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**PSEG LONG ISLAND LLC**

# **Stormwater Pollution Prevention Plan–Commercial Avenue Terminal**

Project No. 178669

Revision 0

May 1, 2026





# SWPPP Preparer Certification Form

## SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b., the completed form must be attached to the eNOI and submitted to NYSDEC electronically.)

**Project/Site Name:**

Commercial Avenue Terminal

**eNOI Submission ID:**

HQN-55XT-QM8PG

**Owner/Operator Name:**

PSEG Long Island, LLC

### Certification Statement – SWPPP Preparer

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) has been prepared in accordance with the requirements of GP-0-25-001. I certify under penalty of law that the SWPPP and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Brendan

W

Maurer

SWPPP Preparer First Name

MI

SWPPP Preparer Last Name

Signature



May 1, 2026

Date



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This certification is limited to the Civil-Site Plans and Stormwater Management Study prepared for the Commercial Avenue Terminal project. I am not certifying SWPPP components or construction activities outside this defined scope.

Michael

J

Blake

SWPPP Preparer First Name

MI

SWPPP Preparer Last Name

Signature



May 1, 2026

Date

# Contents

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- 1.0 Introduction..... 1-1
- 2.0 Contact List..... 2-1
- 3.0 Project Description ..... 3-1
  - 3.1 Climate Change Considerations ..... 3-1
  - 3.2 Existing Land Use and Topography ..... 3-2
  - 3.3 Wetlands and Aquatic Resources ..... 3-2
  - 3.4 Soils and Groundwater ..... 3-2
  - 3.5 Proposed Site Improvements..... 3-2
  - 3.6 Sequence and Estimated Dates of Construction Activities ..... 3-2
  - 3.7 Potential Pollutants ..... 3-3
- 4.0 Best Management Practices ..... 4-1
  - 4.1 Erosion and Sediment Control Measures..... 4-1
  - 4.2 Stabilized Construction Access ..... 4-2
  - 4.3 Dust Control..... 4-2
  - 4.4 Sediment Barriers ..... 4-2
  - 4.5 Inlet Protection ..... 4-2
  - 4.6 Stabilization Practices..... 4-3
  - 4.7 Measures to Protect Vegetation ..... 4-3
  - 4.8 Post-Construction Stormwater Management Measures ..... 4-3
- 5.0 Good Housekeeping..... 5-1
  - 5.1 Material Handling..... 5-1
  - 5.2 Solid and Liquid Waste Disposal ..... 5-1
  - 5.3 Hazardous Waste ..... 5-1
  - 5.4 Sanitary Waste ..... 5-1
  - 5.5 Water Source..... 5-2
- 6.0 Spill Prevention and Control Measures ..... 6-1
  - 6.1 Material Management Practices..... 6-1
  - 6.2 Non-Petroleum Products..... 6-1
  - 6.3 Petroleum Products ..... 6-1
  - 6.4 Spill Control and Cleanup..... 6-2
- 7.0 Maintenance and Inspections..... 7-1
  - 7.1 Trained Contractor..... 7-1
  - 7.2 Qualified Inspector ..... 7-1
  - 7.3 Inspection Reports..... 7-2
  - 7.4 Corrective Action ..... 7-3



7.5 SWPPP Amendments ..... 7-3

8.0 Contractors Certification..... 8-1

9.0 Notice of Intent..... 9-1

10.0 Letter of Authorization ..... 10-1

11.0 Termination of Permit Coverage ..... 11-1

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- Appendix A -SPDES GENERAL PERMIT
- Appendix B – SOILS MAPS
- Appendix C – INSPECTION REPORTS
- Appendix D – RECORDS OF REVISIONS
- Appendix E – NOTICE OF INTENT (NOI)
- Appendix F – LETTER OF AUTHORIZATION
- Appendix G – NOTICE OF TERMINATION
- Appendix H – PROJECT PLANS
- Appendix I – STORMWATER MANAGEMENT STUDY

## Tables

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Table 2-1: SWPPP Contact List.....2-1



## List of Abbreviations

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Abbreviation	Term/Phrase/Name
AST	Aboveground Storage Tank
BMcD	Burns & McDonnell EGS, P.C.
BMP	Best Management Practice
CRRA	Community Risk and Resiliency Act
DPS	Department of Public Service
ECL	Environmental Conservation Law
EM&CP	Environmental Management and Construction Plan
eNOI	Electronic Notice of Intent
eNOT	Electronic Notice of Termination
EPA	Environmental Protection Agency
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
HSG	Hydrologic Soil Group
ID	Identification
kV	Kilovolt
NO	Number
NOI	Notice of Intent
NOT	Notice of Termination
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NYSDEC	New York State Department of Environmental Conservation
PPE	Personal Protective Equipment
ROW	Right-of-way
SDS	Safety Data Sheets
SPDES	New York State Pollutant Discharge Elimination System
SWPPP	Stormwater Pollution Prevention Plan
TBD	To Be Determined
USDA	United States Department of Agriculture



# 1.0 Introduction

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This Stormwater Pollution Prevention Plan (“SWPPP”) has been prepared on behalf of PSEG Long Island LLC (“Applicant”) in support of the Commercial Avenue Equipment Project (“Project”). The Project is subject to Article VII of the New York State (“NYS”) Public Service Law (“PSL”), Case No. 25-T-0243. The Applicant has petitioned the New York State Public Service Commission (“PSC”) for an amended Certificate of Environmental Compatibility and Public Need (“Certificate” or “CECPN”).

The overall project includes the installation of two sets of three single phase air-core reactors and modifications to two existing high pressure fluid filled (HPFF) electric transmission lines, in the Town of Hempstead, Nassau County, New York. Town of Hempstead is an MS4 community, however PSEG Long Island anticipates that the Town of Hempstead will provide the MS4 No Jurisdiction form.

This SWPPP has been prepared for the proposed reactors and equipment at the Commercial Avenue Terminal. Separate SWPPP(s) will be submitted for the remaining Project activities, including termination of the subject HPFF (High Pressure Filled Fluid) electric transmission lines into the Terminal facility addressed in this SWPPP.

Pursuant to Section 402 of the Environmental Protection Agency’s (“EPA”) Clean Water Act, stormwater discharges from certain construction activities are unlawful unless they are authorized by a National Pollutant Discharge Elimination System (“NPDES”) permit or state permit program. New York’s State Pollutant Discharge Elimination System (“SPDES”) General Permit for Stormwater Discharges from Construction Activity, Permit No. GP-0-25-001, is issued pursuant to Article 17, Titles 7, 8 and Article 70 of the Environmental Conservation Law (“ECL”). The SPDES General Permit authorizes stormwater discharges to surface waters of the State of New York from construction activities identified within the General Permit which includes construction activities that disturb one or more acres of land. A copy of the SPDES General Permit is provided in Appendix A.

PSEG Long Island will be considered the owner/operator of all aspects of the Project and will file a Notice of Intent (“NOI”) with the New York State Department of Environmental Conservation (“NYSDEC”) prior to the commencement of construction.

All contractors working on the Project must comply with the requirements of the SWPPP and perform their operations in strict conformance with the SPDES General Permit. All contractors performing earth-disturbing activities (e.g. clearing, grading, excavating) will be required to sign the Contractor’s Certification, located in Chapter 8.0, acknowledging the SWPPP and agreeing to comply with its terms and conditions.

## 2.0 Contact List

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Prior to the commencement of construction activity, PSEG Long Island LLC will identify Project personnel who will have day-to-day operational control of construction activities and responsibility for installation, construction, inspection, and maintenance of erosion and sediment control practices. The Environmental Compliance Manager will be responsible for the implementation of the SWPPP. The Site Manager or Construction Supervisor will be required to be on-site when earth-disturbing activities are performed. Table 2-1 indicates the Project team members responsible for development, implementation, and compliance with the SWPPP.

**Table 2-1: SWPPP Contact List**

Responsibility	Name	Company	Contact Number
Owner/Operator & Project Manager	Jim Godfrey	PSEG Long Island LLC	516-383-8005
Environmental Compliance Manager	TBD	-	-
Site Manager	TBD	-	-
Construction Supervisor	TBD	-	-
SWPPP Preparer	Brendan Maurer	Burns & McDonnell	475-212-5298
Civil Engineer	Jason Ringer	Burns & McDonnell	816-678-7828

## 3.0 Project Description

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The proposed project site is located at the corner of Commercial Avenue and Quentin Roosevelt Boulevard in the Town of Hempstead, Nassau County. The work area is associated with the existing underground transmission system and includes roadway frontage and utility corridor areas along Commercial Avenue and Quentin Roosevelt Boulevard. The Project area is developed and consists primarily of paved roadway surfaces, utility access areas, and adjacent disturbed land associated with existing electrical infrastructure. The Terminal parcel contains approximately 1.2 acres; the LOD for the Terminal construction encompasses approximately 2.40 acres.

The proposed work includes the installation of two (2) new series terminations to facilitate the tie-in of existing transmission lines 138-462 and 138-463 to new reactors.

The surrounding area is characterized by industrial, commercial, transportation, and utility-related land uses typical of this portion of Hempstead. Stormwater runoff in the immediate vicinity is expected to flow over impervious surfaces to existing roadway drainage systems or infiltrate in adjacent pervious areas where present. Based on the developed nature of the site, no natural waterbodies are known to occur within the immediate work limits.

### 3.1 Climate Change Considerations

The project design and SWPPP preparation considered future physical risks due to climate change pursuant to the Community Risk and Resiliency Act (CRRA), 6 NYCRR Part 490, and associated NYSDEC guidance. Consideration was given to increasing temperature, increasing precipitation, increasing variability in precipitation including potential drought conditions, increasing frequency and severity of flooding, rising sea level where applicable, increasing storm surge where applicable, and shifting ecological conditions.

These considerations were evaluated during overall site planning and during development of the erosion and sediment control practices, stormwater conveyance systems, and detention practices included in the project design and SWPPP.

Project planning incorporated practices intended to maintain erosion and sediment control effectiveness during larger and more variable precipitation events. Temporary and permanent stabilization measures will be implemented as grading progresses to minimize exposed soil and reduce the potential for sediment transport during storm events. Disturbed areas will be stabilized as soon as practicable following final grading activities.

The location, elevation, and sizing of erosion and sediment control measures, conveyance systems, and stormwater management practices were selected considering anticipated site runoff conditions, drainage patterns, contributing drainage areas, and site topography. Temporary controls may be adjusted in the field as necessary to address changing site conditions, precipitation patterns, and construction sequencing.

The NYSDEC accepted substation yard section Stormwater Management Practice (SMP) provides excess storage for stormwater events, which aids the SMP's performance in the future with larger or more intense rainfall events.

### **3.2 Existing Land Use and Topography**

The Project area is located within a developed industrial/commercial corridor containing transportation infrastructure, utility facilities, paved roadways, and other previously disturbed land. Commercial Avenue borders the site to the south, Quentin Roosevelt Boulevard to the east, an existing rail line to the north, and a gravel vehicle storage lot to the west. Surface runoff is expected to flow toward existing low points and adjacent drainage infrastructure consistent with surrounding developed conditions. Existing land cover within the limits of disturbance consists primarily of gravel surface areas, asphalt pavement, concrete surfaces, and maintained utility corridors. A chain link fence encloses much of the site.

The site features relatively flat to gently sloping topography, with elevations ranging from approximately 76 to 83 feet referenced to the North American Vertical Datum (“NAVD88”). Existing slopes generally range from 1.0 percent to 3.2 percent. The Property is noted as an “Area of Minimal Flood Hazard, Zone X”, i.e., not within 100-Year or 500-Year Federal Emergency Management Agency (“FEMA”) flood zones according to FEMA Flood Insurance Rate Map (“FIRM”) Number 36059C0226G, effective date September 11<sup>th</sup>, 2009.

No substantial permanent changes in grade are anticipated outside the immediate trenching and restoration limits associated with construction activities. Refer to Appendix H, Project Plans, for additional site layout and topographic information.

### **3.3 Wetlands and Aquatic Resources**

Publicly available online data provided by various agencies and organizations was evaluated and no publicly recognized wetlands, streams, or other aquatic resource is located on or adjacent to the Project site. A field survey confirmed that no regulated wetlands, waterbodies, or associated buffer zones are located within the Project area.

### **3.4 Soils and Groundwater**

The United States Department of Agriculture (“USDA”) Natural Resources Conservation Service (“NRCS”) Web Soil Survey indicates that the site is mapped as Urban Land (Ug), indicating disturbed urbanized conditions with limited mapped native soil characterization. The site is assumed to consist of well-drained sandy outwash soils consistent with Hydrologic Soil Group A and deep groundwater conditions typical of the regional setting. The NRCS Web Soil Survey is located in Appendix B.

### **3.5 Proposed Site Improvements**

The proposed Commercial Avenue Terminal site will consist of a permeable substation pad system, bound by fences, and access driveways. The site will consist of approximately 0.78 acres of substation pad surface, 0.34 acres of asphalt roadways, and 0.04 acres of concrete foundations and paving. Water quality and quantity control measures are incorporated into the design.

### **3.6 Sequence and Estimated Dates of Construction Activities**

Construction activities will limit disturbance to the extent possible to construct the Project in a safe and efficient manner. The principal components of the work to be performed include the following:

1. Request utility mark outs by calling 811 : Call Before You Dig.
2. Flag or stake out limits of disturbance.
3. Construct stabilized construction entrances.



4. Install perimeter erosion control measures such as silt fence and inlet protection prior to ground disturbance.
5. Clear and grub vegetation, as required.
6. Strip and stockpile topsoil where present.
7. Construction staking of all foundation corners, utilities, access drives, fences and other site appurtenances.
8. Remove unsuitable soils, if encountered, and grade site, as required.
9. Install silt fence at the perimeter of stockpiles if created because of site grading activities.
10. Install geotextile (if needed) and gravel or crushed stone to stabilize station yard.
11. Install foundations and electrical equipment.
12. Pave internal station roads and entrances.
13. Apply temporary seed and mulch to exposed soils throughout all phases of construction. Install and maintain additional erosion and sediment control practices as needed.
14. Upon final stabilization, clean any sediment from storm drainage system and remove temporary erosion and sediment control measures.

Site preparation at the Project will begin following issuance of a Notice to Proceed from DPS. Work at the Project is estimated to begin in July 2026 and conclude in May 2027.

### 3.7 Potential Pollutants

The purpose of this section is to identify pollutants that could impact stormwater during construction. Any activities or processes that result either in the generation of stormwater or the potential to add pollutants to runoff are subject to the requirements of the SWPPP. This includes all areas of land disturbed either through earthwork or material storage. Potential pollutant sources of sediment to stormwater runoff include:

- Fugitive Dust
- Grading Operations
- Excavation Spoils
- Vehicle Tracking
- Imported Fill Materials and Stockpiles

Potential pollutants and sources, other than sediment, to stormwater runoff include:

- Construction Materials
- Construction Debris and Trash
- Fuel, Hydraulic Oils, Lubricants and Antifreeze
- Concrete Washout

Practices for the proper handling, transport, storage, and disposal of all petroleum products and chemicals that will be used on this Project are provided in Chapter 6.0.



## 4.0 Best Management Practices

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The following sections include information regarding proposed erosion and sediment control measures to be used on the Project during construction until final stabilization is achieved. Final stabilization means that all soil disturbance activities have ceased and a uniform, perennial vegetative cover with a density of eighty 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. All soil erosion and sediment control best management practices (“BMPs”) conform with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control (“Blue Book”), dated November 2016.

### 4.1 Erosion and Sediment Control Measures

Soil erosion and sediment control BMPs are used to reduce the amount of soil particles carried from a disturbed land area and deposited into receiving waters or sewer collection systems. Any BMPs used must be in accordance with the Certificate of Environmental Compatibility and Public Need. Based on field conditions at the time of construction, Project personnel may adjust the location and types of BMPs so that erosion and sedimentation are controlled to the greatest extent practicable. If adjustments are made, then this SWPPP will be modified accordingly. However, in no case will modifications to the SWPPP result in less stringent erosion and sediment control BMPs than specified herein and on the EM&CP plans in Appendix H. Revisions to the SWPPP will be recorded on the Record of Revisions form provided in Appendix D.

Several factors will be considered when selecting appropriate erosion and sediment control measures:

- Size of area affected
- Type of proposed construction activities
- Soil type and texture
- Amount of rock
- Steepness and length of slope
- Amount of vegetative cover
- Proximity to watercourses or wetlands, particularly downslope from construction activities
- Date and intensity of the last major rain event
- Anticipated weather conditions and frozen ground
- Construction operations and physical obstructions
- Travel ways and existing and proposed traffic patterns

Temporary soil erosion and sediment control measures will be implemented in accordance with the SWPPP prior to soil-disturbing activities. No permanent erosion control measures are currently proposed for the Project. Soil erosion and sediment control measures will be maintained during and after the construction activity until *final stabilization* is achieved. Upon *final stabilization* of disturbed areas, temporary soil erosion and sediment control measures will be removed. The minimum temporary erosion and sediment control measures that will be used for the Project are discussed in the following subsections.

## 4.2 Stabilized Construction Access

Stabilized construction access will be used at any point where traffic will be entering and leaving a construction site to or from a public right-of-way, street, alley, sidewalk, or parking area where surface conditions change from paved to unpaved. The access will be comprised of a stabilized pad of aggregate underlain with geotextile fabric. The stabilized construction access thickness will be constantly maintained to repair the stabilized construction access in accordance with the plans and details. All sediment deposited on paved roadways will be removed and returned to the construction site immediately. Refer to the Blue Book for stabilized construction access, page 2.30 and the Project Plans (Appendix H) for typical details and additional requirements.

## 4.3 Dust Control

PSEG Long Island will take appropriate measures to minimize fugitive dust and airborne debris from construction activity. High-traffic areas with exposed soils will be wetted as needed during extended dry periods to minimize dust generation. Typically, only plain water will be used for dust suppression. Chemical dust suppressants will be used in situations where plain-water dust suppression is not effective and where no sensitive areas (e.g., wetland, stream, potable water, organic farm) are adversely impacted by its use. If chemical dust suppressants are to be used, DPS Staff will be notified prior to application. Water for dust control will come from municipal or private water sources, as practicable. If non-regulated surface waters are used as a water source, equipment will be disinfected after use. Dust control will conform with the Blue Book, page 2.25.

## 4.4 Sediment Barriers

Sediment barriers (compost filter socks and/or silt fence) will be used for perimeter control of sediment and soluble pollutants (such as phosphorus and petroleum hydrocarbons), on and around construction activities. Sediment barriers will be installed in the following areas as necessary:

- Along the downhill perimeter edge of all disturbed areas;
- Along the top of slope or bank of drainage ditches, channels, swales, etc.;
- Along the toe of all cut slopes and fill slopes of the project area;
- Along the edge of the project boundary with slopes that lead into environmentally sensitive areas;
- Surrounding the base of all soil/sediment stockpiles.

Sediment barriers trap sediment and soluble pollutants by filtering runoff water as it passes through the matrix of compost filter socks and straw bale dikes. Sediment barriers intercept and temporarily pond sediment laden runoff, allowing deposition of suspended solids. Sediment barriers are also used to reduce runoff flow velocities on sloped surfaces. Refer to the Blue Book for compost filter sock, page 5.7; silt fence, page 5.54; straw bale dike, page 5.63; and the Project Plans (Appendix H) for typical details and additional requirements.

## 4.5 Inlet Protection

Storm drain inlet protection is a critical temporary sediment control measure designed to detain stormwater and allow sediment to settle, thereby preventing sediment-laden water from entering the storm drain system. All inlet protection devices must be inspected after every runoff event or rain event. Sediment accumulation should be removed when it reaches 50% of the device's storage capacity to maintain functionality. Any



damage or deficiencies must be repaired or replaced immediately, and inlets must be kept clear of debris to prevent obstruction and unintended diversion of stormwater runoff. Refer to the Blue Book page 5.57 and Project Plans (Appendix H) for typical details.

#### **4.6 Stabilization Practices**

To achieve soil stabilization, disturbed soils can be covered with topsoil, grass, mulch, straw, geotextiles, trees, vines, rock, or shrubs, and soil fertilizer and amendments. Vegetative cover serves to reduce the erosion potential by absorbing the energy of raindrops, promoting infiltration in-lieu-of runoff, and reducing the velocity of runoff. Temporary stabilization measures will be initiated as soon as practicable in portions of the Project site where laydown activities have temporarily ceased. In roadway areas, stabilization will include placement of temporary pavement, crushed rock, or metal plating. All areas of the project are anticipated to be stabilized by paving or permanent substation yard stone.

#### **4.7 Measures to Protect Vegetation**

Although the proposed improvements will be established within previously disturbed/developed areas, the Project will seek to limit damage to existing vegetation to the extent practicable. The following measures required to protect vegetation will be implemented:

- Clearly mark construction limits to exclude equipment.
- Avoid spills or oil/gas or other contaminants.
- Prune obstructive and broken branches properly. The branch collar on all branches whether living or dead should not be damaged. The 3- or 4-cut method should be used on all branches larger than two inches at the cut. If the branch is larger than 5-6 inches in diameter, use the 4-cut system. Do not paint the cut surface.
- Where heavy compaction is anticipated over the roots of trees and shrubs, apply and maintain a 3 to 4-inch layer of undecayed wood chips or two inches of No. 2 washed, crushed gravel.

Refer to the Blue Book for protecting vegetation, page 2.26 for additional requirements.

#### **4.8 Post-Construction Stormwater Management Measures**

This project involves the construction of a substation with impervious surfacing. As per Appendix B, Table 2 of the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-25-001), construction activities that include permanent access roads, parking areas, substations, compressor stations, and well drilling pads, surfaced with impervious cover, are required to have a SWPPP that includes Post-Construction Stormwater Management Practices (SMPs).

Therefore, this SWPPP has been prepared to include SMPs, designed in conformance with the applicable sizing criteria outlined in Part II.C.2.a., c., or d. of the permit, and the performance criteria specified in the New York State Stormwater Management Design Manual, dated July 31, 2024 (DM).

The site incorporates a yard section which has been accepted by NYSDEC as an SMP which satisfies the performance criteria in the DM and CGP.



Refer to Appendix I for the Stormwater Management Study which includes the technical basis and details for the proposed SMP.



## 5.0 Good Housekeeping

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In addition to erosion and sediment control, solid wastes, hazardous wastes, and other activities that will generate wastes will be properly managed during construction activities. The practices described below will be followed by Project personnel to protect stormwater and surrounding surface waters from contamination by construction-related pollutants. Additional details are provided within the EM&CP, and Section 6, below.

### 5.1 Material Handling

Construction materials that pose a potential contamination threat (e.g., petroleum products, solvents) will be managed to minimize exposure to stormwater. Materials will be kept in secure containers and properly labeled. All storage containers (including frac tanks) and motorized/mechanical equipment (including generators, light towers, etc.) will have secondary containment. If a frac tank is double walled, secondary containment will not be required. If a frac tank is single walled, secondary containment will be employed. A copy of the Safety Data Sheets (“SDS”) will be maintained onsite. For additional details, PSEG Long Island has developed material handling guidelines, which are detailed in the EM&CP.

### 5.2 Solid and Liquid Waste Disposal

Solid and liquid waste will be disposed of properly and in accordance with applicable local, State, and Federal disposal requirements. Construction and demolition waste, including asphalt, concrete, and subgrade aggregate will be separated from soils and disposed of at a PSEG Long Island approved disposal facility. All other wastes will be disposed of separately. Waste material will be collected and stored in a secure container and removed from the Project site. Waste containers will be inspected regularly. No solid or liquid wastes will be disposed of onsite (e.g., buried, poured, burned).

### 5.3 Hazardous Waste

The on-site storage of hazardous chemicals and waste in above and/or below ground tanks is not anticipated during laydown activities. However, if hazardous materials or wastes are present on the Site for any reason, they will be used, stored, transported, and disposed of in the manner specified by the manufacturer and by local, State, and Federal regulations. Project personnel will be made aware that this material is being used onsite and will require site personnel that will use, store, transport and dispose of hazardous chemical and waste material to be appropriately certified, licensed, or trained. Spill response procedures are described in Chapter 6.0 Spill Prevention and Control Measures.

### 5.4 Sanitary Waste

Project personnel will comply with local, State, and Federal sanitary sewer, portable toilet, and/or septic system regulations. Sanitary sewer facilities will be available for crews working at the Project site throughout laydown activities. Sanitary facilities will not be placed near drainage courses or in low areas and will be positioned so they are secure and cannot be tipped over. Sanitary facilities will be serviced regularly. Permanent sanitary facilities are not proposed for this Project.

## **5.5 Water Source**

Water used to establish and maintain vegetation, to control dust, and for other construction purposes will originate from a public water supply or private well approved by the local health department. Potable water will follow local and State regulations for water standards.



## 6.0 Spill Prevention and Control Measures

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This chapter describes measures to prevent, control, and minimize impacts from a spill of hazardous, toxic, or petroleum substances at the Project site. It also describes the transport, storage, and disposal procedures for the potentially toxic or hazardous materials to be used on the Site and outlines the procedures to be followed in the event of a spill of a contaminating or toxic substance. Project personnel will enact management practices to control non-sediment pollutants associated with laydown yard activities to prevent the generation of pollutants due to improper handling, storage, and spills and prevent the movement of toxic substances from the site into surface waters.

### 6.1 Material Management Practices

The proper use and storage of materials and equipment greatly reduce the potential for contaminating stormwater runoff. The following list of good housekeeping practices will be implemented during the Project:

- Hazardous materials, chemicals, fuels, and oils will be stored in designated areas only, and not within 100 feet of a stream bank, wetland, water supply well, spring, or other water body.
- Fueling of construction equipment will occur within designated areas only, and not within 100 feet of environmentally sensitive areas, including streams, wetlands, water supply wells, springs, and other waterbodies.
- Effort will be made to store a minimum quantity of hazardous materials onsite (if onsite storage is needed).
- Secondary containment will be provided in accordance with Section 5.1.
- Onsite materials will be stored in a neat, orderly manner, in appropriate containers, and under a roof or other enclosure.
- Products will be kept in original containers with the original manufacturer's label.
- Substances will not be mixed with one another unless recommended by the manufacturer.
- When possible, a container's contents will be used completely prior to container disposal.
- Manufacturer's recommendations for proper use and disposal of a product will be followed.
- If surplus product must be disposed of, manufacturer's or local- and State-recommended methods for proper disposal will be followed.

### 6.2 Non-Petroleum Products

Due to the chemical makeup of specific products, certain handling and storage procedures are required to promote the safety of handlers and prevent the possibility of pollution. Care will be taken to follow directions and warnings for products used on-site. Pertinent information can be found on the SDS for each product. The SDS will be kept on the Project site and will be readily available.

### 6.3 Petroleum Products

Onsite vehicles will be monitored for leaks and receive regular maintenance to reduce the chance of leakage. Petroleum products will be stored in tightly sealed, clearly labeled containers and stored in a covered truck or trailer that provides secondary containment. In the case of an uncontained spill, spill kits will be located on-site.



Bulk storage tanks having a capacity of greater than 55 gallons will be provided with secondary containment. After each rainfall event, Project personnel will inspect the contents of the secondary containment area for excess water. If no sheen is visible, the collected water may be pumped to the ground in a manner that does not cause scouring. If a sheen is present, it will be treated as contaminated and will be transported and disposed of offsite in accordance with local, State, and Federal requirements.

Bulk fuel or lubricating oil dispensers will not have a self-locking mechanism that allows for unsupervised fueling. Fueling operations will be observed to immediately detect and contain spills.

No waste oil or other petroleum-based products will be disposed of onsite (e.g., buried, poured, or burned), but will be taken offsite for proper disposal. Additional details for handling petroleum products can be found in the EM&CP.

## 6.4 Spill Control and Cleanup

During normal work hours, all vehicles and construction equipment will be inspected daily during normal work hours to check that fluids (oil, hydraulic, lubricants, or brake fluid) are not leaking. Hoses, fittings, and other connections will also be inspected during normal work hours for leaks. Fuels and fluids will be inspected daily to check that they are stored in appropriate and properly labeled containers. Any observation of spills, leaking fluid, or improperly stored fluids may trigger the issuance of a stop-work notice until the situation is resolved, and the appropriate field measures are implemented to avoid future releases. Aboveground storage tanks (“AST”) used to store petroleum fuels will comply with NYSDEC Bulk Storage regulations in 16NYCRR§613. If more than 1,100 gallons of fuel are stored (16NYCRR§613-1.3(v)) at the Project site, the AST(s) at those locations will be subject to 16NYCRR§613-4.1(b)(1)(v)(b) relating to ASTs within 500 horizontal feet of surface or groundwater sources and 16NYCRR§613-4.1(b)(1)(v)(d) relating to secondary containment.

The Environmental Compliance Manager will notify DPS and NYSDEC and other required parties of any fuel or chemical spill required to be reported in accordance with the Certificate of Environmental Compatibility and Public Need, NYSDEC regulations and guidance. All petroleum spills that occur within New York State must be reported to the New York State Spill Hotline (1-800-457-7362) within **two** hours of discovery, except spills which meet all the following criteria:

1. The quantity is known to be less than 5 gallons;
2. The spill is contained and under the control of the spiller;
3. The spill has not and will not reach New York water or land (soil); and,
4. The spill is cleaned up within two hours of discovery.

A spill is considered to have not impacted land if it occurs on an impervious surface such as asphalt or concrete.

A spill in a dirt or gravel parking lot is considered to have impacted land and is reportable. More details on notification and reporting requirements can be found in Section 11 of the NYSDEC Spill Guidance Manual.

All impacted soil will be removed and, along with any disposable clean-up materials used in the clean-up, such as absorbent pads, rags, etc., be placed in a container for disposal at an appropriate state-approved disposal facility. Non-disposable items, such as shovels will be cleaned. Disposable items

and soiled PPE used in cleaning equipment will be placed in a container with the other refuse of the spill for disposal at appropriate state-approved disposal facility.

Additional details for handling petroleum products can be found in the EM&CP.



## 7.0 Maintenance and Inspections

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Erosion and sediment control practices will be installed per the SWPPP and will be maintained so they remain in effective operating condition in accordance with the Blue Book.

### 7.1 Trained Contractor

A *trained contractor* is defined by NYSDEC as an employee of the Contractor that has received four hours of NYSDEC endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District or other NYSDEC-endorsed entity. After receiving the initial training, the *trained contractor* shall receive four hours of training every three years. A *trained contractor* can also meet the requirements of a *qualified inspector*, as defined in Section 7.2.

PSEG Long Island will have a *trained contractor* inspect the erosion and sediment control practices and pollution prevention measures being implemented within the active work area to ensure that they are being maintained in effective operating conditions. If deficiencies are identified, the contractor(s) or subcontractor(s) will begin implementing corrective actions in a reasonable time frame.

If soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and temporary stabilization measures have been applied to all disturbed areas, then the *trained contractor* can stop conducting the maintenance inspections. The *trained contractor* will resume maintenance inspections as soon as soil disturbance activities resume.

If soil disturbance activities at the Project have been shut down with partial project completion, then the *trained contractor* can stop conducting the maintenance inspections once all areas disturbed as of the project shutdown date have achieved *final stabilization*, and when all temporary stormwater management practices required for the complete portion of the Project have been removed in conformance with the SWPPP.

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

### 7.2 Qualified Inspector

A *qualified inspector* is defined by NYSDEC as 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, Registered Landscape Architect, or other NYSDEC 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 the person has received four hours of NYSDEC endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District or other NYSDEC-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 hours of training every three years.

PSEG Long Island will have a *qualified inspector* conduct site inspections at least once every seven calendar days where soil-disturbance activities are on-going. If authorization is received to disturb greater than five acres of soil at any one time, the qualified inspector will conduct at least two site inspections every seven calendar days. The two inspections will be separated by a minimum of two full calendar days.

If the Projects 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* will conduct a site inspection at least once every thirty calendar days.

If soil disturbance activities at the Project have been shut down with partial project completion, then the *qualified inspector* can stop conducting inspections once all areas disturbed as of the project shutdown date have achieved *final stabilization* and when all temporary stormwater management practices required for the completed portion of the Project have been removed in accordance with the SWPPP.

If soil disturbance activities are not resumed within two years from the date of shutdown, PSEG Long Island will 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 in conformance with the SWPPP by signing the “Final Stabilization” certification statement on the Notice of Termination (“NOT”), included as Appendix G.

