

STORM WATER MANAGEMENT PLAN (SWMP)

VILLAGE OF POMONA
Rockland County, New York



NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM
Municipal Separate Storm Sewer Systems (MS4)



VILLAGE OF POMONA
GP-0-24-001
NYSDEC SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FOR
MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s)

Effective Date: January 3, 2024
Expiration Date: January 2, 2029

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<p> THE FOLLOWING DISCHARGES FROM MS4 OPERATORS ARE EXEMPT FROM THE REQUIREMENTS OF THIS SPDES GENERAL PERMIT:</p> <p> A. STORMWATER DISCHARGES ASSOCIATED WITH AN INDUSTRIAL ACTIVITY PROVIDED THE DISCHARGES ARE COVERED BY THE SPDES MULTI-SECTOR GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY, GP-0-23-001 (MSGP); AND</p> <p> B. INDIVIDUAL SPDES PERMITTED STORMWATER DISCHARGES PROVIDED THE DISCHARGES ARE IN COMPLIANCE WITH THEIR INDIVIDUAL SPDES PERMIT LIMITATIONS.</p> <p> THE FOLLOWING DISCHARGES FROM MS4 OPERATORS ARE NOT AUTHORIZED BY THIS SPDES GENERAL PERMIT:</p> <p> A. STORMWATER DISCHARGES THAT MAY ADVERSELY AFFECT AN ENDANGERED OR THREATENED SPECIES, OR ITS DESIGNATED CRITICAL HABITAT, UNLESS THE MS4 OPERATOR HAS OBTAINED A PERMIT ISSUED PURSUANT TO 6 NYCRR PART 182 OR THE DEPARTMENT HAS ISSUED A LETTER OF NON-JURISDICTION.</p> <p> B. STORMWATER DISCHARGES WHICH ADVERSELY AFFECT PROPERTIES LISTED OR ELIGIBLE FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES UNLESS THE COVERED ENTITY IS IN COMPLIANCE WITH REQUIREMENTS OF THE NATIONAL HISTORIC PRESERVATION ACT AND HAS COORDINATED WITH THE APPROPRIATE STATE HISTORIC PRESERVATION OFFICE ANY ACTIVITIES NECESSARY TO AVOID OR MINIMIZE IMPACTS.</p> <p> C. STORMWATER DISCHARGES, THE PERMITTING OF WHICH IS PROHIBITED UNDER 40 CFR 122.4 AND 6 NYCRR 750-1.3.</p> <p> D. THE DISCHARGE OF VEHICLE AND EQUIPMENT WASHWATER FROM MUNICIPAL FACILITIES, INCLUDING TANK CLEANING OPERATIONS.</p> <p> ALL DOCUMENTATION NECESSARY TO DEMONSTRATE DISCHARGE ELIGIBILITY (PART I.B.1. AND PART I.B.2.) MUST BE DOCUMENTED IN THE STORMWATER MANAGEMENT PROGRAM PLAN.</p>	
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<p> The Village of Pomona utilizes the following entities to assist in portions of SWMP development, implementation, or enforcement. The requirements per this part of the permit will be followed when entering into yearly or future agreements.</p> <p> TOWN OF RAMAPO HIGHWAY DEPARTMENT, CORNELL UNIVERSITY COOPERATIVE EXTENSION OF ROCKLAND COUNTY, SPENCE ENGINEERING (VILLAGE ENGINEER).</p>	
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<p> A written staffing plan/organizational chart has been developed which includes job titles and other entities as identified in Part IV.A.1, and the roles and responsibilities for each corresponding to the</p>	

required elements of the SWMP.
[2024 STAFFING PLAN HERE](#)

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	MARTIN K. SPENCE, PE, VILLAGE ENGINEER, (201) 934-0300, MS4@SPENCEENGINEER.COM	
2.	Availability of SWMP Plan.....	9
	The current SWMP Plan, and documentation associated with the implementation of the SWMP Plan, will be available during normal business hours to the management and staff responsible for implementation as well as the NYSDEC and United States Environmental Protection Agency (USEPA) staff. 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.	
	LOCATED AT VILLAGE HALL (100 LADENTOWN ROAD, POMONA, NY 10970)	
	VILLAGE ENGINEER'S OFFICE (86 E. ALLENDALE ROAD, SADDLE RIVER, NJ 07458)	
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	The Village will continue to develop and maintain comprehensive system mapping to include the mapping components as outlined in the SPDES permit. The comprehensive system mapping is kept online at www.arcgisonline.com and will be in a readily accessible format, with scale and detail appropriate to provide a clear understanding of the MS4, to serve as a planning tool to allow for prioritization of efforts and facilitate management decisions. Annually, after Phase I (Part IV.D.2.a.) completion, the comprehensive system mapping will be updated to include updates to prioritization information of monitoring locations (Part VI.C.1.d.), construction sites (Part VI.D.5.), and municipal facilities (Part VI.F.2.c.i.).	
1.	Per the previous SPDES MS4 permit, the comprehensive system mapping includes the following.	
a.	MS4 outfalls	
b.	Interconnections	
c.	Preliminary storm-sewershed boundaries. Per answer #391 on the NYSDEC's Responsive Summary , Watershed delineations can serve as boundaries. The HUC 12 Watershed delineations are available on the Hudson Valley Resource Mapper and CCE Rockland's Stormwater Consortium Interactive Map .	
d.	Not Applicable to Rockland County	
e.	Basemap information:	
i.	<i>Automatically and additionally designated areas</i> . This layer can be found on the NYSDEC Info Locator .	
ii.	Names and location of all <i>surface waters of the State</i> , including:	
a)	Waterbody classification. This information is available on the Hudson Valley Resource Mapper and CCE Rockland's Stormwater Consortium Interactive Map .	
b)	Waterbody Inventory/Priority Waterbodies List (WI/PWL).	
i)	Impairment status. This information is available on the Hudson Valley Resource Mapper and CCE Rockland's Stormwater Consortium Interactive Map .	
ii)	<i>POC</i> , if applicable; See CCE Rockland's Stormwater Consortium Interactive Map for the most recent 303-D Listed Impaired waters.	
c)	<i>TMDL</i> watershed areas. TMDLs are not applicable to Rockland County.	
iii.	Land use, including:	
a)	Residential;	
b)	Commercial;	
c)	Open space; and	
d)	Institutional;	
iv.	Roads; and	
v.	Topography.	
	This information is available for Rockland County on CCE Rockland's Stormwater Consortium Interactive Map .	
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The **Village** has developed and will implement the following enforcement response plans (ERP) which clearly describes the action(s) to be taken for violations for illicit discharge, construction, and post-construction. The ERPs set forth a protocol to address repeat and continuing violations through progressively stricter responses (i.e., escalation of enforcement) as needed to achieve compliance with the terms of the ms4 permit. Enforcement Response Plans and Enforcement Tracking are outlined for the following in each:

