



Department of
Environmental
Conservation

Overview of the Municipal Separate Storm Sewer System General Permit, GP-0-24-001

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Division of Water – Central Office

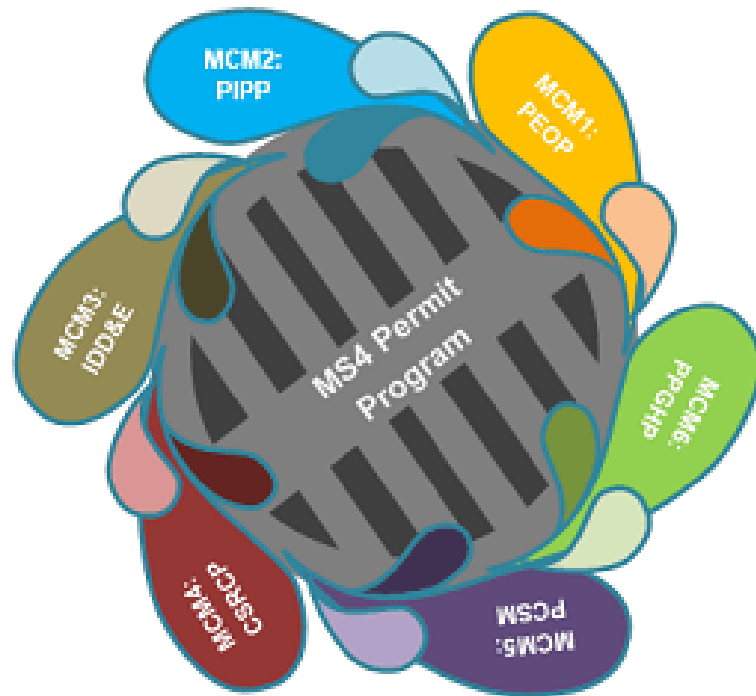
Bureau of Water Permits

March 26, 2024

Municipal Separate Storm Sewer System (MS4)

What is an MS4?

Municipal
Separate
Storm
Sewer
System



MS4 General Permit (GP-0-24-001)

- Authorizes the discharge of stormwater from municipal separate storm sewer systems (MS4) located within designated urban areas to surface waters of the State
- Automatic and Additional Designation
- Over 500 regulated entities including:

Towns, Cities,
Villages

Counties

State-wide
agencies

Linear
Transportation

Institutions

- Permit term = 5 years

Notable Dates

- January 3, 2024 – Effective date of the permit (EDP)
- January 3 to January 2 – Annual reporting year
- February 20, 2024 – Electronic notice of intent (eNOI)
- March 4, 2024 – Interim coverage under GP-0-15-003 expired
- July 3, 2024 – Six (6) months from the EDP
- October 1, 2024 – Interim progress certification
- April 1, 2025 – First annual report

Fundamentals

- Minimum control measures (MCMs)
- Maximum extent practicable (MEP)
- Best management practices (BMPs)
- USEPA Phase II Remand Rule
- Stormwater management program (SWMP)



SWMP Plan

Stormwater Management Program (SWMP) (Part IV.)

- Develop, implement, and enforce the SWMP
- The SWMP Plan must be retained in written format, hardcopy or electronic
- Annually update the SWMP Plan for compliance with the terms and conditions of the permit
- Maintain other records of activities completed, such as trainings, within the SWMP Plan
- Develop and maintain an inventory of entities assisting in permit implementation which includes:
 - Name of entity performing permit implementation
 - Permit requirement implemented/performed by entity

Reporting

Reporting (Part V.B.)