### 7.3 Inspection Reports

The *qualified inspector* will prepare an inspection report after each inspection. At a minimum, the inspection report will include and/or address the following:

- Permit identification number.
- Date and time of inspection.
- Name and title of person(s) performing inspection.
- Weather and soil conditions (e.g., dry, wet, saturated) at the time of the inspection.
- Condition of the runoff at all points of discharge from the construction site. Identification of any discharges of sediment from the construction site, including discharges from conveyance systems (i.e. pipes, culverts, ditches, etc.) and overland flow.
- Condition of natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the construction site which receive runoff from disturbed areas. Identification of any discharges of sediment to the surface waterbody.
- Identification of all erosion and sediment control practices and pollution prevention measures that need repair or maintenance.
- Identification of all erosion and sediment control practices and pollution prevention measures that were not installed properly or are not functioning as designed and need to be reinstalled or replaced.
- Description and sketch of areas with active soil disturbance activity, areas that have been disturbed but are inactive at the time of the inspection, and areas that have been stabilized (temporary and/or final) since the last inspection.
- Corrective action(s) that will be taken to install, repair, replace or maintain erosion and sediment control practices and pollution prevention measures.
- Identification and status of all corrective actions that were required by previous inspection.
- Digital photographs, with date stamp, that clearly show the condition of all practices that have been identified as needed corrective actions.
- Estimates, in square feet or acres, of the following area:
  - Total area with active soil disturbance (not requiring either temporary or final stabilization)
  - Total area with active soil disturbance (requiring either temporary or final stabilization)
  - Total area that has achieved temporary stabilization



- Total area that has achieved final stabilization
- Current stage of construction of all SMPs and identification of all construction activity on site that is not in conformance with the SWPPP and technical standards

All inspection reports will be signed by the *qualified inspector* and included in Appendix C.

A copy of the SWPPP and all inspection reports will be kept on-site when there are activities occurring in the Project until *final stabilization*.

#### **7.4 Corrective Action**

Within one business day of the completion of an inspection, the *qualified inspector* will notify PSEG Long Island and appropriate contractor(s) or subcontractor(s) of any corrective actions that need to be taken. All corrective actions on erosion and sediment control BMPs will be performed in accordance with the Blue Book. The contractor(s) or subcontractor(s) will begin implementing the corrective actions within one business day of this notification if the corrective action does not require engineering design and must complete the corrective action within five business days. If engineering design is required, the design process must begin within five business days and must be completed in a reasonable time frame, but no later than within 60 calendar days.

The *qualified inspector* will attach paper color copies of digital photographs showing the condition of all practices that have been identified as needing corrective action to the inspection report within seven calendar days of the date of the inspection. The *qualified inspector* will 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* will attach paper color copies of the digital photographs to the inspection report that documents completion of the corrective action within seven calendar days of that inspection.

PSEG Long Island shall, within two calendar days, notify NYSDEPS and, for NYSDEC-jurisdictional areas or SWPPP violations, the NYSDEC, of any activity that involves a violation. After construction is completed and the site has been stabilized, the qualified inspector must conduct a final site inspection and certify that the site has been properly stabilized and that other requirements have been met.

#### **7.5 SWPPP Amendments**

The SWPPP will be kept current to accurately document the erosion and sediment control practices that are being used or will be used at the Project site. At a minimum, the SWPPP will be amended as follows:

- Whenever the current provisions prove to be ineffective in minimizing pollutants in stormwater discharges from the laydown yard.
- Whenever there is a change at the laydown yard that has or could impact the discharge of pollutants.
- To document that a portion of the laydown yard has reached *final stabilization*.
- To address issues or deficiencies identified during an inspection by the *qualified inspector*, the NYSDEC, or other regulatory authority.

Amendments will be documented in the Record of Revisions provided in Appendix D and DPS will be notified of all amendments.



## 8.0 Contractors Certification

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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.

Name of Company: \_\_\_\_\_

Company Address: \_\_\_\_\_

Company Telephone Number: \_\_\_\_\_

Printed Name of Trained Contractor (including Title): \_\_\_\_\_

Signature of Authorized Representative: \_\_\_\_\_

Printed Name of Authorized Representative (including Title): \_\_\_\_\_

Address of the Site: \_\_\_\_\_

Date: \_\_\_\_\_

The Contractor listed above is responsible for all elements included in the SWPPP.

Note: If new or additional contractors/subcontractors are hired to implement SWPPP measures, they too must sign a certification statement. Each certification page must 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; address of the site; and the date the certification is signed.



## 9.0 Notice of Intent

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PSEG Long Island has completed the eNOI and will submit to the NYSDEC as certification that the Project is in compliance with the SPDES General Permit. A copy of the completed eNOI form is provided in Appendix E.



## 10.0 Letter of Authorization

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In response to the submission of the completed eNOI, PSEG Long Island will receive a Letter of Authorization from NYSDEC providing acknowledgement of the eNOI and assigning a permit ID number to the Project. A copy of the Letter of Authorization will be included in Appendix F.

PSEG Long Island will retain a copy of the NOI Acknowledgement Letter for a period of at least five years from the date that the site achieves final stabilization.



## 11.0 Termination of Permit Coverage

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PSEG Long Island may terminate coverage under the SPDES General Permit when one or more of the following conditions have been met:

- 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 in conformance with the SWPPP.
- Planned shutdown with partial project completion – All soil disturbance activities have ceased; and all areas disturbed as of the Project’s shutdown date have achieved final stabilization; and all temporary, structural erosion and sediment control measures have been removed in conformance with the SWPPP.

PSEG Long Island will submit a completed electronic Notice of Termination (eNOT) with applicable signatures to NYSDEC through the DEC nForm Portal in accordance with Part V.A.5. of the permit document.



## **Appendix A -SPDES GENERAL PERMIT**

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**Department of  
Environmental  
Conservation**

NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION (NYSDEC)

SPDES GENERAL PERMIT  
FOR STORMWATER DISCHARGES

From

**CONSTRUCTION ACTIVITY**

Permit No. GP-0-25-001

Construction General Permit (CGP)

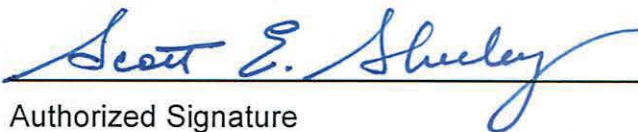
Issued Pursuant to Article 17, Titles 7, 8 and Article 70  
of the Environmental Conservation Law

Effective Date: January 29, 2025

Expiration Date: January 28, 2030

Scott E. Sheeley

Chief Permit Administrator



Authorized Signature

JAN. 29, 2025

Date

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

## PREFACE

Pursuant to Section 402 of the Clean Water Act (CWA), and 40 CFR 122.26(b)(14)(x), (15)(i), and (15)(ii), *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 State 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 and 8, and Article 70, as well as 6 NYCRR Parts 621 and 750.

*Construction activities* constitute construction of a *point source* and, therefore, pursuant to ECL sections 17-0505, 17-0701, and 17-0803, the *owner or operator* must have coverage under a SPDES permit prior to *commencement of construction activities*. 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 CONSTRUCTION GENERAL PERMIT (CGP) GP-0-25-001  
FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES**

**Table of Contents**

<b>Part I. How to Obtain Coverage and General Requirements .....</b>	<b>5</b>
A. Eligibility Requirements .....	5
B. Types of <i>Discharges</i> Authorized .....	9
C. Prohibited <i>Discharges</i> .....	10
D. Electronic Notice of Intent (eNOI) Submittal.....	10
E. General Requirements for <i>Owners or Operators</i> with Permit Coverage .....	14
F. Permit Coverage for <i>Discharges</i> Authorized Under GP-0-20-001 .....	18
G. Change of <i>Owner or Operator</i> .....	19
<b>Part II. Water Quality-Based Effluent Limitations .....</b>	<b>20</b>
A. Maintaining Water Quality .....	20
B. Effluent Limitations Applicable to <i>Discharges</i> from <i>Construction Activities</i> .....	20
C. Post-Construction Stormwater Management Practice (SMP) Requirements ...	23
<b>Part III. Stormwater Pollution Prevention Plan (SWPPP) .....</b>	<b>28</b>
A. General <i>SWPPP</i> Requirements .....	28
B. Required <i>SWPPP</i> Contents .....	32
C. Required <i>SWPPP</i> Components by Project Type.....	37
<b>Part IV. Inspection and Maintenance Requirements .....</b>	<b>37</b>
A. General Construction Site Inspection and Maintenance Requirements .....	37
B. Contractor Maintenance Inspection Requirements .....	37
C. <i>Qualified Inspector</i> Inspection Requirements.....	38
<b>Part V. How to Terminate CGP Coverage.....</b>	<b>43</b>
A. Electronic Notice of Termination (eNOT) Submittal.....	43
<b>Part VI. Record Retention and Reporting.....</b>	<b>45</b>
A. Record Retention .....	46
B. Reporting .....	46
<b>Part VII. Standard Permit Requirements .....</b>	<b>46</b>
A. Duty to Comply.....	46
B. Need to Halt or Reduce Activity Not a Defense.....	46
C. Penalties .....	46
D. False Statements .....	47
E. Re-Opener Clause .....	47
F. Duty to Mitigate .....	47
G. Requiring Another General Permit or Individual SPDES Permit.....	47
H. Duty to Provide Information.....	49
I. Extension .....	49
J. Signatories and Certification .....	50
K. Inspection and Entry .....	52
L. Confidentiality of Information.....	53
M. Other Permits May Be Required .....	53

N.	NYSDEC Orders or Civil Decrees/Judgments.....	53
O.	Property Rights .....	53
P.	Compliance with Interstate Standards.....	53
Q.	Oil and Hazardous Substance Liability.....	54
R.	Severability.....	54
S.	NYSDEC Approved Forms.....	54
<b>APPENDIX A – Abbreviations and Definitions .....</b>		<b>55</b>
	Abbreviations.....	55
	Definitions.....	56
<b>APPENDIX B – Required SWPPP Components by Project Type.....</b>		<b>64</b>
	Table 1.....	64
	Table 2.....	66
<b>APPENDIX C – Watersheds Requiring Enhanced Phosphorus Removal.....</b>		<b>68</b>
<b>APPENDIX D – Impaired Waterbodies (by Construction Related Pollutants) .....</b>		<b>74</b>
<b>APPENDIX E – List of NYSDEC Regional Offices.....</b>		<b>80</b>
<b>APPENDIX F – SWPPP Preparer Certification Form .....</b>		<b>81</b>
<b>APPENDIX G – MS4 SWPPP Acceptance Form.....</b>		<b>83</b>
<b>APPENDIX H – NYCDEP SWPPP Acceptance/Approval Form .....</b>		<b>86</b>
<b>APPENDIX I – MS4 No Jurisdiction Form.....</b>		<b>89</b>
<b>APPENDIX J – Owner/Operator Certification Form .....</b>		<b>91</b>

## Part I. How to Obtain Coverage and General Requirements

To be covered under this permit, the *owner or operator* must meet all eligibility requirements in Part I.A. and follow the requirements for obtaining permit coverage in Part I.D., F., or G.

### A. Eligibility Requirements

For a *common plan of development or sale*, the *phase(s)* that meet the eligibility requirements in Part I.A. may obtain coverage under this permit even if other *phase(s)* of the same *common plan of development or sale* do not meet the eligibility requirements and require an individual SPDES permit.

1. The *owner's or operator's construction activities* involve soil disturbances of:
  - a. one or more acres; or
  - b. less than one acre which are part of a *common plan of development or sale* that will ultimately disturb one or more acres; or
  - c. less than one acre where NYSDEC 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*.
    - i. 5,000 square feet or more, but less than one acre, and are in the New York City Watershed located east of the Hudson River, Appendix C Figure 1; or
    - ii. 20,000 square feet or more, but less than one acre, within the municipal boundaries of the City of New York (NYC); or
    - iii. less than 20,000 square feet which are part of a *common plan of development or sale* that will ultimately disturb 20,000 square feet or more, but less than one acre, within the municipal boundaries of NYC; or
    - iv. that creates 5,000 square feet or more of *impervious area* within the municipal boundaries of NYC.

2. *Discharges* from the *owner's or operator's construction activities* are/were not:

- a. already covered by a different SPDES permit; or
- b. covered under a different SPDES permit that was denied, terminated, or revoked; or
- c. identified in an expired individual SPDES permit that was not renewed; or
- d. required to obtain an individual SPDES permit or another general SPDES permit in accordance with Part VII.K.

3. If *construction activities* may adversely affect a species that is endangered or threatened, the *owner or operator* must obtain a:

- a. permit issued pursuant to 6 NYCRR Part 182 for the project; or
- b. letter issued by NYSDEC of non-jurisdiction pursuant to 6 NYCRR Part 182 for the project.

4. If *construction activities* have the potential to affect an *historic property*, the *owner or operator* must obtain one of the following:

- a. documentation that the *construction activity* is not within an archeological buffer 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:

- i. 1-5 acres of disturbance - 20 feet; or
- ii. 5-20 acres of disturbance - 50 feet; or

- iii. 20+ acres of disturbance - 100 feet.
  - b. NYSDEC consultation form sent to OPRHP,<sup>1</sup> and copied to NYSDEC's Agency Historic Preservation Officer (APO), and
    - i. the State Environmental Quality Review Act (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 or 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).
  - c. documentation of satisfactory compliance with Section 106 of the National Historic Preservation Act for a coterminous project area:
    - i. No Affect; or
    - ii. No Adverse Affect; or
    - iii. Executed Memorandum of Agreement.
  - d. documentation that SHPA Section 14.09 has been completed by NYSDEC or another state agency.
5. If *construction activities* are subject to SEQR, the *owner or operator* must obtain documentation that SEQR has been satisfied.
6. If *construction activities* are not subject to SEQR, but subject to the equivalent environmental review from another New York State or federal agency, the

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<sup>1</sup> The consultation form can be submitted, along with other project information, through OPRHP's Cultural Resource Information System (CRIS) portal. If submitted through CRIS, paper copies of the consultation form need not be mailed.

*owner or operator* must obtain documentation that project review, pursuant to a process equivalent to SEQR from another New York State or federal agency, has been satisfied.

7. If *construction activities* require Uniform Procedures Act (UPA) Permits (see 6 NYCRR Part 621) from NYSDEC, or the equivalent from another New York State or federal agency, the *owner or operator* must:
  - a. obtain all such necessary permits; or
  - b. receive notification from NYSDEC pursuant to 6 NYCRR 621.3(a)(4) excepting Part I.A.7.a.
8. *Construction activities* are not eligible if they meet the following criteria in Part I.A.8.a. or b.:
  - a. For linear transportation and linear utility project types, the *construction activities*:
    - i. are within the watershed of *surface waters of the State* classified as AA or AA-S identified utilizing the Stormwater Interactive Map on NYSDEC's website; and
    - ii. are undertaken on land with no existing *impervious cover*; and
    - iii. disturb two or more acres of *steep slope*.
  - b. For all other project types, the *construction activities*:
    - i. are within the watershed of *surface waters of the State* classified as AA or AA-S identified utilizing the Stormwater Interactive Map on NYSDEC's website; and
    - ii. are undertaken on land with no existing *impervious cover*; and
    - iii. disturb one or more acres of *steep slope*.

## B. Types of *Discharges* Authorized

1. The following *stormwater discharges* are authorized under this permit:
  - a. *Stormwater discharges*, including *stormwater* runoff, snowmelt runoff, and surface runoff and drainage, associated with *construction activity*, are authorized under this permit provided that appropriate *stormwater* controls are designed, installed, and maintained in accordance with Part II. and Part III.
  - b. *Stormwater discharges* from construction support activities at the *construction site* (including concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, and borrow areas) if the following requirements are met:
    - i. The support activity is directly related to the *construction site* required to have permit coverage for *stormwater discharges*; and
    - ii. The support activity is not a commercial operation, nor does it serve multiple unrelated *construction sites*; and
    - iii. The support activity does not continue to operate beyond the completion of the *construction activity* at the site it supports; and
    - iv. *Stormwater* controls are implemented in accordance with Part II. and Part III. for *discharges* from the support activity areas.
2. The following non-*stormwater discharges* associated with *construction activity* are authorized under this permit:
  - a. Non-*stormwater discharges* 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”; and
  - b. Non-*stormwater discharges* of waters to which other components have not been added that are used in accordance with the *SWPPP* to control dust or irrigate vegetation in stabilized areas; and
  - c. Uncontaminated *discharges* from *dewatering* operations

3. Authorized *discharges of stormwater* or authorized *discharges* of non-*stormwater*, commingled with a *discharge* authorized by a different SPDES permit and/or a *discharge* that does not require SPDES permit authorization, are also authorized under this permit.

### C. Prohibited *Discharges*

1. Non-*stormwater discharges* prohibited under this permit include but are not limited to:
  - a. Wastewater from washout of concrete; and
  - b. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials; and
  - c. Fuels, oils, or other *pollutants* used in vehicle and equipment operation and maintenance; and
  - d. Soaps, solvents, or detergents used in vehicle and equipment washing or external building washdown; and
  - e. Toxic or hazardous substances from a spill or other release.

### D. Electronic Notice of Intent (eNOI) Submittal

To receive authorization in accordance with Part I.D.3.b., the *owner or operator* must submit a complete eNOI in accordance with the requirements in Part I.D. The eNOI contains questions to: ensure eligibility requirements in Part I.A. have been met; obtain *owner or operator* contact information; obtain the total area to be disturbed and the existing/future *impervious areas* (rounded to the nearest tenth of an acre); confirm *Traditional Land Use Control MS4 Operator* jurisdiction over construction projects; satisfy the EPA eRule requirements; confirm that the Water Quality-Based Effluent Limitations in Part II. have been met; demonstrate consideration of the future risks due to climate change in accordance with Part III.A.2.; and confirm that the other *Stormwater Pollution Prevention Plan (SWPPP)* requirements in Part III. have been met.

1. An eNOI may be submitted for:
  - a. *construction activities* that are not part of a *common plan of development or sale*; or

- b. an entire *common plan of development or sale*; or
  - c. separate *phase(s)* of a *common plan of development or sale* if the following requirements are met:
    - i. the *common plan of development or sale* meets the eligibility requirements of Part I.A.5. or 6.; and
    - ii. the *phase(s)* meet(s) all other eligibility requirements of Part I.A.; and
    - iii. Part III.C. Required *SWPPP* Components by Project Type is based on the *common plan of development or sale*, not the *phase(s)*; or
  - d. *tree clearing* that is associated with, or will support, a *renewable energy* generation, transmission, or storage project that meets Part I.A.5. and 6., if the *tree clearing*:
    - i. meets all other eligibility requirements of Part I.A.; and
    - ii. will occur in NYSDEC's Regions 3-9; and
    - iii. is not within ¼ mile of a bat hibernaculum protected pursuant to 6 NYCRR Part 182; and
    - iv. will occur between November 1<sup>st</sup> and March 31<sup>st</sup>.
2. As prerequisites for submitting an eNOI, the *owner or operator* must:
- a. prepare a *SWPPP* for Part I.D.1.a., b., c., or d. in accordance with Part III.; and
  - b. based on the following criteria, upload the following signature forms signed in accordance with Part VII.J. to the eNOI prior to submission:
    - i. for all eNOIs:
      - 1. the *SWPPP* Preparer Certification Form, Appendix F, signed by the *SWPPP* preparer; and

2. the Owner/Operator Certification Form, Appendix J, signed by the *owner or operator*; and
- ii. if an eNOI includes *construction activities* within the municipal boundary(ies) of *Traditional Land Use Control MS4 Operator(s)* that will *discharge* to the *MS4(s)*:
    1. determine if the *Traditional Land Use Control MS4 Operator(s)* have review authority. A *Traditional Land Use Control MS4 Operator* does not have review authority where:
      - a. the *owner or operator* of the *construction activities* in Part I.D.2.b.ii. is the same entity as the *Traditional Land Use Control MS4 Operator* identified in Part I.D.2.b.ii.; or
      - b. there is a statute exempting the *owner or operator* from zoning review by the *Traditional Land Use Control MS4 Operator*; or
      - c. there is no such statute per Part I.D.2.b.ii.1.b., the *Traditional Land Use Control MS4 Operator* concludes, after public hearing, that it does not have zoning review authority in accordance with Legal Memorandum LU14 Updated January 2020 “Governmental Immunity from Zoning and Other Legislation”; and
    2. if the *Traditional Land Use Control MS4 Operator(s)* have review authority, submit the *SWPPP* to the *Traditional Land Use Control MS4 Operator(s)* for review and have:
      - a. if outside the municipal boundaries of NYC: the *MS4 SWPPP Acceptance Form*, Appendix G, signed by the principal executive officer or ranking elected official from the *Traditional Land Use Control MS4 Operator*, or by a duly authorized representative of that person in accordance with Part VII.J.2.; or

- b. if within the municipal boundaries of NYC: The City of New York Department of Environmental Protection (NYCDEP) SWPPP Acceptance/Approval Form, Appendix H, signed by the principal executive officer or ranking elected official from the Traditional Land Use Control MS4 Operator, or by a duly authorized representative of that person in accordance with Part VII.J.2.; and
  3. if the *Traditional Land Use Control MS4 Operator* does not have review authority, have the MS4 No Jurisdiction Form, Appendix I, signed by the principal executive officer or ranking elected official from the *Traditional Land Use Control MS4 Operator*, or by a duly authorized representative of that person in accordance with Part VII.J.2.
3. Submitting an eNOI:
  - a. The *owner or operator* must submit a complete Notice of Intent electronically using a NYSDEC approved form.<sup>2</sup>
  - b. The *owner or operator* is authorized to *commence construction activity* as of the authorization date indicated in the Letter of Authorization (LOA), which is sent by NYSDEC after a complete eNOI is submitted.
    - i. If an eNOI is received for a *SWPPP* that deviates from one of the technical standards but demonstrates *equivalence* in accordance with Part III.B.1.a.ii. or Part III.B.2.b.ii., if the *SWPPP* includes *construction activities* that are not within the municipal boundary(ies) of *Traditional Land Use Control MS4 Operator(s)*, and/or if the *SWPPP* includes *construction activities* within the municipal boundary(ies) of *Traditional Land Use Control MS4 Operator(s)* that do not have review authority in accordance with Part I.D.2.b.ii.1., the authorization date indicated in the LOA will be 60 business days after the eNOI submission date.

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<sup>2</sup> Unless NYSDEC grants a waiver in accordance with 40 CFR 127.15(c) or (d). All waiver requests must be submitted to Stormwater\_info@dec.ny.gov or NYSDEC, Bureau of Water Permits, 625 Broadway, 4<sup>th</sup> Floor, Albany, New York 12233-3505.

- c. If *Traditional Land Use Control MS4 Operator(s)* have review authority in accordance with Part I.D.2.b.ii.2., the *owner or operator* must, within five business days of receipt of the LOA, send an electronic copy of the LOA to the *Traditional Land Use Control MS4 Operator(s)* with review authority.

#### **E. General Requirements for *Owners or Operators* with Permit Coverage**

1. As of the date the LOA is received, the *owner or operator* must make the eNOI, *SWPPP*, and LOA available for review and copying in accordance with the requirements in Part VII.H. When applicable, as of the date an updated LOA is received, the *owner or operator* must make the updated LOA available for review and copying in accordance with the requirements in Part VII.H.
2. The *owner or operator* must ensure compliance with all requirements of this permit and that the provisions of the *SWPPP*, including any changes made to the *SWPPP* in accordance with Part III.A.5., are properly implemented and maintained from the *commencement of construction activity* until:
  - a. all areas of disturbance have achieved *final stabilization*; and
  - b. the owner's or operator's coverage under this permit is terminated in accordance with Part V.A.5.a.
3. As of the date of the *commencement of construction activities* until Part I.E.2.a. and b. have been met, the *owner or operator* must maintain at the *construction site*, a copy of:
  - a. all documentation necessary to demonstrate eligibility with this permit; and
  - b. this permit; and
  - c. the *SWPPP*; and
  - d. the signed *SWPPP Preparer Certification Form*; and
  - e. the signed *MS4 SWPPP Acceptance Form* or signed *NYCDEP SWPPP Acceptance/Approval Form* or signed *MS4 No Jurisdiction Form* (when applicable); and
  - f. the signed *Owner/Operator Certification Form*; and

- g. the eNOI; and
  - h. the LOA; and
  - i. the LOA transmittal to the Traditional Land Use Control MS4 Operator in accordance with Part I.D.3.c. (when applicable).
4. The *owner or operator* must maintain at the *construction site*, until Part I.E.2.a. and b. have been met, as of the date the documents become final or are received, a copy of the:
- a. responsible contractor's or subcontractor's certification statement(s) in accordance with Part III.A.7.; and
  - b. inspection reports in accordance with Part IV.C.4. and 6.; and
  - c. Request to Disturb Greater Than Five Acres and the Authorization Letter to Disturb Greater Than Five Acres in accordance with Part I.E.6. (when applicable); and
  - d. Request to Continue Coverage and the Letter of Continued Coverage (LOCC) in accordance with Part I.F.2. and 4. (when applicable); and
  - e. The updated LOA(s) in accordance with Part I.E.9. (when applicable).
5. The *owner or operator* must maintain the documents in Part I.E.3. and 4. 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. The documents must be paper documents unless electronic documents are accessible to the inspector during an inspection to the same extent as a paper copy stored at the site would be. If electronic documents are kept on site, the *owner or operator* must maintain functional equipment on site available to an inspector during normal hours of operation such that an inspector may view the electronic documents in a format that can be read in a similar manner as a paper record and in a legally dependable format with no less evidentiary value than their paper equivalent.
6. The *owner or operator* must meet the following requirements prior to disturbing greater than five acres of soil at any one time:
- a. The *owner or operator* must submit a written Request to Disturb Greater Than Five Acres to:

- i. NYSDEC's Regional Office Division of Water staff based on the project location, Appendix E, if a *Traditional Land Use Control MS4 Operator* does not have review authority in accordance with Part I.D.2.b.ii.1.; or
  - ii. the *Traditional Land Use Control MS4 Operator*, if a *Traditional Land Use Control MS4 Operator* has review authority in accordance with Part I.D.2.b.ii.1.; or
  - iii. NYSDEC's Regional Office Division of Water staff based on the project location, Appendix E, and each involved *Traditional Land Use Control MS4 Operator*, if the project spans multiple municipalities with more than one *Traditional Land Use Control MS4 Operator* involved with review authority in accordance with Part I.D.2.b.ii.1.
- b. The written Request to Disturb Greater Than Five Acres must include:
- i. The SPDES permit identification number (Permit ID); and
  - ii. Full technical justification demonstrating why alternative methods of construction that would result in five acres of soil disturbance or less at any one time are not feasible; and
  - iii. The phasing plan for the project and sequencing plans for all *phases* from the *SWPPP* in accordance with Part III.B.1.d.; and
  - iv. Plans with locations and details of erosion and sediment control practices such that the heightened concern for erosion when disturbing greater than five acres at one time has been addressed; and
  - v. Acknowledgment that "the *owner or operator* will comply with the requirements in Part IV.C.2.b."; and
  - vi. Acknowledgment that "the *owner or operator* will comply with the requirements in Part II.B.1.b."
- c. The *owner or operator* must be in receipt of an Authorization Letter to Disturb Greater Than Five Acres, which will include when the

authorization begins and ends and indicate a maximum area (acres) of soil disturbance allowed at any one time, from:

- i. NYSDEC, if Part I.E.6.a.i. or iii. apply; or
  - ii. the *Traditional Land Use Control MS4 Operator*, if Part I.E.6.a.ii. applies.
7. Upon a finding of significant non-compliance with the practices described in the *SWPPP* or violation of this permit, NYSDEC may order an immediate stop to all *construction activity* at the site until the non-compliance is remedied. The stop work order must be in writing, describe the non-compliance in detail, and be sent to the *owner or operator*.
8. 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).<sup>3</sup> *Construction activity* shall not resume until written permission to do so has been received from the RWE.
9. To be authorized to implement modifications to the information previously submitted in the eNOI, the *owner or operator* must:
  - a. notify NYSDEC via email at Stormwater\_info@dec.ny.gov requesting access to update the eNOI; and
  - b. update the eNOI to reflect the modifications and resubmit the eNOI in accordance with Part I.D.; and
  - c. receive an updated LOA.
10. The eNOI, *SWPPP*, LOA, updated LOAs (when applicable), 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 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.

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<sup>3</sup> The Regional Water Manager where a DEC Region does not have a RWE.

**F. Permit Coverage for *Discharges* Authorized Under GP-0-20-001**

When applicable:

1. Upon the effective date of this permit, an *owner or operator* of a *construction activity*, with coverage under GP-0-20-001, will have interim coverage under GP-0-25-001 for 45 calendar days starting on the effective date of GP-0-25-001 so long as the *owner or operator* maintains compliance with all applicable requirements of this permit.
2. Within 30 calendar days of the effective date of this permit, the *owner or operator*, with coverage under GP-0-20-001, must submit a complete Request to Continue Coverage electronically using a NYSDEC approved form,<sup>4</sup> which contains the information identified in Part I.F.3. below, if:
  - a. the *owner or operator* continues to implement the SMP component in conformance with the technical standards in place at the time of initial project authorization; and
  - b. the *owner or operator* will comply with all non-design requirements of GP-0-25-001.
3. The Request to Continue Coverage form contains questions to: ensure eligibility requirements in Part I.A. have been met; verify *owner or operator* contact information; verify the permit identification number; verify the original eNOI submission ID, if applicable; verify Part I.F.2.a. and b.; verify the version of the Design Manual that the technical/design components conform to; and receive an updated Owner/Operator Certification Form, Appendix I.
4. The *owner or operator* has obtained continued coverage under GP-0-25-001 as of the date indicated in the LOCC, which is sent by NYSDEC after a complete Request to Continue Coverage form is submitted.
5. If the owner or operator does not submit the Request to Continue Coverage form in accordance with Part I.F.2. and 3., coverage under this permit is automatically terminated after interim coverage expires.

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<sup>4</sup> Unless NYSDEC grants a waiver in accordance with 40 CFR 127.15(c) or (d). All waiver requests must be submitted to Stormwater\_info@dec.ny.gov or NYSDEC, Bureau of Water Permits, 625 Broadway, 4<sup>th</sup> Floor, Albany, New York 12233-3505.

## **G. Change of *Owner or Operator***

When applicable:

1. When property ownership changes, or when there is a change in operational control over the construction plans and specifications, the following process applies:
  - a. The new *owner or operator* must meet the applicable prerequisites for submitting an eNOI in accordance with Part I.D.2.; and
  - b. The new *owner or operator* must submit an eNOI in accordance with Part I.D.3.; and
  - c. Permit coverage for the new *owner or operator* will be effective upon receipt of the LOA in accordance with Part I.D.3.b.; and
  - d. The new *owner or operator*, upon receipt of their LOA, must provide their Permit ID to the original *owner or operator*; and
  - e. If the original *owner or operator* will no longer be the *owner or operator* of the *construction activity* identified in the original *owner's or operator's* eNOI, the original *owner or operator*, upon receipt of the new *owner's or operator's* Permit ID in accordance with Part I.G.1.d., must submit to NYSDEC a completed eNOT in accordance with Part V. that includes the name and Permit ID of the new *owner or operator*; or
  - f. If the original *owner or operator* maintains ownership of a portion of the *construction activity*, the original *owner or operator* must maintain their coverage under the permit by modifying their eNOI; modifications to the eNOI must include:
    - i. the revised area of disturbance and/or *impervious area(s)*; and
    - ii. the revised SMP information, if applicable; and
    - iii. a narrative description of what has changed; and
    - iv. the new *owner's or operator's* Permit ID for the portion of the project removed from the eNOI.

*Owners or operators* must follow Part I.E.9. to modify the eNOI.

## Part II. Water Quality-Based Effluent Limitations

### A. Maintaining Water Quality

NYSDEC expects that compliance with the requirements 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 the following *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:

1. There must be no increase in turbidity that will cause a substantial visible contrast to natural conditions; and
2. There must be no increase in suspended, colloidal or settleable solids that will cause deposition or impair the waters for their best usages; and
3. There must 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 standard*, the *owner or operator* must take appropriate corrective action in accordance with Part IV.C.5. of this permit and document in accordance with Part IV.C.4. of this permit. To address the *water quality standard* violation the *owner or operator* must include and implement appropriate controls in the *SWPPP* to correct the problem or obtain an individual SPDES permit.

If, despite compliance with the requirements of this 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 NYSDEC determines that a modification of this permit is necessary to prevent a violation of *water quality standards*, the authorized *discharges* will no longer be eligible for coverage under this permit, and the *owner or operator* must obtain an individual SPDES permit prior to further *discharges* from the *construction site*.