[Enforcement Response Plan \(IDDE\)](#)
[Enforcement Response Plan \(Construction\), Construction Inspection Form](#)
[Enforcement Response Plan \(Post-Construction\)](#)

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	IDDE FLYER.	
	The Stormwater Consortium of Rockland County has created an Illicit Discharge flyer with information related to the prevention of illicit discharges. The flyer is available on their Fact Sheet page and includes the following as required:	
	i. What types of discharges are allowable (Part I.A.3.);	
	ii. What is an illicit discharge and why is it prohibited (Part VI.C.);	
	iii. The environmental hazards associated with illicit discharges and improper disposal of waste;	
	iv. Proper handling and disposal practices for the most common behaviors within the community (e.g., septic care, car washing, household hazardous waste, swimming pool draining, or other activities resulting in illicit discharges to the MS4); and	
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	b. Within 30 days of an Illicit Discharge, each discharge will be documented using the Enforcement Response Plan to include Date, Location, Nature, Follow-up actions taken or needed, and Inspection outcomes and enforcement taken. ERPs will be kept on file at Village Engineer’s Office and Village Hall.	
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	b. Construction site complaints will be documented using the Enforcement Response Plan to include Date, Location, Nature, Follow-up actions taken or needed, and Inspection outcomes and enforcement taken. ERPs will be kept on file at Village Engineer’s Office and Village Hall.	
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	<i>Sweeping:</i>	
	the Village has developed and implemented procedures for sweeping and/or cleaning municipal streets, bridges, parking lots, and right of ways owned/operated. The procedures and completion of permit requirements will be documented in the SWMP Plan specifying:	
	a) All roads, bridges, parking lots, and right of ways must be swept and/or cleaned once every five (5) years in the spring (following winter activities such as sanding).	
	This requirement is not applicable to:	
	i) Uncurbed roads with no catch basins;	
	ii) High-speed limited access highways; or	
	iii) Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.	
	b) Annually, from April 1 through October 31, roads in business and commercial areas must be swept.	
	This requirement is not applicable to:	
	i) Uncurbed roads with no catch basins;	
	ii) High-speed limited access highways; or	
	iii) Roads defined as interstates, freeways and expressways, or arterials by the USDOT 2013.	

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	b) Twice a year, once from March to August and once from September to February, the Town will provide educational messages with information specific to Phosphorus to the applicable target audiences within the sewersheds for impaired waters listed in Appendix C. This is the	

~~Headwaters of the Hackensack River watershed, as identified on the mapping resources identified in Part IV.D. The SWMP Plan will be updated with changes made to public education and outreach program, and this requirement will be documented in the SWMP Plan.~~

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	(b) Twice a year, once from March to August and once from September to February, the Town will provide educational messages with information specific to pathogens to the applicable target audiences within the sewersheds for impaired waters listed in Appendix C. This is the Sparkill Creek watershed as identified on the mapping resources identified in Part IV.D. The SWMP Plan must be updated with changes made to public education and outreach program, and this requirement will be documented in the SWMP Plan.	
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	Wildlife Control:	
	i. Within six (6) months of the EDC, the Town must identify municipal facilities with nuisance bird populations that have the potential to contribute pathogens (e.g., Canada Geese) and document those municipal facilities in the SWMP Plan.	
	ii. Within six (6) months of the EDC, signage must be available at these municipal facilities, instructing the public not to feed wildlife. MS4 Operators must document the completion of this requirement in the SWMP Plan.	
	iii. Within six (6) months of the EDC, the MS4 Operator must remove accumulated trash and debris from municipal facilities when necessary to eliminate potential food sources for wildlife. MS4 Operators must document the completion of this requirement in the SWMP Plan.	
	iv. Within one (1) year of the EDC, MS4 Operators must evaluate the effectiveness of deterrents, population controls, and other measures that may reduce bird related pathogen contributions and document the results of the evaluation in the SWMP Plan.	
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Enforcement Response Plan Illicit Discharge

NYSDEC GP-0-24-001
Effective Date: July 6, 2024

INSTRUCTIONS FOR USE

Part IV.F of the permit covers **Enforcement Measures & Tracking:**

- The MS4 Operator must develop and implement an Enforcement Response Plan (ERP) clearly outlining actions to be taken for illicit discharge violations.
- The ERP must set forth a protocol to address repeat and continuing violations through progressively stricter responses (i.e., escalation of enforcement) as needed to achieve compliance with the terms and conditions of this *SPDES* general permit.
- Instances of non-compliance must be documented in the SWMP Plan. This can be by reference (“refer to inspection reports on-file at building department”).

Part VI of the permit covers the **Illicit Discharge Track Down Program and the **Illicit Discharge Elimination Program:****

- Each program has **timeframe** requirements for Track down and Elimination.
- Each program has **training** requirements for those doing inspections.

<p>Enforcement Response Plan Illicit Discharge NYSDEC GP-0-24-001 Effective Date: July 6, 2024</p>		<p>MS4:Village of Pomona</p> <p>Report illicit discharges to: Ms4@spenceengineer.com (845) 354-0545</p>
<p style="text-align: center;">Legal Authority:</p> <p>Local Law Chapter 114 Article 1 –<i>Illicit Discharges</i>, adopted by the Board of Trustees of the Village of Pomona on March 27, 2006 is hereby equivalent to the NYS Model IDDE Law (https://ecode360.com/12717657#12717657).</p>		

PURPOSE:

(PART IV.F.1: Enforcement Response Plan)

The MS4 Operator must develop and implement an enforcement response plan (ERP) describing action(s) to be taken for violations enacted for **illicit discharge**(Part VI.C). The ERP must set forth a protocol to address **repeat and continuing violations** through **progressively stricter responses** (i.e., escalation of enforcement) as needed to achieve compliance with the terms and conditions of the MS4 permit. The purpose of this document is to provide guidance on how the MS4 Operator will use the types of enforcement responses or combination of responses. The Stormwater Management Officer is recognized as the Stormwater Program Coordinator.

