO that provides an appropriate level of protection. The remedial party may be required to submit additional data to support the use of modified SCOs. Once DEC approves one or more modified SCOs, they are applied in the manner described under Approach 2.

**Approach 4: Site-Specific Soil Cleanup Objectives.** Under this approach, the remedial party may propose site-specific cleanup levels or approaches for soil which are protective of public health and the environment based on other information. This approach sets forth a flexible framework to develop soil cleanup levels by allowing the remedial party to conduct a more detailed evaluation of site information in an effort to calculate protective soil cleanup levels or approaches unique to a site. Under this approach, the remedial party may propose a remedy that does not include specific soil cleanup levels (e.g., excavate the top 6 feet in an area extending 75 feet in all directions from boring B12); modify the input parameters used in the SCO calculations; use site data to improve or confirm predictions of exposures to receptors to contaminants of concern; analyze site-specific risks using

risk assessments; use toxicological information available from alternate sources; or consider site background and historic fill. Data supporting these site-specific adjustments or use of alternate methodologies must also be provided to DEC for review and approval to ensure that the resulting soil cleanup levels are protective.

The Approach 4 framework leaves DEC with discretion to determine whether a different approach is appropriate for the site and, if a different approach is to be used, the proper method of implementation. The remedial party should consider the cost of collecting the data necessary to develop site-specific soil cleanup levels (or approaches) with the potential for deriving a soil cleanup level which is higher than a particular SCO and which provides an appropriate level of protection. The remedial party may also be required to submit additional data to support the use of methodologies in the calculation of site-specific soil cleanup levels or to support the proposed approach.

**B. Application of Soil Cleanup Levels for the Specific Remedial Programs:** Soil cleanup levels are determined on a site-specific basis depending on the program under which the site is being remediated. In some cases (e.g., BCP Track 1 or Track 2), the soil cleanup levels are the SCOs taken directly from 6 NYCRR 375-6. In other cases, soil cleanup levels may be derived from the Part 375 SCOs but modified based on other information. In yet other cases, the soil cleanup levels may have no relationship or connection to the SCOs, but rather be developed in accordance with DEC-approved methodologies or approaches.

**1. Inactive Hazardous Waste Disposal Site Remedial Program (State Superfund Program):** The goal of the remedial program for a specific site is to restore that site to pre-disposal conditions, to the extent feasible. The unrestricted use SCOs are considered to be representative of pre-disposal conditions unless an impact to ecological resources has been identified (see 6 NYCRR 375-2.8(b)(2)). However, it must be recognized that achievement of this goal may not be feasible in every case. At a minimum, all remedies must be protective of public health and the environment. The following procedure is used to determine the most feasible remedy.

- (a) The remedial party shall evaluate, and if feasible, implement a cleanup utilizing Approach 1 (application of unrestricted SCOs).
- (b) Where DEC determines that achieving unrestricted SCOs is not feasible as documented in a feasibility study, the remedial party may evaluate alternatives to remediate the site to the greatest extent feasible (see *DER-10: Technical Guidance for Site Investigation and Remediation*, Chapter 4.3). [See Section VI, Related References.] In this event, the remedial party may propose soil cleanup levels in accordance with any of the general approaches. However, when considering restricted use soil cleanup levels, the remedial party should apply the least restrictive use category feasible. For purposes of this discussion, residential use is the least restrictive use and industrial use is the most restrictive category. This process starts with consideration of residential use, followed by restricted residential use, commercial use, and then industrial use. The evaluation proceeds through the different land uses until a feasible remedy is found. This evaluation is not bound to the SCOs in regulation or SSCOs set forth in this guidance but may result in a site-specific soil cleanup level that is between the SCOs or soil cleanup level for two different land uses (e.g., above the restricted residential SCO and below the commercial SCO).

**2. Brownfield Cleanup Program** The remedy shall be fully protective of public health and the environment, including, but not limited to, groundwater according to its classification pursuant to ECL 17-0301, drinking water, surface water, air (including indoor air), sensitive populations (including children), and ecological resources (including fish and wildlife). Soil cleanup levels corresponding to the cleanup track under which the site is being remediated are required to be met. The four cleanup tracks are:

**Track 1:** Cleanups pursuant to this track must achieve unrestricted use of the site. This track requires that the remedial party implement a cleanup utilizing Approach 1. Institutional and engineering controls are allowed only for periods of less than five years (defined as short-term controls) except in the limited instance where a volunteer has conducted remedial activities resulting in a bulk reduction in groundwater contamination to asymptotic levels.

**Track 2 :** Cleanups pursuant to this track may consider the current, intended, or reasonably anticipated future use in determining the appropriate cleanup levels for soil. This track requires that the remedial party implement a cleanup that achieves the SCOs in the tables in 6 NYCRR 375-6.7(b) for the top 15 feet of soil (or bedrock if less than 15 feet). This track follows approach 2. Institutional and engineering controls are allowed for soil (for the top 15 feet of soil or bedrock if less than 15 feet) for less than five years (defined as short-term controls). Institutional and engineering controls which limit site use and the use of onsite groundwater can be used without regard to duration. Track 2 cleanups at restricted residential, commercial or industrial use sites require site management plans to ensure that material removed from the site (post remedial action) is managed appropriately and to ensure that any buffer zone protecting adjacent residential use sites or ecological resources is maintained.