### B. Effluent Limitations Applicable to *Discharges* from *Construction Activities*

*Discharges* authorized by this permit must achieve, at a minimum, the effluent limitations in Part II.B.1.a., b., c., d., and e. 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 II.B.1.a., b., c., d., and e. and be in accordance with the New York State Standards and Specifications for Erosion and Sediment Control (BB), 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 *SWPPP* the reason(s) for the deviation, or alternative design, and provide information in the *SWPPP* demonstrating that the deviation or alternative design is *equivalent* to the technical standard.
  - a. **Erosion and Sediment Controls.** At a minimum, erosion and sediment controls must be selected, designed, installed, implemented, and maintained to:
    - i. *Minimize* soil erosion through application of runoff control and soil stabilization control measure to *minimize pollutant discharges*; and
    - ii. Control *stormwater discharges*, including both peak flow rates and total *stormwater* volume, to *minimize* channel and *streambank* erosion and scour in the immediate vicinity of the *discharge* points; and
    - iii. *Minimize* the amount of soil exposed during *construction activity*; and
    - iv. *Minimize* the disturbance of *steep slope*; and
    - v. *Minimize* sediment *discharges* from the site; and
    - vi. Provide and maintain *natural buffers* around surface waters, direct *stormwater* to vegetated areas and maximize *stormwater* infiltration to reduce *pollutant discharges*, unless *infeasible*; and
    - vii. *Minimize* soil compaction. *Minimizing* soil compaction is not required

where the intended function of a specific area of the site dictates that it be compacted; and

- viii. Unless *infeasible*, preserve a sufficient amount of topsoil to complete soil restoration and establish a uniform, dense vegetative cover; 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 ceased, whether permanently or *temporarily ceased*, the application of soil stabilization measures must be initiated by the end of the next business day and completed within 14 calendar 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 D, or are located in one of the watersheds listed in Appendix C, or are authorized to disturb greater than five acres in accordance with Part I.E.5.a.viii., the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven calendar days from the date the soil disturbance activity 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.** Select, 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 selected, designed, installed, implemented, and maintained to:
- i. *Minimize* the *discharge of pollutants* from equipment and vehicle washing, wheel wash water, and other wash waters. Soaps, detergents and solvents cannot be used; and
  - 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. **Surface Outlets.** When discharging from basins and impoundments, the surface outlets must 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 (SMP) Requirements

1. The *owner or operator* of a *construction activity* that requires post-construction SMPs, in accordance with Part III.C., must select, design, install, implement, and maintain the SMPs to meet the *performance criteria* in the New York State Stormwater Management Design Manual, dated July 31, 2024 (DM), using sound engineering judgment. Where SMPs are not designed in conformance with the *performance criteria* in the DM, 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 SMPs in accordance with Part III.C., must design the practices to meet the applicable *sizing criteria* in Part II.C.2.a., b., c., or d.

#### a. Sizing Criteria for New Development

- i. Runoff Reduction Volume (RRv) and Water Quality Volume (WQv):
  1. Reduce the total WQv by application of RR techniques and standard SMPs with RRv capacity. The total WQv must be calculated in accordance with the criteria in Section 4.2 of the DM; or

2. Minimum RRV and Treatment of Remaining Total WQv: *Construction activities* that cannot meet the requirements in Part II.C.2.a.i.1. due to *site limitations* must 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 must 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 4.4 of the DM.** The remaining portion of the total WQv that cannot be reduced must be treated by application of standard SMPs.

- ii. Channel Protection Volume (CPv): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event, remaining after runoff reduction. Where a CPv control orifice is provided, the minimum orifice size must be 3 inches, with acceptable external trash rack or orifice protection. 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 1-year post-development peak *discharge* is less than or equal to 2.0 cfs without detention or velocity controls; or
  3. The site *directly discharges* into a fifth order or larger water body (stream, river, or lake), or tidal waters, where the increase in smaller flows will not impact the stream bank or channel integrity. However, the point of *discharge* must be adequately protected against scour and erosion by the increased peak *discharge*.

- iii. **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 *directly discharges* to tidal waters or fifth order or larger streams, or
  - 2. A downstream analysis reveals that *overbank* control is not required.
- iv. **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 *directly discharges* 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 Watersheds**

- i. Runoff Reduction Volume (RRv) and Water Quality Volume (WQv):
  - 1. Reduce the 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 must be calculated in accordance with the criteria in Section 4.3 of the DM; or
  - 2. Minimum RRv and Treatment of Remaining Total WQv: *Construction activities* that cannot meet the criteria in Part II.C.2.b.i.1. due to *site limitations* must 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 must 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 4.5 of the DM.** The remaining portion of the total WQv that cannot be reduced must be treated by application of standard SMPs.

- ii. Channel Protection Volume (CPv): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event, remaining after runoff reduction. Where a CPv control orifice is provided, the minimum orifice size must be 3 inches, with acceptable external trash rack or orifice protection. 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 1-year post-development peak *discharge* is less than or equal to 2.0 cfs; or
  3. The site *directly discharges* to tidal waters, or a fifth order or larger water body (stream, river, or lake) where the increase in smaller flows will not impact the stream bank or channel integrity. However, the point of *discharge* must be adequately protected against scour and erosion by the increased peak *discharge*.
- iii. *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 *directly discharges* to tidal waters or fifth order or larger streams; or
  2. A downstream analysis reveals that *overbank* control is not required.

- iv. 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 *directly discharges* 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* must be addressed by one of the following options, as outlined in Section 9.2.1. *Redevelopment activities* located in an Enhanced Phosphorus Removal Watershed (see Part III.B.3. and Appendix C) must calculate the WQv in accordance with Section 4.3 of the DM. All other *redevelopment activities* must calculate the WQv in accordance with Section 4.2 of the DM.
  - 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 DM must be applied to all newly created pervious areas; or
  - 2. Capture and treat 100% of the required WQv, for a minimum of 25% of the disturbed redevelopment *impervious area*, by implementation of standard SMPs or reduced by application of runoff reduction techniques; or
  - 3. Capture and treat 100% of the required WQv, for a minimum of 75% of the disturbed redevelopment *impervious area*, by implementation of a volume-based alternative SMP, as defined in Section 9.4 of the DM; or
  - 4. Capture and treat 100% of the required WQv, for a minimum of 75% of the disturbed redevelopment *impervious area*, by implementation of a flow-through alternative SMP sized to treat the peak rate of runoff from the WQv design storm; or

5. Application of a combination of 1 through 4 above that provide a weighted average of at least two of the above methods. Application of this method must be in accordance with the criteria in Section 9.2.1(A)(V) of the DM; or
  6. If there is an existing SMP 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 through 5 above.
- ii. Channel Protection Volume (CPv) is not required if there is 0% change to hydrology that increases the *discharge* rate and volume from the project site.
  - iii. *Overbank* Flood Control (Qp) is not required if there is 0% change to hydrology that increases the *discharge* rate from the project site.
  - iv. Extreme Flood Control (Qf) is not required if there is 0% change to hydrology that increases 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*, must use SMPs that meet the *sizing criteria* calculated as an aggregate of the *sizing criteria* in Part II.C.2.a. or b. for the *new development* portion of the project and Part II.C.2.c. for the *redevelopment activity* portion of the project.

**Part III. Stormwater Pollution Prevention Plan (SWPPP)**

**A. General SWPPP Requirements**

1. A SWPPP must be prepared and implemented by the *owner or operator* of all *construction activity* covered by this permit. All authorized *discharges* must be identified in the SWPPP. 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 II.B. and, where applicable, the SMP requirements in Part II.C.

2. The *SWPPP* must demonstrate consideration in narrative format of the future physical risks due to climate change pursuant to the Community Risk and Resiliency Act (CRRRA), 6 NYCRR Part 490, and associated guidance.
  - a. The owner or operator must consider:
    - i. the following physical risks due to climate change:
      - (i) increasing temperature; and
      - (ii) increasing precipitation; and
      - (iii) increasing variability in precipitation, including chance of drought; and
      - (iv) increasing frequency and severity of flooding; and
      - (v) rising sea level; and
      - (vi) increasing storm surge; and
      - (vii) shifting ecology.
    - ii. for each of the following:
      - (i) overall site planning; and
      - (ii) location, elevation, and sizing of:
        - a. control measures and practices; and
        - b. conveyance system(s); and
        - c. detention system(s).
3. The *SWPPP* must describe the erosion and sediment control practices and where required, SMPs that will be used and/or constructed to reduce the *pollutants* in *stormwater discharges* and to assure compliance with the

requirements of this permit. In addition, the *SWPPP* must identify potential sources of pollution which may reasonably be expected to affect the quality of *stormwater discharges*.

4. All *SWPPPs*, that require the SMP component in accordance with Part III.B.2., must be prepared by a *qualified professional*.
5. The *owner or operator* must keep the *SWPPP* current so that, at all times, it accurately documents the erosion and sediment control practices that are being used or will be used during construction, and all SMPs that will be constructed on the site. At a minimum, the *owner or operator* must modify the *SWPPP*, including construction drawings:
  - a. whenever the current provisions prove to be ineffective in *minimizing pollutants* in *stormwater discharges* from the site; and
  - b. whenever there is a change in design, construction, or operation at the *construction site* that has or could have an effect on the *discharge of pollutants*; and
  - c. to address issues or deficiencies identified during an inspection by the *qualified inspector*, NYSDEC, or other regulatory authority; and
  - d. to document the final construction conditions in an as-built drawing.
6. NYSDEC 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 must 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 NYSDEC, the *owner or operator* must make the required changes to the *SWPPP* and submit written notification to NYSDEC that the changes have been made. If the *owner or operator* does not respond to NYSDEC's comments in the specified time frame, NYSDEC 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.
7. 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 SMPs included in the *SWPPP*. The *owner or operator* must have each of the contractors and subcontractors identify at least one person from their company to be *trained contractor* that will be responsible for implementation of the *SWPPP*. The *owner or operator* must ensure that at least one *trained contractor* is on site daily when soil disturbance activities are being performed.

The *owner or operator* must have each of the contractors and subcontractors identified above sign a copy of the following certification statement below before the *commencement of construction activities*:

"I hereby certify under penalty of law that I understand and agree to comply with the requirements 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 requirements of the most current version of the New York State Pollutant Discharge Elimination System (SPDES) Construction General Permit (CGP) 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* must 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 the *commencement of construction activities*, they must also sign the certification statement and provide the information listed above prior to performing *construction activities*.

## B. Required *SWPPP* Contents

1. Erosion and sediment control component - The *owner or operator* must prepare a *SWPPP* that includes erosion and sediment control practices.
  - a. Erosion and sediment control practices must be designed:
    - i. in conformance with the BB; or
    - ii. *equivalent* to the BB if deviating from Part III.B.1.a.i.
  - b. If the erosion and sediment control practices are designed in conformance with Part III.B.1.a.ii., the *SWPPP* must include a demonstration of *equivalence* to the BB.
  - c. At a minimum, the erosion and sediment control component of the *SWPPP* must include the following:
    - i. Background information about the scope of the project, including the location, type and size of project; and
    - ii. A site map/construction drawing(s) with north arrows for the project, including a general location map. At a minimum, the site map must 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)* and receiving surface water(s); and
    - iii. A description of the soil(s) present at the site, including an identification of the Hydrologic Soil Group (HSG); and
    - iv. A phasing plan for the project and sequencing plans for all *phases*, both of which must address clearing and grubbing, excavation and grading, utility and infrastructure installation, *final stabilization*,

and any other *construction activity* at the site that will result in soil disturbance.

1. The phasing plan must include:
  - a. a map delineating and labeling the limits of soil disturbance for all *phases* of a project; and
  - b. a table identifying the order and intended schedule of when each *phase* will begin and end its sequencing plan. The table must identify the total disturbed area for each *phase* at any one time and the total disturbed area for the overall project at any one time all on one timeline showing all overlapping quantities of disturbed area at any one time; and
2. A sequencing plan for a specific *phase* must include:
  - a. a table indicating the order and intended schedule of *construction activities* within a *phase*, and corresponding construction drawings with a description of the work to be performed; and
  - b. all permanent and *temporary stabilization* measures; and
- v. 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; and
- vi. A site map/construction drawing(s) showing the specific location(s), size(s), and length(s) of each erosion and sediment control practice; and
- vii. 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; and

- viii. A maintenance inspection schedule for the contractor(s) and subcontractor(s) identified in Part III.A.7. to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection schedule must be in accordance with the requirements in the BB technical standard; and
  - ix. 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*; and
  - x. 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
  - xi. Identification of any elements of the design that are not in conformance with the design criteria in the BB technical standard. 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. SMP component – The *owner or operator of construction activity* identified in Table 2 of Appendix B must prepare a *SWPPP* that includes SMPs.
- a. SMPs must be designed in conformance with the applicable *sizing criteria* in Part II.C.2.a., c., or d.; and
  - b. SMPs must be designed in conformance with the *performance criteria*:
    - i. in the DM; or
    - ii. *equivalent* to the DM if deviating from Part III.B.2.b.i.; or
    - iii. in the New York State Stormwater Management Design Manual, dated January 2015 (2015 Design Manual), or *equivalent* to it, if the following criteria are met:

1. The eNOI is submitted in accordance with Part I.D. before January 29, 2027 for *construction activities* that are either:
  - a. subject to governmental review and approval:
    - i. where the *owner or operator* made any application to that governmental entity prior to the effective date of this permit; and
    - ii. such application included a *SWPPP* developed using the 2015 Design Manual or *equivalent* to it; or
  - b. not subject to governmental review and approval:
    - i. where a fiscal allocation for the *construction activities* has been developed and approved by a governmental entity; and
    - ii. the *SWPPP* was developed using the 2015 Design Manual or *equivalent* to it; and
  - c. If SMPs are designed in conformance with Part III.B.2.b.ii., the *SWPPP* must include the reason(s) for the deviation or alternative design and a demonstration of *equivalence* to the DM; and
  - d. If SMPs are designed in conformance with Part III.B.2.b.iii., the *SWPPP* must include supporting information or documentation demonstrating that Part III.B.2.b.iii.1.a. or b. apply; and
  - e. The SMP component of the *SWPPP* must include the following:
    - i. Identification of all SMPs to be constructed as part of the project, including which option the SMP designs conform to, either Part III.B.2.b.i., ii., or iii. Include the dimensions, material specifications and installation details for each SMP; and
    - ii. A site map/construction drawing(s) showing the specific location and size of each SMP; and

- iii. 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; and
  - (ii) Map(s) showing post-development conditions, including watershed/subcatchments boundaries, flow paths/routing, design points and SMPs; and
  - (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; and
  - (iv) Summary table, with supporting calculations, which demonstrates that each SMP has been designed in conformance with the *sizing criteria* included in the DM; and
  - (v) Identification of any *sizing criteria* that is not required based on the requirements included in Part II.C.; and
  - (vi) Identification of any elements of the design that are not in conformance with the *performance criteria* in the DM. 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 DM.
- iv. Soil testing results and locations (test pits, borings); and
- v. Infiltration test results, when required in accordance with Part III.B.2.a.; and
- vi. An operations and maintenance plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each SMP. The plan must identify the entity

that will be responsible for the long-term operation and maintenance of each practice; and

3. Enhanced Phosphorus Removal Standards - The *owner or operator* of *construction activity* identified in Table 2 of Appendix B that is located in a watershed identified in Appendix C must prepare a *SWPPP* that includes SMPs designed in conformance with the applicable *sizing criteria* in Part II.C.2.b., c., or d. and the *performance criteria* Enhanced Phosphorus Removal Standards included in the DM. At a minimum, the SMP component of the *SWPPP* must meet the requirements of Part III.B.2.

### **C. Required *SWPPP* Components by Project Type**

*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 accordance with Part III.B.1. *Owners or operators* of the *construction activities*, identified in Table 2 of Appendix B, must prepare a *SWPPP* that also includes SMPs designed in accordance with Part III.B.2 or 3.

For the entire area of disturbance, including the entire *common plan of development or sale* if applicable, the owner or operator must evaluate every bullet from Appendix B Table 1 and Table 2 separately. If bullets from both Table 1 and Table 2 apply, the *SWPPP* must include erosion and sediment control practices for all *construction activities* but SMPs for only those portions of the *construction activities* that fall under Table 2 bullet(s).

## **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 SMPs identified in the *SWPPP*, are inspected and maintained in accordance with Part IV.B. and C.

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

1. The *owner or operator* of each *construction activity*, identified in Tables 1 and 2 of Appendix B, must 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 must:

- a. if the corrective action does not require engineering design:
    - i. begin implementing corrective actions within one business day; and
    - ii. complete the corrective actions within five business days; or
  - b. if the corrective action requires engineering design:
    - i. begin the engineering design process within five business days; and
    - ii. complete the corrective action in a reasonable time frame but no later than within 60 calendar days.
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 in accordance with Part IV.B.1. The *trained contractor* must begin conducting the maintenance inspections in accordance with Part IV.B.1. 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 in accordance with Part IV.B.1. if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all SMPs required for the completed portion of the project have been constructed in conformance with the *SWPPP* and are operational.

### **C. Qualified Inspector Inspection Requirements**

1. With the exception of the following *construction activities* identified in Tables 1 and 2 of Appendix B, a *qualified inspector* must conduct site inspections for all other *construction activities* identified in Tables 1 and 2 of Appendix B:
  - 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 or equal to 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 D; and

- b. the construction of a single-family home that involves soil disturbances of one (1) or more acres but less than or equal to 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 D; and
  - c. construction on *agricultural property* that involves soil disturbances of one (1) or more acres but less than five (5) acres; and
  - d. *construction activities* located in the New York City Watershed located east of the Hudson River, see Appendix C Figure 1, that involve soil disturbances of 5,000 square feet or more, but less than one acre.
2. The *qualified inspector* must conduct site inspections in accordance with the following timetable:
- a. For *construction sites* where soil disturbance activities are on-going, the *qualified inspector* must conduct a site inspection at least once every seven (7) calendar days; or
  - b. For *construction sites* where soil disturbance activities are on-going and the *owner or operator* has received authorization in accordance with Part I.E.6. to disturb greater than five (5) acres of soil at any one time, the *qualified inspector* must conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections must be separated by a minimum of two (2) full calendar days; or
  - 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* must conduct a site inspection at least once every thirty (30) calendar days. The *owner or operator* must notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix E) or, in areas under the jurisdiction of a *Traditional Land Use Control MS4 Operator*, the *Traditional Land Use Control MS4 Operator* (provided the *Traditional Land Use Control MS4 Operator* is not the *owner or operator* of the *construction activity*) by hard copy or email prior to reducing the inspections to this frequency and again by hard copy or email prior to re-commencing construction; or

- d. For *construction sites* where soil disturbance activities have been shut down with partial project completion, the requirement to have the *qualified inspector* conduct inspections ceases if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all SMPs required for the completed portion of the project have been constructed in conformance with the *SWPPP* and are operational. The *owner or operator* must notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix E) or, in areas subject to the review authority of *Traditional Land Use Control MS4 Operator(s)* in accordance with Part I.D.2.b.ii.1., the *Traditional Land Use Control MS4 Operator(s)* (provided the *Traditional Land Use Control MS4 Operator(s)* are not the *owners or operators* of the *construction activity*) in writing prior to the shutdown and again in writing prior to resuming *construction activity*. If soil disturbance activities are not resumed within 2 years from the date of shutdown, the *owner or operator* must terminate coverage by meeting the requirements of Part V; or
  - e. For *construction sites* involving soil disturbance of one (1) or more acres that *directly discharge* to one of the 303(d) segments listed in Appendix D or is located in one of the watersheds listed in Appendix C, the *qualified inspector* must conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections must be separated by a minimum of two (2) full calendar days.
3. At a minimum, the *qualified inspector* must inspect:
- a. all erosion and sediment control practices and pollution prevention measures to ensure integrity and effectiveness; and
  - b. all SMPs under construction to ensure that they are constructed in conformance with the *SWPPP*; and
  - c. all areas of disturbance that have not achieved *final stabilization*; and
  - d. all points of *discharge* to *surface waters of the State* located within, or immediately adjacent to, the property boundaries of the *construction site*; and
  - e. all points of *discharge* from the *construction site*.

4. The *qualified inspector* must prepare an inspection report subsequent to each and every inspection. At a minimum, the inspection report must include and/or address all of the following, for all *construction activities* except those listed in Part IV.C.1.:
  - a. Permit identification number; and
  - b. Date and time of inspection; and
  - c. Name and title of person(s) performing inspection; and
  - d. A description of the weather and soil conditions (e.g. dry, wet, saturated) at the time of the inspection, including the temperature at the time of the inspection; and
  - e. A description of the condition of the runoff at all points of *discharge* from the *construction site*. This must 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; and
  - f. A description of the condition of all *surface waters of the State* located within, or immediately adjacent to, the property boundaries of the *construction site* which receive runoff from disturbed areas. This must include identification of any *discharges* of sediment to the *surface waters of the State*; and
  - g. Identification of all erosion and sediment control practices and pollution prevention measures that need repair or maintenance; and
  - h. 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; and
  - i. Description and sketch (map) 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; and
  - j. Estimates, in square feet or acres, of the following areas:

- i. Total area with active soil disturbance (not requiring either *temporary stabilization* or *final stabilization*); and
  - ii. Total area with inactive soil disturbance (requiring either *temporary stabilization* or *final stabilization*); and
  - iii. Total area that has achieved *temporary stabilization*; and
  - iv. Total area that has achieved *final stabilization*; and
- k. Current stage of construction of all SMPs and identification of all *construction activity* on site that is not in conformance with the *SWPPP* and technical standards; and
- l. 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 SMP(s); and
- m. Identification and status of all corrective actions that were required by previous inspection; and
- n. Digital photographs, with date stamp, that clearly show the condition of all practices that have been identified as needing corrective actions. The *qualified inspector* must attach 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* must 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* must 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* must notify the *owner or operator*, and appropriate contractor or subcontractor identified in Part III.A.7., of any corrective actions that need to be taken. The contractor or subcontractor must:
- a. if the corrective action does not require engineering design:

- i. begin implementing corrective actions within one business day; and
  - ii. complete the corrective actions within five business days; or
- b. if the corrective action requires engineering design:
- i. begin the engineering design process within five business days; and
  - ii. complete the corrective action in a reasonable time frame but no later than within 60 calendar days.
6. All inspection reports must be signed by the *qualified inspector*. In accordance with Part I.E.3., the inspection reports must be maintained on site with the *SWPPP*.

## **Part V. How to Terminate CGP Coverage**

### **A. Electronic Notice of Termination (eNOT) Submittal**

The eNOT contains questions to ensure requirements in Part V.A. have been met.

1. An *owner or operator* must terminate coverage when one or more of the following requirements have been met:
  - a. Total project completion:
    - i. all *construction activity* identified in the *SWPPP* has been completed; and
    - ii. all areas of disturbance have achieved *final stabilization*; and
    - iii. all temporary, structural erosion and sediment control measures have been removed; and
    - iv. all SMPs have been constructed in conformance with the *SWPPP* and are operational; and
    - v. an as-built drawing has been prepared; or

- b. Planned shutdown with partial project completion:
    - i. all soil disturbance activities have ceased; and
    - ii. all areas disturbed as of the project shutdown date have achieved *final stabilization*; and
    - iii. all temporary, structural erosion and sediment control measures have been removed; and
    - iv. all SMPs required for the completed portion of the project have been constructed in conformance with the *SWPPP* and are operational; and
    - v. an as-built drawing has been prepared; or
  - c. In accordance with Part I.G. Change of Owner or Operator; or
  - d. The *owner or operator* has obtained coverage under an alternative general SPDES permit or an individual SPDES permit.
2. For *construction activities* that require *qualified inspector* inspections in accordance with Part IV.C.1. and have met Part V.A.1.a. or b., the *owner or operator* must have the *qualified inspector* perform a final site inspection prior to submitting the eNOT. The *qualified inspector* must, by signing the “Final Stabilization” and “Post-Construction Stormwater Management Practice(s)” certification statements on the eNOT, certify that all the requirements in Part V.A.1.a. or b. have been achieved.
3. For *construction activities* that are subject to the review authority of *Traditional Land Use Control MS4 Operator(s)* in accordance with Part I.D.2.b.ii.1. and meet Part V.A.1.a. or b., the *owner or operator* must have the *Traditional Land Use Control MS4 Operator(s)* sign the “MS4 Acceptance” statement on the eNOT in accordance with the requirements in Part VII.J. A *Traditional Land Use Control MS4 Operator* official, by signing this statement, determined that it is acceptable for the *owner or operator* to submit the eNOT in accordance with the requirements of this Part. A *Traditional Land Use Control MS4 Operator* can make this determination by performing a final site inspection themselves or by accepting the *qualified inspector’s* final site inspection certification(s) when required in Part V.A.2.

4. For *construction activities* that require SMPs and meet Part V.A.1.a. or b., the *owner or operator* must, prior to submitting the eNOT, ensure one of the following:
  - a. for SMP(s) that were constructed by a private entity, but will be owned, operated, and maintained by a public entity, the SMP(s) and any right-of-way(s) needed to operate and maintain such practice(s) have been deeded to the municipality in which the practice(s) is located; or
  - b. for SMP(s) that are privately owned, but will be operated and maintained by a public entity, an executed operation and maintenance agreement is in place with the municipality that will operate and maintain the SMP(s); or
  - c. for SMP(s) 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; or
  - d. for SMP(s) 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 policies and procedures in place that ensure operation and maintenance of the practices in accordance with the operation and maintenance plan.
5. An *owner or operator* that has met the requirements of Part V.A.1., 2., 3., and 4. must request termination of coverage under this permit by submitting a complete Notice of Termination form electronically using a NYSDEC approved form.<sup>5</sup>
  - a. The owner's or operator's coverage is terminated as of the termination date indicated in the Letter of Termination (LOT), which is sent by NYSDEC after a complete eNOT is submitted.

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<sup>5</sup> Unless NYSDEC grants a waiver in accordance with 40 CFR 127.15(c) or (d). All waiver requests must be submitted to Stormwater\_info@dec.ny.gov or NYSDEC, Bureau of Water Permits, 625 Broadway, 4<sup>th</sup> Floor, Albany, New York 12233-3505.

## **Part VI. Record Retention and Reporting**

### **A. Record Retention**

The *owner or operator* must retain a copy of the documents listed in Part I.E.3. and a copy of the LOT for a period of at least five years from the date that NYSDEC accepts a complete NOT submitted in accordance with Part V.

### **B. Reporting**

Except for the eNOI, the signature forms associated with the eNOI, and the eNOT, all other written correspondence requested by NYSDEC, including individual permit applications, must be sent to the address of the appropriate DOW (SPDES) Program contact at the Regional Office listed in Appendix E.

## **Part VII. Standard Permit Requirements**

For the purposes of this permit, examples of contractors and subcontractors include: third-party maintenance and construction contractors.

### **A. Duty to Comply**

The *owner or operator*, and all contractors or subcontractors, must comply with all requirements of this permit. Any non-compliance with the requirements of this permit constitutes a violation of the New York State Environmental Conservation Law (ECL), and its implementing regulations, and is grounds for enforcement action. Filing of a request for termination of coverage under this permit, or a notification of planned changes or anticipated non-compliance, does not limit, diminish or stay compliance with any requirements of this permit.

### **B. Need to Halt or Reduce Activity Not a Defense**

The necessity to halt or reduce the *construction activity* regulated by this permit, in order to maintain compliance with the requirements of this permit, must not be a defense in an enforcement action.

### **C. Penalties**

There are substantial criminal, civil, and administrative penalties associated with violating the requirements of this permit. Fines of up to \$37,500 per day for each

violation and imprisonment for up to 15 years may be assessed depending upon the nature and degree of the offense.

#### **D. False Statements**

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 monitoring reports or reports of compliance or noncompliance must, upon conviction, be punished in accordance with ECL §71-1933 and or New York State Penal Law Articles 175 and 210.

#### **E. Re-Opener Clause**

Upon issuance of this permit, a determination has been made on the basis of a submitted Notice of Intent, plans, or other available information, that compliance with the specified permit requirements will reasonably protect classified water use and assure compliance with applicable *water quality standards*. Satisfaction of the requirements of this permit notwithstanding, if operation pursuant to this permit causes or contributes to a condition in contravention of State *water quality standards* or guidance values, or if NYSDEC determines that a modification is necessary to prevent impairment of the best use of the waters or to assure maintenance of *water quality standards* or compliance with other provisions of ECL Article 17 or the Clean Water Act (CWA), or any regulations adopted pursuant thereto, NYSDEC may require such modification and the Commissioner may require abatement action to be taken by the *owner or operator* and may also prohibit such operation until the modification has been implemented.

#### **F. Duty to Mitigate**

The *owner or operator*, and its contractors and subcontractors, must 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.

#### **G. Requiring Another General Permit or Individual SPDES Permit**

NYSDEC may require any *owner or operator* authorized to *discharge* in accordance with this permit to apply for and obtain an individual SPDES permit or apply for authorization to *discharge* in accordance with another general SPDES permit.

1. Cases where an individual SPDES permit or authorization to discharge in accordance with another general SPDES permit may be required include, but is not limited to the following:

Part VII.G.1.a.

- a. the *owner or operator* is not in compliance with the conditions of this permit or does not meet the requirements for coverage under this permit; and
  - b. a change has occurred in the availability of demonstrated technology or practices for the control or abatement of *pollutants* applicable to the *point source*; and
  - c. new effluent limitation guidelines or new source performance standards are promulgated that are applicable to *point sources* authorized to *discharge* in accordance with this permit; and
  - d. existing effluent limitation guidelines or new source performance standards that are applicable to *point sources* authorized to *discharge* in accordance with this permit are modified; and
  - e. a water quality management plan containing requirements applicable to such *point sources* is approved by NYSDEC; and
  - f. circumstances have changed since the time of the request to be covered so that the *owner or operator* is no longer appropriately controlled under this permit, or either a temporary or permanent reduction or elimination of the authorized *discharge* is necessary; and
  - g. the *discharge* is in violation of section 17-0501 of the ECL; and
  - h. the *discharge(s)* is a significant contributor of *pollutants*. In making this determination, NYSDEC may consider the following factors:
    - i. the location of the *discharge(s)* with respect to *surface waters of the State*; and
    - ii. the size of the *discharge(s)*; and
    - iii. the quantity and nature of the *pollutants discharged* to *surface waters of the State*; and
    - iv. other relevant factors including compliance with other provisions of ECL Article 17, or the CWA.
2. When NYSDEC requires any *owner or operator* authorized by this permit to apply for an individual SPDES permit as provided for in this subdivision, it must notify the *owner or operator* in writing that a permit application is required. This notice must include a brief statement of the reasons for this decision, an application

form, a statement setting a time for the *owner or operator* to file the application for an individual SPDES permit, and a deadline, not sooner than 180 days from the *owner's or operator's* receipt of the notification letter, whereby the authorization to *discharge* under this permit must be terminated. NYSDEC may grant additional time upon demonstration, to the satisfaction of the RWE,<sup>6</sup> that additional time to apply for an alternative authorization is necessary or where NYSDEC has not provided a permit determination in accordance with 6 NYCRR Part 621.

3. When an individual SPDES permit is issued to an *owner or operator* authorized to *discharge* under this permit for the same *discharge(s)*, this permit authorization for *construction activities* authorized under the individual SPDES permit is automatically terminated on the effective date of the individual SPDES permit unless termination is earlier in accordance with 6 NYCRR Part 750.

## H. Duty to Provide Information

The *owner or operator* must furnish to NYSDEC, within five business days, unless otherwise set forth by NYSDEC, any information that NYSDEC may request to determine whether cause exists to determine compliance with this permit or to determine whether cause exists for requiring an individual SPDES permit in accordance with 6 NYCRR 750-1.21(e) (see Part VII.G. Requiring Another General Permit or Individual Permit).

The *owner or operator* must make available to NYSDEC, for inspection and copying, or furnish to NYSDEC within 25 business days of receipt of a NYSDEC request for such information, any information retained in accordance with this permit.

Except for Part I.D.4. and 5. and Part I.G., the following applies: where the *owner or operator* becomes aware that it failed to submit any relevant facts on the Notice of Intent, or submitted incorrect information in a Notice of Intent or in any report to NYSDEC, the *owner or operator* must submit such facts or corrected information to NYSDEC within five business days.

## I. Extension

In the event a new permit is not issued and effective prior to the expiration of this permit, and this permit is extended pursuant to the State Administrative Procedure Act and 6 NYCRR Part 621, then the *owner or operator* with coverage under this permit may continue to operate and *discharge* in accordance with the requirements of this permit until a new permit is issued and effective.

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<sup>6</sup> The Regional Water Manager where a DEC Region does not have a RWE.

## J. Signatories and Certification

The Notice of Intent, Notice of Termination, and reports required by this permit must be signed as provided in 40 CFR §122.22.

1. All Notices of Intent and Notices of Termination must be signed as follows:
  - a. For a corporation. 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 Notice of Intent or Notice of Termination requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

Note: NYSDEC does not require specific assignments or delegations of authority to responsible corporate officers identified in 40 CFR §122.22(a)(1)(i). NYSDEC will presume that these responsible corporate officers have the requisite authority to sign the Notice of Intent or Notice of Termination unless the corporation has notified NYSDEC to the contrary. Corporate procedures governing authority to sign a Notice of Intent or Notice of Termination may provide for assignment or delegation to applicable corporate positions under 40 CFR §122.22(a)(1)(ii) rather than to specific individuals.

- b. For a partnership or sole proprietorship. By a general partner or the proprietor, respectively.