The ERP must describe how the *MS4 Operator* will use the following types of enforcement responses or combination of responses:

<p>Verbal warnings*</p>	<p>The Village will pursue compliance with storm water violations through verbal methods (telephone notifications, verbal notices, meetings) whenever reasonable. These methods are appropriate for situations where education is needed, violations do not pose a significant impact to human health or the environment, or the Village believes that compliance can be achieved without the use of formal measures.</p>
<p>Written notices*</p>	<p>When the municipality's Stormwater Management Officer (SMO) finds that a person has violated a prohibition or failed to meet a requirement of Chapter 158 - Article I Illicit Discharges, Activities and Connections to Separate Storm Sewer System, the SMO may order compliance by written notice of violation by certified mail and/or posting of the property to the responsible person as per § 158-13 of the Local Law.</p>

Citations (and associated fines)	Citations will be issued for failure to comply with a Written Notice or for extreme violations of the Village's construction site stormwater requirements. Penalties for offences are described in § 158-13 B of the Local Law.
Stop work orders	When the Village SMO finds that discharge has taken place or is likely to take place, a Stop Work order may be issued. The persons not complying shall: a) comply with the SMO requirement; b) comply with a time schedule for compliance, and/or; c) take appropriate compliance remedial or preventive action to prevent the violation from recurring.
Withholding of plan approvals or other authorizations affecting the ability to discharge to the MS4; and	The Village has the Authority to withhold plan approvals and other authorizations affecting the ability to discharge to MS4 if above types of enforcement have not resulted in compliance. Regulations with respect to suspension of access to MS4 are described in § 158-9. Suspension of access to MS4 of Local Law.
Additional measures, supported in local legal authorities, such as collecting against the project's bond or directly billing the responsible party to pay for work and materials to correct violations.	Further appropriate actions will be used against a responsible party that fails to comply with previous remedies or to stop discharges, considered to pose an immediate risk to the public or the environment as per § 158-13.
Other	Click or tap here to enter text.

*Efforts to obtain a voluntary correction of deficiencies through informal enforcement, such as verbal warnings or written notices, must not exceed sixty (60) days in duration (from the time of the MS4 Operator's initial determination until a return to compliance).

PART IV.F.2: Enforcement Tracking (pg 15)

The MS4 Operator must track instances of non-compliance in the SWMP Plan **within 30 DAYS** (note in SWMP where you are keeping ERP reports- "on file electronically at Build Dept"). The enforcement case documentation must include, at a minimum, the following:

Date of report	Click or tap here to enter text.
Name of the owner/operator of the facility	Click or tap here to enter text.

or site of the violation (can be redacted from the publicly available SWMP Plan);	
Location of the <i>illicit discharge</i> ;	Click or tap here to enter text.
Description of the violation/Nature of the illicit discharge*;	Click or tap here to enter text.
Schedule for returning to compliance;	Click or tap here to enter text.
Description of enforcement response used, including escalated responses if repeat violations occur or violations are not resolved in a timely manner. Follow up actions taken or needed (including response times);	Click or tap here to enter text.
Inspection outcomes and any enforcement taken.	Click or tap here to enter text.
Accompanying documentation of enforcement response (e.g., notices of noncompliance, notices of violations)	Click or tap here to enter text.
Any referrals to different departments or agencies;	Click or tap here to enter text.
Date violation was resolved.	Click or tap here to enter text.
<p>*(Pg 36 of permit): Documentation of all monitoring location (outfall) inspections, including any sampling results, using the Monitoring Locations Inspection and Sampling Field Sheet (Appendix D) or equivalent form. Sampling provisions may apply to suspect or obvious illicit discharges based on the number and severity of physical indicators present in the flow, to better inform track down procedures. If the source of the illicit discharge is clear and discernable (e.g., sewage), sampling is not necessary.</p> <p>Provisions to re-inspect the monitoring location within thirty (30) days if physical indicator is not related to flow or potentially indicative of intermittent or transitory discharges. Initiate track-down if same indicators persist.</p>	

Part VI.C.2. Illicit Discharge Track Down Program (Pg 27)

Within two (2) years of the EDC (January 2026), the MS4 Operator must develop and implement an illicit discharge track down program to identify the source of illicit discharges and the responsible party. The illicit discharge track down program must be documented in the SWMP Plan specifying the illicit discharge track down procedures, including:

<p>Procedures as described in Chapter 13 of CWP 2004 or equivalent;</p>	<p>SEE SWMP</p>	
<p>Steps taken for illicit discharge track down procedures; <small>Per previous permit written procedure required. Include who's doing inspections, how often, is there a map and if so in what format and where is it kept, etc.</small></p>	<p>Click or tap here to enter text.</p>	
<p>The following time frames to initiate illicit discharge track down:</p>	<p>Check box(es) of which timeframe(s) applies:</p>	
	<p>Within twenty-four (24) hours of discovery, the MS4 Operator must initiate track down procedures for flowing MS4 monitoring locations with obvious illicit discharges;²²</p>	<p><input type="checkbox"/></p>
	<p>Within two (2) hours of discovery, the MS4 Operator must initiate track down procedures for obvious illicit discharges of sanitary wastewater that would affect bathing areas during bathing season, shell fishing areas or public water intakes and report orally or electronically to the Regional Water Engineer and local health department; and</p>	<p><input type="checkbox"/></p>
<p>Within five (5) days of discovery, the MS4 Operator must initiate track down procedures for suspect illicit discharges.</p>	<p><input type="checkbox"/></p>	

²²Reference to the Monitoring Locations Inspection and Sampling Field Sheet, adapted from CWP 2004, Section 6:

Part VI.C.3. Illicit Discharge Elimination Program (Pg 28)

Within two (2) years of the EDC (January 2026), the MS4 Operator must develop and implement an illicit discharge elimination program. The illicit discharge elimination program must be documented in the SWMP Plan specifying:

Provisions for escalating enforcement and tracking	Refer to Enforcement Response Plan	
Provisions to confirm the corrective actions have been taken	Refer to Enforcement Response Plan	
Steps taken for illicit discharge elimination procedures; and	Refer to Enforcement Response Plan	
The following time frames for illicit discharge elimination:	Check box(es) of which timeframe(s) applies:	
	Within twenty-four (24) hours of identification of an illicit discharge that has a reasonable likelihood of adversely affecting human health or the environment, the MS4 Operator must eliminate the illicit discharge;	<input type="checkbox"/>
	Within five (5) days of identification of an illicit discharge that does not have a reasonable likelihood of adversely affecting human health or the environment, the MS4 Operator must eliminate the illicit discharge; and	<input type="checkbox"/>
	Where elimination of an illicit discharge within the specified time frames is not possible, the MS4 Operator must notify the NYSDEC Regional Water Engineer.	<input type="checkbox"/>