Report Submittal

- Reports must be submitted electronically using the forms located on DEC's website (<http://www.dec.ny.gov/>)

Annual Reports

- Reporting period for Annual Report is January 3 of the current year to January 2 of the following year (reporting year)
- Required to be submitted **electronically** to the Department by April 1 each year

Reporting Continued

Interim Progress Certifications

- Twice a year, MS4 Operators must **electronically** submit an Interim Progress Certification which verifies activities included in this SPDES general permit have been completed
- Required to be submitted to the Department semi-annually:
 - January 3 through June 30 submitted by October 1 of each year; and
 - July 1 through January 2 submitted by April 1 of each year

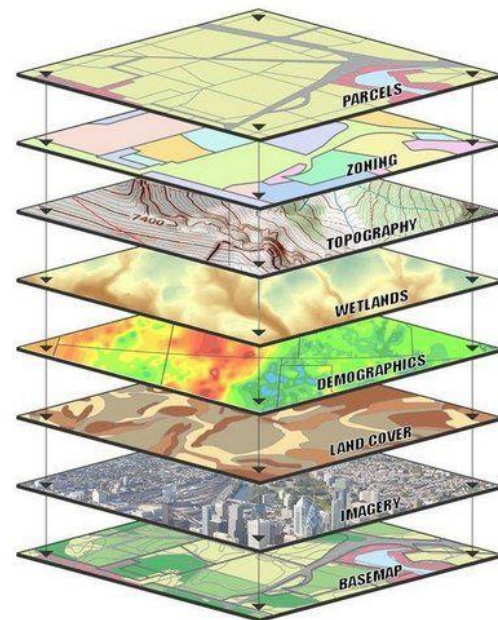
Mapping

Mapping (Part IV.D.)

- MS4 Operator must develop and maintain comprehensive system mapping
- Within 6 months of the EDC the comprehensive system mapping must include:
 - MS4 Outfalls
 - Interconnections
 - Preliminary storm-sewershed boundaries
 - MS4 Infrastructure for select TMDLs
 - Basemap

Mapping (Part IV.D.1.e)

- Required basemap information:
 - Automatic and additionally designated areas
 - Names and location of all surface waters, including
 - Waterbody classification
 - Waterbody Inventory/Priority Waterbodies list
 - Impairment status; and
 - Pollutant of concern (POC), if applicable
 - TMDL watershed areas (if applicable)
 - Land use
 - Roads
 - Topography



Mapping – Infrastructure and source mapping

Phase I (within 3 years of EDC)

- Location of all monitoring locations with prioritization;
- Focus areas;
- Publicly-owned post construction stormwater management practices (SMPs); and
- Municipal facilities

Phase II (within 5 years of EDC)

- MS4 infrastructure:
 - Conveyance: type and direction of flow;
 - Stormwater structures: type and number of connections; and
- Privately-owned/operated post-construction SMPs which discharge to the MS4

Q&A

Minimum Control Measures

- MCM 1 – Public Education and Outreach Program
- MCM 2 – Public Involvement/Participation
- MCM 3 – Illicit Discharge Detection and Elimination (IDDE)
- MCM 4 – Construction Site Stormwater Runoff Control
- MCM 5 – Post-Construction Stormwater Management
- MCM 6 – Pollution Prevention and Good Housekeeping

Illicit Discharge Detection and Elimination (MCM 3)

MCM 3: Illicit Discharge Detection and Elimination

- Illicit Discharge Detection
 - Within 6 months of EDC, establish and document in the SWMP Plan contact information for the public to report illicit discharges
 - Within 30 days of report of illicit discharge, document in the SWMP Plan the following information:
 - Date of report
 - Location of the illicit discharge
 - Nature of the illicit discharge
 - Follow up actions taken or needed
 - Inspection outcomes and any enforcement taken

MCM 3: Illicit Discharge Detection and Elimination (cont.)

GP-0-15-003

Outfall – is defined as any point where a municipally owned and operated separate storm sewer system discharges to either **surface waters of the State** or to **another MS4**. Outfalls include discharges from **pipes, ditches, swales, and other points of concentrated flow**. However, **areas of non-concentrated (sheet) flow which drain to surface waters of the State or to another MS4's system are not considered** outfalls and should not be identified as such on the system map.