- c. For a municipality, State, Federal, or other public agency. By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:
  1. the chief executive officer of the agency; or
  2. 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. All reports required by this permit, and other information requested by NYSDEC, must be signed by a person described in Part VII.J.1., or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - a. The authorization is made in writing by a person described in Part VII.J.1. or using the Duly Authorized Form, found on the DEC website; and
  - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, 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 is submitted to NYSDEC.
3. Changes to authorization. If an authorization under Part VII.J.2. is no longer accurate because a different individual or position has responsibility for the overall operation of the *construction activity*, a new authorization satisfying the requirements of Part VII.J.2. must be submitted to NYSDEC prior to or together with any reports, information, or applications to be signed by an authorized representative.
4. Certification. Any person signing a document under Part VII.J.1. or 2. must make the following certification:

*I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who*

*manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

5. Electronic reporting. If documents described in Part VII.J.1. or 2. are submitted electronically by or on behalf of the *construction activity* with coverage under this permit, any person providing the electronic signature for such documents must meet all relevant requirements of this section, and must ensure that all of the relevant requirements of 40 CFR Part 3 (including, in all cases, subpart D to Part 3) (Cross-Media Electronic Reporting) and 40 CFR Part 127 (NPDES Electronic Reporting Requirements) are met for that submission.

#### **K. Inspection and Entry**

The *owner or operator* must allow NYSDEC, the USEPA Regional Administrator, the applicable county health department, or any authorized representatives of those entities, 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 requirements of this permit; and
2. have access to and copy at reasonable times, any records that must be kept under the requirements of this permit, including records required to be maintained for purposes of operation and maintenance; and
3. inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and
4. sample or monitor at reasonable times, for the purposes of assuring general SPDES permit compliance or as otherwise authorized by the CWA or ECL, any substances or parameters at any location; and
5. enter upon the property of any contributor to the regulated facility or activity under authority of the *owner or operator*.

**L. Confidentiality of Information**

The following must not be held confidential: this permit, the fact sheet for this permit, the name and address of any *owner or operator*, effluent data, the Notice of Intent, and information regarding the need to obtain an individual permit or an alternative general SPDES permit. This includes information submitted on forms themselves and any attachments used to supply information required by the forms (except information submitted on usage of substances). Upon the request of the *owner or operator*, NYSDEC must make determinations of confidentiality in accordance with 6 NYCRR Part 616, except as set forth in the previous sentence. Any information accorded confidential status must be disclosed to the Regional Administrator upon his or her written request. Prior to disclosing such information to the Regional Administrator, NYSDEC will notify the Regional Administrator of the confidential status of such information.

**M. Other Permits May Be Required**

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

**N. NYSDEC Orders or Civil Decrees/Judgments**

The issuance of this permit by the NYSDEC, and the coverage under this permit by the *owner or operator*, does not supersede, revoke, or rescind any existing order on consent or civil Decree/Judgment, or modification to any such documents or to any order issued by the Commissioner, or any of the terms, conditions, or requirements contained in such order or modification therefore, unless expressly noted.

**O. Property Rights**

Coverage under this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations, nor does it obviate the necessity of obtaining the assent of any other jurisdiction as required by law for the *discharge* authorized.

**P. Compliance with Interstate Standards**

If the *construction activity* covered by this permit originates within the jurisdiction of an interstate water pollution control agency, then the *construction activity* must also comply with any applicable effluent standards or *water quality standards* promulgated by that interstate agency and as set forth in this permit for such *construction activities*.

#### **Q. Oil and Hazardous Substance Liability**

Coverage under this permit does not affect the imposition of responsibilities upon, or the institution of any legal action against, the *owner or operator* under section 311 of the CWA, which must be in conformance with regulations promulgated pursuant to section 311 governing the applicability of section 311 of the CWA to *discharges* from facilities with *NPDES* permits, nor must such issuance preclude the institution of any legal action or relieve the *owner or operator* from any responsibilities, liabilities, or penalties to which the *owner or operator* is or may be subject pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. section 9601 et seq. (CERCLA).

#### **R. 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, must not be affected thereby.

#### **S. NYSDEC Approved Forms**

The *owner or operator* must provide all relevant information that is requested by NYSDEC, and required by this permit, on all NYSDEC approved forms.

## **APPENDIX A – Abbreviations and Definitions**

### **Abbreviations**

APO – Agency Preservation Officer  
BB – New York State Standards and Specifications for Erosion and Sediment Control (Blue Book), dated November 2016  
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)  
DM – New York State Stormwater Management Design Manual (Design Manual), dated July 31, 2024  
DOW – Division of Water  
EAF – Environmental Assessment Form  
ECL – chapter 43-B of the Consolidated Laws of the State of New York, entitled the 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  
NYC – The City of New York  
NYCDEP – The City of New York Department of Environmental Protection  
NYSDEC – The New York State Department of Environmental Conservation  
OPRHP – Office of Parks, Recreation and Historic Places  
Qf – Extreme Flood  
Qp – Overbank Flood  
RR – Runoff Reduction  
RRv – Runoff Reduction Volume  
RWE – Regional Water Engineer  
SEQR – State Environmental Quality Review Act  
SHPA – State Historic Preservation Act  
SMP – Post-Construction Stormwater Management Practice  
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. If a word is not italicized in the permit, use its common definition.

**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** – the land for construction of a barn, *agricultural building*, silo, stockyard, pen or other structural practices identified in Table II in the “Agricultural Best Management Practice Systems Catalogue” (dated June 2023).

**Alter Hydrology from Pre- to Post-Development Conditions** – 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 System** – a sewer system which conveys sewage and *stormwater* through a single pipe system to a publicly owned treatment works.

**Commence (Commencement of) Construction Activities** – 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.

**Common Plan of Development or Sale** – a contiguous area where multiple separate and distinct *construction activities* are occurring, or may occur, under one plan. The “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 (SEQR) environmental assessment form or other documents, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating *construction activities* may occur on a specific plot. A *common plan of development or sale* is comprised of two or more *phases*.

*Common plan of development or sale* does not include separate and distinct *construction activities* that are occurring, or may occur, under one plan that are at least 1/4 mile apart provided any interconnecting road, pipeline or utility project that is part of the same “common plan” is not concurrently being disturbed.

**Construction Activity(ies)** – identified within 40 CFR 122.26(b)(14)(x), 122.26(b)(15)(i), and 122.26(b)(15)(ii), any clearing, grading, excavation, filling, demolition or stockpiling activities that result in soil disturbance. Clearing activities can include, but are not limited to, mechanized 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, which is excluded from the calculation of the soil disturbance for a project. Routine maintenance includes, but is not limited to:

- Re-grading of gravel roads or parking lots; and
- Cleaning and shaping of existing roadside ditches and culverts that maintains the approximate original line and grade, and maintains or improves the hydraulic capacity of the ditch; and
- Replacement of existing culverts that maintains the approximate original line and grade, and maintains or improves the hydraulic capacity of a ditch; and
- Replacement of existing bridges that maintains the approximate original line and grade, and maintains or improves the hydraulic capacity beneath the bridges; and
- 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); and
- Placement of aggregate shoulder backing that stabilizes the transition between the road shoulder and the ditch or *embankment*; and
- 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; and
- Long-term use of equipment storage areas at or near highway maintenance facilities; and
- 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*; and
- Existing use of Canal Corp owned upland disposal sites for the canal, and
- Replacement of curbs, gutters, sidewalks and guide rail posts; and
- Maintenance of ski trails including brush hog use and mowing; and
- Above ground snowmaking pipe replacement; and
- Replacement of existing utility poles; etc.

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

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

**Directly Discharge(s)(ing) (to a specific surface waterbody)** – 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)(d)** – any addition of any *pollutant* to waters of the State through an outlet or *point source*.

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

**Equivalent (Equivalence)** – 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** – 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.

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

**Infeasible** – not technologically possible, or not economically practicable and achievable considering best industry practices.

**Minimize(ing)(ation)** – 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 System (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):

1. owned or operated by a State, city, town, village, 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*; and
2. designed or used for collecting or conveying *stormwater*; and
3. which is not a *combined sewer system*; and
4. which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

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

**New Development** – 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.

**Nonpoint Source(s)** – 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** – flow events that exceed the capacity of the stream channel and spill out into the adjacent floodplain.

**Owner or Operator** – 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 requirements.

**Performance Criteria** – the six performance criteria for each group of SMPs in Chapters 5 and 6 of the technical standard, New York State Stormwater Management Design Manual (DM), dated July 31, 2024. These include feasibility, conveyance, pretreatment, treatment, landscaping, and maintenance. It does not include the *Sizing Criteria* (i.e. WQv, RRV, CPv, Qp and Qf) in Part I.C.2. of the permit.

**Phase** – a defined area in which *construction activities* are occurring or will occur separate from other defined area(s).

**Point Source** – 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(s)** – 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** – 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 NYSDEC 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 NYSDEC endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other NYSDEC 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 SMPs that include structural components, such as a dam for an impoundment, shall be performed by a licensed Professional Engineer.

**Qualified Professional** – 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 NYSDEC endorsed individual(s). Individuals preparing *SWPPPs* that require the SMP 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)** – 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.).

**Renewable Energy** – electricity or thermal energy generated by renewable energy systems through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.

**Site Limitations** – 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** – the criteria included in Part I.C.2 of the permit that are used to size SMPs. The criteria include; Water Quality Volume (WQv), Runoff Reduction Volume (RRv), Channel Protection Volume (Cpv), *Overbank* Flood (Qp), and Extreme Flood (Qf).

**Steep Slope** – land area designated on the current United States Department of Agriculture (USDA) Soil Survey as Soil Slope Phase D, (provided the map unit name or description 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.

**Stormwater** – that portion of precipitation that, once having fallen to the ground, is in excess of the evaporative or infiltrative capacity of soils, or the retentive capacity of surface features, which flows or will flow off the land by surface runoff to waters of the State.

**Streambank** – 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)** – 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 SMPs); and identifies procedures the *owner or operator* will implement to comply with the requirements 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** – an existing disturbed area will not be disturbed again within 14 calendar days of the previous soil disturbance.

**Temporary Stabilization** – 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 Load (TMDL)** – 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 and still meet *water quality standards*, and an allocation of that amount to the *pollutant's* sources. A TMDL stipulates Waste Load Allocations (WLA) for *point source discharges*, Load Allocations (LA) for *nonpoint sources*, and a margin of safety (MOS).

**Traditional Land Use Control MS4 Operator** – 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).

**Trained Contractor** – an employee from the contracting (construction) company, identified in Part III.A.7., that has received four (4) hours of NYSDEC endorsed training

in proper erosion and sediment control principles from a Soil and Water Conservation District, or other NYSDEC 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.7., 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 NYSDEC endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other NYSDEC endorsed entity).

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

**Tree Clearing** – *construction activities* limited to felling and removal of trees.

*Tree clearing* does not include hand felling and leaving the trees in place with no support from mechanized equipment, which is not considered *construction activity* requiring coverage under this permit.

**Water Quality Standard** – 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**

**The following *construction activities* that involve soil disturbances of one (1) or more acres of land, but less than five (5) acres:**

- Single-family home 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 D
- Single-family residential subdivisions with 25% or less *impervious cover* at total site build-out and 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 D
- Construction of a barn or other *agricultural building*, silo, stock yard or pen.
- Structural agricultural conservation practices as identified in Table II in the “Agricultural Best Management Practice Systems Catalogue” (dated June 2023) that include construction or reconstruction of *impervious area* or *alter hydrology from pre- to post-development* conditions.

**The following *construction activities* that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land:**

- All construction activities located in the New York City Watershed located east of the Hudson River, see Appendix C Figure 1, that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

**Within the municipal boundaries of NYC:**

- Stand-alone road reconstruction, where the total soil disturbance from only that road construction, is less than one (1) acre of land.

**The following *construction activities*:**

- Installation of underground linear utilities; such as gas lines, fiber-optic cable, cable TV, electric, telephone, sewer mains, and water mains
- Environmental enhancement projects, such as wetland mitigation, *stormwater* retrofits, stream restoration, and resiliency projects that reconstruct shoreline areas to address sea level rise
- Pond construction
- Linear bike paths running through areas with vegetative cover, including bike paths surfaced with an *impervious cover*
- Cross-country ski trails, walking/hiking trails, and mountain biking trails, including a de minimis parking lot (maximum 10 spaces total, sized for passenger cars) with 35 feet minimum preservation of undisturbed area downgradient from the parking lot
- Dam rehabilitation (the structure of the dam itself)
- Sidewalks, bike paths, or walking paths, surfaced with an *impervious cover*, that are not part of residential, commercial, or institutional development;
- Sidewalks, bike paths, or walking paths, 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.

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

**The following *construction activities*:**

- Slope stabilization
- Slope flattening that changes the grade of the site, but does not significantly change the runoff characteristics
- Spoil areas that will be covered with vegetation
- Vegetated open space (i.e. recreational parks, lawns, meadows, fields, downhill ski trails) that do not *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 where vegetation will be established, and no *redevelopment activity* is planned<sup>1</sup>
- Installation or replacement of either an overhead electric transmission line or a ski lift tower that does not include the construction of permanent access roads or parking areas surfaced with *impervious cover*.
- Solar array field areas that have tables elevated off the ground, spaced one table width apart, do not *alter hydrology from pre- to post-development conditions*, and address water quality volume and runoff reduction volume by maintaining sheet flow on slopes less than 8%.
- Structural agricultural conservation practices as identified in Table II in the “Agricultural Best Management Practice Systems Catalogue” (dated June 2023) that do not include construction or reconstruction of *impervious area* and do not *alter hydrology from pre- to post-development* conditions.
- 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 (in this context, “temporary” means the *impervious area* will be in place for two years or less)
- Other *construction activities* that do not include the construction or reconstruction of *impervious area*, and do not *alter hydrology from pre- to post-development* conditions, and are not listed in Table 2.

1. If the site is redeveloped in the future, a new eNOI must be submitted.

Table 2

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

**The following *construction activities*:**

- 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 D
- 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 D
- 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 between 20,000 square feet and one (1) acre of land within the municipal boundaries of NYC 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 *common plan of development or sale* that will ultimately disturb five (5) or more acres of land
- Multi-family residential developments; includes duplexes, townhomes, condominiums, senior housing complexes, apartment complexes, and mobile home parks
- Creation of 5,000 square feet or more of *impervious area* in the municipal boundaries of NYC
- 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) that involves soil disturbance greater than five acres.
- Structural agricultural conservation practices as identified in Table II in the “Agricultural Best Management Practice Systems Catalogue” (dated June 2023) that involves soil disturbance greater than five acres and include the construction or reconstruction of *impervious area* or *alter hydrology from pre- to post-development* conditions.
- Facility buildings, including ski lodges, restroom buildings, pumphouses, ski lift terminals, and maintenance and groomer garages
- Institutional development; includes hospitals, prisons, schools and colleges
- Industrial facilities; includes industrial parks
- Landfills; including creation of landfills or capping landfills.
- Municipal facilities; includes highway garages, transfer stations, office buildings, POTWs, water treatment plants, and water storage tanks
- Golf courses
- Office complexes

Table 2 (Continued)

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

**The following *construction activities*:**

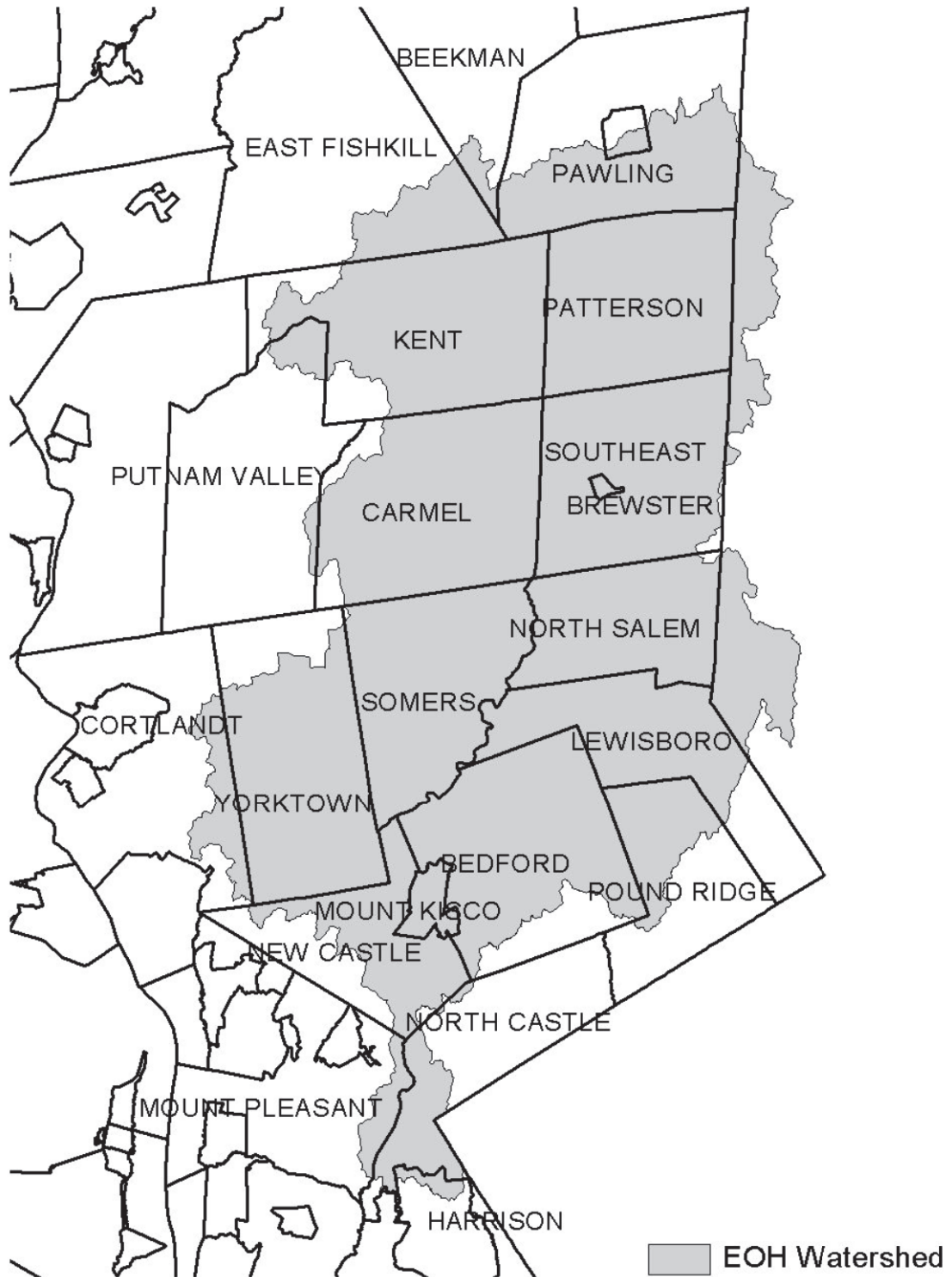
- Permanent laydown yards and equipment storage lots
- Playgrounds that include the construction or reconstruction of *impervious area*
- Sports complexes
- Racetracks; includes racetracks with earthen (dirt) surfaces
- Road construction or reconstruction, outside the municipal boundaries of NYC
- Road construction within the municipal boundaries of NYC
- Stand-alone road reconstruction, within the municipal boundaries of NYC where the total soil disturbance from that road reconstruction involves soil disturbance of one (1) acre or more of land
- Parking lot construction or reconstruction (as with all Table 2 bullets, this includes parking lots constructed as part of the *construction activities* listed in Table 1, unless a Table 1 bullet specifies otherwise)
- 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 overhead electric transmission line, wind-power, cell tower, oil or gas well drilling, sewer or water main, ski lift, or other linear utility project
- Sidewalks, bike paths, or walking paths, surfaced with an *impervious cover*, that are part of a residential, commercial or institutional development
- Sidewalks, bike paths, or walking paths, surfaced with an *impervious cover*, that are part of highway construction or reconstruction
- Solar array field areas on slopes greater than 8% that cannot maintain sheet flow using management practices identified in the BB or the DM
- Solar array field areas on slopes less than 8% that will *alter the hydrology from pre- to post-development* conditions
- Solar array field areas with tables that are not elevated high enough to achieve *final stabilization* beneath the tables
- Traditional *impervious areas* associated with solar development (e.g. roads, buildings, transformers)
- Utility pads surfaced with *impervious cover*, including electric vehicle charging stations
- 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 *SMPs* designed in conformance with the Enhanced Phosphorus Removal Standards included in the DM technical standard.**

- 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**



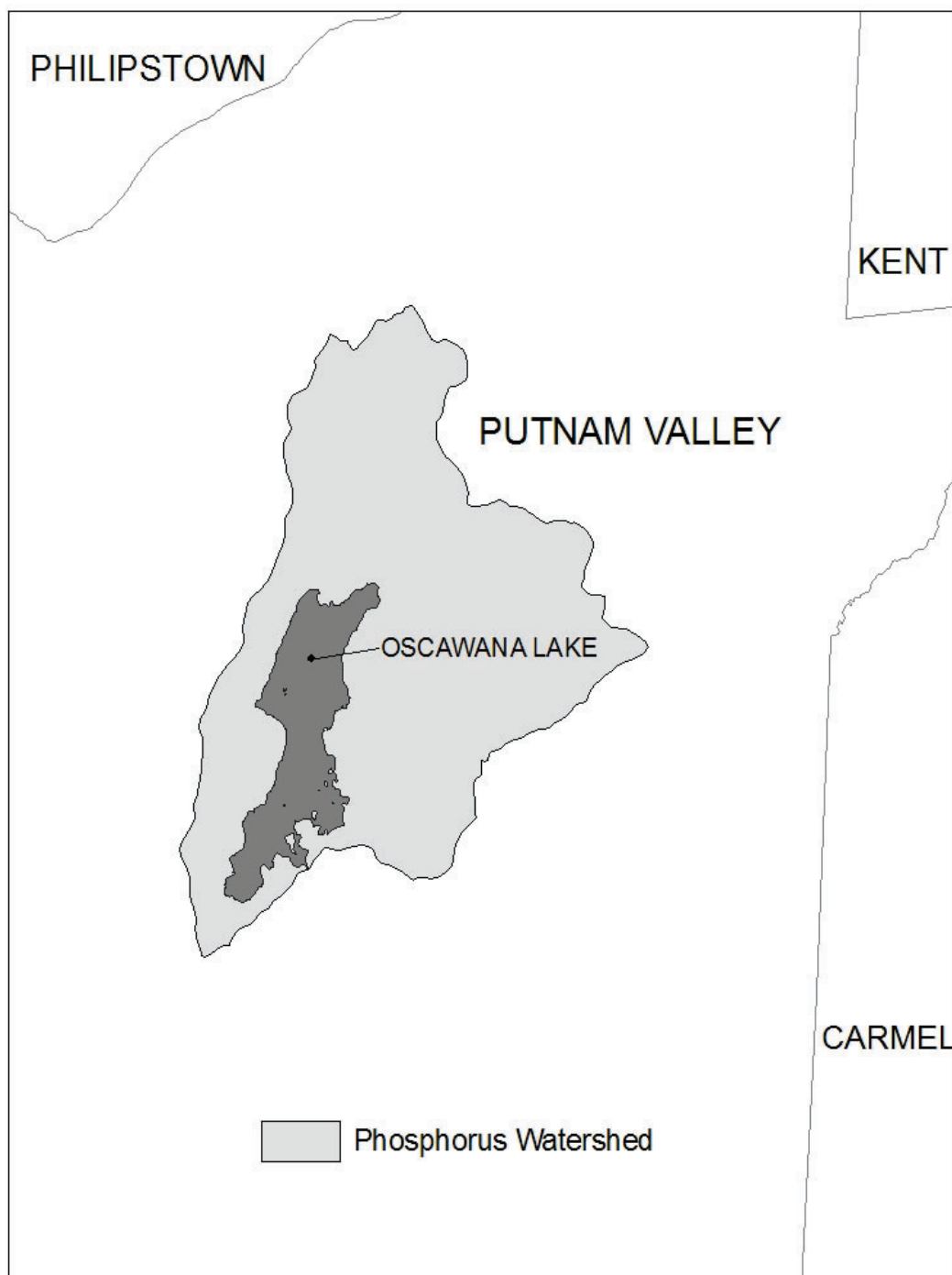
**Figure 2 - Onondaga Lake Watershed**



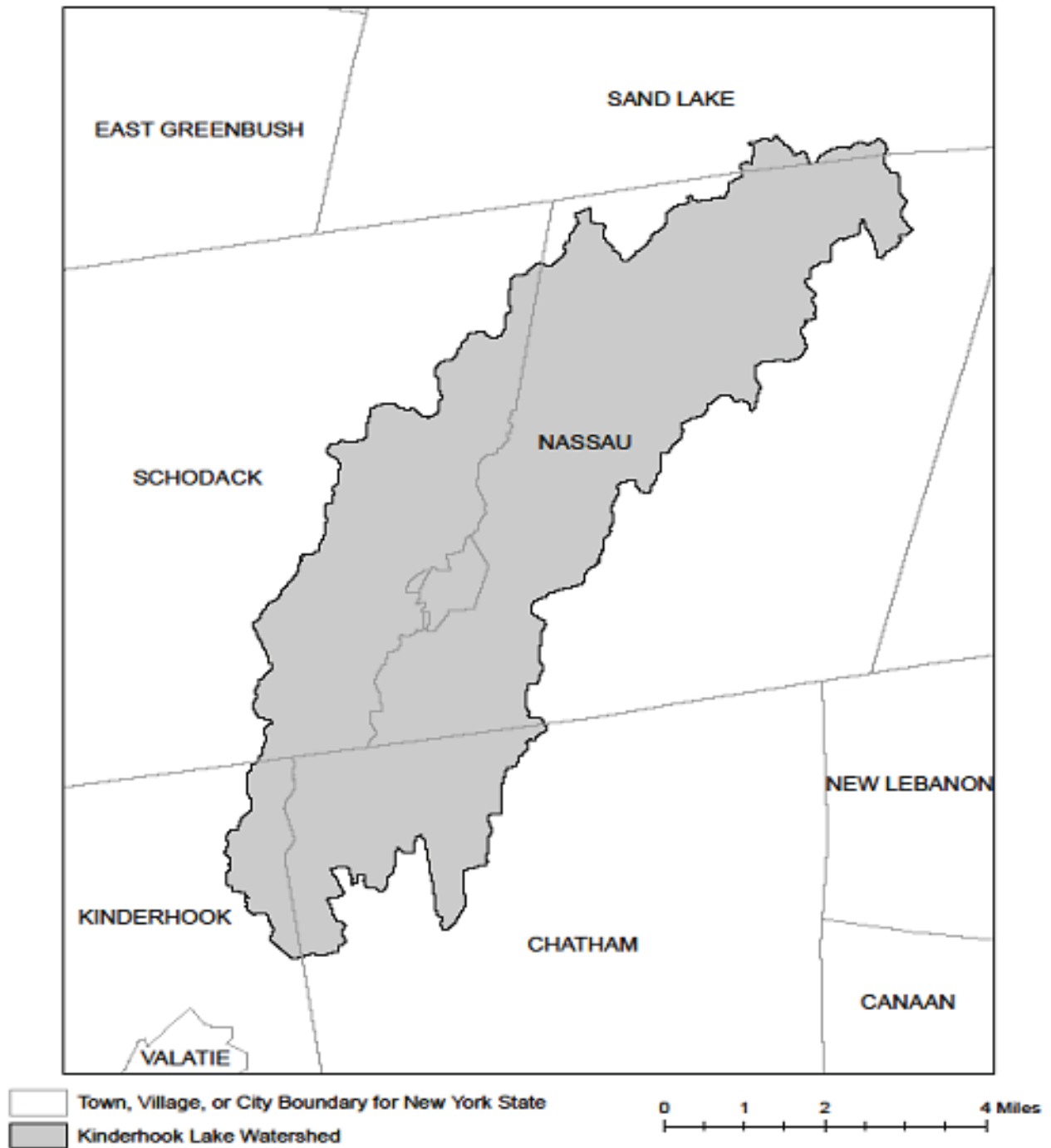
**Figure 3 - Greenwood Lake Watershed**



**Figure 4 - Oscawana Lake Watershed**



**Figure 5 - Kinderhook Lake Watershed**



## APPENDIX D – Impaired Waterbodies (by Construction Related Pollutants)

List of waterbodies impaired by *pollutants* related to *construction activity*, including turbidity, silt/sediment, and nutrients (e.g. nitrogen, phosphorus). This list is a subset of “The Final New York State 2018 Section 303(d) List of Impaired Waters Requiring a TMDL” dated June 2020.