Training and Procedures: Illicit Discharge Track Down and Elimination Programs (Pg 27-29)

a. The training provisions for the MS4 Operator's illicit discharge track down and elimination procedures:

If new staff are added, training on the MS4 Operator's procedures must be given prior to conducting illicit discharge track down and eliminations;	Click or tap here to enter text.
For existing staff, training on the procedures must be given prior to conducting illicit discharge track down and eliminations and once every five (5) years, thereafter; and	Click or tap here to enter text.
If the procedures are updated, training on the updates must be given to all staff prior to conducting illicit discharge track downs and eliminations.	Click or tap here to enter text.
Annually, by April 1, the <i>MS4 Operator</i> must review and update the illicit discharge track down and elimination procedures in the SWMP.	Click or tap here to enter text.

Enforcement Response Plan Construction

NYSDEC GP-0-24-001
Effective Date: July 6, 2024

INSTRUCTIONS FOR USE

Part IV.F of the permit covers Enforcement Measures & Tracking:

- The MS4 Operator must develop and implement an Enforcement Response Plan (ERP) clearly outlining actions to be taken for construction violations.
- The ERP must set forth a protocol to address repeat and continuing violations through progressively stricter responses (i.e., escalation of enforcement) as needed to achieve compliance with the terms and conditions of this *SPDES* general permit.
- Instances of non-compliance must be documented in the SWMP Plan. This can be by reference (“refer to inspection reports on-file at building department”).

Part VI.D.8 of the permit covers Construction Site Inspections (Pg 34-35):

- Training required to inspect construction sites
- Required documentation of inspection sites
- Required forms for doing inspections

Part VI.D.9 of the permit covers Construction Site Close-out (Pg 35):

- Final Site Inspection requirements
- Notice of Termination requirement

<p>Enforcement Response Plan Construction Sites NYSDEC GP-0-24-001 Effective Date: July 6, 2024</p>		<p>MS4:Village of Pomona To report construction stormwater activity (Part VI.a): Ms4@spenceengineer.com (845) 354-0545</p>
<p style="text-align: center;"><u>Legal Authority:</u></p> <p>Local Law Chapter 114 Article - Erosion and Sediment Control, adopted by the Board of Trustees of the Village of Pomona on July 23, 2007, is hereby equivalent to the NYSDEC Sample Local Law for Stormwater Management and Erosion and Sediment Control (https://ecode360.com/12717657#12717786).</p>		

PURPOSE: PART IV.F.1: Enforcement Response Plan (pg 14)

The MS4 Operator must develop and implement an enforcement response plan (ERP) describing action(s) to be taken for violations enacted for **construction** (Part VI.D). The ERP must set forth a protocol to address repeat and continuing violations through progressively stricter responses (i.e., escalation of enforcement) as needed to achieve compliance with the terms and conditions of this *SPDES* general permit. **The ERP must be documented in the SWMP Plan.** The Stormwater Management Officer is recognized as the Stormwater Program Coordinator.

The ERP must describe how the *MS4 Operator* will use the following types of enforcement responses or combination of responses:

<p>Verbal warnings*</p>	<p>The Village will pursue compliance with storm water violations through verbal methods (telephone notifications, verbal notices, meetings) whenever reasonable. These methods are appropriate for situations where education is needed, violations do not pose a significant impact to human health or the environment, or the Village believes that compliance can be achieved without the use of formal measures.</p>
<p>Written notices*</p>	<p>When the municipality's SMO finds that a person has violated a prohibition or failed to meet a requirement of Chapter 158 Stormwater Management and Erosion and Sediment Control, the applicant and developer shall be notified in writing of the nature of the violation and the required corrective actions. No further work shall be conducted except for site stabilization until any violations are corrected and all work previously completed has received approval by the</p>

	Stormwater Management Officer as per § 158-32, 158-33 of the Local Law.
Citations (and associated fines)	The Village may penalize owner/operator for violations of 158 in accordance with § 158-33.
Stop work orders	The Village may stop work orders to the owner/operator for violations of 158 in accordance with § 158-33.
Withholding of plan approvals or other authorizations affecting the ability to <i>discharge</i> to the MS4; and	The Village has the Authority to withhold plan approvals and other authorizations affecting the ability to discharge to MS4 if above types of enforcement have not resulted in compliance. Regulations with respect to suspension of access to MS4 are described in § 158-9. Suspension of access to MS4 of Local Law. Certificate of occupancy may be withheld in accordance with § 158-33.
Additional measures, supported in local legal authorities, such as collecting against the project's bond or directly billing the responsible party to pay for work and materials to correct violations.	Further appropriate actions will be used against a responsible party that fails to comply with previous remedies or to stop discharges, considered to pose an immediate risk to the public or the environment.
Other	Click or tap here to enter text.

*Efforts to obtain a voluntary correction of deficiencies through informal enforcement, such as verbal warnings or written notices, must not exceed sixty (60) days in duration (from the time of the MS4 Operator's initial determination until a return to compliance).

PART IV.F.2: Enforcement Tracking (pg 15)

The MS4 Operator must track instances of non-compliance in the SWMP Plan **within 30 DAYS** (note in SWMP where you are keeping ERP reports- "on file electronically at Build Dept"). The enforcement case documentation must include, at a minimum, the following:

Date of report	Click or tap here to enter text.
Name of the owner/operator of the facility or site of the violation (can be redacted from the publicly available SWMP Plan);	Click or tap here to enter text.
Location of the <i>construction site</i> ;	Click or tap here to enter text.
Description of the violation/Nature of the complaint;	Click or tap here to enter text.

Schedule for returning to compliance;	Click or tap here to enter text.
Description of enforcement response used, including escalated responses if repeat violations occur or violations are not resolved in a timely manner. Follow up actions taken or needed (including response times);	Click or tap here to enter text.
Inspection outcomes and any enforcement taken;	Click or tap here to enter text.
Accompanying documentation of enforcement response (e.g., notices of noncompliance, notices of violations)	Click or tap here to enter text.
Any referrals to different departments or agencies;	Click or tap here to enter text.
Date violation was resolved.	Click or tap here to enter text.