**Track 3:** Cleanups pursuant to this track may consider the current, intended, or reasonably anticipated use in determining the appropriate cleanup levels for soil. This track requires that the remedial party implement a cleanup utilizing Approach 3 for those SCOs which the remedial party seeks to modify an established SCO. Institutional and engineering controls are allowed for soil (for the top 15 feet of soil or bedrock if less than 15 feet) for less than 5 years (defined as short-term controls). Institutional and engineering controls which limit site use and the use of on-site groundwater can be used without regard to duration. Track 3 cleanups at restricted residential, commercial or industrial use sites require site management plans to ensure that material removed from the site (post remedial action) is managed appropriately and to ensure that any buffer zone protecting adjacent residential use sites or ecological resources is maintained.

**Track 4:** Cleanups pursuant to this track may consider the current, intended, or reasonably anticipated use in determining the appropriate cleanup levels for soil. This track allows for the development of site-specific soil cleanup levels below the cover system in accordance with Approach 4. Track 4 remedies must address all sources as a component of the remedy. Short- and long-term institutional and engineering controls are allowed to achieve protection of public health and the environment. The remedy under Track 4 must provide a cover system over exposed residual soil contamination. Soils which are not otherwise covered by structures such as buildings, sidewalks or pavement (i.e., exposed surface soils) must be covered with soil that complies with the use-based SCOs in 6 NYCRR Table 375-6.8(b) levels for the top one foot (non-residential uses) or top two feet (restricted residential use).

**3. Environmental Restoration Program:** The goal of the program for a specific site is to select a remedy that is protective of public health and the environment, including, but not limited to, groundwater according to its classification pursuant to ECL 17-0301, drinking water, surface water and air (including indoor air), sensitive populations (including children) and ecological resources (including fish and wildlife). At a minimum, the remedy selected shall eliminate or mitigate all significant threats to public health and to the environment presented by contaminants disposed at the site through the proper application of scientific and engineering principles. Soil cleanup levels may be developed in accordance with Approaches 1 – 4 without restriction.

**4. Voluntary Cleanup Program:** The goal of the program for a specific site is to select a remedy that is protective of public health and the environment for the contemplated use. The soil cleanup levels may be developed in accordance with Approaches 1 – 4 without restriction.

**5. Petroleum Spill Response Program:** The goal of the Petroleum Spill Response Program is to achieve pre-spill conditions [6 NYCRR 611.6(a)(4)]. Remedial activities under this program shall be undertaken relative to the petroleum contamination that was released along with any co-mingled contamination from other sources. The remedial party shall achieve, to the extent feasible, the unrestricted SCOs for petroleum-related contaminants listed in 6 NYCRR Table 375-6.8(a). For petroleum contaminants not included in 6 NYCRR Table 375-6.8(a) (discussed in Section E below), the remedial party shall apply, to the extent feasible, the soil cleanup levels provided in Table 1. For ease of implementation, two lists of petroleum contaminants (Gasoline and Fuel Oil, Tables 2 and 3) are attached. The tables combine the applicable petroleum-related SCOs from 6 NYCRR 375-6.8(a) and the applicable petroleum related SSCOs from Table 1. Where DEC determines that it is not feasible to achieve the soil cleanup levels as set forth in this paragraph, the remedial party may propose soil cleanup levels in accordance with any of the general approaches. However, when considering restricted use soil cleanup levels, the remedial party should apply the least restrictive use category feasible.

For purposes of this discussion, residential use is the least restrictive use, and industrial use is the most restrictive category. This process starts with consideration of residential use, followed by restricted residential use, commercial use, and then industrial use. The evaluation proceeds through the different land uses until a feasible remedy is found. If the protection of groundwater or ecological SCOs apply, the lower of the applicable protection of the public health SCO or the applicable protection of groundwater or ecological SCO should be achieved to the extent feasible. This evaluation is not bound to the SCOs in regulation or the SSCOs set forth in this guidance but may result in a site-specific soil cleanup level that is between the SCOs or soil cleanup level for two different land uses (e.g., above the restricted residential SCO and below the commercial SCO).

**6. RCRA Corrective Action Program:** The RCRA program was promulgated to regulate facilities that actively manage hazardous waste. DER administers the RCRA Corrective Action Program, with a goal of achieving soil cleanup levels at Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs) that eliminate risks to public health and the environment (i.e., clean the site to unrestricted use) or control said risks (i.e., clean the site or unit(s) to the lowest possible soil cleanup objective, regardless of site use), to the extent feasible. This goal takes into account that certain units at the facility may be permitted to manage hazardous waste under New York State's Hazardous Waste Management (HWM) regulations (6 NYCRR Part 373). The requirements of active HWM facilities, as well as the site's history, will be considered when soil cleanup levels are determined. Selected remedies must be protective of public health and the environment. Soil cleanup levels will be selected using the following procedure.

- (a) The remedial party shall evaluate, and if feasible, implement a cleanup utilizing Approach 1. Under this approach, the unrestricted SCOs apply to the entire soil matrix to the top of bedrock. For contaminants not listed in 6 NYCRR 375-6, a new or existing SSCO may be used.
- (b) If DEC determines that achieving unrestricted SCOs is not feasible, the remedial party may evaluate other alternatives to remediate the site. In this event, the remedial party may propose soil cleanup levels in accordance with any of the general approaches. However, when considering restricted use soil cleanup levels, the remedial party shall apply the use category which is both feasible and least restricted. For purposes of this discussion, residential use is the least restricted category and industrial use is the most restricted category. A soil cleanup level between two different land uses (e.g., residential and restricted residential) may be determined to be feasible, and if selected, must be achieved.