County	Waterbody	Pollutant
Albany	Ann Lee (Shakers) Pond, Stump Pond (1201-0096)	Phosphorus
Albany	Lawsons Lake (1301-0235)	Phosphorus
Allegany	Amity Lake, Saunders Pond (0403-0054)	Phosphorus
Allegany	Andover Pond (0403-0056)	Phosphorus
Bronx	Reservoir No.1/Lake Isle (1702-0075)	Phosphorus
Bronx	Van Cortlandt Lake (1702-0008)	Phosphorus
Broome	Blueberry, Laurel Lakes (1404-0033)	Phosphorus
Broome	Fly Pond, Deer Lake (1404-0038)	Phosphorus
Broome	Minor Tribs to Lower Susquehanna (0603-0044)	Phosphorus
Broome	Whitney Point Lake/Reservoir (0602-0004)	Phosphorus
Cattaraugus	Allegheny River/Reservoir (0201-0023)	Phosphorus
Cattaraugus	Beaver Lake/Alma Pond (0201-0073)	Phosphorus
Cattaraugus	Case Lake (0201-0020)	Phosphorus
Cattaraugus	Linlyco/Club Pond (0201-0035)	Phosphorus
Cayuga	Duck Lake (0704-0025)	Phosphorus
Cayuga	Owasco Inlet, Upper, and tribs (0706-0014)	Nutrients
Chautauqua	Chadakoin River and tribs (0202-0018)	Phosphorus
Chautauqua	Hulburt/Clymer Pond (0202-0079)	Phosphorus
Chautauqua	Middle Cassadaga Lake (0202-0002)	Phosphorus
Clinton	Great Chazy River, Lower, Main Stem (1002-0001)	Silt/Sediment
Columbia	Robinson Pond (1308-0003)	Phosphorus
Cortland	Dean Pond (0602-0077)	Phosphorus
Dutchess	Fallkill Creek (1301-0087)	Phosphorus
Dutchess	Hillside Lake (1304-0001)	Phosphorus
Dutchess	Wappingers Lake (1305-0001)	Phosphorus
Dutchess	Wappingers Lake (1305-0001)	Silt/Sediment
Erie	Beeman Creek and tribs (0102-0030)	Phosphorus
Erie	Delaware Park Pond (0101-0026)	Phosphorus
Erie	Ellicott Creek, Lower, and tribs (0102-0018)	Phosphorus
Erie	Ellicott Creek, Lower, and tribs (0102-0018)	Silt/Sediment
Erie	Green Lake (0101-0038)	Phosphorus
Erie	Little Sister Creek, Lower, and tribs (0104-0045)	Phosphorus
Erie	Murder Creek, Lower, and tribs (0102-0031)	Phosphorus

Erie	Rush Creek and tribs (0104-0018)	Phosphorus
Erie	Scajaquada Creek, Lower, and tribs (0101-0023)	Phosphorus
Erie	Scajaquada Creek, Middle, and tribs (0101-0033)	Phosphorus
Erie	Scajaquada Creek, Upper, and tribs (0101-0034)	Phosphorus
Erie	South Branch Smoke Cr, Lower, and tribs (0101-0036)	Phosphorus
Erie	South Branch Smoke Cr, Lower, and tribs (0101-0036)	Silt/Sediment
Genesee	Bigelow Creek and tribs (0402-0016)	Phosphorus
Genesee	Black Creek, Middle, and minor tribs (0402-0028)	Phosphorus
Genesee	Black Creek, Upper, and minor tribs (0402-0048)	Phosphorus
Genesee	Bowen Brook and tribs (0102-0036)	Phosphorus
Genesee	LeRoy Reservoir (0402-0003)	Phosphorus
Genesee	Mill Pond (0402-0050)	Phosphorus
Genesee	Oak Orchard Cr, Upper, and tribs (0301-0014)	Phosphorus
Genesee	Oatka Creek, Middle, and minor tribs (0402-0031)	Phosphorus
Genesee	Tonawanda Cr, Middle, Main Stem (0102-0002)	Phosphorus
Greene	Schoharie Reservoir (1202-0012)	Silt/Sediment
Greene	Sleepy Hollow Lake (1301-0059)	Silt/Sediment
Herkimer	Steele Creek tribs (1201-0197)	Phosphorus
Herkimer	Steele Creek tribs (1201-0197)	Silt/Sediment
Kings	Hendrix Creek (1701-0006) 18	Nitrogen
Kings	Prospect Park Lake (1701-0196)	Phosphorus
Lewis	Mill Creek/South Branch, and tribs (0801-0200)	Nutrients
Livingston	Christie Creek and tribs (0402-0060)	Phosphorus
Livingston	Conesus Lake (0402-0004)	Phosphorus
Livingston	Mill Creek and minor tribs (0404-0011)	Silt/Sediment
Monroe	Black Creek, Lower, and minor tribs (0402-0033)	Phosphorus
Monroe	Buck Pond (0301-0017)	Phosphorus
Monroe	Cranberry Pond (0301-0016)	Phosphorus
Monroe	Durand, Eastman Lakes (0302-0037)	Phosphorus
Monroe	Lake Ontario Shoreline, Western (0301-0069) 9	Phosphorus
Monroe	Long Pond (0301-0015)	Phosphorus
Monroe	Mill Creek and tribs (0302-0025)	Phosphorus 2
Monroe	Mill Creek/Blue Pond Outlet and tribs (0402-0049)	Phosphorus
Monroe	Minor Tribs to Irondequoit Bay (0302-0038)	Phosphorus
Monroe	Rochester Embayment - East (0302-0002) [9]	Phosphorus
Monroe	Rochester Embayment - West (0301-0068) 9	Phosphorus
Monroe	Shipbuilders Creek and tribs (0302-0026)	Phosphorus 2
Monroe	Thomas Creek/White Brook and tribs (0302-0023)	Phosphorus

Nassau	Bannister Creek/Bay (1701-0380)	Nitrogen
Nassau	Beaver Lake (1702-0152)	Phosphorus
Nassau	Browswere Bay (1701-0383)	Nitrogen
Nassau	Camaans Pond (1701-0052)	Phosphorus
Nassau	East Meadow Brook, Upper, and tribs (1701-0211)	Silt/Sediment
Nassau	East Rockaway Channel (1701-0381)	Nitrogen
Nassau	Glen Cove Creek, Lower, and tribs (1702-0146)	Silt/Sediment
Nassau	Grant Park Pond (1701-0054)	Phosphorus
Nassau	Hempstead Bay, Broad Channel (1701-0032)	Nitrogen
Nassau	Hempstead Lake (1701-0015)	Phosphorus
Nassau	Hewlett Bay (1701-0382)	Nitrogen
Nassau	Hog Island Channel (1701-0220)	Nitrogen
Nassau	Massapequa Creek, Upper, and tribs (1701-0174)	Phosphorus
Nassau	Milburn/Parsonage Creeks, Upp, and tribs (1701-0212)	Phosphorus
Nassau	Reynolds Channel, East (1701-0215) [12]	Nitrogen
Nassau	Reynolds Channel, West (1701-0216) 12	Nitrogen
Nassau	Tidal Tribs to Hempstead Bay (1701-0218)	Nitrogen
Nassau	Tribs (fresh) to East Bay (1701-0204)	Silt/Sediment
Nassau	Tribs (fresh) to East Bay (1701-0204)	Phosphorus
Nassau	Tribs to Smith Pond/Halls Pond (1701-0221)	Phosphorus
Nassau	Woodmere Channel (1701-0219)	Nitrogen
New York	Harlem Meer (1702-0103)	Phosphorus
New York	The Lake in Central Park (1702-0105)	Phosphorus
Niagara	Bergholtz Creek and tribs (0101-0004)	Phosphorus
Niagara	Hyde Park Lake (0101-0030)	Phosphorus
Niagara	Lake Ontario Shoreline, Western (0301-0053) 9	Phosphorus
Niagara	Lake Ontario Shoreline, Western (0301-0072) 9	Phosphorus
Oneida	Ballou, Nail Creeks (1201-0203)	Phosphorus
Onondaga	Ley Creek and tribs (0702-0001) 10	Nutrients (phosphorus)
Onondaga	Minor Tribs to Onondaga Lake (0702-0022) 10	Nutrients (phosphorus)
Onondaga	Minor Tribs to Onondaga Lake (0702-0022) 10	Nitrogen (NH <sub>3</sub> , NO <sub>2</sub> )
Onondaga	Onondaga Creek, Lower (0702-0023) 10	Nutrients (phosphorus)
Onondaga	Onondaga Creek, Lower, and tribs (0702-0023)	Turbidity
Onondaga	Onondaga Creek, Middle, and tribs (0702-0004)	Turbidity
Onondaga	Onondaga Creek, Upper, and tribs (0702-0024)	Turbidity
Ontario	Great Brook and minor tribs (0704-0034)	Phosphorus 2
Ontario	Great Brook and minor tribs (0704-0034)	Silt/Sediment

Ontario	Hemlock Lake Outlet and minor tribs (0402-0013)	Phosphorus
Ontario	Honeoye Lake (0402-0032)	Phosphorus
Orange	Brown Pond Reservoir (1303-0013)	Phosphorus
Orange	Lake Washington (1303-0012)	Phosphorus
Orange	Minor Tribs to Middle Wallkill (1306-0061)	Phosphorus
Orange	Monhagen Brook and tribs (1306-0074)	Phosphorus
Orange	Orange Lake (1301-0008) [16]	Phosphorus
Orange	Quaker Creek and tribs (1306-0025)	Phosphorus
Orange	Wallkill River, Middle, Main Stem (1306-0038)	Phosphorus
Orange	Wallkill River, Upper, and Minor tribs (1306-0017)	Phosphorus
Orleans	Glenwood Lake (0301-0041)	Phosphorus
Orleans	Lake Ontario Shoreline, Western (0301-0070) 9	Phosphorus
Orleans	Lake Ontario Shoreline, Western (0301-0071) 9	Phosphorus
Oswego	Lake Neatahwanta (0701-0018)	Nutrients (phosphorus)
Oswego	Pleasant Lake (0703-0047)	Phosphorus
Putnam	Lost Lake, Putnam Lake (1302-0053)	Phosphorus
Putnam	Minor Tribs to Croton Falls Reservoir (1302-0001)	Phosphorus
Queens	Bergen Basin (1701-0009) 18	Nitrogen
Queens	Jamaica Bay, Eastern, and tribs, Queens (1701-0005) 18	Nitrogen
Queens	Kissena Lake (1702-0258)	Phosphorus
Queens	Meadow Lake (1702-0030)	Phosphorus
Queens	Shellbank Basin (1701-0001) 18	Nitrogen
Queens	Willow Lake (1702-0031)	Phosphorus
Rensselaer	Nassau Lake (1310-0001)	Phosphorus
Rensselaer	Snyders Lake (1301-0043)	Phosphorus
Richmond	Grassmere Lake/Bradys Pond (1701-0357)	Phosphorus
Rockland	Congers Lake, Swartout Lake (1501-0019)	Phosphorus
Rockland	Rockland Lake (1501-0021)	Phosphorus
Saratoga	Ballston Lake (1101-0036)	Phosphorus
Saratoga	Dwaas Kill and tribs (1101-0007)	Phosphorus
Saratoga	Dwaas Kill and tribs (1101-0007)	Silt/Sediment
Saratoga	Lake Lonely (1101-0034)	Phosphorus
Saratoga	Round Lake (1101-0060)	Phosphorus
Saratoga	Tribs to Lake Lonely (1101-0001)	Phosphorus
Schenectady	Collins Lake (1201-0077)	Phosphorus
Schenectady	Duane Lake (1311-0006)	Phosphorus
Schenectady Lake	Mariaville Lake (1201-0113)	Phosphorus
Schuyler	Cayuta Lake (0603-0005)	Phosphorus

Seneca	Reeder Creek and tribs (0705-0074)	Phosphorus
St.Lawrence	Black Lake Outlet, Black Lake (0906-0001)	Phosphorus
St.Lawrence	Fish Creek and minor tribs (0906-0026)	Phosphorus
Steuben	Smith Pond (0502-0012)	Phosphorus
Suffolk	Agawam Lake (1701-0117)	Phosphorus
Suffolk	Big/Little Fresh Ponds (1701-0125)	Phosphorus
Suffolk	Canaan Lake (1701-0018)	Phosphorus
Suffolk	Canaan Lake (1701-0018)	Silt/Sediment
Suffolk	Fresh Pond (1701-0241)	Phosphorus
Suffolk	Great South Bay, East (1701-0039)	Nitrogen
Suffolk	Great South Bay, Middle (1701-0040)	Nitrogen
Suffolk	Great South Bay, West (1701-0173)	Nitrogen
Suffolk	Lake Ronkonkoma (1701-0020)	Phosphorus
Suffolk	Mattituck/Marratooka Pond (1701-0129)	Phosphorus
Suffolk	Mill and Seven Ponds (1701-0113)	Phosphorus
Suffolk	Millers Pond (1702-0013)	Phosphorus
Suffolk	Moriches Bay, East (1701-0305)	Nitrogen
Suffolk	Moriches Bay, West (1701-0038)	Nitrogen
Suffolk	Quantuck Bay (1701-0042)	Nitrogen
Suffolk	Shinnecock Bay and Inlet (1701-0033)	Nitrogen
Suffolk	Tidal Tribs to West Moriches Bay (1701-0312)	Nitrogen
Sullivan	Bodine, Montgomery Lakes (1401-0091)	Phosphorus
Sullivan	Davies Lake (1402-0047)	Phosphorus
Sullivan	Evens Lake (1402-0004)	Phosphorus
Sullivan	Pleasure Lake (1402-0055)	Phosphorus
Sullivan	Swan Lake (1401-0063)	Phosphorus
Tompkins	Cayuga Lake, Southern End (0705-0040)	Phosphorus
Tompkins	Cayuga Lake, Southern End (0705-0040)	Silt/Sediment
Ulster	Ashokan Reservoir (1307-0004)	Silt/Sediment
Ulster	Esopus Creek, Lower, Main Stem (1307-0010) [17]	Turbidity
Ulster	Esopus Creek, Middle, Main Stem (1307-0003) 17	Turbidity
Ulster	Esopus Creek, Upper, and minor tribs (1307-0007)[3]	Silt/Sediment
Ulster	Wallkill River, Lower, Main Stem (1306-0027)	Phosphorus
Warren	Hague Brook and tribs (1006-0006)	Silt/Sediment
Warren	Huddle/Finkle Brooks and tribs (1006-0003)	Silt/Sediment
Warren	Indian Brook and tribs (1006-0002)	Silt/Sediment
Warren	Lake George (1006-0016) and tribs	Silt/Sediment
Warren	Tribs to Lake George, East Shore (1006-0020)	Silt/Sediment
Warren	Tribs to Lake George, Lk.George Village (1006-0008)	Silt/Sediment

Washington	Wood Cr/Champlain Canal and tribs (1005-0036)	Phosphorus
Westchester	Lake Katonah (1302-0136)	Phosphorus
Westchester	Lake Lincolndale (1302-0089)	Phosphorus
Westchester	Lake Meahagh (1301-0053)	Phosphorus
Westchester	Lake Mohegan (1301-0149)	Phosphorus
Westchester	Lake Shenorock (1302-0083)	Phosphorus
Westchester	Mamaroneck River, Lower (1702-0071)	Silt/Sediment
Westchester	Mamaroneck River, Upp, & minor tribs (1702-0123)	Silt/Sediment
Westchester	Saw Mill River (1301-0007)	Phosphorus
Westchester	Saw Mill River, Middle, and tribs (1301-0100)	Phosphorus
Westchester	Sheldrake River (1702-0069)	Phosphorus
Westchester	Sheldrake River (1702-0069)	Silt/Sedimnt
Westchester	Silver Lake (1702-0040)	Phosphorus
Westchester	Teatown Lake (1302-0150)	Phosphorus
Westchester	Truesdale Lake (1302-0054)	Phosphorus
Westchester	Wallace Pond (1301-0140)	Phosphorus

## APPENDIX E – List of NYSDEC 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	220 WHITE PLAINS ROAD, SUITE 110 TEL. (914) 428 - 2505
4	ALBANY, COLUMBIA, DELAWARE, GREENE, MONTGOMERY, OTSEGO, RENSSELAER, SCHENECTADY AND SCHOHARIE	1130 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	5786 WIDEWATERS PARKWAY SYRACUSE, NY 13214-1867 TEL. (315) 426-7438	5786 WIDEWATERS PARKWAY SYRACUSE, NY 13214-1867 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	700 DELAWARE AVENUE BUFFALO, NY 14209-2999 TEL. (716) 851-7165	700 DELAWARE AVENUE BUFFALO, NY 14209-2999 TEL. (716) 851-7070

## **APPENDIX F – SWPPP Preparer Certification Form**

The SWPPP Preparer Certification Form required by this permit begins on the following page.



# SWPPP Preparer Certification Form

## SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b., the completed form must be attached to the eNOI and submitted to NYSDEC electronically.)

**Project/Site Name:**

**eNOI Submission ID:**

**Owner/Operator Name:**

### Certification Statement – SWPPP Preparer

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) has been prepared in accordance with the requirements of GP-0-25-001. I certify under penalty of law that the SWPPP and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

SWPPP Preparer First Name

MI

SWPPP Preparer Last Name

Signature

Date

## **APPENDIX G – MS4 SWPPP Acceptance Form**

The MS4 SWPPP Acceptance Form required by this permit begins on the following page.



Department of Environmental Conservation

# MS4 SWPPP Acceptance Form

for construction activities seeking authorization under the

## SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b., the completed form must be attached to the eNOI and submitted to NYSDEC electronically.)

### I. Project Owner/Operator Information

1. Owner/Operator Name:

2. Contact Person:

3. Street Address:

4. City/State/Zip:

### II. Project Site Information

5. Project/Site Name:

6. Street Address:

7. City/State/Zip:

### III. Stormwater Pollution Prevention Plan (SWPPP) Review and Acceptance Information

8. SWPPP Reviewed by:

9. Title/Position:

10. Date Final SWPPP Reviewed and Accepted:

### IV. Regulated MS4 Information

11. Name of MS4 Operator:

12. MS4 SPDES Permit Identification Number: NYR20A

13. Street Address:

14. City/State/Zip:

15. Telephone Number:

## MS4 SWPPP Acceptance Form - continued

### V. Certification Statement - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative

I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in section II. of this form has been reviewed and meets the substantive requirements in the SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP).  
Note: The MS4 Operator, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 Operator does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.

Printed Name<sup>1</sup>:

Title/Position:

Signature:

Date:

### VI. Additional Information

<sup>1</sup> Printed name of the principal executive officer or ranking elected official for the MS4 Operator or their duly authorized representative in accordance with CGP Part VII.J.2.

## **APPENDIX H – NYCDEP SWPPP Acceptance/Approval Form**

The City of New York Department of Environmental Protection (NYCDEP) SWPPP Acceptance/Approval form required by this permit begins on the following page.



THE CITY OF NEW YORK  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 Bureau of Environmental Planning and Analysis  
 59-17 Junction Blvd., 9th Floor; Flushing, NY 11373

**SWPPP Acceptance/Approval**

Application Number:

<b>I. Project Owner/Operator Information</b>
1. Owner/Operator Name:
2. Contact Person:
3. Street Address:
4. City/State/Zip:
<b>II. Project Site Information</b>
5. Project/Site Name:
6. Street Address:
7. City/State/Zip:
<b>III. Stormwater Pollution Prevention Plan (SWPPP) Review and Acceptance/Approval</b>
8. SWPPP Reviewed by:
9. Title/Position: /
10. Date Final SWPPP Reviewed and Accepted:
11. Acceptance/Approval Expiration Date:
<b>IV. Regulated MS4 Information for projects that require coverage under the NY State Pollution Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity</b>
12. Name of MS4: <i>CITY OF NEW YORK</i>
13. MS4 SPDES Permit Identification Number: <i>NY-0287890</i>
14. Contact Person:
15. Street Address: <i>59-17 Junction Blvd. 9th Floor</i>
16. City/State/Zip: <i>Flushing, NY 11373</i>
17. Telephone Number:



Projects in the MS4 area must submit a copy of this SWPPP Acceptance with a Notice of Intent for coverage under the NY SPDES General Permit for Stormwater Discharges from Construction Activity to: NYS Department of Environmental Conservation, Division of Water; 625 Broadway, 4th Floor; Albany, New York 12233-3505.



THE CITY OF NEW YORK  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Bureau of Environmental Planning and Analysis  
59-17 Junction Blvd., 9th Floor; Flushing, NY 11373

**V. Certification Statement - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative**

I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in question 5 has been reviewed and meets the substantive requirements in the SPDES General Permit For Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s).

Note: The MS4, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.

Printed Name:

Title/Position:

Signature:

Date:

**VI. Conditions of Acceptance/Approval and Additional Information**



Projects in the MS4 area must submit a copy of this SWPPP Acceptance with a Notice of Intent for coverage under the NY SPDES General Permit for Stormwater Discharges from Construction Activity to: NYS Department of Environmental Conservation, Division of Water; 625 Broadway, 4th Floor; Albany, New York 12233-3505.

## **APPENDIX I – MS4 No Jurisdiction Form**

The MS4 No Jurisdiction Form required by this permit begins on the following page.



Department of  
Environmental  
Conservation

## MS4 No Jurisdiction Form

for construction activities seeking authorization under the

### SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b., the completed form must be attached to the eNOI and submitted to NYSDEC electronically.)

#### I. Project Owner/Operator Information

- a. Owner/Operator Name:
- b. Contact Person:
- c. Street Address:
- d. City/State/Zip:

#### II. Project Site Information

- a. Project/Site Name:
- b. Street Address:
- c. City/State/Zip:
- d. eNOI Submission ID:

#### III. Traditional Land Use Control MS4 Operator Information

- a. Name of MS4 Operator:
- b. MS4 SPDES Permit ID Number: NYR20A
- c. Street Address:
- d. City/State/Zip:
- e. Telephone Number:

#### IV. Certification Statement

In accordance with CGP Part I.D.2.b.ii.3., I hereby certify that the Traditional Land Use Control MS4 Operator identified in section III. of this form does not have review authority over the construction project identified in section II. of this form, which is owned/operated by the entity identified in section I. of this form. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

- a. Printed name of the principal executive officer or ranking elected official for the MS4 Operator or their duly authorized representative in accordance with CGP Part VII.J.2.:
- b. Title/Position:
- c. Signature:
- d. Date:

## **APPENDIX J – Owner/Operator Certification Form**

The Owner/Operator Certification Form required by this permit begins on the following page.



# Owner/Operator Certification Form

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## ***SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)***

(In accordance with CGP Part I.D.2.b. or Part I.F.2. and 3., the completed form must be attached to the eNOI or the Request to Continue Coverage, and submitted to NYSDEC electronically.)

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

**eNOI Submission ID:** \_\_\_\_\_

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

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

I hereby certify that I read, and will comply with, the GP-0-25-001 permit requirements. I understand that authorization to discharge under the permit for the project/site named above is dependent on receipt of a Letter of Authorization (LOA) or a Letter of Continued Coverage (LOCC) from the New York State Department of Environmental Conservation (NYSDEC) in accordance with CGP Part I.D.3.b. or Part I.F.4. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Owner/Operator First Name

MI

Owner/Operator Last Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## **Appendix B – SOILS MAPS**

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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 Nassau County, New York

## Commercial Ave Terminal



# 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.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

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# Contents

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<b>Preface</b> .....	2
<b>How Soil Surveys Are Made</b> .....	5
<b>Soil Map</b> .....	8
Soil Map.....	9
Legend.....	10
Map Unit Legend.....	11
Map Unit Descriptions.....	11
Nassau County, New York.....	13
Ug—Urban land.....	13
<b>References</b> .....	14

# 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

## Custom Soil Resource Report

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

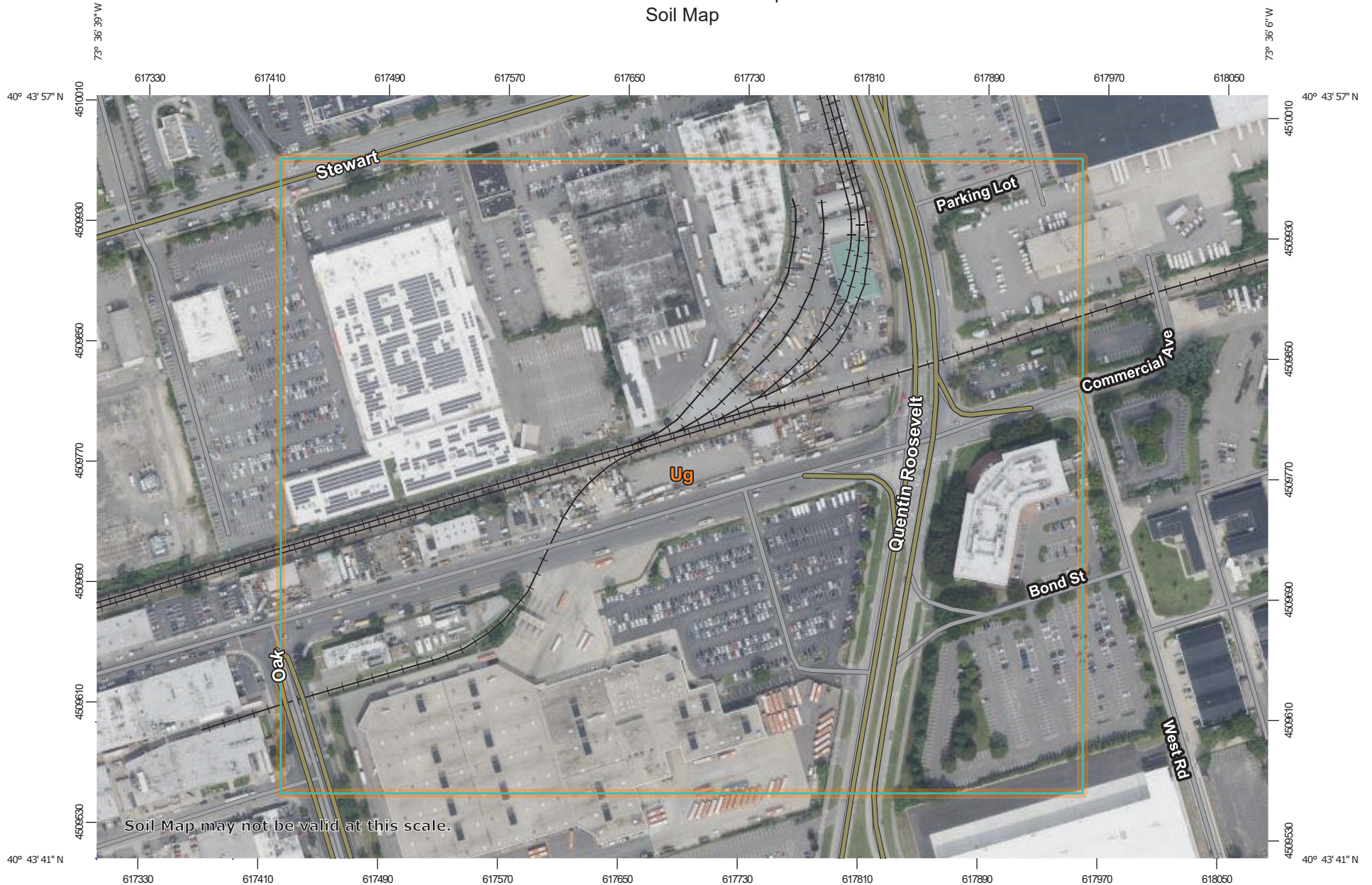
identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

# 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.

# Custom Soil Resource Report Soil Map



### 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 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

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: Nassau County, New York  
 Survey Area Data: Version 23, Aug 28, 2025

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

Date(s) aerial images were photographed: Mar 1, 2023—Sep 1, 2023

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
Ug	Urban land	56.0	100.0%
<b>Totals for Area of Interest</b>		<b>56.0</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.

## Custom Soil Resource Report

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.

## Nassau County, New York

### Ug—Urban land

#### Map Unit Setting

*National map unit symbol:* 9ttq  
*Mean annual precipitation:* 42 to 46 inches  
*Mean annual air temperature:* 50 to 54 degrees F  
*Frost-free period:* 190 to 230 days  
*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Urban land:* 90 percent  
*Minor components:* 10 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Minor Components

##### Enfield

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

##### Riverhead

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

##### Hempstead

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

##### Udipsamments

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

##### Udorthents

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

# References

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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>

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# National Flood Hazard Layer FIRMMette



73°36'38"W 40°44'4"N



1:6,000

73°36'1"W 40°43'37"N

Basemap Imagery Source: USGS National Map 2023

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

<p><b>SPECIAL FLOOD HAZARD AREAS</b></p>	<ul style="list-style-type: none"> <li> Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i></li> <li> With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i></li> <li> Regulatory Floodway</li> </ul>
<p><b>OTHER AREAS OF FLOOD HAZARD</b></p>	<ul style="list-style-type: none"> <li> 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i></li> <li> Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i></li> <li> Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i></li> <li> Area with Flood Risk due to Levee <i>Zone D</i></li> </ul>
<p><b>OTHER AREAS</b></p>	<ul style="list-style-type: none"> <li> NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i></li> <li> Effective LOMRs</li> <li> Area of Undetermined Flood Hazard <i>Zone D</i></li> </ul>
<p><b>GENERAL STRUCTURES</b></p>	<ul style="list-style-type: none"> <li> Channel, Culvert, or Storm Sewer</li> <li> Levee, Dike, or Floodwall</li> </ul>
<p><b>OTHER FEATURES</b></p>	<ul style="list-style-type: none"> <li> <b>20.2</b> Cross Sections with 1% Annual Chance Water Surface Elevation</li> <li> <b>17.5</b> Water Surface Elevation</li> <li> Coastal Transect</li> <li> Base Flood Elevation Line (BFE)</li> <li> Limit of Study</li> <li> Jurisdiction Boundary</li> <li> Coastal Transect Baseline</li> <li> Profile Baseline</li> <li> Hydrographic Feature</li> </ul>
<p><b>MAP PANELS</b></p>	<ul style="list-style-type: none"> <li> Digital Data Available</li> <li> No Digital Data Available</li> <li> Unmapped</li> </ul>

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **4/29/2026 at 3:35 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

## **Appendix C – INSPECTION REPORTS**

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**COMMERCIAL AVENUE TERMINAL PROJECT**  
**Stormwater Pollution Prevention Plan**  
**Inspection and Maintenance Report Form**

Instructions: Each qualified inspector(s), as documented in the Stormwater Pollution Prevention Plan (SWPPP), must complete this report as defined in the SWPPP. If changes are required to the SWPPP please complete the "Required Changes to SWPPP" section in the inspection form. Attach additional paper if needed. Do not leave answers unanswered; use "N/A" if necessary.  
**PLEASE REMEMBER TO UPDATE THE SITE MAP ACCORDING TO SITE CHANGES!**

Inspector Name: \_\_\_\_\_ Date of Inspection: \_\_\_\_\_

Inspector Title: \_\_\_\_\_ Time of Inspection: \_\_\_\_\_

Date of Last Rainfall: \_\_\_\_\_ Amount of Last Rainfall: \_\_\_\_\_

Any sediment or other pollutant discharges since last inspection?  Yes  No If yes, location: \_\_\_\_\_

Describe weather conditions: \_\_\_\_\_

Describe soil conditions (dry, saturated): \_\_\_\_\_

Describe active soil disturbance areas: \_\_\_\_\_

Describe disturbed but inactive areas: \_\_\_\_\_

Describe areas that have been stabilized (temporary or final) since last inspection: \_\_\_\_\_

**FREQUENCY OF SITE INSPECTIONS:**

- Once every 7 calendar days
- Second inspection in 7 calendar days due to soil disturbance exceeding five acres
- Once every month due to temporary suspension (i.e. winter shutdown)

**DID THE FREQUENCY OF SITE INSPECTIONS CHANGE?**

Yes  No

If yes, please complete the following:

Reason for change: \_\_\_\_\_

Date change made: \_\_\_\_\_

Approximate end date of change: \_\_\_\_\_ (If date unknown, mark "TBD")



BMP/Activity	Implemented?	Maintained?	Corrective Action	Date for Corrective Action/Responsible Person/Additional Notes
Is trash/litter from work areas collected and placed in covered dumpsters?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Are washout facilities available, clearly marked and maintained?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks or other deleterious material?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Are non-stormwater discharges (e.g. wash water, dewatering) properly controlled?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
(Other)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
(Other)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		

**ARE ADDITIONAL BMPS NEEDED?**

Yes  No

If yes, please complete the following table:

BMP Description	BMP Location	Date BMP Installed

**NOTES AND COMMENTS:**

**REQUIRED CHANGES TO SWPPP:**

Changes Required to the Stormwater Pollution Prevention Plan: \_\_\_\_\_

\_\_\_\_\_

Reasons for Change: \_\_\_\_\_

\_\_\_\_\_

Changes to be Performed By: \_\_\_\_\_ On or Before: \_\_\_\_\_

**CERTIFICATION STATEMENT:**

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

Inspector Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Inspector Title: \_\_\_\_\_

**Site Photos and Corrective Action Photos:**

[Please include necessary pictures as required by the permit and briefly describe the issue.]


## **Appendix D – RECORDS OF REVISIONS**

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## **Appendix E – NOTICE OF INTENT (NOI)**

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# Construction General Permit (CGP) Electronic Notice of Intent (eNOI) GP-0-25-001

version 1.18

(Submission #: HQN-55XT-QM8PG, version 1)

## Details

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**Originally Started By** Brendan Maurer  
**Alternate Identifier** Commercial Avenue Terminal—Region 1  
**Submission ID** HQN-55XT-QM8PG  
**Status** Draft

## Form Input

---

### Eligibility

#### Disturbance Threshold

---

**1. Will the construction activity involve soil disturbances listed in Part I.A.1 of GP-0-25-001?**

Yes

**1.a. Will any runoff from the site enter a sewer system classified as a combined sewer?**

No

**1.b. Is this a remediation project being done under a Department approved work plan (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.) with a SWPPP which meets the substantive requirements of GP-0-25-001?**

No

**1.c. Is the construction activity related to a stormwater discharge that does not require a permit as described in 40 CFR 122.3(e), e.g. non-point source agriculture or silviculture activities?**

No

#### Other SPDES Permits

---

**2. Will the discharge from the construction activity meet all conditions listed in Part I.A.2 of GP-0-25-001?**

Yes

#### Threatened and Endangered Species

---

**3. Will the construction activity potentially adversely affect a species that is endangered or threatened per Part I.A.3.?**

No

**State Historic Preservation Act (SHPA)**

---

**4. Is the construction activity designated by the Commissioner of the Office of Parks, Recreation and Historic Preservation (OPRHP), pursuant to 9 NYCRR §§428.12 or 428.13 as exempt from the SHPA review (see Attachment 2 of the Letter of Resolution between NYSDEC and OPRHP, dated January 9, 2015)?**

No

**4.a. Will the construction activity:**

- a) occur within an archeologically sensitive area indicated on the sensitivity map, or
- b) have the potential to affect a property that is listed or determined to be eligible for listing on the National or State Registers of Historic Places, or
- c) include a new permanent building on the construction site within the following distances from a building, structure, or object that is more than 50 years old and OPRHP, a Historic Preservation Commission of a Certified Local Government, or a qualified preservation professional has determined historically/archeologically significant building, structure, or object:
  - 1-5 acres of disturbance—20 feet
  - 5-20 acres of disturbance—50 feet
  - 20+ acres of disturbance—100 feet?

No

**4.b. Is there documentation at the construction site demonstrating:**

- a) that the construction activity is not within an archeologically sensitive area indicated on the sensitivity map, and that the construction activity is not immediately adjacent to a property listed or determined to be eligible for listing on the National or State Registers of Historic Places, and
- b) that there is no new permanent building to be built 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 OPRHP, a Historic Preservation Commission of a Certified Local Government, or a qualified preservation professional has determined 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?

Yes

**State Environmental Quality Review (SEQR)**

---

**5. Is the construction activity subject to SEQR (Part I.A.5.), or the equivalent environmental review from another NYS or federal agency (Part I.A.6.)?**

No

**Uniform Procedures Act (UPA) Permits**

---

**6. Has the owner/operator obtained all necessary UPA permits from NYSDEC, or the equivalent from another NYS or federal agency per Part I.A.7.a. of GP-0-25-001? Select "Yes" if no UPA permits, or the equivalent, are required for this construction activity.**

Yes

**Steep Slope**

---

**7. Is the construction activity within the watershed of surface waters of the State classified as AA or AA-S identified utilizing the Stormwater Interactive Map on NYSDEC's website?**

No

**Owner/Operator Information**

**8. Owner/Operator Name**

PSEG Long Island as Agent for LIPA

**9. Owner/Operator Contact Person Information**

First and Last Name	Phone	E-mail
Jim Godrey	516-383-8005	anthony.carullo@pseg.com

**10. Owner/Operator Mailing Address**

999 Stewart Avenue  
Bethpage, NY 11714  
USA

**11. Is the billing contact different from the Owner/Operator Contact?**

No

**12. What type of organization is the owner/operator?**

Corporation

**12.b. Is the owner/operator registered with the Department of State to do business in New York State?**

Yes

**12.b.i. Department of State ID #**

4133093

The Department of State ID can be found using the following link:

[Department of State | Division of Corporations](#)

**Site Information**

**13. Project/Site Name**

Commercial Avenue Terminal

**14. Site Address**

99-200 Commercial Ave  
Hempstead, NY 11530  
Nassau

**DEC Region**

1

**15. Site Latitude & Longitude**

40.7305076652379,-73.60561559447656

**Project Details**

**16. This eNOI submission is for:**

One or more phases of a common plan of development or sale in accordance with Part I.D.1.c.