Attach Appendix D Inspection Form from permit

Part VI.D.8: Construction Site Inspections (Pg 34-35)

The *MS4 Operator* must:

<p>a. Ensure individuals(s) receive, prior to conducting inspections*:</p>	<p style="text-align: center;"><input type="checkbox"/></p> <p>Click or tap here to enter text.</p>	
	<p>i. Four (4) hours of <i>Department</i> endorsed training in proper erosion and sediment control principles from a Soil & Water Conservation District, or other <i>Department</i> endorsed entity. This training must be complete, within three (3) years of the EDC and every three (3) years thereafter.*</p>	<p style="text-align: center;"><input type="checkbox"/></p> <p>Click or tap here to enter text.</p>
	<p>ii. In the <i>SWMP Plan</i>, document and update annually the names, titles, and contact information for the individuals who have received the trainings listed above.</p>	<p style="text-align: center;"><input type="checkbox"/></p> <p>Click or tap here to enter text.</p>
<p>b. Annually inspect all sites with <i>construction activity</i> identified in the inventory (Part VI.D.4.) during active construction after the pre-construction meeting (Part VI.D.7.), or sooner if deficiencies are noted that require attention.</p>	<p style="text-align: center;"><input type="checkbox"/></p> <p>Click or tap here to enter text.</p>	
	<p>i. Follow up to construction site inspections must confirm corrective actions are completed within timeframes established by the CGP and the <i>MS4 Operator's</i> ERP (Part IV.F.1.).</p>	<p style="text-align: center;"><input type="checkbox"/></p> <p>Click or tap here to enter text.</p>
<p>c. Document all inspections using the Construction Site Inspection Report Form (Appendix D) or an equivalent form containing the same information. The <i>MS4 Operator</i> must include the completed Construction Site Inspection Reports in the <i>SWMP Plan</i>.</p>	<p style="text-align: center;"><input type="checkbox"/></p> <p>Click or tap here to enter text.</p>	

* Individuals without these trainings cannot inspect construction sites. Individuals who meet the definition of a qualified professional or qualified inspector are exempt from this requirement.

Part VI.D.9: Construction Site Close-out (Pg 35)

<p>The <i>MS4 Operator</i> must ensure a final construction site inspection is conducted and documentation of the final construction site inspection must be maintained in the <i>SWMP Plan</i>.</p>	<p style="text-align: center;"><input type="checkbox"/> Click or tap here to enter text.</p>
<p>The final construction site inspection must be documented using the Construction Site Inspection Report Form (Appendix D), or an equivalent form containing the same information, or accept the construction site owner/operator's <i>qualified inspector</i> final inspection certification required by the CGP.</p>	<p style="text-align: center;"><input type="checkbox"/> Click or tap here to enter text.</p>
<p>The Notice of Termination (NOT) must be signed by the MS4 Operator as required by the CGP for projects determined to be complete, in accordance with Part X.J (pg 123).</p>	<p style="text-align: center;"><input type="checkbox"/> Click or tap here to enter text.</p>

Enforcement Response Plan Post-Construction

NYSDEC GP-0-24-001
Effective Date: July 6, 2024

INSTRUCTIONS FOR USE

Part IV.F of the permit covers Enforcement Measures & Tracking:

- The MS4 Operator must develop and implement an Enforcement Response Plan (ERP) clearly outlining actions to be taken for post-construction violations.
- The ERP must set forth a protocol to address repeat and continuing violations through progressively stricter responses (i.e., escalation of enforcement) as needed to achieve compliance with the terms and conditions of this *SPDES* general permit.
- Instances of non-compliance must be documented in the SWMP Plan. This can be by reference (“refer to inspection reports on-file at building department”).

Part VI.E.2 covers Post-Construction SMP Inventory & Inspection Tracking:

- Maintain an inventory of SMPs installed after 2003. See Stormwater Consortium of Rockland County’s inventory.

Part VI.E.4 covers the Post-Construction SMP Inspection & Maintenance Program (Pg 37 and 38):

- By January 2025 the MS4 Operator must develop and implement a post-construction SMP inspection and maintenance program.
- The post- construction SMP inspection and maintenance program must be documented in the SWMP
- Training Provisions for the Inspection & Maintenance Program

<p>Enforcement Response Plan Post-Construction Stormwater Management Practices (SMPs) NYSDEC GP-0-24-001 Effective Date: July 6, 2024</p>		<p>MS4: Village of Pomona</p> <p>To report construction stormwater activity (Part VI.a): Ms4@spenceengineer.com (845) 354-0545</p>
<p style="text-align: center;"><u>Legal Authority:</u></p> <p>Local Law Chapter 114 Article II – Erosion and Sediment Control, adopted by the Board of Trustees of the Village of Montebello in 2006 is hereby equivalent to the NYS Model IDDE Law (https://ecode360.com/12717657#12717657).</p>		

PURPOSE: PART IV.F.1: Enforcement Response Plan (pg 14)

The MS4 Operator must develop and implement an enforcement response plan (ERP) describing action(s) to be taken for violations enacted for **construction** (Part VI.D). The ERP must set forth a protocol to address repeat and continuing violations through progressively stricter responses (i.e., escalation of enforcement) as needed to achieve compliance with the terms and conditions of this *SPDES* general permit. **The ERP must be documented in the *SWMP Plan*.**

The ERP must describe how the *MS4 Operator* will use the following types of enforcement responses or combination of responses:

Verbal warnings*	The Village will pursue compliance with storm water violations through verbal methods (telephone notifications, verbal notices, meetings) whenever reasonable. These methods are appropriate for situations where education is needed, violations do not pose a significant impact to human health or the environment, or the Village believes that compliance can be achieved without the use of formal measures.
Written notices*	When the municipality's SMO finds that an owner/operator has violated a prohibition or failed to meet a requirement of Chapter 245 Stormwater Management and Erosion and Sediment Control, the owner/operator shall be notified in writing of the nature of the violation and the required corrective actions.
Citations (and associated fines)	Citations will be issued for failure to comply with a Written Notice or for extreme violations of the Village's

	construction site stormwater requirements. Penalties for offences are described in § 158-13 of the Local Law.
Stop work orders	Not applicable for post-construction
Withholding of plan approvals or other authorizations affecting the ability to <i>discharge</i> to the MS4; and	Not applicable for post-construction.
Additional measures, supported in local legal authorities, such as collecting against the project's bond or directly billing the responsible party to pay for work and materials to correct violations.	Further appropriate actions will be used against a responsible party that fails to comply with Chapter 158, considered to pose an immediate risk to the public or the environment as per § 245-13.
Other	Click or tap here to enter text.