GP-0-24-001

MS4 Outfall – any point of stormwater discharge from **pipes, ditches, and swales, as well as other points of concentrated flow**, to **surface waters of the State** from an MS4 Operator's MS4. **Areas of sheet flow which drain to surface waters of the State are not considered MS4 outfalls.**

Interconnection – any point of stormwater discharge from **pipes, ditches, and swales, as well as other points of concentrated flow**, where the MS4 Operator's MS4 is discharging to **another MS4 or private storm sewer system**. **Areas of sheet flow which drain to another MS4 or private storm sewer system are not considered interconnections.**

MCM 3: Illicit Discharge Detection and Elimination (cont.)

- **Monitoring locations** = inspection points within the MS4 that are necessary for illicit discharge detection
 - Includes:
 - *MS4 outfalls* (discharging to surface waters of the state);
 - *Interconnections* (discharging to another MS4 or private storm sewer system); and
 - *Municipal facility intraconnection* (conveyed from the MS4 Operator's municipal facility to the MS4 Operator's own MS4)
- Within 3 years of EDC, develop and maintain an inventory of monitoring locations in the SWMP Plan

MCM 3: Illicit Discharge Detection and Elimination (cont.)

- **Prioritize all monitoring locations** (within 3 years of EDC)
 - High priority includes:
 - At a high priority municipal facility
 - Discharging to impaired waters (Appendix C)
 - Discharging within a TMDL watershed (Table 3)
 - Discharging to waters with Class AA-S, A-S, AA, A, B, SA, or SB
 - Confirmed citizen complaints on three or more occasions in previous 12 months
 - All other monitoring locations are low priority
- Annually update the prioritization in the inventory and document in the SWMP Plan

MCM 3: Illicit Discharge Detection and Elimination (cont.)

- Develop and implement Monitoring Locations Inspection and Sampling Program (within 2 years of EDC)
 - **Inspection of monitoring locations once every five (5) years, regardless of prioritization**
 - Sample monitoring locations characterized as “*suspect*” or “*obvious*” illicit discharge
 - Initiate track down procedures for monitoring locations characterized as “*suspect*” or “*obvious*” illicit discharge
 - “*Physical indicators not related to flow*” → Intermittent discharge?
 - Reinspect within 30 days

MCM 3: Illicit Discharge Detection and Elimination (cont.)

- Develop and Implement an *Illicit Discharge Track Down Program* (within 2 years of EDC)
 - Procedures
 - Including Chapter 13 of CWP IDDE Guidance Manual (2004) or equivalent
 - Corrective action timeframes
- Develop and Implement an *Illicit Discharge Elimination Program* (within 2 years of EDC)
 - Procedures
 - Including provisions for escalating enforcement and tracking
 - Corrective action timeframes

Q&A

Pollution Prevention & Good Housekeeping (MCM 6)

MCM 6: Pollution Prevention & Good Housekeeping

- Incorporate best management practices (within 3 years of EDC) into the:
 - Municipal facilities program and
 - Municipal operations program
- Comprehensive BMP list included



MCM 6: Pollution Prevention & Good Housekeeping

- Develop and implement a Municipal Facility Program (within 3 years of EDC)
 - Municipal facility procedures
 - Develop and maintain a municipal facility inventory (within 2 years of EDC)

MCM 6: Pollution Prevention & Good Housekeeping (cont.)

- **Municipal facility prioritization** (within 3 years of EDC)
 - High priority includes:
 - Storage of chemicals, salt, petroleum, pesticides, fertilizers, anti-freeze, lead-acid batteries, tires, waste/debris;
 - Fueling stations; and/or
 - Vehicle or equipment maintenance/repair
 - All other municipal facilities are low priority
- High priority municipal facilities which qualify for a No Exposure Certification → Low priority municipal facilities

MCM 6: Pollution Prevention & Good Housekeeping (cont.)

- **High priority municipal facility requirements:**
 - Municipal facility-specific SWPPP (within 5 years of EDC)
 - Assessments
 - Wet weather visual monitoring of monitoring locations – once every 5 years
 - Comprehensive site assessments – once every 5 years
- **Low priority municipal facility requirements:**
 - Assessments
 - Comprehensive site assessments – once every 5 years

MCM 6: Pollution Prevention & Good Housekeeping (cont.)