Any soil cleanup levels specified in regulation (i.e., 6 NYCRR 373-2.6(b)-(k) for “regulated units” as defined in 6 NYCRR 373-2.6 (a)(1)(ii)) or in a DEC enforceable document (Part 373 permits, Consent Orders, etc.) shall take precedence over the soil cleanup levels which could be established through use of this document.

**C. Determination of Whether Ecological Resources SCOs Apply to a Site:** SCOs developed to protect ecological resources (ESCOs) are incorporated in the Unrestricted Use SCO in 6 NYCRR Table 375-6.8(a) and are included as a separate category in 6 NYCRR Table 375-6.8(b). For contaminants of concern which do not have a calculated ESCO in regulation, DEC may direct the remedial party to develop a soil cleanup level which is protective of ecological resources where appropriate, based on the process outlined in Appendix E of the TSD.

The presence of ecological resources and any impact to those resources will be assessed during the remedial investigation. For sites where there is the potential for an ecological resource impact to be present, or where it is likely to be present, an assessment of fish and wildlife resource impacts will be performed. For sites in DER’s SSF, BCP, VCP and ERP, the assessment will be performed in accordance with DEC’s guidance, *Fish and Wildlife Impact Analysis for Inactive Hazardous Waste Sites*, October, 1994, as described in DER-10, Section 3.10. For sites in the RCRA Corrective Action Program, the assessment will be performed using the above referenced fish and wildlife impact analysis document as guidance, and by consulting with appropriate personnel in DEC’s Division of Fish, Wildlife and Marine Resources.

Soil cleanup levels which are protective of ecological resources must be considered and applied, as appropriate, for the upland soils (not sediment) at sites where DEC determines, based on the foregoing analysis, that:

- ecological resources are present, or will be present, under the reasonably anticipated future use of the site, and such resources constitute an important component of the environment at, or adjacent to, the site;
- an impact or threat of impact to the ecological resource has been identified; and
- contaminant concentrations in soil exceed the ESCOs as set forth in 6 NYCRR 375-6.8(b) or the Protection of Ecological Resources SSCOs contained in this document.

Sites or portions thereof that will be covered by buildings, structures or pavement are not subject to the ESCOs. Further, ecological resources do not include pets, livestock, agricultural or horticultural crops, or landscaping in developed areas. (See 6 NYCRR 375-6.6 for more detail.)

**D. Determination of Whether Protection of Groundwater SCOs Apply:** SCOs developed to protect groundwater are incorporated in the Unrestricted Use SCOs in 6 NYCRR Table 375-6.8(a) and are included as a separate category in 6 NYCRR Table 375-6.8(b). For contaminants of concern which do not have a protection of groundwater SCO, DEC may direct the remedial party to develop a soil cleanup level which is protective of groundwater using the process in Appendix E of the TSD.

1. Except as provided for in (2) below, the protection of groundwater SCOs will be applicable where:
  - (i) contamination has been identified in on-site soil by the remedial investigation; and
  - (ii) groundwater standards are, or are threatened to be, contravened by the presence of soil contamination at concentrations above the protection of groundwater SCOs.
2. DEC may provide an exception to the applicability of the protection of groundwater SCOs, as set forth in 6 NYCRR 375-6.5(a)(1), when (i), (ii), and (iii) exist and either (iv) or (v) also apply, as described below.
  - (i) The groundwater standard contravention is the result of an on-site source which is addressed by the remedial program.
  - (ii) An environmental easement or other institutional control will be put in place which provides for a groundwater use restriction.
  - (iii) DEC determines that contaminated groundwater at the site:
    - (a) is not migrating, nor is likely to migrate, off-site; or
    - (b) is migrating, or is likely to migrate, off-site; however, the remedy includes active groundwater management to address off-site migration.
  - (iv) DEC determines the groundwater quality will improve over time.
  - (v) The groundwater contamination migrating from the site is the result of an off-site source of contamination, and site contaminants are not contributing consequential amounts to the groundwater contamination.
3. In determining whether to provide the exemption set forth in subparagraph 2 above, DEC will consider:
  - (i) all of the remedy selection criteria at 6 NYCRR 375-1.8(h) or in the RCRA Corrective Action program;
  - (ii) the amount of time that the groundwater will need to be actively managed for the protection of public health and the environment; and
  - (iii) the potential impact that groundwater contamination may have on media not specifically addressed by the SCOs (e.g., vapor intrusion, protection of surface water, and protection of aquatic ecological resources).



**E. Supplemental Soil Cleanup Objectives:** SSCOs are either existing cleanup levels in Table 1 or are new soil cleanup levels developed by the remedial party as part of its remedial program. These SSCOs are in addition to the SCOs that are included in Part 375.

**Existing SSCOs:** The Table 1 list of SSCOs includes contaminants from former TAGM 4046 that were not included in 6 NYCRR 375-6.8 and soil cleanup levels developed using the process detailed in Appendix E of the TSD but not promulgated. For those contaminants which were part of the former TAGM 4046, soil cleanup levels exist for the protection of public health (based on ingestion) and for the protection of groundwater. In some cases, to be determined on a site-by-site basis, evaluation of other factors is likely needed for the protection of public health, especially when the use of a site includes residential use.