*Efforts to obtain a voluntary correction of deficiencies through informal enforcement, such as verbal warnings or written notices, must not exceed sixty (60) days in duration (from the time of the *MS4 Operator's* initial determination until a return to compliance).

PART IV.F.2: Enforcement Tracking (pg 15)

The MS4 Operator must track instances of non-compliance in the SWMP Plan **within 30 DAYS**. The enforcement case documentation must include, at a minimum, the following:

Date of report	Click or tap here to enter text.
Name of the owner/operator of the facility or site of the violation (can be redacted from the publicly available SWMP Plan);	Click or tap here to enter text.
Location of the <i>post-construction site</i> ;	Click or tap here to enter text.
Description of the violation/Nature of the complaint;	Click or tap here to enter text.
Schedule for returning to compliance;	Click or tap here to enter text.
Description of enforcement response used, including escalated responses if repeat violations occur or violations are not resolved in a timely manner. Follow up actions taken or needed (including response times);	Click or tap here to enter text.
Inspection outcomes and any enforcement taken;	Click or tap here to enter text.
Accompanying documentation of enforcement response (e.g., notices of noncompliance, notices of violations)	Click or tap here to enter text.
Any referrals to different departments or agencies;	Click or tap here to enter text.
Date violation was resolved.	Click or tap here to enter text.

Part VI.E.2: Post-Construction SMP Inventory & Inspection Tracking

Maintain an inventory of SMPs installed after 2003. See Stormwater Consortium of Rockland County's inventory.

Part VI.E.4: Post-Construction SMP Inspection & Maintenance Program (Pg 37 and 38)

Within one (1) year of the EDC, the *MS4 Operator* must *develop* and implement a post-construction *SMP* inspection and maintenance program. The post- construction *SMP* inspection and maintenance program must be documented in the *SWMP Plan* specifying:

- a. The post-construction *SMP* inspection and maintenance procedures including:
 - i. Provisions to ensure that each post-construction *SMP* identified in the post-construction *SMP* inventory (Part VI.E.2.) is inspected at the frequency specified in the [NYS DEC Maintenance Guidance 2017](#) or as specified in the O&M plan contained in the approved SWPPP (Part VI.D.6.), if available;
 1. The *MS4 Operator* can only accept Level 1 inspections (NYS DEC Maintenance Guidance 2017) by private owners inspecting post- construction *SMPs*.
 - ii. Documentation of post-construction *SMP* inspections using the Post-Construction [SMP Inspection Checklist](#)³⁰ or an equivalent form containing the same information. The *MS4 Operator* must include the completed post- construction *SMP* inspections (i.e., the completed Post-Construction *SMP* Inspection Checklist) in the *SWMP Plan*;
 - iii. Provisions to initiate follow-up actions (i.e., maintenance, repair, or higher- level inspection) within thirty (30) days of post-construction *SMP* inspection; and
 - iv. Provisions to initiate enforcement within sixty (60) days of the inspection if follow-up actions are not complete

³⁰ The *Department* developed checklist forms specific to each post-construction *SMP* designed to assist *MS4 Operators* in conducting inspections and maintenance activities of standard practices. The Post-Construction *SMP* Inspection Checklist, March 31, 2017, can be found on the *Department's* website

Training and Procedures: Post-Construction SMP Inspection & Maintenance Program (Pg 37)

- a. The training provisions for the MS4 Operator’s post-construction *SMP* inspection and maintenance procedures (Part VI.E.4.a.):

<p>If new staff are added, training on the MS4 Operator’s post-construction <i>SMP</i> inspection and maintenance procedures (Part VI.E.4.a.) and procedures outlined in the <i>Department</i> endorsed program must be given prior to conducting any post-construction <i>SMP</i> inspection and maintenance;</p>	<p>Click or tap here to enter text.</p>
<p>For existing staff, training on the <i>MS4 Operator’s</i> post-construction <i>SMP</i> inspection and maintenance procedures (Part VI.E.4.a.) and procedures outlined in the <i>Department</i> endorsed program must be given prior to conducting any post-construction <i>SMP</i> inspection and maintenance and once every five (5) years, thereafter; and</p>	<p>Click or tap here to enter text.</p>
<p>If the post-construction <i>SMP</i> inspection and maintenance procedures (Part VI.E.4.a.) are updated (Part VI.E.4.d.), training on the updates must be given to all staff prior to conducting post-construction <i>SMP</i> inspection and maintenance</p>	<p>Click or tap here to enter text.</p>

- b. The names, titles, and contact information for the individuals who have received post-construction *SMP* inspection and maintenance procedures training and update annually; and

Click or tap here to enter text.



- c. Annually, by April 1, the *MS4 Operator* must:
 - i. Review and update the post-construction *SMP* inspection and maintenance procedures (Part VI.E.4.a.); and
 - ii. Document the completion of this requirement in the *SWMP Plan*.

STOP WORK ORDER/NOTICE OF VIOLATION, ETC

Owner/Operator
Address
Rockland County, NY

Re: SITE NAME
 Improper Erosion and Sediment Controls
 Discharge of turbid water to the MS4

Dear Owner/Operator:

On (DATE), the Village conducted an inspection on the above-referenced site due to a complaint. At the time of inspection erosion and sediment controls were found to be inadequate. Turbid water was exiting the site and entering the Village's storm drain system and discharging to the (water body). The Town/Village is a regulated municipality under NYSDEC's SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (GP-0-24-001). Sediment from construction has been identified as a *Pollutant* generating activity in the Town/Village's Storm Water Management Plan. Per GP-0-24-001 and local law **Chapter 114 - Stormwater Management**, the Village is responsible to minimize increases in pollution caused by stormwater runoff. During the pre-construction meeting you were made aware of and [provided with education](#) on our local laws, and the impact of sediment on local waters. A Stop Work Order (or) Court Appearance Ticket is enclosed.

Sediment runoff is high in nutrient content, particularly Nitrogen and Phosphorus, which greatly impact the quality and economic value of the receiving waterbodies and watersheds. Proper erosion and sediment controls must be immediately implemented at this site, and the discharge of turbid water from the site must immediately cease. It is important that the Town/Village remain in compliance with NYSDEC regulations and our local laws so that construction sites are maintained at all times, and Village storm drains are utilized only for compliant storm water activities.

Should you have any questions, please feel free to contact me at (NUMBER).