- Develop and implement a municipal operations program (within 3 years of EDC)
 - BMPs
 - Corrective actions
 - Catch Basin Inspection and Maintenance
 - Roads, bridges, parking lots, and right of way maintenance

MCM 6: Pollution Prevention & Good Housekeeping (cont.)

Catch Basin Inspection and Maintenance – A four-step approach

1. Identify when an inspection is necessary
2. Inventory the inspection with five pieces of information: *date, depth of structure, depth of sump, approximate level of trash, sediment or other debris, and date of cleanout*
3. Based on the results of the inspection, clean out catch basins
 - Not required to clean out catch basins if **operating properly** and
 - There is no trash, sediment, and/or debris in the catch basin; or
 - The sump depth of the catch basin is less than or equal to two (2) feet.
4. Manage the material and/or water removed from the catch basins, so it does not reenter the MS4 or surface waters of the State

MCM 6: Pollution Prevention & Good Housekeeping (cont.)

- Roads, bridges, parking lots, and right of way maintenance
 - Develop and implement procedures for sweeping and/or cleaning municipal streets, bridges, parking lots and right of ways (within 6 months of EDC)
- Sweeping – every 5 years in the spring
- Annually, from April 1 through October 31 in business districts and commercial areas



Q&A

Part VIII and IX Overview

Part VIII: Impaired Waters without a TMDL

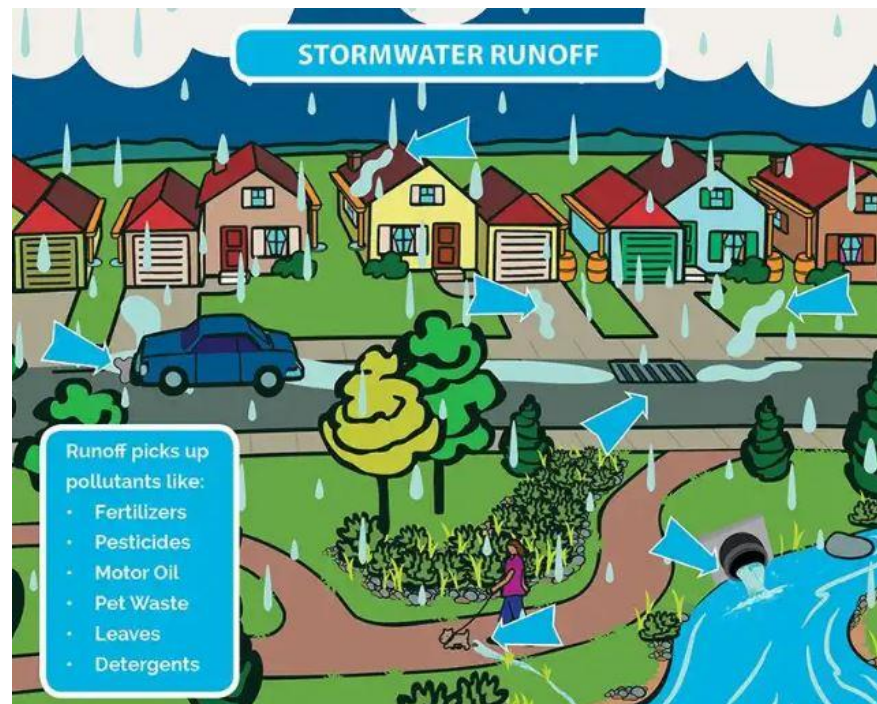
- Sewersheds which discharge to impaired waters without a TMDL
- List of Impaired Waters (Appendix C)
 - Pollutant source of “urban/stormwater runoff”
 - POCs – Phosphorus, silt/sediment, nitrogen, pathogens, floatables
- Build up from Part VI and Part VII (“base program”)