These other factors include other exposure pathways (e.g., homegrown vegetable ingestion, inhalation and dermal contact), potential non-site exposures to the contaminant and current toxicological data on the contaminant. In these instances, DEC (in consultation with NYSDOH) will determine if the additional factors have been adequately addressed. The SSCOs identified in Table 1 (subject to the limitation described above) may be used as if they were included in Part 375. A remedial party is not required to use the SSCOs set forth in Table 1. In lieu of applying an SSCO, the remedial party may elect to develop a soil cleanup level (using the process described in Appendix E of the TSD and discussed below.) Table 1 also includes SSCOs that were developed for some pathways using the same process detailed in the TSD. A remedial party may elect to use those SSCOs directly or confirm that the calculated value for that pathway is correct.

**New SSCOs:** The remedial party may elect to, or DEC may direct a remedial party to, develop a contaminant-specific SCO for any contaminant not included in 6 NYCRR Tables 375-6.8(a) or (b). Generally, DEC will request that an SCO be developed only where the contaminant is a predominant contaminant of concern (COC) at the site and is not otherwise being addressed to DEC's satisfaction as part of the proposed remedy. This could happen, for example, when a remedial party is seeking a Track 1 cleanup and non-SCO/SSCO contaminants are present and may not be satisfactorily addressed by the remedial activities addressing the SCOs or SSCOs. Guidance on the process for developing new SCOs is provided in Appendix E of the TSD. DEC will include all newly developed soil cleanup levels, developed and approved pursuant to this paragraph in a revised Table 1. The developed SSCO must:

1. be developed utilizing the same methodologies that were used by DEC to develop SCOs that are set forth in Part 375; and
2. apply the maximum acceptable soil concentrations (caps), as set forth in section 9.3 of the TSD.

**F. Use of SCOs and SSCOs as a Screening Tool:** The SCOs and SSCOs may be used to identify areas of soil contamination and to determine the extent of soil contamination. As noted in Section V.K, consideration of other media is required to determine if remedial action is needed.

1. At sites or areas of concern where contaminant concentrations are equal to or below the unrestricted SCOs in 6 NYCRR Table 375-6.8(a), no action or study is warranted because of soil contamination.

2. The exceedance of one or more applicable SCOs or SSCOs, (which is the lower of protection of public health, protection of groundwater, or protection of ecological resources soil cleanup objectives as described in Section III below), alone does not trigger the need for remedial action, define “unacceptable” levels of contaminants in soil, or indicates that a site qualifies for any DEC remedial program (e.g., BCP, SSF). As noted in the definition of SCO above, SCOs and SSCOs are applicable statewide and do not account for many site-specific considerations which could potentially result in higher levels. Therefore, soil concentrations that are higher than the applicable SCOs or SSCOs are not necessarily health or environmental concerns.
3. When an applicable SCO or SSCO is exceeded, the degree of public health or environmental concern depends on several factors, including:
  - magnitude of the exceedance;
  - accuracy of the exposure estimates;
  - other sources of exposure to the contaminant; and
  - strength and quality of the available toxicological information on the contaminant.

**G. Soil Cleanup Levels for Nuisance Conditions:** Experience has shown that contaminants in soil that meets the DEC-approved soil cleanup levels can exhibit a distinct odor or other type of nuisance (e.g., staining). This is true even though the contaminants will not leach from the soil (e.g., certain soils with more insoluble substances at higher concentrations). When DEC determines that soil remaining after the remedial action will result in the continuation of a nuisance (e.g., odors, staining, etc), DEC will require that additional remedial measures be evaluated, and may require additional remedial actions be taken to address the nuisance condition.

**H. Subsurface Soil Cleanup for Total Polycyclic Aromatic Hydrocarbons:** For non-residential use sites (i.e., commercial or industrial use sites) where the ESCOs are not applicable, DEC may approve a remedial program which achieves a soil cleanup level of 500 parts per million (ppm) for total PAHs for all subsurface soil. The 500 ppm soil cleanup level is in lieu of achieving all of the PAH-specific SCOs in 6 NYCRR 375-6. For purposes of this provision, subsurface soil shall mean the soil beneath permanent structures, pavement, or similar cover systems; or at least one foot of soil cover (which must meet the applicable SCOs). Institutional controls (e.g., an environmental easement) along with a site management plan will be required when this soil cleanup level is employed at a site. This cleanup level is determined to be feasible and protective based on DEC's experience in its various remedial programs. This approach has existed in TAGM 4046 since it was first issued in 1992.

**I. Soil Cleanup for PCBs:** DEC may approve a remedial program which achieves a soil cleanup level for PCBs as set forth herein:

1. **For Non-BCP sites:** An acceptable presumptive remedy for soil where neither the unrestricted SCOs nor the ESCOs are applied in the remedial program may include a soil cleanup level for PCBs of 1 ppm in the surface soils and 10 ppm in subsurface soils.
2. **For BCP sites:** An acceptable presumptive remedy for soil may include a soil cleanup level for PCBs of 1 ppm (the applicable SCO) in the surface soils and 10 ppm in subsurface in limited circumstances as follows:

- cleanup track is Track 4;
  - site use will be restricted residential, commercial or industrial; and
  - ESCOs do not apply.
3. **At industrial use sites**, a level of 25 ppm for PCBs provided that access is limited and individual occupancy is restricted to less than an average of 6.7 hours per week.

For purposes of this provision, subsurface soil shall mean:

- soil beneath permanent structures, pavement, or similar cover systems;
- soil beneath 1 foot of soil cover for commercial and industrial uses; or
- soil beneath 2 feet of soil cover for residential and restricted residential uses.