**16.a. Does the entire common plan of development or sale meet the eligibility requirements in Part I.A.5. or 6.?**

Yes

**16.b. Does the phase or phases meet all other eligibility requirements in Part I.A.?**

Yes

Per Part I.D.1.c.iii., the Required SWPPP Components by Project Type from Part III.C. is based on the entire common plan of development or sale, not the phases.

**17. Does the project type fall under Table 1 or Table 2 of Appendix B of GP-0-25-001? If any portion of the construction activity falls under Table 2, regardless of the size of the disturbance, select "Table 2".**

Table 2

**18. Consistent with Part III.B.1.c.i. of GP-0-25-001, provide a concise overview of the project. Describe existing and proposed conditions, and include any other relevant information.**

The proposed project site is located at the corner of Commercial Avenue and Quentin Roosevelt Boulevard in the Town of Hempstead, Nassau County. The work area is associated with the existing underground transmission system and includes roadway frontage and utility corridor areas along Commercial Avenue and Quentin Roosevelt Boulevard. The Project area is developed and consists primarily of paved roadway surfaces, utility access areas, and adjacent disturbed land associated with existing electrical infrastructure. The Terminal parcel contains approximately 1.2 acres; the LOD for the Terminal construction encompasses approximately 2.40 acres. The proposed work includes the installation of two (2) new series terminations to facilitate the tie-in of existing transmission lines 138-462 and 138-463 to new reactors. The proposed Commercial Avenue Terminal site will consist of a permeable substation pad system, bound by fences, and access driveways. Water quality and quantity control measures are incorporated into the design.

---

Enter the total project site acreage, the acreage to be disturbed, and the future impervious area (acreage) within the disturbed area, rounded to the nearest tenth of an acre.

**19. Total Site Area (acres)**

2.4

**20. Total Area to be Disturbed (acres)**

2.4

**21. Existing Impervious Area to be Disturbed (acres)**

1.2

**22. Future Impervious Area Within Disturbed Area (acres)**

0.4

**Nature of the project:**

Redevelopment with no increase in impervious area

**23. Do you plan to disturb more than 5 acres of soil at any one time?**

No

---

**24. Indicate the percentage (%) of each Hydrologic Soil Group(HSG) at the site.**

**A (%)**

100

**B (%)**

0

**C (%)**

0

**D (%)**

0

**25. Enter the planned start and end dates of the disturbance activities.**

**Start Date**

07/01/2026

**End Date**

05/31/2027

**26. Identify the nearest surface waterbody(ies) to which construction site runoff will discharge.**

East Meadow Brook, Upper, and tribs - 1701-0211

**27. Type of waterbody identified in question 26?**

Stream/Creek Off Site

**28. Has the surface waterbody in question 26 been identified as a 303(d) segment in Appendix D of GP-0-25-001?**

Yes

**29. Is this project located in one of the Watersheds identified in Appendix C of GP-0-25-001?**

No

**30. Will the project disturb soils within a State regulated wetland or the protected 100 foot adjacent area?**

No

**31. Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)?**

Yes

**31.a. What is the name of the municipality/entity that owns the separate storm sewer system? If the separate sewer system is owned by an MS4 Operator, enter the MS4 Operator name.**

Town of Hempstead

**32. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law?**

No

**33. Is this property owned by a state authority, state agency, federal government or local government?**

No

## **Required SWPPP Components**

### **General SWPPP Requirements**

---

**34. Has a SWPPP been developed in conformance with the requirements in Part III. of GP-0-25-001?**

Yes

**35. Does the SWPPP demonstrate consideration of the future physical risks due to climate change pursuant to the CRRRA, 6 NYCRR Part 490, and associated guidance per Part III.A.2. of GP-0-25-001?**

Yes

**36. 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

**37. Has the post-construction stormwater management practice component of the SWPPP been developed in conformance with the NYS Stormwater Management Design Manual?**

Yes

**37.a. Which version of the NYS Stormwater Management Design Manual was used to develop the SWPPP?**

2024

**38. Has the post-construction stormwater management practice component of the SWPPP been developed by a qualified professional per Part III.A.4.?**

Yes

### **SWPPP Preparer**

---

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

Professional Engineer (P.E.)

**40. Name of the person who prepared the SWPPP**

Brendan Maurer, Michael Blake

**41. SWPPP Preparer Organization Name**

Burns & McDonnell EGS, P.C.

**42. SWPPP Preparer Contact Information**

<b>First and Last Name</b>	<b>Phone</b>	<b>E-mail</b>
Brendan Maurer	4752125298	bwmaurer@burnsmcd.com
Michael Blake	(816) 601-3523	mblake@burnsmcd.com

**43. SWPPP Preparer Address**

108 Leigus Rd  
Wallingford, CT 06492-6062

**Download SWPPP Preparer Certification Form**

Please take the following steps to prepare and upload your preparer certification form:

- 1) Click on the link below to download a blank certification form
- 2) The certified SWPPP preparer should sign this form
- 3) Upload the completed form

[Download SWPPP Preparer Certification Form](#)

**44. Please upload the SWPPP Preparer Certification**

[appf\\_swppcertform\\_Maurer-sealed.pdf - 05/01/2026 10:16 AM](#)

**Comment**

NONE PROVIDED

**44.a. Has the SWPPP Preparer Certification Form been signed by the SWPPP preparer in accordance with Part VII.J of GP-0-25-001?**

Yes

**Erosion & Sediment Control Criteria**

**45. Has a construction sequence schedule for the planned management practices been prepared?**

Yes

**Post-Construction Criteria**

**Site Planning and Soil Restoration**

---

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

Locating Development in Less Sensitive Areas  
Driveway Reduction

**47. 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.**

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.

**Water Quality Criteria**

---

**48. Is the reduction in impervious area greater than 25%?**

Yes

**49. Water Quality Sizing Criteria**

Total WQv required (acre-feet)	Total RRv provided (acre-feet)	Minimum RRv (acre-feet)	Total WQv provided (acre-feet)	Sum of RRv and WQv provided
0.053	0.053			0.053

## Water Quantity Criteria

---

### Other Permits

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

None

**57. Is this NOI for a change in owner/operator per Part I.G.?**

No

### MS4 SWPPP Acceptance

**59. Will the construction activities be within the municipal boundary(ies) of Traditional Land Use Control MS4 Operator(s) and discharge to the MS4(s)?**

Yes

**59.a. Which form is required per Part I.D.2.b.ii.?**

MS4 No Jurisdiction Form

#### **MS4 No Jurisdiction Form Download**

Download the MS4 No Jurisdiction Form from the link below.

[MS4 No Jurisdiction Form](#)

**60. MS4 Acceptance or No Jurisdiction Form Upload**

*NONE PROVIDED*

**Comment**

*NONE PROVIDED*

**60.a. Has the form been signed by the principal executive officer or ranking elected official—or duly authorized representative of that person—in accordance with Part VII.J. and submitted along with this NOI?**

*NONE PROVIDED*

### Owner/Operator Certification

#### **Owner/Operator Certification Form Download**

Download the Owner/Operator Certification Form by clicking the link below.

[Owner/Operator Certification Form](#)

**61. Upload Owner/Operator Certification Form**

*NONE PROVIDED*

**Comment**

*NONE PROVIDED*

**61.a. Has the Owner/Operator Certification Form from Appendix J been signed by the owner/operator, or a representative of the owner/operator in accordance with Part VII.J of GP-0-25-001 and uploaded to the eNOI?**

*NONE PROVIDED*

### Additional Project Information

**62. Enter any additional pertinent project information in the text box below.**

*NONE PROVIDED*

## Attachments

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Date	Attachment Name	Context	User
5/1/2026 10:16 AM	appf_swppcertform_Maurer-sealed.pdf	Attachment	Brendan Maurer

## **Appendix F – LETTER OF AUTHORIZATION**

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INSERT LETTER OF AUTHORIZATION ONCE RECEIVED

## **Appendix G – NOTICE OF TERMINATION**

---

Insert eNOT and Letter of Termination upon receipt



## **eNOT Owner or Operator Certification**

for construction activities seeking termination from the

### **SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)**

(The completed form must be attached to the eNOT, which must be submitted to NYSDEC electronically in accordance with CGP Part V.A.5.)

#### **I. Project Owner/Operator Information**

- a. Owner/Operator Name:
- b. Contact Person:
- c. Street Address:
- d. City/State/Zip:

#### **II. Project Site Information**

- a. Project/Site Name:
- b. Street Address:
- c. City/State/Zip:
- d. CGP SPDES Permit ID:

#### **III. Certification Statement**

I certify that I have met the requirements of CGP Part V.A.1., 2., 3., and 4. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

- a. Printed name of the Owner or Operator:
- b. Title/Position:
- c. Signature:
- d. Date:

## **Appendix H – PROJECT PLANS**

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DRAWING INDEX	
DRAWING #	DRAWING NAME
	COVER PAGE
F118514	DRAWING NOTES, INDEX NOTES, LEGEND
F118086	EROSION & SEDIMENT CONTROL NOTES PROPERTY OWNER INFORMATION
	AERIAL SITE PLAN
F114284	PLOT PLAN
F114285	BUS PLAN
F118082	REMOVAL PLAN
F118083	SITE PLAN
F118085	EROSION & SEDIMENT CONTROL PLAN
F118060	FOUNDATION PLAN
F114287	BUS ELEVATION
F118052	H FRAME FOUNDATION - 26A' SECTIONS, NOTES, AND DETAILS
F118057	AIR CORE REACTOR FOUNDATION 26B' PLAN, SECTIONS, AND DETAILS
F118058	UG/SA STRUCTURE AND GROUND SWITCH W/BUS SUPPORT - 26C' NOTES AND DETAILS
F118059	BUS SUPPORT PIER FOUNDATION - 26D' NOTES AND DETAILS
F118087	EROSION AND SEDIMENT CONTROL DETAILS
F118088	CIVIL DETAILS - SHEET 1/3
F118089	CIVIL DETAILS - SHEET 2/3
F118090	CIVIL DETAILS - SHEET 3/3
F118513	PROFILE VIEWS LAYDOWN PLAN

**SURVEY LEGEND:**

**Manholes**

Drainage	
Electric	
Fiber Optic	
Gas	
Sanitary	
Telephone	
Unidentified	
Water	

**Utility Poles**

Metal Pole Base	
Metal Pole with Light	
Traffic Light	
Pedestrian Signal	
Wooden Utility Pole	
Wooden Utility Pole with Light	

**Miscellaneous**

Bike Rack	
Flag Pole	
Guardpost	
Guywire & Anchor	
Handicap Ramp	
Irrigation Box	
Mailbox	
Sign - Single Post	
Sign - Double Post	
Sprinkler	
Standpipe	
Yard Light	

**Property Lines**

Leased Boundary	
Rail Boundary	
Right of Way	
Property Boundary	
Limits of Disturbance	

**Fences**

Chain Link Fence	
Guard Rail	
Metal Fence	
Vinyl Fence	
Wood Fence	

**Utility Hardware**

Cable TV Box	
Communications Box	
Electric Meter	
Electric Pullbox	
Electric Vault	
Fiber Optic Box	
Gas Marker	
Gas Valve - Main	
Gas Valve - Service	
Gas Vent	
Hydrant	
Hydrant Valve	
Monitoring Well	
Riser - Cable TV	
Riser - Electric	
Riser - Telephone	
Riser - Traffic	
Sewer Cleanout	
Sewer Vent	
Telephone Pullbox	
Traffic Control Cabinet	
Traffic Loop	
Traffic Pullbox	
Unidentified Pullbox	
Unidentified Valve	
Unidentified Vault	
Water Meter	
Water Valve - Main	
Water Valve - Service	

**Vegetation**

Bush	
Stump	
Tree Located At Center	
Hedge	
Treeline	

**Catch Basins**

Flush Grate	
Flush Grate w/ Curb Piece	
Round Grate	

**Abbreviations**

Aban.	Abandoned
Asph.	Asphalt
Awn.	Awning
B. Blk.	Belgian Block
Brk.	Brick
Conc.	Concrete
D=90.6	Debris Elevation
DE	Dead End
EOI	End Of Information
FLD.	Utility Paint Found in Field
G=118.11	Grate Elevation
Inacc.	Inaccessible
INV. 96.82	Pipe Invert Elevation
O.H.	Overhang
R=124.24	Rim Elevation
Rec.	Record
Ret.	Retired
Typ.	Typical

**Utilities**

CaTV	--- CATV ---
Communications	--- COMM ---
Electric	--- E ---
Fiber Optic	--- FO ---
Gas	--- G ---
Sanitary	--- SS ---
Storm	--- ST ---
Traffic	--- TR ---
Water	--- W ---
Unknown	--- UNK ---
Overhead Wires	-----

**Record**

CaTV	--- CATV(REC) ---
Communications	--- COMM(REC) ---
Electric	--- E(REC) ---
Fiber Optic	--- FO(REC) ---
Gas	--- G(REC) ---
Sanitary	--- S(REC) ---
Storm	--- ST(REC) ---
Traffic	--- TR(REC) ---
Water	--- W(REC) ---

**NOTES:**

- THE PROPERTY LINES SHOWN IN THIS SET ARE BASED ON ACTUAL FIELD SURVEYS COMPLETED BY SAM-NY GEOSPATIAL INC. DATED MAY 2, 2024 AND OCTOBER 7, 2024 AND FROM DEEDS AND PLANS OF RECORD. OTHER FACILITIES MAY EXIST NOT DISCOVERED THROUGH THE RECORD CHECK. THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION, BOTH HORIZONTAL AND VERTICAL, OF ALL UTILITIES THROUGH THE APPROPRIATE UTILITY COMPANIES. CALL 811 BEFORE YOU DIG.
- EXISTING CONDITIONS SHOWN ARE BASED ON PHOTOGRAMMETRY PERFORMED ON NOVEMBER 18, 2025, AUGUST 12, 2025, MARCH 13, 2024, MARCH 12, 2024, AND MARCH 8, 2022 AND SUPPLEMENTED BY AN ACTUAL ON-THE-GROUND INSTRUMENT SURVEY COMPLETED IN APRIL, 2024, OCTOBER, 2024, SEPTEMBER, 2025, AND JANUARY, 2026 BY SAM-NY GEOSPATIAL INC.
- PIPE SYSTEM SHALL MAINTAIN A MINIMUM 42" DEPTH OF COVER FROM GRADE TO TOP OF THE PIPE
- PIPE SYSTEM SHALL MAINTAIN 1'-0" VERTICAL & HORIZONTAL MINIMUM CLEARANCE OVER/UNDER OR ADJACENT TO EXISTING UTILITIES UNLESS OTHERWISE SHOWN ON DRAWINGS.
- CONDUIT SYSTEM AND SPLICE VAULT LOCATIONS ARE SUBJECT TO ADJUSTMENT DUE TO UNFORESEEN CONDITIONS. ENGINEER SHALL BE NOTIFIED IMMEDIATELY TO APPROVE ANY ADJUSTMENTS.
- CONTRACTOR SHALL RETURN ALL AREAS DISTURBED BY CONSTRUCTION TO ORIGINAL, OR BETTER CONDITIONS.
- ALL OPEN TRENCHES AND EXCAVATIONS SHALL BE PLATED AT THE COMPLETION OF EACH DAY'S WORK.
- HORIZONTAL DATUM IS IN NAD83 NEW YORK STATE PLANE, LONG ISLAND, US FOOT.
- VERTICAL DATUM IS NAVD88.
- ASSUMED DEPTHS OF UNKNOWN UTILITIES:  
- WATER 5'  
- STORM AND SANITARY SEWER 3'  
- GAS 3'  
- ELECTRIC 3'  
- TELEPHONE 2.5'  
- TRAFFIC 3'
- CONTRACTOR SHALL COORDINATE WITH PSEG LONG ISLAND ON RESTORATION TYPE AND LIMITS TO CONFORM TO INDIVIDUAL MUNICIPALITIES.
- CONTRACTOR SHALL PROVIDE PAVEMENT RESTORATION TO MATCH OR IMPROVE, WITH INPUT FROM LOCAL AGENCY WITH JURISDICTION, OF ALL IMPACTED IMPERVIOUS SURFACES DURING CONSTRUCTION.
- CONTRACTOR SHALL FOLLOW ALL ENVIRONMENTAL GUIDELINES REQUIRED BY THE STATE OF NEW YORK AND OR THE TOWN OF HEMPSTEAD. CONTRACTOR SHALL COORDINATE WITH PSEG LONG ISLAND ON EROSION CONTROL REQUIREMENTS AND METHODS.
- CONSTRUCTION MEANS, METHODS, AND ASSOCIATED SAFETY PROCEDURES FOR THIRD-PARTY INFRASTRUCTURE WILL BE DETERMINED BY THE CIVIL CONTRACTOR AND COORDINATED AS REQUIRED DURING EXECUTION.
- LIMITS OF DISTURBANCE EXTENDED BETWEEN PROPERTY LINES.  
TOTAL LIMITS OF DISTURBANCE = 2.42 ACRES
- DEMOLITION OF EXISTING CONDITIONS INCLUDING BUT NOT LIMITED TO BUILDINGS, STRUCTURES, PAVEMENT, WELLS, SEPTIC, SANITARY SEWER, FENCES, TREES, ETC. SHALL BE PER THE DIRECTION OF ENGINEER AND SHALL BE IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS.

**REFERENCE DRAWINGS:**

- F118082 --- REMOVAL PLAN
- F118083 --- SITE PLAN
- F118085 --- EROSION & SEDIMENT CONTROL PLAN
- F118086 --- EROSION & SEDIMENT CONTROL NOTES
- F118087 --- EROSION & SEDIMENT CONTROL DETAILS
- F118088 --- CIVIL DETAILS SH. 1
- F118089 --- CIVIL DETAILS SH. 2
- F118090 --- CIVIL DETAILS SH. 3
- F118513 --- PROFILE VIEWS

APPROVED WITH CORRECTIONS AS NOTED  
PSEG Long Island

THIS APPROVAL SHALL NOT RELIEVE THE CONTRACTOR FROM ENTIRE RESPONSIBILITY FOR DIMENSIONAL ACCURACY, CONFORMANCE WITH REFERENCED SPECIFICATIONS, CODES AND ALL LIABILITY UNDER CONTRACT.

PER: \_\_\_\_\_  
DATE: \_\_\_\_\_

IT IS A VIOLATION OF THE PROFESSIONAL LICENSE LAW FOR ANY PERSON TO ALTER THIS DRAWING IN ANY WAY, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER. THE ALTERING CONSULTANT SHALL AFFIX THEIR SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE AND DATE OF ALTERATION.

REV. DATE		DESCRIPTION		DRAWN		REVIEW		APPR	
B	04/21/2025	ISSUED FOR REVIEW	KAV	VIG	JR				
A	02/03/2025	FOR BIDDING	KAV	VIG	JR				



PROJ. NO. 178669

NO.	DATE	W.O.	DESCRIPTION	DWN BY	CKD BY	REVISED	APPD
0							

Long Island Power Authority  
COMMERCIAL AVE  
TOWN OF HEMPSTEAD, NEW YORK

DRAWING NOTES, INDEX NOTES, LEGEND

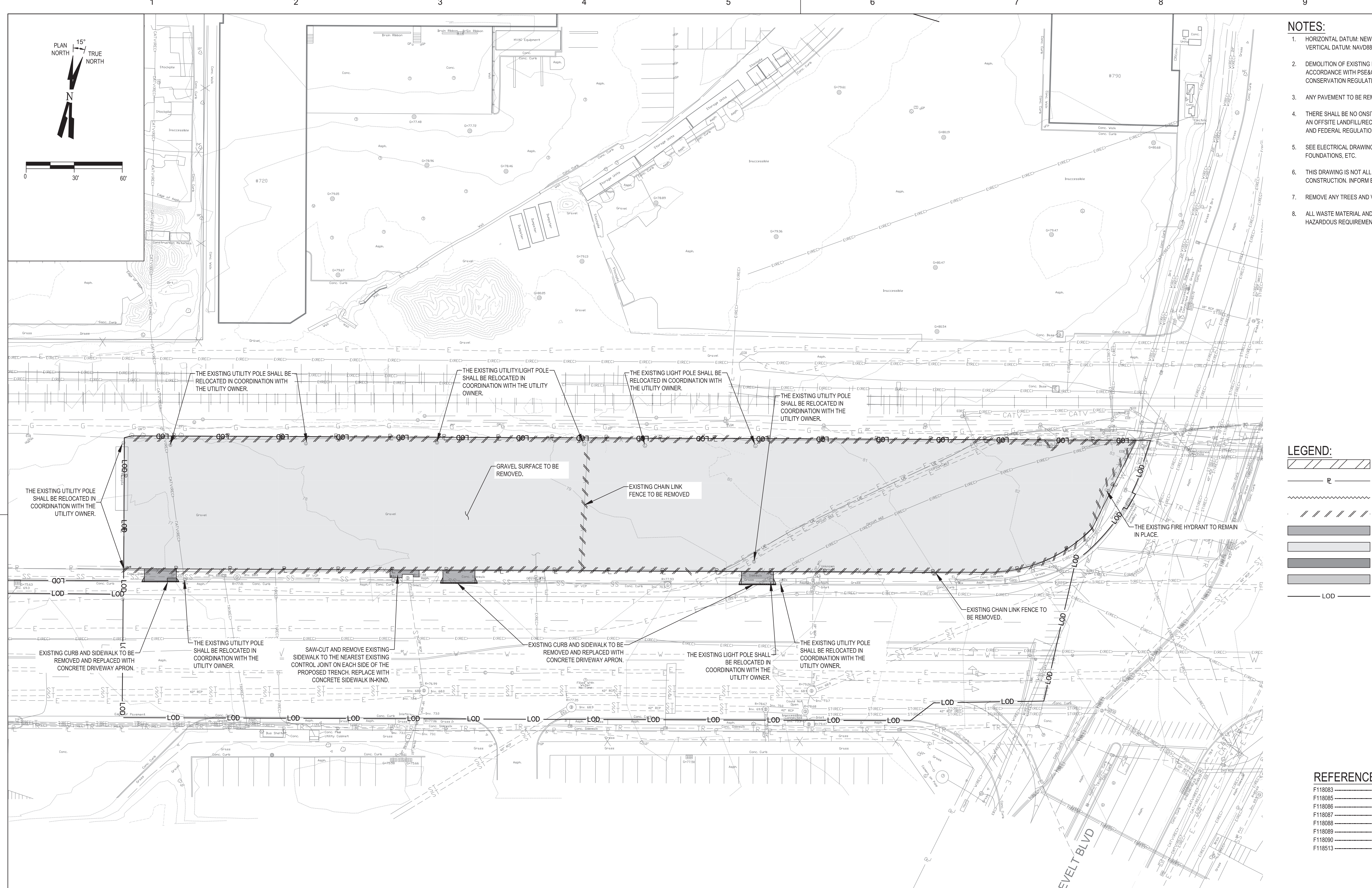
TERMINATION FACILITY

**PSEG LONG ISLAND**  
175 East 0th County Road  
Hicksville, New York

SCALE: NTS  
VENDOR DWG. NO.:

DRAWING NO. **F118514**  
SMART NO. **XX XX-XX-XXXX**  
REVISION **0**

SYSTEM GRID NUMBER: \_\_\_\_\_  
CABINET NO. \_\_\_\_\_  
FOLDER NO. \_\_\_\_\_



- NOTES:**
- HORIZONTAL DATUM: NEW YORK STATE PLANE COORDINATES SYSTEM (LONG ISLAND ZONE) NAD83 (FT). VERTICAL DATUM: NAVD88 (FT).
  - DEMOLITION OF EXISTING FEATURES SHALL BE COORDINATED WITH OWNERS, AND SHALL OCCUR IN ACCORDANCE WITH PSE&G LONG ISLAND AND NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION REGULATIONS.
  - ANY PAVEMENT TO BE REMOVED ADJACENT TO PAVEMENT THAT IS TO REMAIN WILL BE SAWCUT.
  - THERE SHALL BE NO ONSITE BURIAL OF CONSTRUCTION DEBRIS. ALL MATERIAL SHALL BE DISPOSED OF IN AN OFFSITE LANDFILL/RECYCLING CENTER IN ACCORDANCE WITH ALL APPLICABLE LOCAL, COUNTY, STATE AND FEDERAL REGULATIONS.
  - SEE ELECTRICAL DRAWINGS FOR LOCATIONS OF ANY PROPOSED ELECTRICAL EQUIPMENT, STRUCTURES, FOUNDATIONS, ETC.
  - THIS DRAWING IS NOT ALL INCLUSIVE. CONTRACTOR SHALL VERIFY EXISTING CONDITIONS PRIOR TO NEW CONSTRUCTION. INFORM ENGINEER OF DISCREPANCIES.
  - REMOVE ANY TREES AND VEGETATION WITHIN 5 FEET OF RETAINING WALL AND FENCE EXTENTS.
  - ALL WASTE MATERIAL AND/OR SOIL TO BE HAULED OFF SITE SHALL BE TESTED FOR CONTAMINANTS AND HAZARDOUS REQUIREMENTS PRIOR TO DISPOSAL.

- LEGEND:**
- REMOVAL
  - PROPERTY LINE
  - CURB REMOVAL
  - FENCE AND UTILITY REMOVAL
  - CONCRETE SURFACE REMOVAL
  - GRAVEL SURFACE REMOVAL
  - ASPHALT SURFACE REMOVAL
  - GRASS SURFACE REMOVAL
  - LIMITS OF DISTURBANCE

- REFERENCE DRAWINGS:**
- F118083 SITE PLAN
  - F118085 EROSION & SEDIMENT CONTROL PLAN
  - F118086 EROSION & SEDIMENT CONTROL NOTES
  - F118087 EROSION & SEDIMENT CONTROL DETAILS
  - F118088 CIVIL DETAILS SH. 1
  - F118089 CIVIL DETAILS SH. 2
  - F118090 CIVIL DETAILS SH. 3
  - F118513 PROFILE VIEWS

**WARNING: STATION CONTAINS KNOWN UNDERGROUND UTILITIES THAT EXIST WITHIN THE WORK AREA AND MAY ONLY BE SHOWN ON OTHER DISCIPLINE OR DIVISION DRAWINGS. ADDITIONAL UNKNOWN UTILITIES MAY ALSO BE PRESENT. CONTRACTOR TO FOLLOW PSEG LI EXCAVATION PROCEDURE FOR ALL UNDERGROUND WORK.**

**BURNS & McDONNELL EGS**  
 PROJECT NO. 178669

NO.	DATE	W.O.	DESCRIPTION	DWN BY	CKD BY	REVISED	APPD

Long Island Power Authority  
 COMMERCIAL AVE  
 TOWN OF HEMPSTEAD, NEW YORK

**REMOVAL PLAN**

TERMINATION FACILITY

**PSEG LONG ISLAND**  
 175 East 9th County Road  
 Hicksville, New York

SCALE: 1" = 30'

DRAWING NO. **F118082** SMART NO. **XX XX-XX-XXXX** REVISION **0**

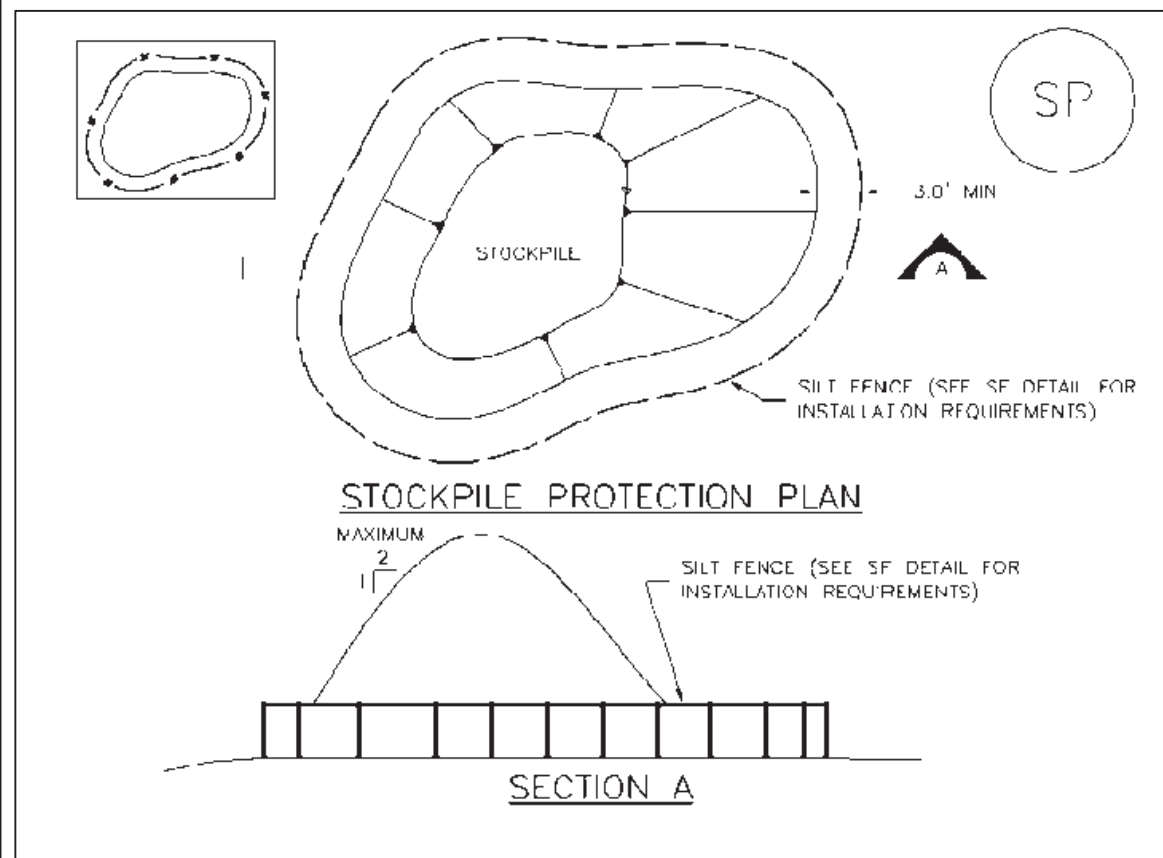
SYSTEM GRID NUMBER CABBET NO. FOLDER NO.

CONFIDENTIAL CRITICAL ENERGY  
INFRASTRUCTURE INFORMATION (CEII) HAS  
BEEN REDACTED FROM THIS DOCUMENT

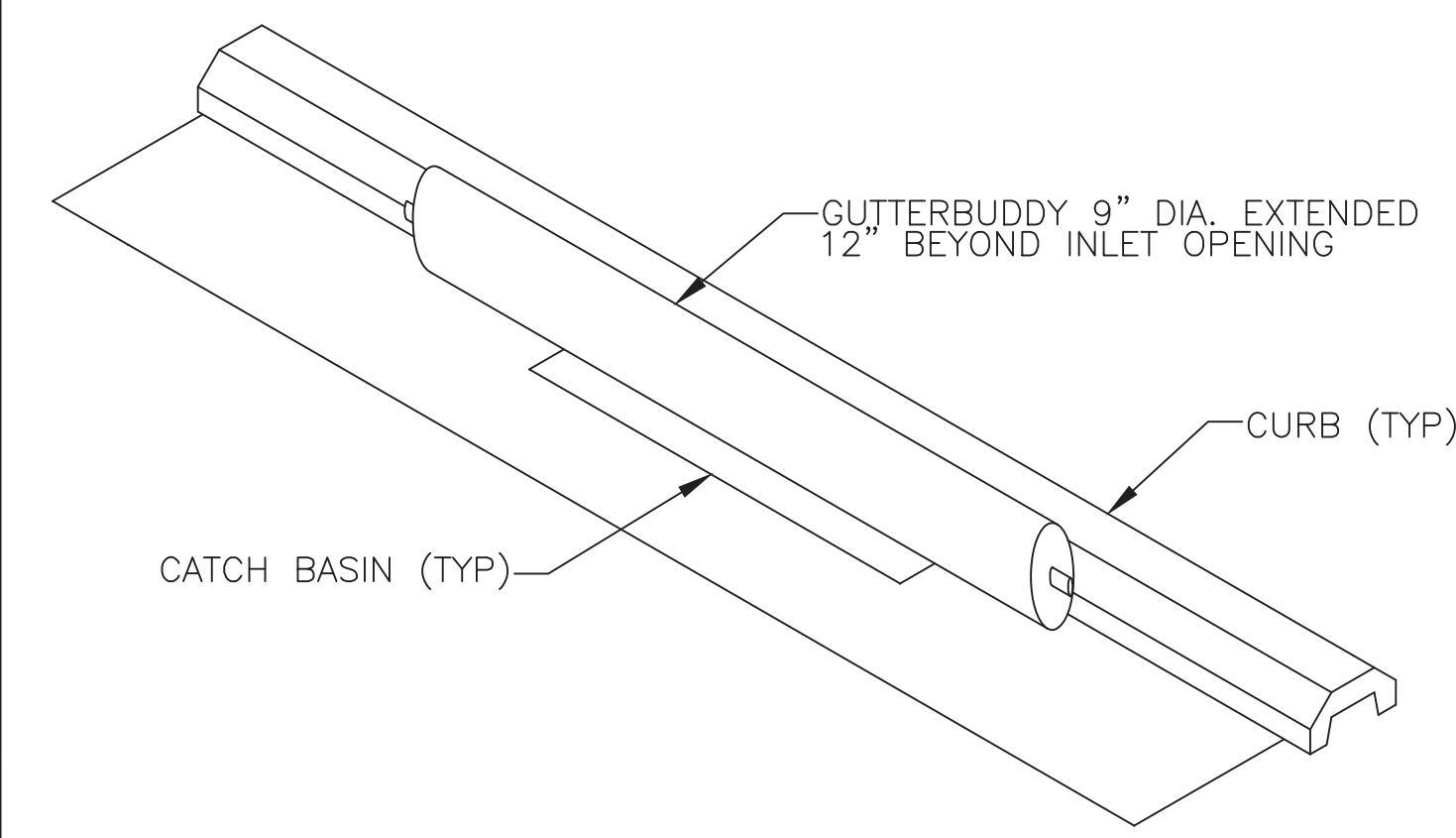
CONFIDENTIAL CRITICAL ENERGY  
INFRASTRUCTURE INFORMATION (CEII) HAS  
BEEN REDACTED FROM THIS DOCUMENT



1. THE BASE OF ALL STOCKPILES SHALL BE PROTECTED BY A SEDIMENT FENCE.
2. STOCKPILES SHALL BE VEGETATED - SEE VEGETATIVE STANDARDS FOR SOIL STABILIZATION.