Sincerely,

Building Inspector

Notice of Termination Sample Letter

If the Town/Village has not received a Notice of Termination on file, a request will be sent. A sample letter is provided below. Notice of Terminations will be tracked against the NYSDEC Construction Database.

Notice of Termination letter

DATE

Owner/Operator
Or HOA Address**RE: Notice of Termination
(SITE NAME/LOCATION)**

Dear Owner/Operator

A recent review of the Storm Water Pollution Prevention Plan (SWPPP) for the above-mentioned project has shown that this project is covered under NYSDEC's SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-24-001). Projects that receive coverage under this permit are required to submit a Notice of Termination (NOT) upon completion of final site inspection. Our records do not show that a Notice of Termination has been submitted for this project.

The Village is a regulated municipality under NYSDEC's SPDES General Permit for Stormwater Discharges from Municipal Separate Storm sewer Systems (GP-0-24-001). Per Part VI.D.9 of GP-0-24-001, the Village is responsible to ensure that a final site inspection is conducted. A signature from the Village Engineer is required on the Notice of Termination.

The Notice of Termination, which must be completed and submitted to the Building Department at once, can be found at <http://www.dec.ny.gov/chemical/43133.html#Permit>. The Village anticipates your compliance with the requirements of GP-0-24-001.

Sincerely yours,

Village Engineer

Construction Oversight Procedures (Part VI.D.3.a.)(pg. 30)
Post-Construction SMP Inspection and Maintenance Procedures(Part VI.E.4.a.)(pg. 37)

- **Annually, by April 1**, the MS4 Operator must review and update (if needed) the *Construction Oversight Procedures* and the *Post-Construction SMP Inspection and Maintenance Procedures*. **Document the completion in the SWMP.**
- **Annually**, the names, titles, and contact information for the individuals who have received *Construction Oversight Procedures* and *Post-Construction SMP Inspection and Maintenance Procedures* must be updated. **Document the completion in the SWMP.**
- If new staff are added, **training** on the *Construction Oversight Procedures* must be given prior to conducting any construction oversight activities; For Post-Construction, training on the MS4 Operator's *Post-Construction SMP Inspection and Maintenance Procedures* must be given prior to conducting any post-construction SMP inspection and maintenance;
- For existing staff, **training** on the *Construction Oversight Procedures* must be given prior to conducting any construction oversight activities and once every five (5) years thereafter, For Post-Construction, training on the MS4 Operator's *Post-Construction SMP Inspection and Maintenance Procedures* must be given prior to conducting any post-construction SMP inspection and maintenance and once every five (5) years, thereafter.
- If the *Construction Oversight Procedures* and *Post-Construction SMP Inspection and Maintenance Procedures* are updated, training on the updates must be given to all staff prior to conducting construction oversight, post-construction inspection and maintenance.
- Procedures to ensure those involved in the construction activity itself (Contractors) have received 4-Hour Training. Personal with the 4-Hour Training must be present at the pre-construction meeting. **Annually update the names, titles, and contact information for the individuals who have received the trainings in the SWMP (see last page).**
- Ensure all MS4 Construction Site Inspectors receive 4-Hour Training* prior to conducting construction site inspections. **Annually update the names, titles, and contact information for the individuals who have received the trainings in the SWMP (see last page).**
- **Annually, update the Post-Construction Inventory.** (Use Stormwater Consortium's **Construction & Post-Construction Inventory** maintained on file at the Building Department. Using the **Stormwater Consortium's SWPPP List**, MS4s will do this at pre-construction meetings and the consortium will strive to review the NYSDEC NOI Database collaboratively).
- **By January 2027** Construction Sites must be mapped.
- **By January 2027** Post-Construction SMPs (Publicly-owned) must be mapped.
- **By January 2029** Post-Construction SMPs (Privately-owned that discharge to the MS4) must be mapped.

*Four (4) hours of Department-endorsed training in proper Erosion and Sediment Control principles from a Soil & Water Conservation District, or other Department-endorsed entity. Training must be completed within 3 years of the EDC (January 2024) and every 3 years thereafter. Individuals who meet the definition of a *qualified professional* or *qualified inspector* are exempt from this requirement.

MCM 4 - Construction Oversight Program

The town/village has a local law for erosion and sediment control Chapter 114 Stormwater Management: <https://ecode360.com/12717657#12717657>. Additionally, the Village's **Enforcement Response Plan** sets forth a protocol to address repeat and continuing violations through progressively stricter responses.

The construction oversight program must be documented in the SWMP Plan specifying:

a. The construction oversight procedures including:

i. When the construction site stormwater control program applies (Part VI.D.1.)

When the project results in a total land disturbance of greater than or equal to one acre; or disturbs less than one acre if part of a larger common plan of development or sale.

ii. What types of construction activity require a SWPPP;

When the project results in a total land disturbance of greater than or equal to one acre; or disturbs less than one acre if part of a larger common plan or sale.

iii. The procedures for submission of SWPPPs;

An applicant / developer / land owner makes submission to the Village of Montebello Planning Board for Site or Subdivision approval. The applicant is advised in writing from the Village Engineer to calculate and specify on the drawings, the total area of disturbance for the proposed project. Once it is determined that a project proposes to disturb ≤ 1 acre, the Engineer advises the applicant that a SWPPP will be required. When reviewing plans, the Engineer will refer to the Village's **SWPPP Review form** (for compliance with the NYSDEC *Stormwater Management Design Manual* latest version & CGP compliance), the **Stormwater Consortium's SWPPP List** (for MS4 Permit compliance), and the **Construction Site section of the MS4 Permit** (pgs 29-35).

iv. SWPPP review requirements (Part VI.D.6.) **SEE MS4 PERMIT REQUIREMENTS (pg. 33)**

v. Pre-construction oversight requirements (Part VI.D.7.) Outlined on **the Stormwater Consortium's SWPPP List** and the **Enforcement Response Plan**. All items on List to be discussed at pre-construction meetings.

vi. Construction site inspection requirements (Part VI.D.8.); Outlined on the **Stormwater Consortium's SWPPP List** and the **Enforcement Response Plan**. To be discussed at pre-construction meetings.

vii. Construction site close-out requirements (Part VI.D.9.); Outlined on the **Stormwater Consortium's SWPPP List** and the **Enforcement Response Plan**. To be discussed at pre-construction meetings.

viii. Enforcement process/expectations for compliance; and Review at Pre-Construction meeting. Outlined on the **Stormwater Consortium's SWPPP List** and the **Enforcement Response Plan**.