Institutional controls (i.e., an environmental easement), along with a site management plan, will be required when this soil cleanup level is employed at a site. As with all presumptive remedies, just because a remedy is presumptive does not mean that it will work at every site. For example, this presumptive remedy for PCBs in soil is not applicable at most landfills. This cleanup level is determined to be feasible and protective based on DEC's experience in its various remedial programs. Further, this approach has existed in TAGM 4046 since it was first issued in 1992.

**J. Sampling and Compliance with Soil Cleanup Levels:** The number of samples to determine if the SCOs have been achieved should be sufficient to be representative of the area being sampled. See attached Table 4 for suggested sampling frequency and subdivision 5.4(e) of DER-10 for details. This frequency can be used for confirmatory samples or for backfill. It is DEC's goal that all confirmatory samples demonstrate that the remedy has achieved the DEC-approved soil cleanup levels. However, recognizing the heterogeneity of contaminated sites and the uncertainty of sampling and analysis, DEC project manager has limited discretion to determine that remediation is complete where some discrete samples do not meet the soil cleanup levels established for a site. See DER-10 for more information regarding the determination that remediation is complete.

**K. Other Considerations:** All remedies must be fully protective of public health and the environment and prevent off-site migration to the extent feasible with special emphasis for the prevention or minimization of migration onto adjacent residential properties or into ecological resources. A remedial party is required to investigate all environmental media including soil, groundwater, surface water, sediments, soil vapor, indoor air, and biota. (See 6 NYCRR 375-1.8(a)(6) or RCRA Corrective Action Program). This investigation will determine if any of the referenced media are, or may be, impacted by site contamination. However, the SCOs do not directly address these other media. DEC may require remedial actions to address such media and impacts, including but not limited to the application of lower soil cleanup levels or buffer zones where it determines, based on the investigation, that any of these media are, or may be, impacted by site contamination.

## **VI. Related References:**

- ◆ Environmental Conservation Law, Article 27 Titles 3, 5, 9, 13 and 14.
- ◆ Article 12 of the Navigation Law, Section 178.

- ♦ 6 NYCRR Part 375, Environmental Remediation Programs. December 14, 2006.
- ♦ 6 NYCRR Subparts 373-1, 373-2 and 373-3, Requirements for Hazardous Waste Management Facilities. September 6, 2006.
- ♦ 6 NYCRR Part 611, Environmental Priorities and Procedures in Petroleum Cleanup and Removal. November 5, 1984 (amended).
- ♦ [Development of Soil Cleanup Objectives: Technical Support Document](#). New York State Department of Environmental Conservation. December 14, 2006.
- ♦ Supplemental Guidance to RAGS: Calculating the Concentration Term. United States Environmental Protection Agency. Publication 9285.7-081. May 1992.
- ♦ New York State Guidelines for Urban Erosion and Sediment Control. 1997.
- ♦ Fish and Wildlife Impact Analysis for Inactive Hazardous Waste Sites. New York State Department of Environmental Conservation. October 1994.
- ♦ [Program Policy DER-2, Making Changes to Selected Remedies](#). New York State Department of Environmental Conservation. April 1, 2008.
- ♦ [Program Policy DER-10, Technical Guidance for Site Investigation and Remediation](#). New York State Department of Environmental Conservation. May 3, 2010.
- ♦ [Program Policy DER-15, Presumptive/Proven Remedial Technologies](#). New York State Department of Environmental Conservation. February 27, 2007.

## **TABLES**

- 1 - Supplemental Soil Cleanup Objectives**
- 2 - Soil Cleanup Levels for Gasoline Contaminated Soils**
- 3 - Soil Cleanup Levels for Fuel Oil Contaminated Soils**
- 4 - Recommended Number of Soil Samples for Soil Imported to or Exported From a Site**

**Table 1**  
**Supplemental Soil Cleanup Objectives**  
(ppm)

Contaminant	CAS Number	Residential	Restricted Residential	Commercial	Industrial	Protection of Ecological Resources	Protection of Ground-water
<b>METALS</b>							
Aluminum	7429-90-5					10,000 <sup>a,b</sup>	
Antimony	7440-36-0					12 <sup>c</sup>	
Boron	7440-42-8					0.5	
Calcium	7440-70-2					10,000 <sup>a,b</sup>	
Cobalt	7440-48-4	30				20	
Iron	7439-89-6	2,000					
Lithium	7439-93-2					2	
Molybdenum	7439-98-7					2	
Technetium	7440-26-8					0.2	
Thallium	7440-28-0					5 <sup>c</sup>	
Tin	7440-31-5					50	
Uranium	7440-61-1					5	
Vanadium	7440-62-2	100 <sup>a</sup>				39 <sup>b</sup>	
<b>PESTICIDES</b>							
Biphenyl	92-52-4					60	
Chlordecone (Kepone)	143-50-0					0.06	
Dibenzofuran	132-64-9						6.2
2,4-D (2,4-Dichloro-phenoxyacetic acid)	94-75-7	100 <sup>a</sup>					0.5
Furan	110-00-9					600	
Gamma Chlordane	5103-74-2	0.54					14
Heptachlor Epoxide	1024-57-3	0.077					0.02
Methoxychlor	72-43-5	100 <sup>a</sup>				1.2	900