Part IX. TMDL Requirements

- Total Maximum Daily Load (TMDL)
- Watersheds
- POC sources in the watershed
- MS4 Operators must implement BMPs to meet a specific pollutant load reduction
- If a TMDL has an MS4 contribution and TMDL is not listed in GP-0-24-001, the load reduction is satisfied by the BMPs in Part VI and Part VII (“base program”)

Tools

- Main MS4 permit webpage
 - Permit
 - Fact Sheet
 - Responsiveness Summary
- MS4 Toolbox
 - SWMP Plan Components
 - Compliance Items Summary
- GP-0-24-001 is the ruling document



The First 45 Days

| GP-0-24-001 | | |
|-------------|--|-----------------------------------|
| Reference | Deliverable | Compliance Timeframe |
| IV.E. | For MS4 Operators continuing coverage from previous iterations of this SPDES general permit, adequate legal authority must be maintained | At the EDC |
| VII.E.2.a. | For MS4 Operators continuing coverage, the inventory of post-construction SMPs must 1) be maintained from previous iterations of this SPDES general permit and 2) developed as they are approved/discovered or after the owner/operator of the construction activity has filed the NOT | At the EDC |
| II.A. | For MS4 Operators continuing coverage, submit a complete electronic notice of intent | Forty-five (45) days from the EDP |

The First 6 Months

GP-0-24-001

| Reference | Deliverable |
|---------------|--|
| IV.A.2. | Develop a written staffing plan/organizational chart which includes job titles and other entities as identified in Part IV.A.1, and the roles and responsibilities for each corresponding to the required elements of the SWMP |
| IV.B.2.a. | Make the current SWMP Plan, and any documentation associated with the implementation of the SWMP Plan, available during normal business hours to the MS4 Operator's management and staff responsible for implementation as well as the Department and U.S. Environmental Protection Agency (USEPA) staff |
| IV.B.2.b. | Make a copy of the current SWMP Plan available for public inspection during normal business hours at a location that is accessible to the public, or on a public website managed by the MS4 Operator |
| IV.D.1. | Include the required components in the comprehensive system mapping |
| IV.F.1. | Develop and implement an enforcement response plan (ERP) which clearly describes the action(s) to be taken for violations that the MS4 Operator has enacted for illicit discharge, construction, and post-construction |
| VI/VII.A.1.d. | Make information related to the prevention of illicit discharges available |
| VI/VII.B.1.c. | Identify a local point of contact to receive and respond to public concerns regarding stormwater management and compliance with permit requirements. |

The First 6 Months (cont.)

| GP-0-24-001 | |
|-------------------|--|
| Reference | Deliverable |
| VII.C.1.a.i. | Establish an email or phone number for the public to report illicit discharges |
| VII.D.2.a. | Establish an email or phone number for the public to report complaints related to construction stormwater activity |
| VII.D.4.a. | Develop inventory of construction sites |
| VII.F.3.d.i. | Develop and implement procedures for sweeping and/or cleaning municipal streets, bridges, parking lots, and right of ways |
| VIII.A-E.2.a | Make information how the impairment is being addressed by implementation of the MS4 Operator's local law or legal mechanism with content equivalent to the model local law available |
| VIII.C.7.b.i-iii. | Additional wildlife related items |
| IX.A-D.2.a. | Make information how the impairment is being addressed by implementation of the MS4 Operator's local law or legal mechanism with content equivalent to the model local law available |

Grants

- NPG – MS4 Mapping
- WQIP – Vacuum Truck
- Timeline
 - Requests for application (RFA) come out in May
 - Applications usually due end of July
- Tips!
 - Read the RFA closely – changes year to year
 - Make sure the required documents are attached

Next Steps

- Upcoming presentations
 - April 9 – Hudson Valley Regional Council
 - May 7-9 – New York State Floodplain and Stormwater Managers Association, Queensbury, NY
 - May 9 – CDRPC and Capital Coalitions
 - May 14 – IDDE and Strategies for Compliance
 - May 16 – Genesee/Finger Lakes Regional Planning Council Spring Conference, Batavia, NY
- Plan for engaging the MS4 community
 - MS4 Operator Forum

Q&A

Contact Information

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