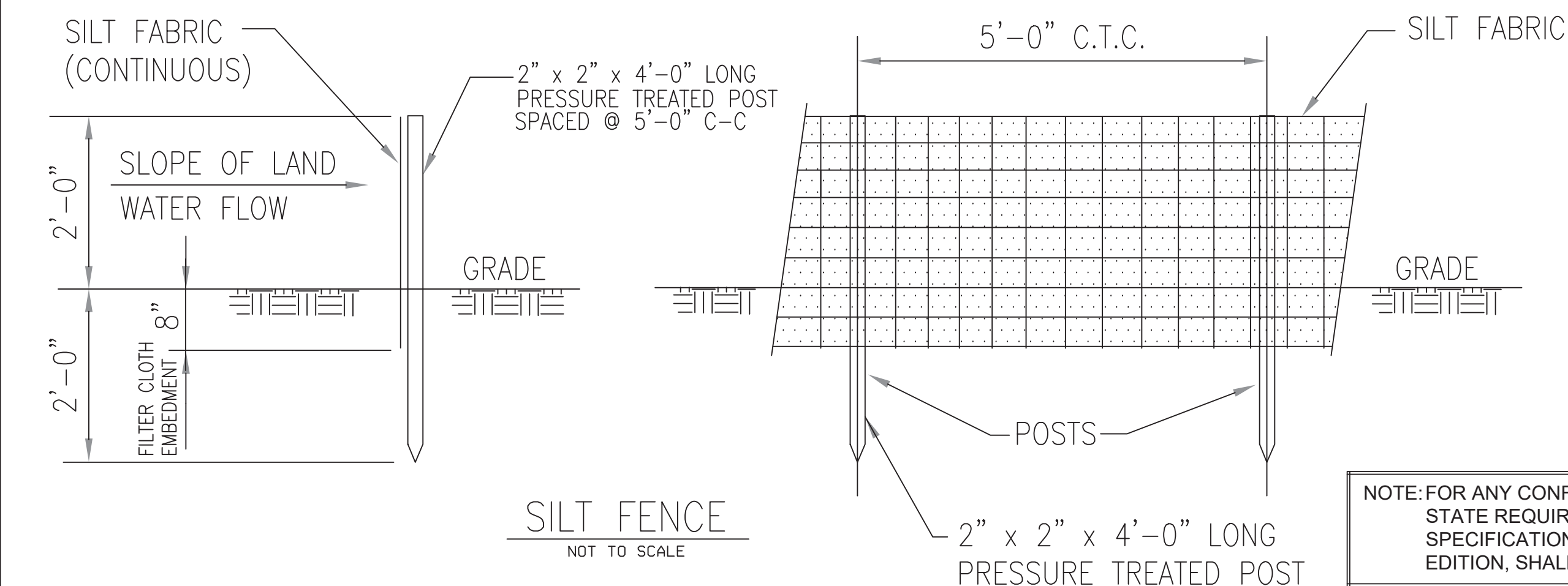
TYPICAL STOCKPILE DETAIL  
NOT TO SCALE



GUTTERBUDDY STORM DRAIN  
NOT TO SCALE

SILT FENCE NOTES:

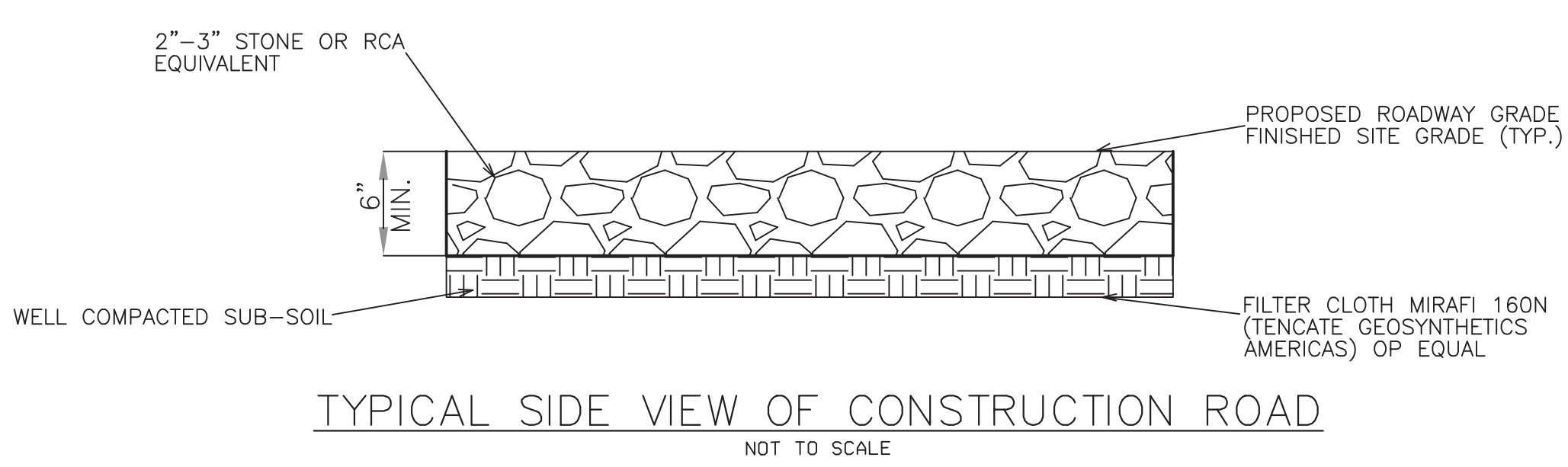
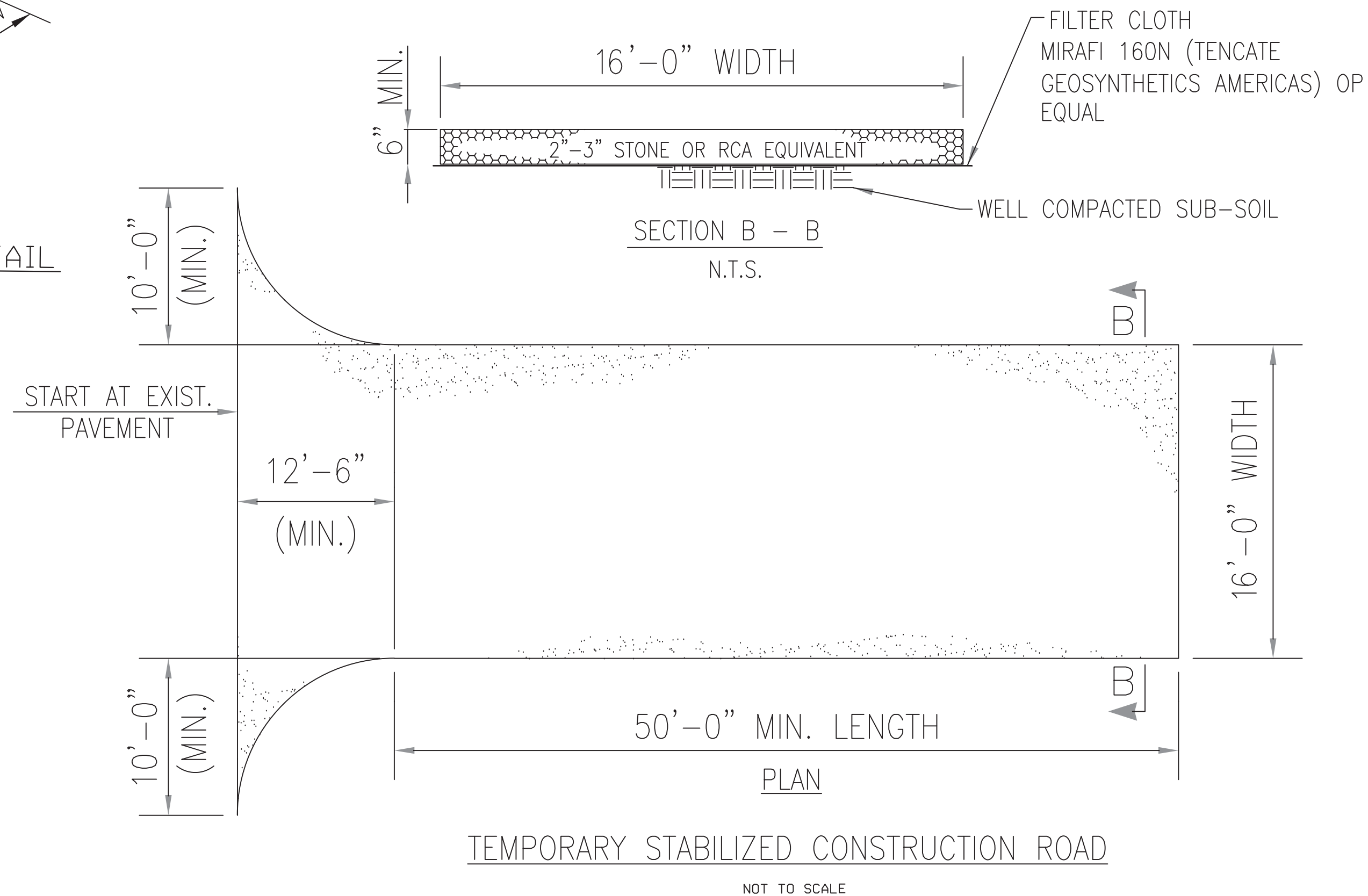
1. SILT FABRIC SHALL BE EITHER FILTER X, MIRAFI 100X, STABILINKA T140N, OR APPROVED EQUIVALENT.
2. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER, THEY SHALL BE OVER-LAPPED BY A MINIMUM OF 6 INCHES AND FOLDED.
3. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.



NOTE: FOR ANY CONFLICTS BETWEEN THE LIPA DRAWINGS AND NEW YORK STATE REQUIREMENTS THE NEW YORK STATE STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROL, LATEST EDITION, SHALL APPLY AS THE MINIMUM STANDARDS.

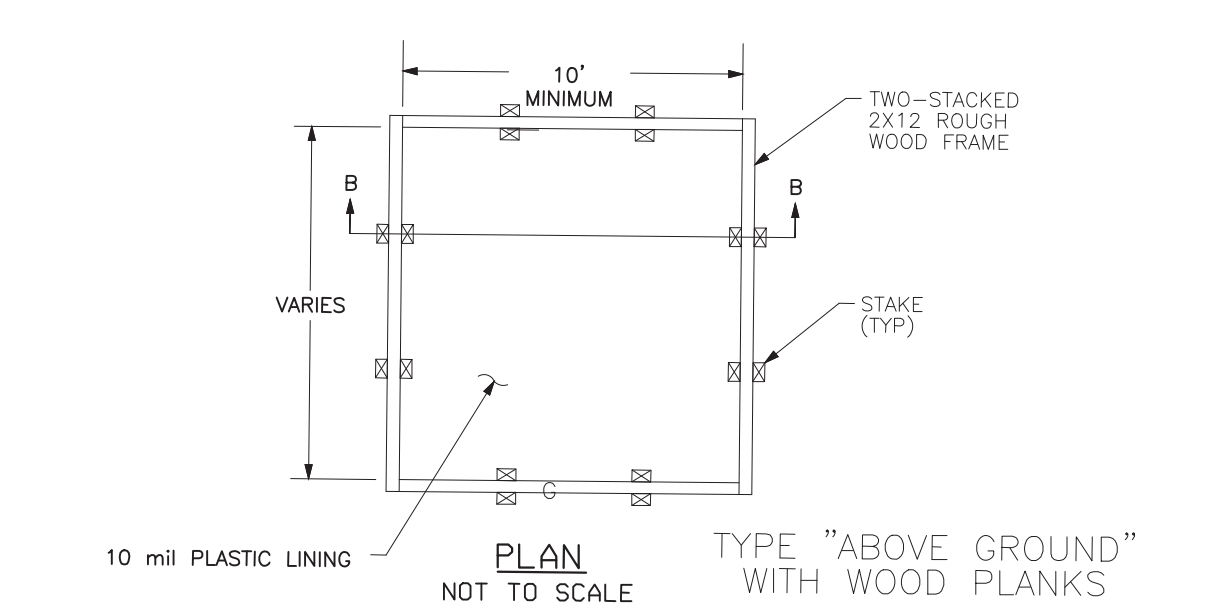
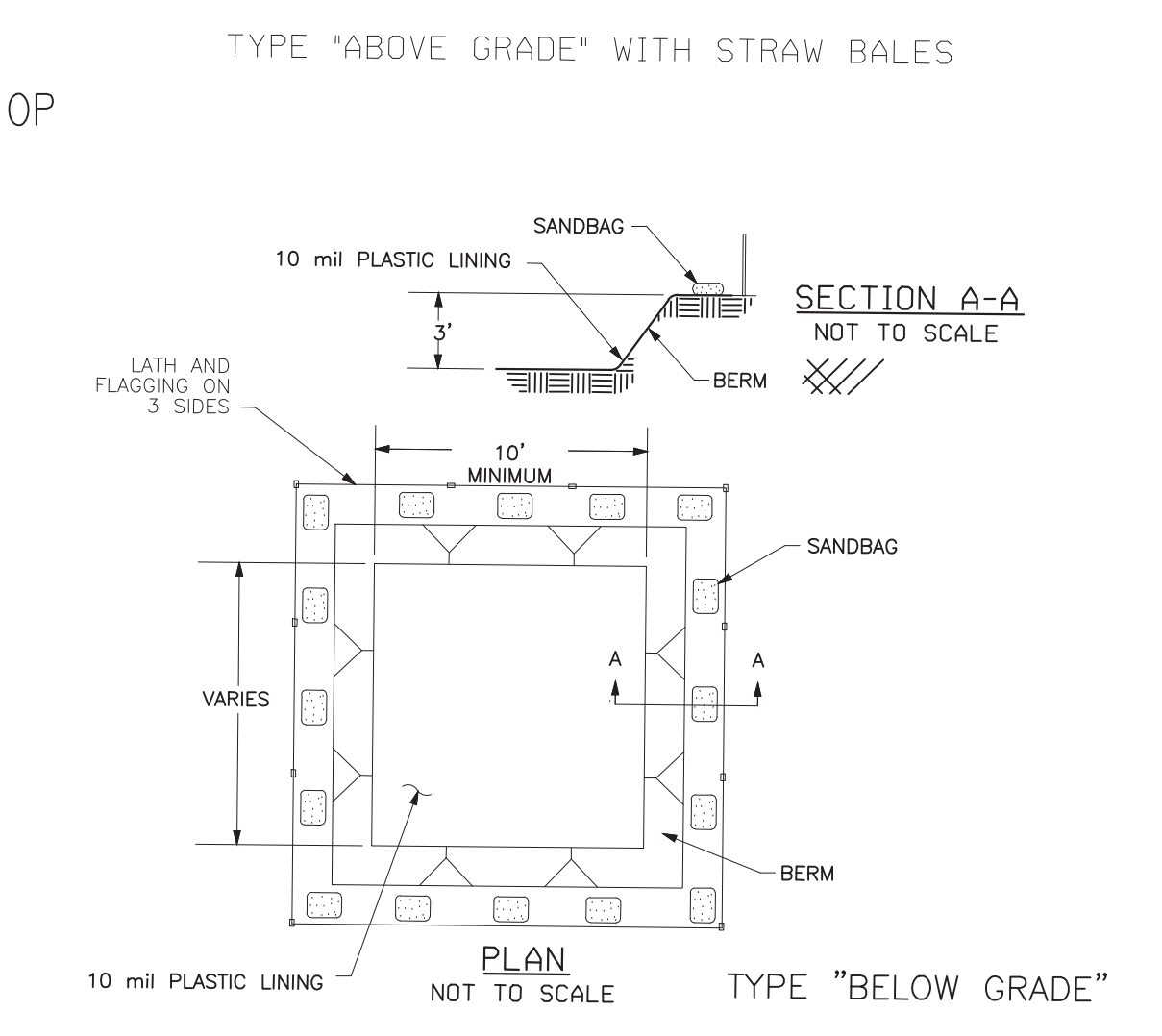
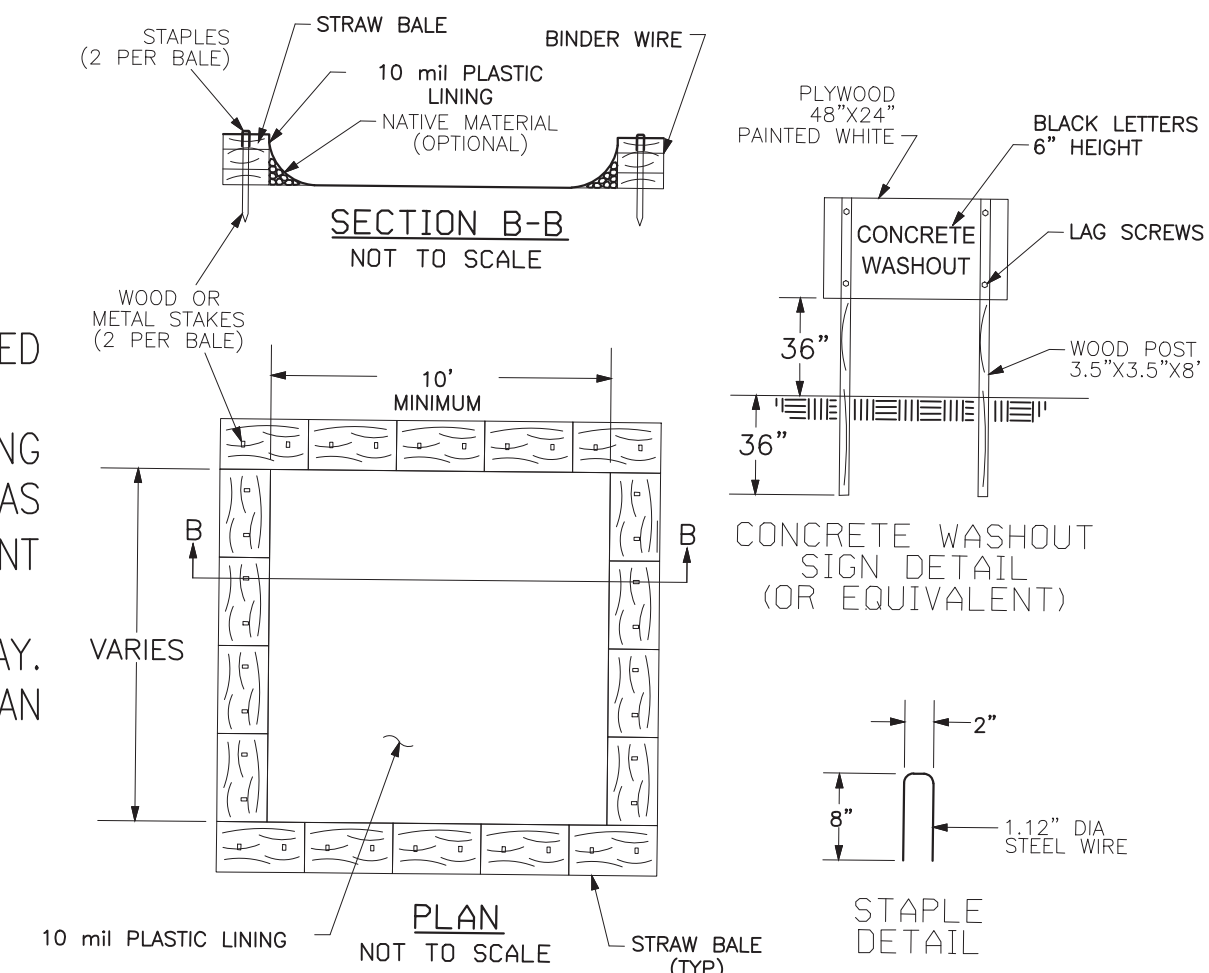
TEMPORARY STABILIZED CONSTRUCTION ROAD INSTALLATION NOTES:

1. STONE SIZE - USE 2"-3" STONE, OR RECLAIMED OR RECYCLED CONCRETE AGGREGATE EQUIVALENT.
2. LENGTH - AS REQUIRED, BUT NOT LESS THAN 50 FEET.
3. THICKNESS - NOT LESS THAN SIX (6) INCHES.
4. WIDTH - 25 FOOT MINIMUM, UNLESS NOTED OTHERWISE.
5. FILTER CLOTH - INSTALL OVER THE ENTIRE ROAD AREA PRIOR TO PLACEMENT OF STONE.
6. SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
7. MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT OF WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHT OF WAY MUST BE REMOVED IMMEDIATELY.
8. WASHING - WHEELS SHALL BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO PUBLIC RIGHT OF WAY. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.
10. PUBLIC ROADWAYS, STREETS, ETC. SHALL BE CLEANED DAILY, AT THE END OF EACH WORK DAY.



NOTES:

1. PROPOSED ROADWAY GRADE TO MATCH FINISHED SITE GRADE AT ALL LOCATIONS (TYP.)



NO.		DATE	W.O.	DESCRIPTION	DWN BY	CKD BY	REVISED	APPD
0								

NO.		DATE	W.O.	DESCRIPTION	DWN BY	CKD BY	REVISED	APPD
0								

Long Island Power Authority  
COMMERCIAL AVE  
TOWN OF HEMPSTEAD, NEW YORK

EROSION & SEDIMENT CONTROL DETAILS

TERMINATION FACILITY

**PSEG** LONG ISLAND  
175 East Old Country Road  
Hicksville, New York

SCALE AS NOTED

VENDOR DWG. NO. XX XX-XX-XXXXX

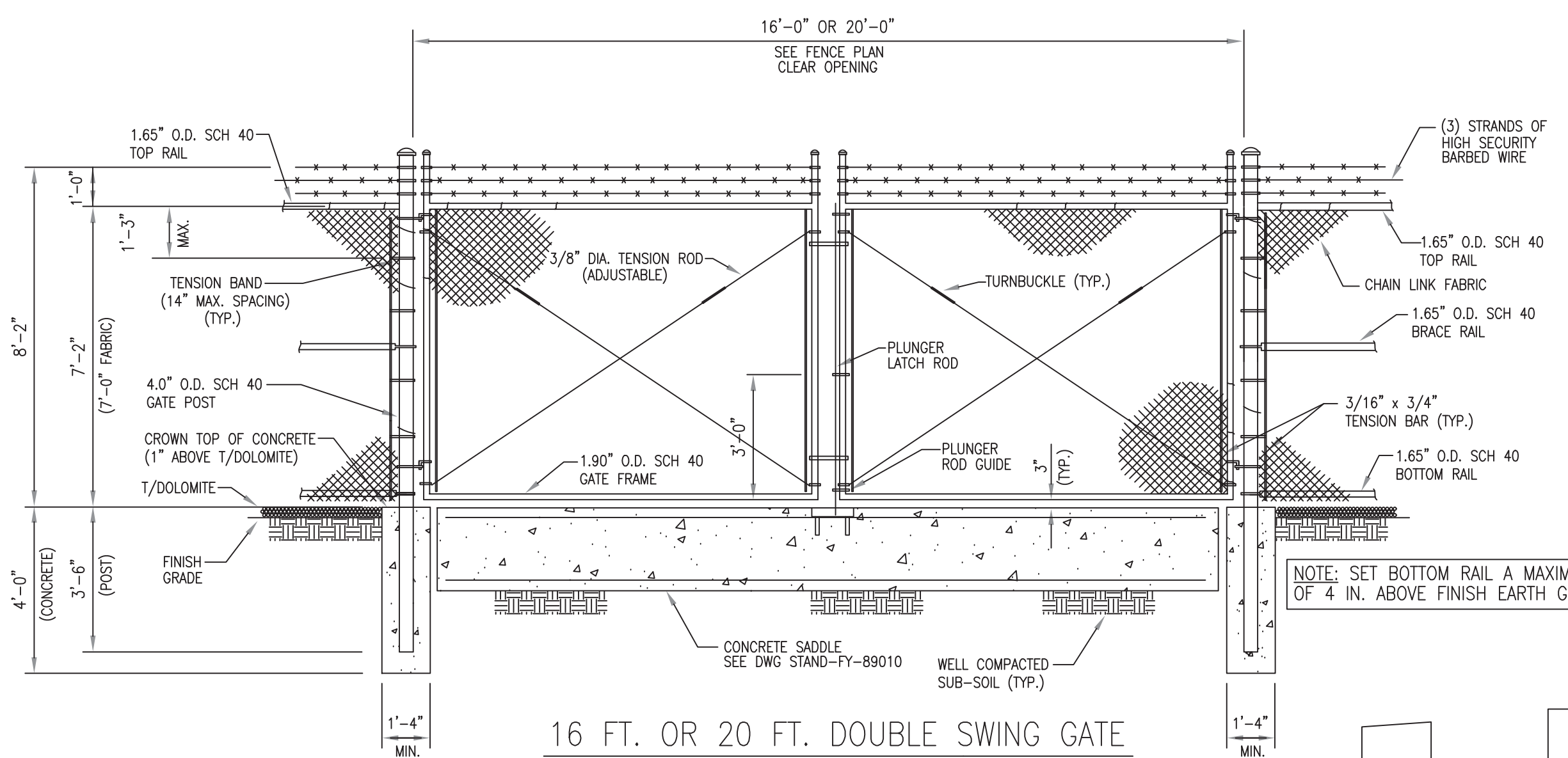
DRAWING NO. F118087

REVISION 0

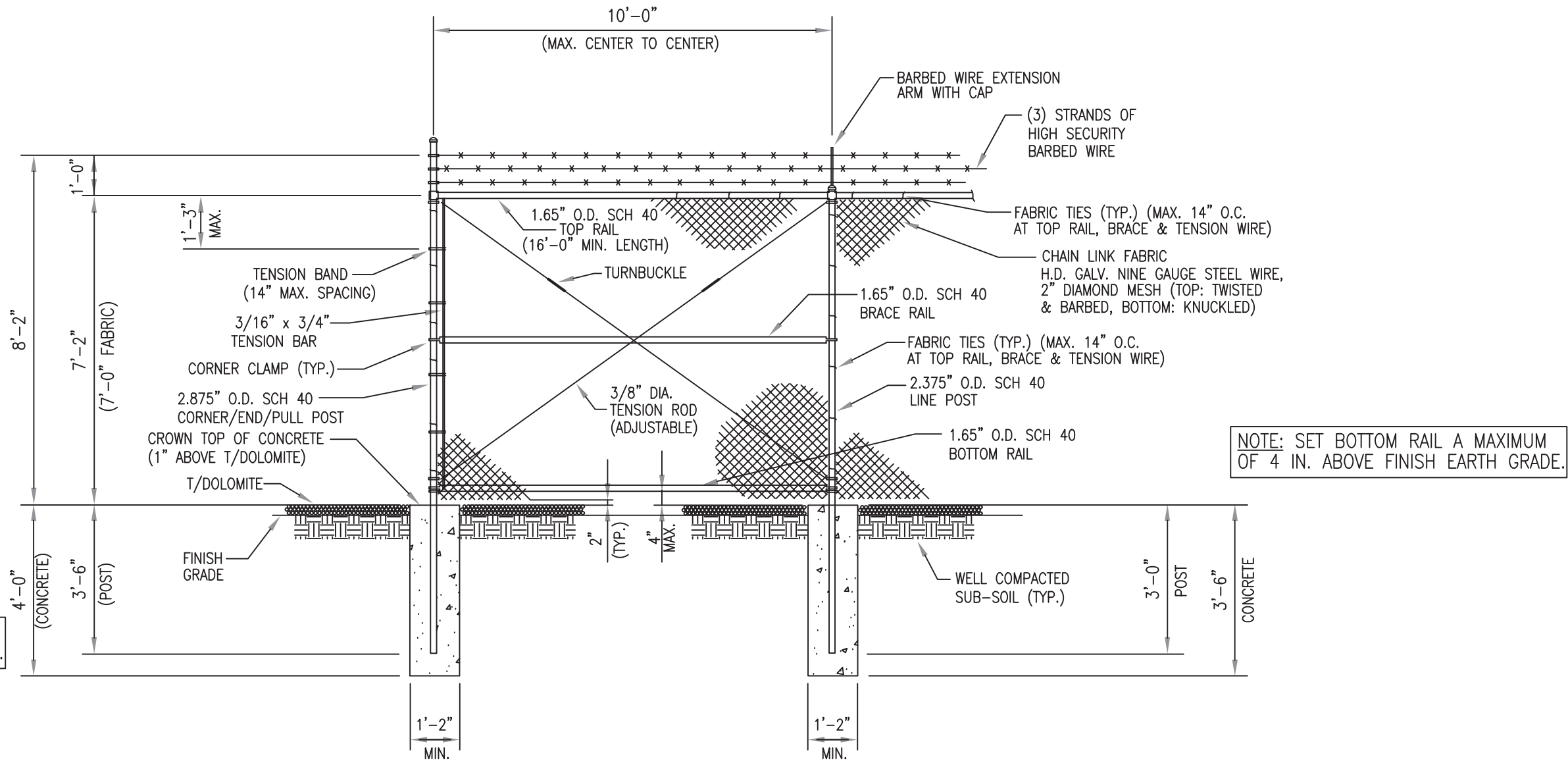
**BURNS & MCDONNELL**  
Burns & McDonnell EGS  
PROJ. NO. 178669

PROPERTY AND FACILITIES SHOWN ON THIS DRAWING WERE TRANSFERRED TO Long Island Power Authority AS OF MAY 27, 1998