Contaminant	CAS Number	Residential	Restricted Residential	Commercial	Industrial	Protection of Ecological Resources	Protection of Ground-water
Parathion	56-38-2	100 <sup>a</sup>					1.2
2,4,5-T	93-76-5	100 <sup>a</sup>					1.9
2,3,7,8-TCDD	1746-01-6					0.000001	
2,3,7,8-TCDF	51207-31-9					0.000001	
<b>SEMIVOLATILE ORGANIC COMPOUNDS</b>							
Aniline	62-53-3	48	100 <sup>a</sup>	500 <sup>a</sup>	1000 <sup>a</sup>		0.33 <sup>b</sup>
Bis(2-ethylhexyl) phthalate	117-81-7	50				239	435
Benzoic Acid	65-85-0	100 <sup>a</sup>					2.7
Butylbenzyl-phthalate	85-68-7	100 <sup>a</sup>					122
4-Chloroaniline	106-47-8	100 <sup>a</sup>					0.22
Chloroethane	75-00-3						1.9
2-Chlorophenol	95-57-8	100 <sup>a</sup>				0.8	
3-Chloroaniline	108-42-9					20	
3-Chlorophenol	108-43-0					7	
Di-n-butyl-phthalate	84-74-2	100 <sup>a</sup>				0.014	8.1
2,4-Dichlorophenol	120-83-2	100 <sup>a</sup>				20	0.40
3,4-Dichlorophenol	95-77-2					20	
Diethylphthalate	84-66-2	100 <sup>a</sup>				100	7.1
Di-n-hexyl-phthalate	84-75-3					0.91	
2,4-Dinitrophenol	51-28-5	100 <sup>a</sup>				20	0.2
Dimethylphthlate	131-11-3	100 <sup>a</sup>				200	27
Di-n-octylphthlate	117-84-0	100 <sup>a</sup>					120
1,2,3,6,7,8-HCDF	57117-44-9					0.00021	
Hexachloro-benzene	118-74-1	0.41					1.4
2,6-Dinitrotoluene	606-20-2	1.03					1.0
Isophorone	78-59-1	100 <sup>a</sup>					4.4

Contaminant	CAS Number	Residential	Restricted Residential	Commercial	Industrial	Protection of Ecological Resources	Protection of Ground-water
4-methyl-2-pentanone	108-10-1						1.0
2-methyl-naphthalene	91-57-6	0.41					36.4
2-Nitroaniline	88-74-4						0.4
3-Nitroaniline	99-09-2						0.5
Nitrobenzene	98-95-3	3.7	15	69	140	40	0.17 <sup>b</sup>
2-Nitrophenol	88-75-5					7	0.3
4-Nitrophenol	100-02-7					7	0.1
Pentachloroaniline	527-20-8					100	
2,3,5,6-Tetrachloroaniline	3481-20-7					20	
2,3,4,5-Tetrachlorophenol	4901-51-3					20	
2,4,5-Trichloroaniline	636-30-6					20	
2,4,5-Trichlorophenol	95-95-4	100 <sup>a</sup>				4	0.1
2,4,6-Trichlorophenol	88-06-2					10	
<b>VOLATILE ORGANIC COMPOUNDS</b>							
2-Butanone	78-93-3	100 <sup>a</sup>					0.3
Carbon Disulfide	75-15-0	100 <sup>a</sup>					2.7
Chloroacetamide	79-07-2					2	
Dibromochloromethane	124-48-1					10	
2,4-Dichloro aniline	554-00-7					100	
3,4-Dichloroaniline	95-76-1					20	
1,2-Dichloropropane	78-87-5					700	
1,3-Dichloropropane	142-28-9						0.3
2,6-Dinitrotoluene	606-20-2	1.03					0.17 <sup>b</sup>
Ethylacetate	141-78-6					48	

Contaminant	CAS Number	Residential	Restricted Residential	Commercial	Industrial	Protection of Ecological Resources	Protection of Ground-water
4-methyl-2-pentanone	108-10-1						1.0
113 Freon (1,1,2- TFE)	76-13-1	100 <sup>a</sup>					6
isopropylbenzene	98-82-8	100 <sup>a</sup>					2.3
p-isopropyltoluene	99-87-6						10
Hexachlorocyclopentadiene	77-47-4					10	
Methanol	67-56-1					6.5	
N-nitrosodiphenylamine	86-30-6					20	
Pentachlorobenzene	608-93-5					20	
Pentachloronitrobenzene	82-68-8					10	
Styrene	100-42-5					300	
1,2,3,4-Tetrachlorobenzene	634-66-2					10	
1,1,2,2-Tetrachloroethane	79-34-5	35					0.6
1,1,2,2-Tetrachloroethylene	127-18-4					2	
1,2,3-Trichlorobenzene	87-61-6					20	
1,2,4-Trichlorobenzene	120-82-1					20	3.4
1,2,3-Trichloropropane	96-18-4	80					0.34

<sup>a</sup> SCOs for organic contaminants (volatile organic compounds, semivolatile organic compounds, and pesticides) are capped at 100 ppm for residential use, 500 ppm for commercial use, 1000 ppm for industrial use. SCOs for metals are capped at 10,000 ppm.

<sup>b</sup> Based on rural background study

<sup>c</sup> SCO limited by contract required quantitation limit.



**Table 2****Soil Cleanup Levels for Gasoline Contaminated Soils**

Contaminant	CAS Registry Number	Soil Cleanup Level (ppm)
Benzene	71-43-2	0.06
n-Butylbenzene	104-51-8	12.0
sec-Butylbenzene	135-98-8	11.0
Ethylbenzene	100-41-4	1.0
Isopropylbenzene	98-82-8	2.3
p-Isopropyltoluene	99-87-6	10.0
Methyl-Tert-Butyl-Ether	1634-04-4	0.93
Naphthalene	91-20-3	12.0
n-Propylbenzene	103-65-1	3.9
Tert-Butylbenzene	98-06-6	5.9
Toluene	108-88-3	0.7
1,2,4-Trimethylbenzene	95-63-6	3.6
1,3,5-Trimethylbenzene	108-67-8	8.4
Xylene (Mixed)	1330-20-7	0.26

**Table 3****Soil Cleanup Levels for Fuel Oil Contaminated Soil**

<b>Contaminant</b>	<b>CAS Registry Number</b>	<b>Soil Cleanup Level (ppm)</b>
Acenaphthene	83-32-9	20
Acenaphthylene	208-96-8	100
Anthracene	120-12-7	100
Benz(a)Anthracene	56-55-3	1.0
Dibenzo(a,h)Anthracene	53-70-3	0.33
Benzene	71-43-2	0.06
n-Butylbenzene	104-51-8	12.0
sec-Butylbenzene	135-98-8	11.0
Tert-Butylbenzene	98-06-6	5.9
Chrysene	218-01-9	1.0
Ethylbenzene	100-41-4	1.0
Fluoranthene	206-44-0	100
Benzo(b)Fluoranthene	205-99-2	1.0
Benzo(k)Fluoranthene	207-08-9	0.8
Fluorene	86-73-7	30
Isopropylbenzene	98-82-8	2.3
p-Isopropyltoluene	99-87-6	10.0
Naphthalene	91-20-3	12.0
n-Propylbenzene	103-65-1	3.9
Benzo(g,h,i)Perylene	191-24-2	100
Phenanthrene	85-01-8	100
Pyrene	129-00-0	100
Benzo(a)Pyrene	50-32-8	1.0
Indeno(1,2,3-cd)Pyrene	193-39-5	0.5
1,2,4-Trimethylbenzene	95-63-6	3.6
1,3,5-Trimethylbenzene	108-67-8	8.4
Toluene	108-88-3	0.7
Xylene (Mixed)	1330-20-7	0.26

**Table 4****Recommended Number of Soil Samples for Soil Imported To or Exported From a Site**

Contaminant	VOCs <sup>a</sup>	SVOCs, Inorganics & PCBs/Pesticides	
Soil Quantity (cubic yards)	Discrete Samples	Composite	Discrete Samples/Composite
0-50	1	1	Each composite sample for analysis is created from 3-5 discrete samples from representative locations in the fill.
50-100	2	1	
100-200	3	1	
200-300	4	1	
300-400	4	2	
400-500	5	2	
500-800	6	2	
800-1000	7	2	
➤ 1000	Add an additional 2 VOC and 1 composite for each additional 1000 Cubic yards or consult with DER. <sup>b</sup>		

<sup>a</sup> VOC samples cannot be composited. Discrete samples must be taken to maximize the representativeness of the results.

<sup>b</sup> For example, a 3,000 cubic yard soil pile to be sampled and analyzed for VOCs would require 11 discrete representative samples. The same pile to be sampled for SVOCs would require 4 composite samples with each composite sample consisting of 3-5 discrete samples.

## **Appendix I – SWPPP Amendments**

The Owner/Operator shall have a Qualified Professional amend the SWPPP when one or more of the following occur:

- There is a significant change in design, construction, operation, or maintenance which may have a significant effect on the potential for the discharge of pollutants to the waters of the United States and which has not otherwise been addressed in the SWPPP; or
- The SWPPP proves to be ineffective in:
  - Eliminating or significantly minimizing pollutants from sources identified in the SWPPP and as required by this permit; or
  - Achieving the general objectives of controlling pollutants in stormwater discharges from permitted construction activity.

Additionally, the SWPPP shall be amended to identify any new Contractor or Subcontractor that will implement any measure of the SWPPP.

The following information should be documented in this section:

- Dates when major grading activities occur;
- Dates when construction activities temporarily or permanently cease on a portion of the Project Area; and
- Dates when stabilization measures (temporary and permanent) are initiated.

## **Appendix J – SWPPP Inspection Reports**

- Blank SWPPP Inspection Form -
- Completed SWPPP Inspection Reports -

## **Appendix J – Blank SWPPP Inspection Form**



General Project Information					
Project Name:					
SPDES Permit Number:		Type of Construction Activities Being Completed:			
Date of Inspection:					
Inspector's Name:					
Time On Site:					
Time Off Site:		Inspection Type:			
General Project Notes:					
SWPPP Amendment Required:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	If yes, describe:		

Weather Information		
Has there been a storm event since the last inspection?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, what was the approx. amount of precipitation (inches) since the last inspection:		
Weather conditions at the time of inspection?		Temperature: °F
<input type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Rain <input type="checkbox"/> Sleet <input type="checkbox"/> Snow <input type="checkbox"/> Fog <input type="checkbox"/> High Winds		
Does the Project Site discharge to natural surface waterbodies located within or immediately adjacent to the Project area?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, describe:		
Were there any discharges observed at the time of inspection?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, were sediment laden discharges observed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Describe:		
If yes, was erosion or sedimentation observed at the discharge location?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Describe:		
<b>Soil Condition:</b>		
Were areas of soil disturbance observed at the time of inspection?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, describe:		

### Maintaining Water Quality

Water Quality Observations	Yes	No	N/A
Is there an increase in turbidity causing a substantial visual contrast to natural conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is there residue from oil and floating substances, visible oil film, or grease or globules?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are all disturbances within the approved limits, as outlined on the plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have receiving waterbodies and/or wetland been impacted by the Project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are the concrete washout facilities located a minimum of 100 feet from sensitive areas and properly maintained?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Comments:</b>			