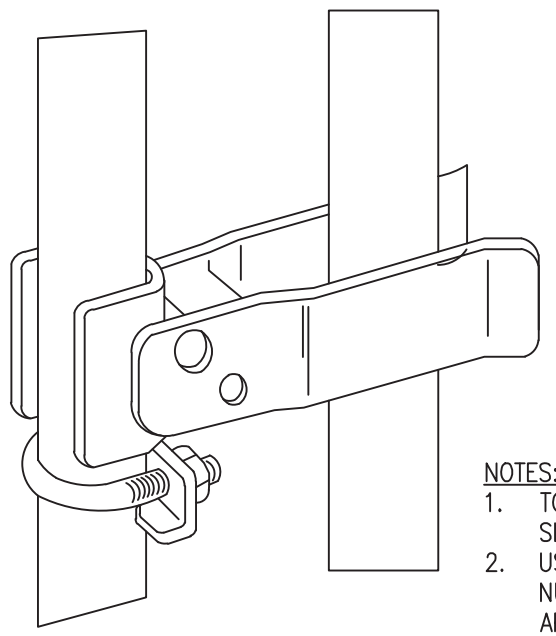




16 FT. OR 20 FT. DOUBLE SWING GATE

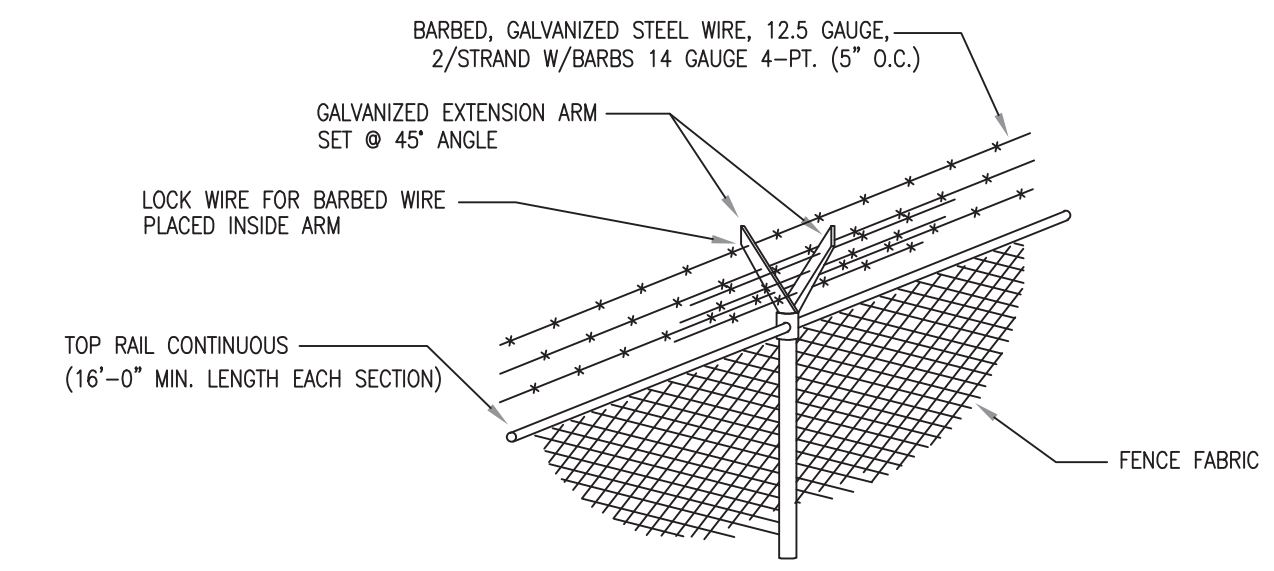


TYPICAL CORNER, END, PULL OR LINE POST CHAIN LINK FENCE SECTION

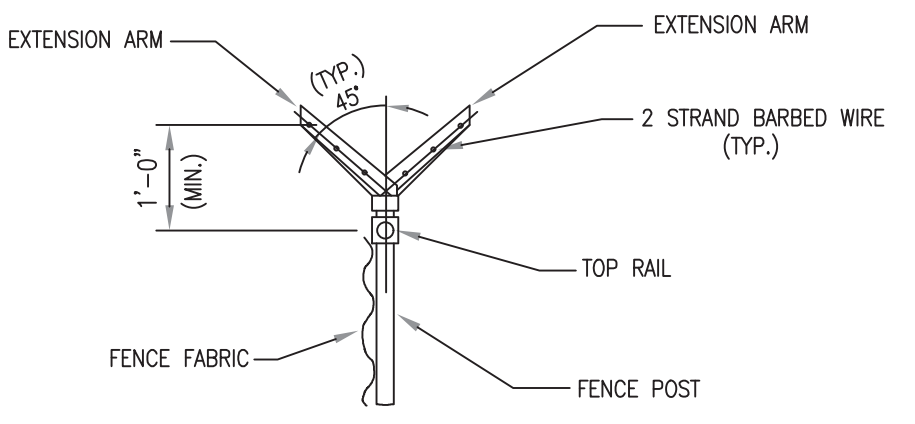


STRONG ARM GATE LATCH

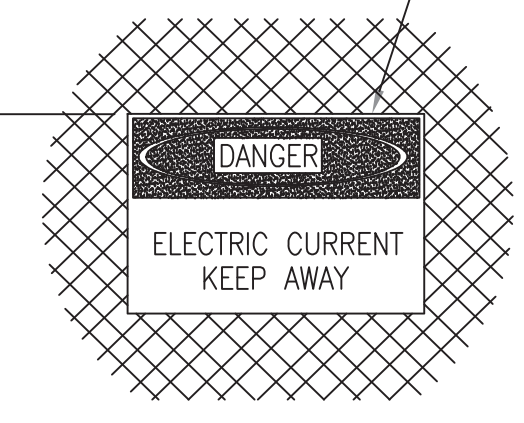
- NOTES:
- TO BE USED ON DOUBLE SWING, SLIDING AND MAN GATE
  - USE DAC INDUSTRIES PRODUCT NUMBER 4250 WALK GATE LATCH OR APPROVED EQUAL



POST EXTENSION W/ BARBED WIRE

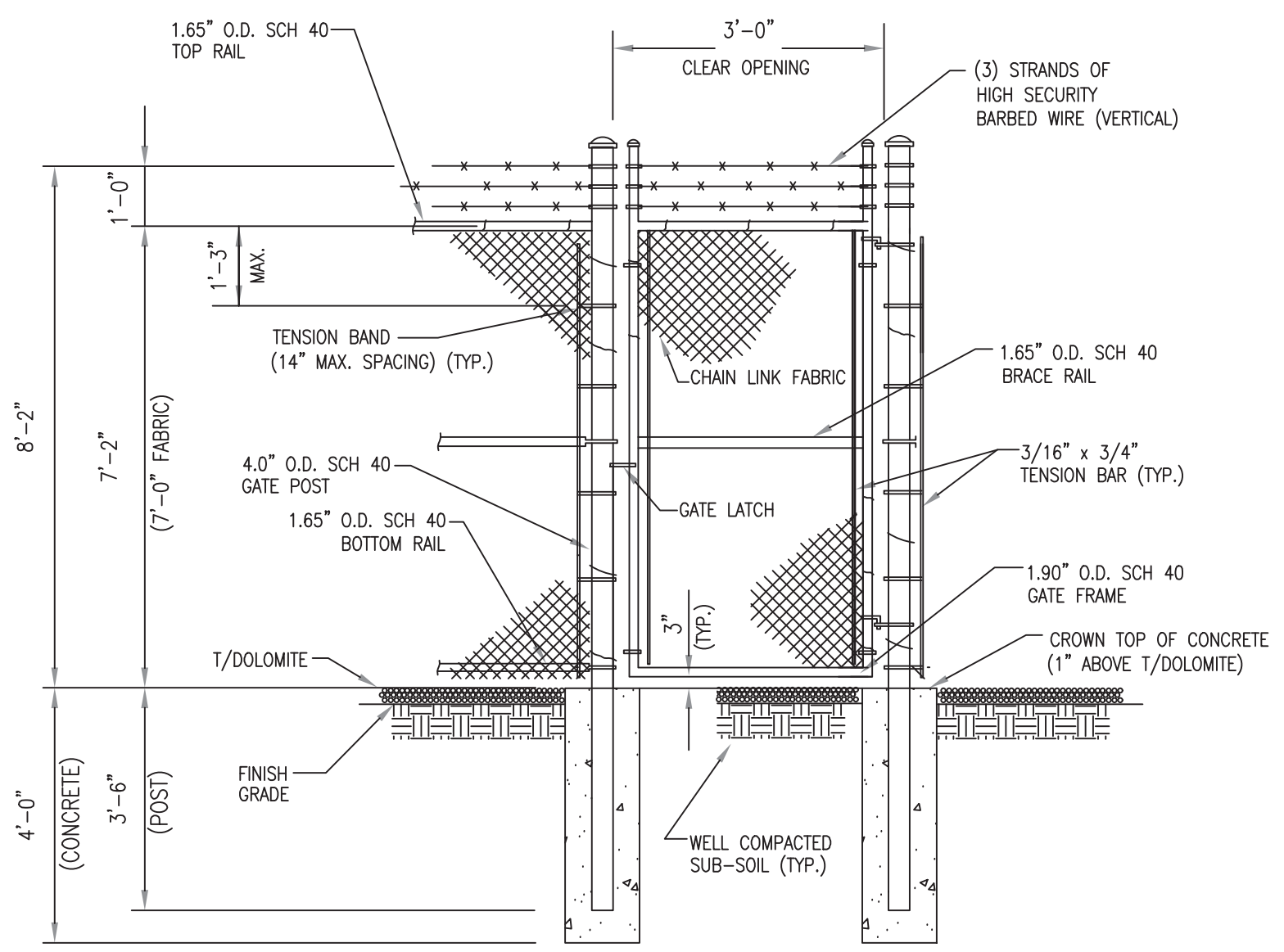


POST EXTENSION ARM

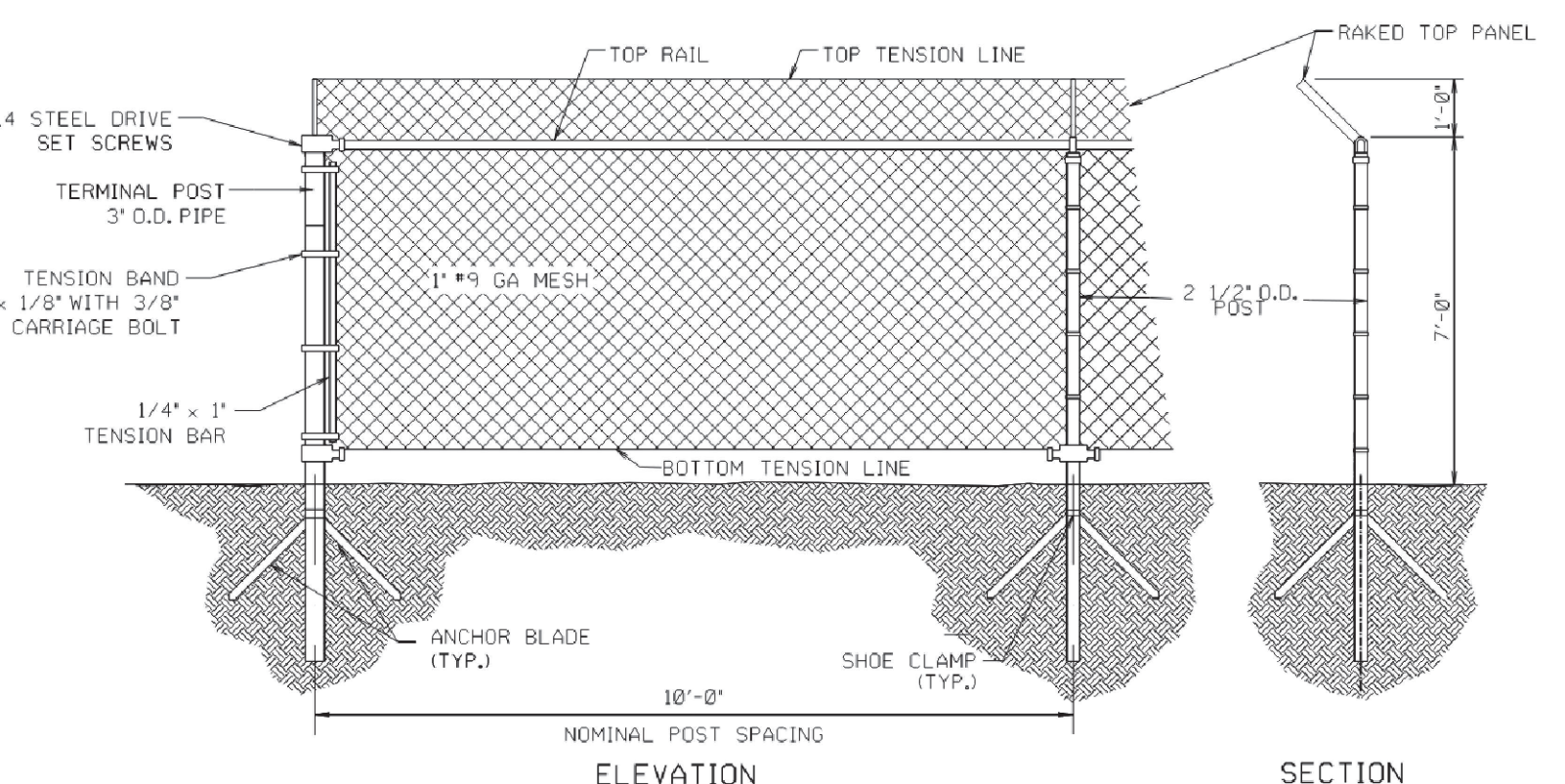


FENCE WARNING SIGN

(SPACED AT 75' O.C.)  
(FURNISHED BY PSEG-LI)

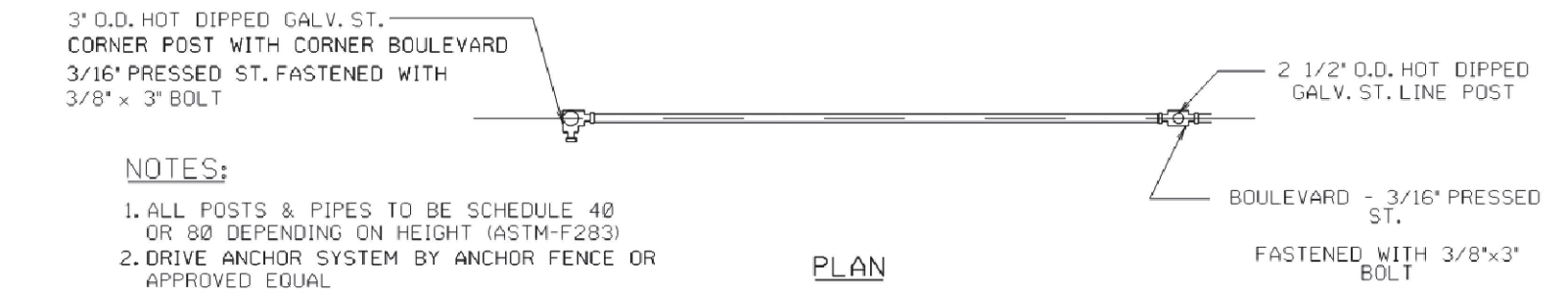


3 FT. MAN GATE



ELEVATION

SECTION

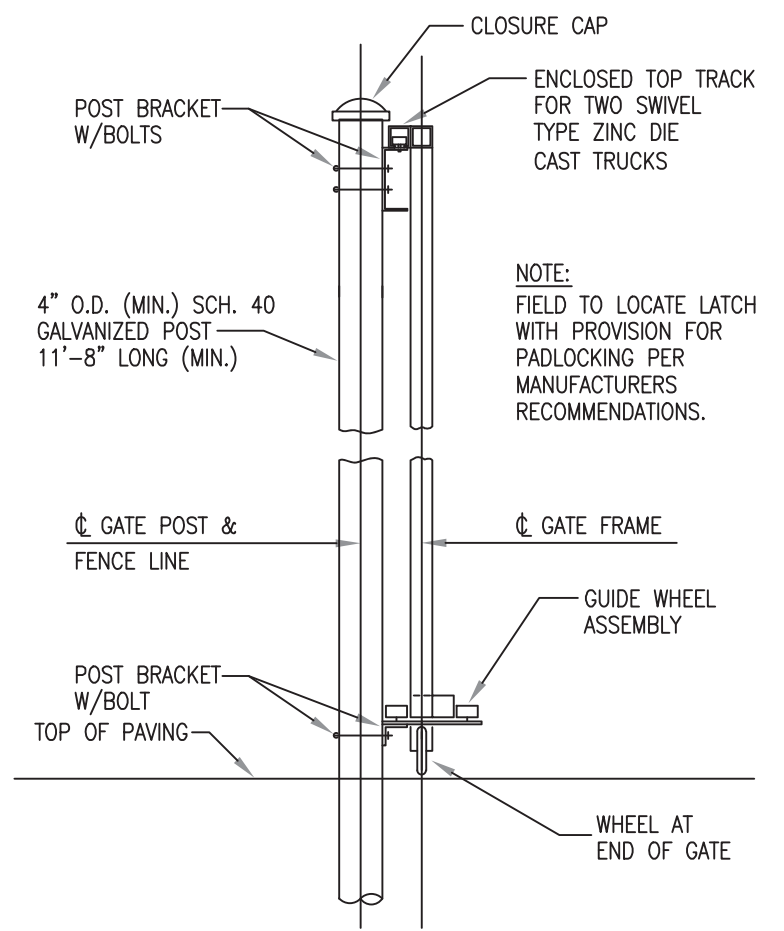


PLAN

TEMPORARY CONSTRUCTION CHAIN LINK FENCE WITH ALUMINIZED OR GALVANIZED STEEL FABRIC

- NOTES:
- ALL POSTS & PIPES TO BE SCHEDULE 40 OR 80 DEPENDING ON HEIGHT (ASTM-F283)
  - DRIVE ANCHOR SYSTEM BY ANCHOR FENCE OR APPROVED EQUAL

NOT TO SCALE



SLIDE GATE SUPPORT (GALVANIZED STEEL POST)

NOTE: FOR ANY CONFLICTS BETWEEN THE LIPA DRAWINGS AND NEW YORK STATE REQUIREMENTS THE NEW YORK STATE STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROL, LATEST EDITION, SHALL APPLY AS THE MINIMUM STANDARDS.

- NOTES:
- ALL FENCE POSTS, GATES, FABRIC AND ACCESSORIES SUCH AS TENSION BARS, POST TOPS, TOP RAIL, TRUSS BRACES, GATES, GATE HINGES, BARBED WIRE, LATCHES, ETC. SHALL BE IN ACCORDANCE WITH INDUSTRIAL STEEL SPECIFICATIONS FOR FENCE POSTS, GATES AND ACCESSORIES OF THE CHAIN LINK MANUFACTURERS INSTITUTE AND WITH ASTM SPECIFICATION FOR GALVANIZED MATERIAL.
  - CHAIN LINK FENCE FABRIC SHALL BE IN ACCORDANCE WITH ASTM A-392. IT SHALL BE WOVEN OF 9 GAUGE GOOD COMMERCIAL QUALITY STEEL WIRE HOT-DIPPED GALVANIZED AFTER WEAVING TO CLASS II WEIGHT OF COATING, NOT LESS THAN 2.0 OZ. PER SQUARE FOOT OF ACTUAL WIRE SURFACE COVERED. THE FABRIC SHALL BE MADE OF 2 INCH DIAMOND MESH AND SHALL BE CONTINUOUS IN EACH ROLL WITHOUT SPLICES.
  - ALL FENCING SHALL HAVE "V" TYPE EXTENSION ARMS EXTENDING OUTWARD AT AN ANGLE OF 45 DEGREES AND EQUIPPED WITH 6 ROWS OF 2 STRAND BARBED WIRE (3 ROWS INSIDE, 3 ROWS OUTSIDE). THE "V" TYPE EXTENSION ARMS SHALL BE CAPABLE OF WITHSTANDING A 250 LB. LOAD APPLIED AT THE OUTER BARBED WIRE STRAND.
  - TENSION BARS SHALL BE ONE PIECE LENGTHS EQUAL TO THE FULL HEIGHT OF THE FABRIC WITH A MINIMUM CROSS-SECTION OF 3/16 IN. BY 3/4 IN. BANDS SHALL BE SPACED NOT MORE THAN 14 IN. O.C. TO SECURE TENSION BARS TO TERMINAL, CORNER AND GATE POSTS. HARDWARE SHALL BE ATTACHED SO AS TO BE NON-REMOVABLE FROM OUTSIDE OF FENCE.
  - TOP & BOTTOM RAILS SHALL BE 1.65 INCH O.D. SCHEDULE 40 PIPE.
  - POST TOPS SHALL BE THE COMBINATION TYPE WITH BARBED WIRE SUPPORTING ARMS AND HOLES SUITABLE FOR THE THROUGH PASSAGE OF THE TOP RAIL.
  - TRUSS BRACES SHALL BE 1.65 IN. O.D. SCHEDULE 40 PIPE. DIAGONAL TRUSS RODS SHALL BE ADJUSTABLE, 3/8 INCH DIAMETER RODS.
  - WIRE TIES USED FOR TYING FABRIC TO LINE POSTS SHALL BE A MINIMUM OF 9 GAUGE ALUMINUM WIRE TIES, SPACED 14 INCHES O.C. FOR TYING FABRIC TO BRACES, USE 9 GAUGE ALUMINUM WIRE TIES, SPACED 24 INCHES O.C. FOR TYING FABRIC TO TENSION WIRE, USE 11 GAUGE HOG RINGS SPACED 24 INCHES O.C.
  - TERMINAL AND CORNER POSTS SHALL BE 2.875 INCHES O.D., SCHEDULE 40 PIPE AND AT LEAST 3.5 FT. LONGER THAN THE FENCE FABRIC HEIGHT. LINE POSTS SHALL BE 2.375 INCHES O.D., SCHEDULE 40 PIPE AND AT LEAST 3.0 FT. LONGER THAN THE FENCE FABRIC HEIGHT. GATE POSTS SHALL BE 4.0 INCHES O.D., SCHEDULE 40 PIPE AND AT LEAST 3.5 FT. LONGER THAN THE FENCE FABRIC HEIGHT.
  - GATE PERIMETER FRAMING SHALL BE 1.90 INCHES O.D., SCHEDULE 40 PIPE, WHILE THE INTERNAL GATE BRACING SHALL BE 1.65 INCHES O.D. ALL GATES SHALL HAVE EXTENSION ARMS FOR THE THREE STRANDS OF BARBED WIRE AND SHALL BE VERTICAL.
  - GATE HINGES SHALL BE PRESSED STEEL OR MALLEABLE IRON TO SUIT GATE SIZE, NON-LIFT OFF TYPE TO PERMIT OPERATION FROM EITHER SIDE OF GATE. PROVIDE ONE PAIR OF HINGES FOR EACH LEAF. GATE LATCH SHALL BE FORKED TYPE TO PERMIT OPERATION FROM EITHER SIDE OF GATE. PROVIDE PADLOCK EYE AS INTEGRAL PART OF LATCH. PROVIDE KEEPERS FOR ALL GATES WHICH AUTOMATICALLY ENGAGE THE GATE LEAF AND HOLD IT IN THE OPEN POSITION UNTIL MANUALLY RELEASED. PROVIDE GATE STOPS FOR THE DOUBLE GATES CONSISTING OF MUSHROOM TYPE OF FLUSH PLATE WITH ANCHORS. GATE STOPS SHALL BE SET IN CONCRETE TO ENGAGE THE CENTER DROP ROD OR PLUNGER BAR. PROVIDE LOCKING DEVICE AND PADLOCK EYES AS AN INTERGRAL PART OF THE LATCH, REQUIRING PADLOCK FOR LOCKING BOTH GATE LEAVES.
  - ALL PIPE WHICH IS TO BE USED FOR POST RAILS, BRACES, ETC. SHALL BE IN ACCORDANCE WITH ASTM F1083 "STANDARD SPECIFICATION FOR PIPE, STEEL, HOT-DIPPED, ZINC-COATED (GALVANIZED) WELDED, FOR FENCE STRUCTURES".
  - ALL POSTS SHALL BE SET IN CONCRETE FOUNDATIONS AND SHALL DEVELOP A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI IN 28 DAYS. CONCRETE PLACEMENT AND DESIGN SHALL BE DONE IN ACCORDANCE WITH THE REQUIREMENTS OF ACI 301 AND ACI 318 CODES, RESPECTIVELY. PROVISIONS SHALL BE MADE FOR CURING AND PROTECTION OF CONCRETE IN EXTREME WEATHER CONDITIONS.

REV.	DATE	DESCRIPTION	DRAWN	CHKD	REVISED	APPD
B	04/2/2026	ISSUED FOR REVIEW	KAV	VG	JR	
A	02/09/2025	FOR BIDDING	KAV	VG	JR	
REV.	DATE	DESCRIPTION	DRAWN	REVIEW	APPR	

NO.	DATE	W.O.	DESCRIPTION	DWN BY	CKD BY	REVISED	APPD

Long Island Power Authority  
COMMERCIAL AVE  
TOWN OF HEMPSTEAD, NEW YORK

CIVIL DETAILS  
SUBSTATION FENCE AND GATES - SECTIONS & DETAILS  
TERMINATION FACILITY

PSEG LONG ISLAND  
175 East Old Country Road  
Hicksville, New York

SCALE AS NOTED

VENDOR DWG. NO. XX XX-XX-XXXXX

DRAWING NO. F118089

REVISION 0

SYSTEM GRID NUMBER

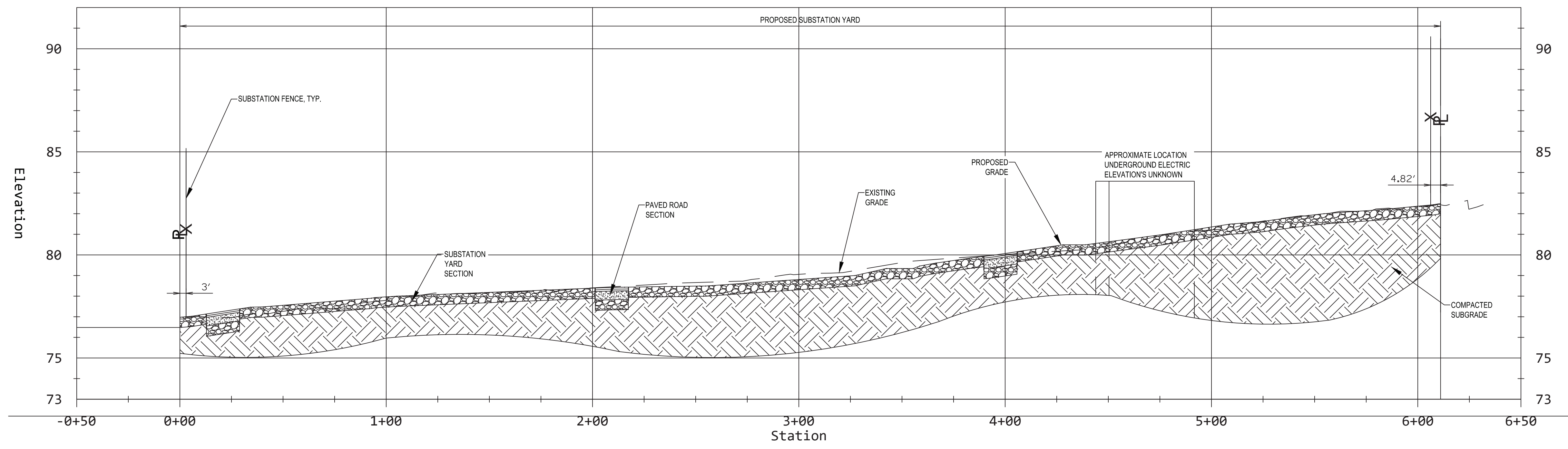
CABINET NO.

FOLDER NO.

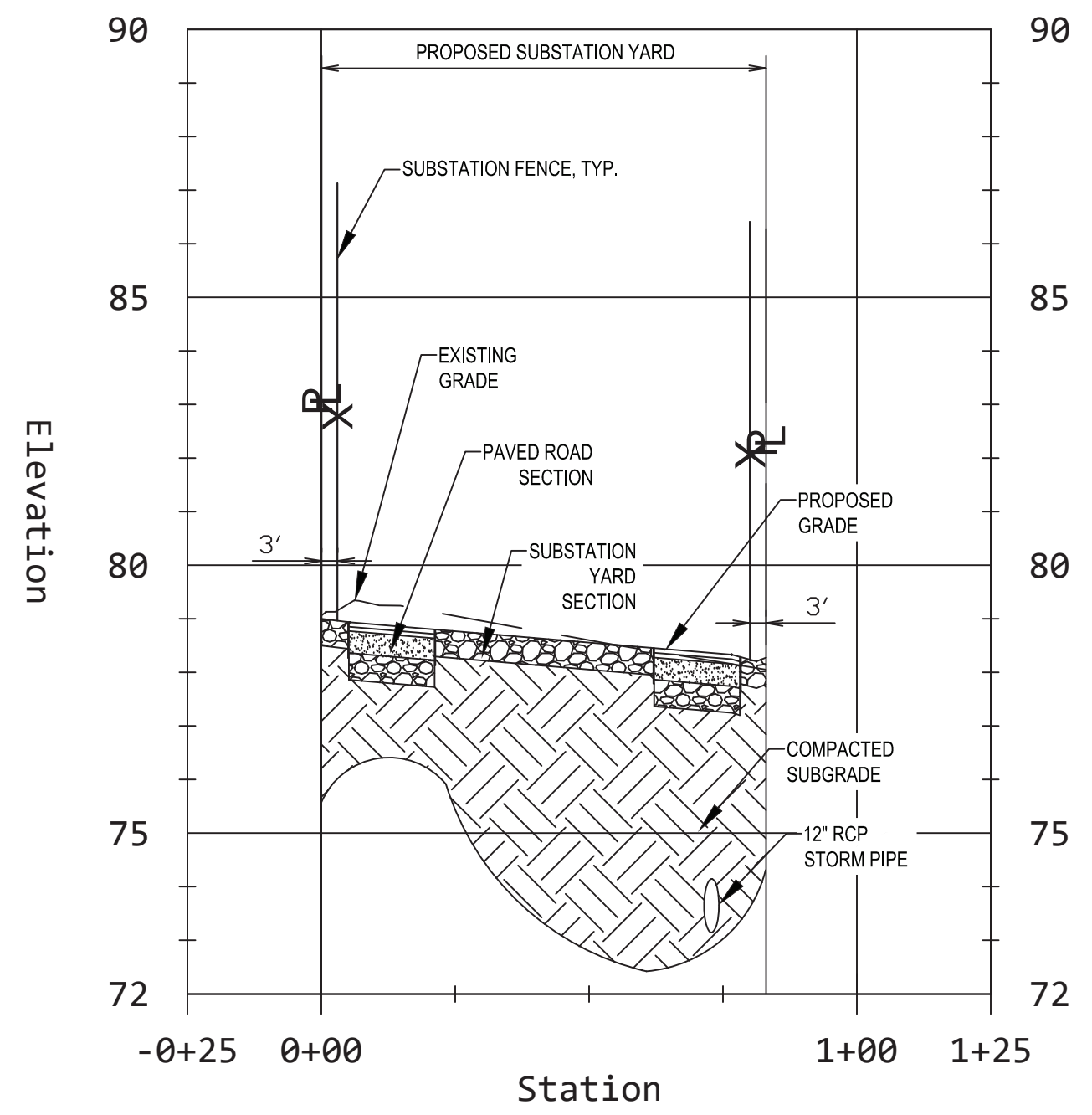
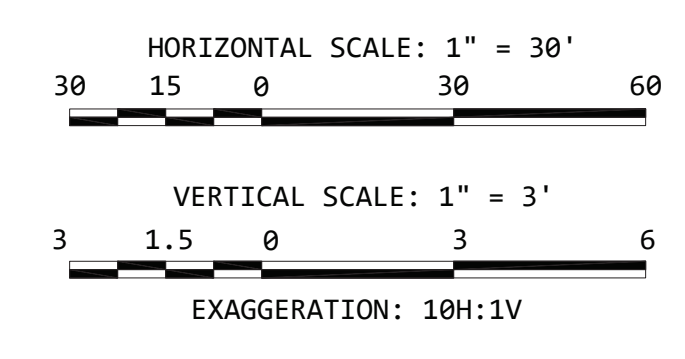
**BURNS & MCDONNELL**  
Burns & McDonnell EGS  
PROJ. NO. 178669

PROPERTY AND FACILITIES SHOWN ON THIS DRAWING WERE TRANSFERRED TO Long Island Power Authority AS OF MAY 27, 1996

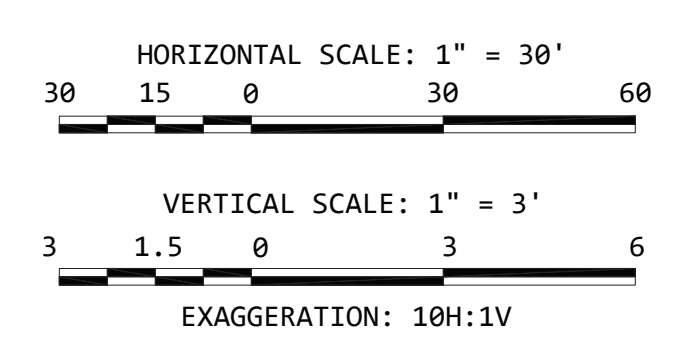




SECTION A-A PROFILE



SECTION B-B PROFILE



- REFERENCE DRAWINGS:**
- F118082 REMOVAL PLAN
  - F118083 SITE PLAN
  - F118085 EROSION & SEDIMENT CONTROL PLAN
  - F118086 EROSION & SEDIMENT CONTROL NOTES
  - F118087 EROSION & SEDIMENT CONTROL DETAILS
  - F118088 CIVIL DETAILS SH. 1
  - F118089 CIVIL DETAILS SH. 2
  - F118090 CIVIL DETAILS SH. 3

In accordance with NYS Education Law §2867(1), LIPA and its service provider are exempt from certain engineering and surveyor requirements consistent with an exemption that exists with respect to revenue-related matters subject to oversight of the Public Service Commission.

**Long Island Power Authority**  
COMMERCIAL AVE  
TOWN OF HEMPSTEAD, NEW YORK

**PROFILE VIEWS**

**TERMINATION FACILITY**

**PSEG LONG ISLAND**  
175 East 0th County Road  
Hicksville, New York

DRAWING NO. <b>F118513</b>	SCALE AS NOTED	VENDOR DWSG, INC.
SMART NO. <b>XX XX-XX-XXXX</b>	REVISION <b>0</b>	CABINET NO. FOLDER NO.

**BURNS & MCDONNELL**  
Burns & McDonnell EGS

PROJ. NO. 178669

NO.	DATE	W.O.	DESCRIPTION	DWN BY	CKD BY	REVIEWED	APPD

REV. DATE	DESCRIPTION	DRAWN	REVIEW	APPR

PROPERTY AND FACILITIES SHOWN ON THIS DRAWING WERE TRANSFERRED TO Long Island Power Authority AS OF MAY 27, 1998