### General Housekeeping

Site Conditions	Yes	No	N/A
Is construction site litter and debris appropriately managed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are facilities and equipment necessary for implementation of erosion and sediment controls in working and/or properly maintained?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is construction impacting adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is dust adequately controlled?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Comments:</b>			



## Runoff Control Practices

Temporary Stream Crossings	Yes	No	N/A
Are the maximum necessary diameter pipes installed to span stream without dredging?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is non-woven geotextile fabric installed beneath the approaches?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is fill composed of aggregate (no earthen or soil material)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the rock on approaches clean enough to remove mud/sediment from vehicles and prevent sediment from entering the stream during high flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Comments:</b>			

Excavation Dewatering	Yes	No	N/A
Are upstream and downstream berms (sandbags, inflatable dams, etc.) are installed per the Construction Drawings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is clean water from the upstream pool being pumped to the downstream pool?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is sediment laden water from the work area being discharged to a sediment trapping device?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the water discharging from the sediment trapping device clear and free of sediment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the constructed upstream berm have a minimum of one-foot freeboard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Comments:</b>			

Flow Spreader(s)	Yes	No	N/A
Is the flow spreader installed per the Construction Drawings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was the flow spreader constructed on undisturbed soil, not on fill?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the flow spreader receive only clear, non-sediment laden flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the discharge from the flow spreader sheet flow out of the spreader without erosion downstream?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Comments:</b>			

Interceptor Dikes and Swales	Yes	No	N/A
Is the dike/swale installed per the Construction Drawings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has the dike/swale been stabilized by geotextile fabric, seed, and/or mulch?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was erosion observed within the dike/swale?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is sediment-laden runoff directed to a sediment trapping device?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Comments:</b>			

Stone Check Dam(s)	Yes	No	N/A
Are the check dams in good condition (rocks in place and no ponding behind the dams)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has geotextile fabric been placed beneath the rock fill?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was sediment accumulation greater than 50% of the design capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was erosion observed within the channel?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Comments:</b>			





Rock Outlet Protection	Yes	No	N/A
Is the rock outlet protection installed per approved plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was the outlet protection installed concurrently with pipe installation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have the rocks been displaced?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the sediment accumulation 0% of the design capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:			

### Soil Stabilization

Topsoil and Spoil Stockpiles	Yes	No	N/A
Are stockpiles properly stabilized and contained?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are sediment control installed at the toe of the slope?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are idle soil stockpiles are stabilized with vegetation and/or mulch?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:			

Revegetation	Yes	No	N/A
Has temporary seed and mulch been applied to idle areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has a minimum of 4 inches of topsoil been applied under permanent seeding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:			

### Sediment Control Practices

Stabilized Construction Entrance(s)	Yes	No	N/A
Is the entrance installed per the Construction Drawings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the stone clean enough to effectively remove mud/sediment from vehicle tires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does all traffic enter and exit the site at the stabilized construction entrance(s)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is adequate drainage provided to prevent ponding at the entrance(s)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:			

Linear Sediment Control Barriers	Yes	No	N/A
Are the sediment controls installed along the contour, 10 feet from toe of slope and not within conveyance channels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are silt fence joints constructed by wrapping the two ends together for continuous support?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the silt fence fabric is buried a minimum of 6 inches?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are the posts stable and the fabric is tight and without rips/frayed areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the compost filter sock have good contact with the soil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the sediment accumulation 0% of the design capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:			



Storm Drain Inlet Protection	Yes	No	N/A
Is the inlet protection installed in accordance with the Construction Drawings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the inlet protection structurally sound?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are the posts stable and the fabric is tight and without rips/frayed areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the sediment accumulation greater than 50% of the design capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Comments:</b>			

Temporary Sediment Basin	Yes	No	N/A
Is the basin and outlet structure constructed per the Construction Drawings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are the basin side slopes stabilized?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was the drainage structure flushed and basin surface restored upon removal of the sediment basin facility?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the sediment basin dewatering at an appropriate rate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the sediment accumulation greater than 50% of the design capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Comments:</b>			

Temporary Sediment Trap	Yes	No	N/A
Is the outlet structure constructed per the Construction Drawings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has geotextile fabric been placed beneath the rock fill?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are the sediment trap slopes and disturbed areas are stabilized?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the sediment accumulation greater than 50% of the design capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Comments:</b>			

Note: Not all erosion and sediment control practices are included in this listing. Add additional pages to this list as required by site specific design. All practices shall be maintained in accordance with their respective standards.

\_\_\_\_\_  
Qualified Inspector

\_\_\_\_\_  
Qualified Inspector Signature

\_\_\_\_\_  
Qualified Professional

\_\_\_\_\_  
Qualified Professional Signature

The above signed acknowledges that, to the best of his/her knowledge, all information provided in this report is accurate and complete. If there are any questions, comments, or concerns regarding the contents of this report, feel free to contact Inspector's Name at XXX-XXX-XXXX or email address.

## Sketch Map

<b>Legend:</b>		Area of Active Soil Disturbance		Area has Achieved Temporary Stabilization
		Area of Inactive Soil Disturbance		Area has Achieved Final Stabilization



### Inspection Photographs

1		2	

3		4	

5		6	

7		8	

9		10	

11		12	

## **Appendix J – Completed SWPPP Inspection Reports**