*Four (4) hours of Department-endorsed training in proper Erosion and Sediment Control principles from a Soil & Water Conservation District, or other Department-endorsed entity. Training must be completed within 3 years of the EDC (January 2024) and every 3 years thereafter. Individuals who meet the definition of a *qualified professional* or *qualified inspector* are exempt from this requirement.

- ix. Other procedures associated with the control of stormwater runoff from applicable construction activities. Local laws, stormwater consortium construction brochure. Outlined on the **Stormwater Consortium's SWPPP List** and the **Enforcement Response Plans**.

*Four (4) hours of Department-endorsed training in proper Erosion and Sediment Control principles from a Soil & Water Conservation District, or other Department-endorsed entity. Training must be completed within 3 years of the EDC (January 2024) and every 3 years thereafter. Individuals who meet the definition of a *qualified professional* or *qualified inspector* are exempt from this requirement.

MCM - Post-Construction SMP Inspection and Maintenance Procedures

The Village has a local law for maintenance after construction under <https://ecode360.com/12717657#12717657>. Additionally, the Enforcement Response Plan sets forth a protocol to address repeat and continuing violations through progressively stricter responses. Inspection letters to the owner/operator go out in accordance with timeframes identified on the post construction SMPs inventory, after which follow-up actions are considered.

The *MS4 Operator* must *develop*, implement, and enforce a program to ensure proper operation and maintenance of post construction *SMPs* for new or redeveloped sites. This MCM is designed to promote the long-term performance of post-construction *SMPs* in removing *pollutants* from *stormwater* runoff.

1. Applicable Post-Construction SMPs required on the Post-Construction Inventory

- Post-construction *SMPs* that have been installed as part of any CGP covered construction site or individual *SPDES* permit (since March 10, 2003); SEE STORMWATER CONSORTIUM DATABASE
- All new post-construction *SMPs* constructed as part of the construction site *stormwater* runoff control program (Part VI.D.). MAINTAIN ON THE STORMWATER CONSORTIUM DATABASE.
- Add *SMPs* to the Post-Construction Inventory as they are approved or discovered, or
- After the owner/operator of the *construction activity* has filed the Notice of Termination with the *Department* (Part VI.D.9.b.). Notice of Termination updates are on the [NYSDEC NOI Database](#).
- **Update the Inventory annually.** Stormwater Consortium will strive to do this collaboratively.

2. Post-Construction SMP Inspection & Maintenance Program

The post construction *SMP* inspection and maintenance program must be documented in the *SWMP Plan* specifying the procedures:

The following is reviewed when there is a pre-construction meeting, per the Stormwater Consortium's SWPPP List.

- Ensure each **Post-Construction SMP** identified in the post-construction SMP inventory (Part VI.E.2.) is inspected at the frequency specified in the NYS DEC Maintenance Guidance 2017 or as specified in the O&M plan contained in the approved SWPPP (Part VI.D.6.), if available;
- Document post-construction SMP inspections using the Post- Construction [SMP Inspection Checklist](#) or an equivalent form containing the same information.
- The MS4 Operator can only accept **Level 1 inspections** on the SMP Inspection Checklist by private owners inspecting post- construction SMPs. Private owners can be informed when inspection letters go out (SCRC template letter updated).

*Four (4) hours of Department-endorsed training in proper Erosion and Sediment Control principles from a Soil & Water Conservation District, or other Department-endorsed entity. Training must be completed within 3 years of the EDC (January 2024) and every 3 years thereafter. Individuals who meet the definition of a *qualified professional* or *qualified inspector* are exempt from this requirement.

- Provisions to initiate follow-up actions (i.e., maintenance, repair, or higher level inspection) **within thirty (30) days** of inspection;
- Provisions to initiate enforcement **within sixty (60) days** of the inspection if follow-up actions are not complete.
- Maintain all inspection records in the SWMP Plan.

[2024 MS4 General Permit \(GP-0-24-001\) Fact Sheet](#) (pg 40)

The final GP-0-24-001 expands upon this by specifying that, for practices where an associated SWPPP is not on file, MS4 Operators must follow the frequencies outlined in the NYS DEC Maintenance Guidance 2017. This change was made in response to public feedback received during the draft GP-0-17-002 public comment period, and the MS4 Stakeholder Workgroup, which expressed the concern that older practices installed prior to the adoption of the local law for erosion and sediment control often contain limited information on file, including the original project SWPPP. Using the NYS DEC Maintenance Guidance 2017 to complete inspections satisfies the Phase II Remand Rule and allows the MS4 Operators to reduce the discharge of pollutants to the MEP.

*Four (4) hours of Department-endorsed training in proper Erosion and Sediment Control principles from a Soil & Water Conservation District, or other Department-endorsed entity. Training must be completed within 3 years of the EDC (January 2024) and every 3 years thereafter. Individuals who meet the definition of a *qualified professional* or *qualified inspector* are exempt from this requirement.

Annually, the names, titles, and contact information for the individuals who have received *Construction Oversight Procedures*, the *Post-Construction SMP Inspection and Maintenance Procedures* and the *MS4 Construction Site Inspectors* who have received **4-Hour Training*** must be updated.

Document the completion in the SWMP Plan.

YEAR: 2025

Construction Oversight Procedures:

<u>NAME</u>	<u>TITLE</u>	<u>CONTACT INFO</u>

Post-Construction SMP Inspection and Maintenance Procedures:

<u>NAME</u>	<u>TITLE</u>	<u>CONTACT INFO</u>

MS4 Construction Site Inspectors who have received 4-Hour Training:

<u>NAME</u>	<u>TITLE</u>	<u>CONTACT INFO</u>

Individuals responsible for reviewing SWPPP acceptance who have received 4-Hour Training:

<u>NAME</u>	<u>TITLE</u>	<u>CONTACT INFO</u>

*Four (4) hours of Department-endorsed training in proper Erosion and Sediment Control principles from a Soil & Water Conservation District, or other Department-endorsed entity. Training must be completed within 3 years of the EDC (January 2024) and every 3 years thereafter. Individuals who meet the definition of a *qualified professional* or *qualified inspector* are exempt from this requirement.

Minimum Measure V, Post-Construction Inspection Report letter

Date

Owner/Operator
Or HOA Address

RE: (Location)
Post-Construction Stormwater Management Practice inspection reports

Dear Owner/Operator:

The Town/Village is a NYS Department of Environmental Conservation regulated Municipal Separate Storm Sewer System (MS4) community. Per NYSDEC regulation* the Town/Village is therefore required to implement a Post-Construction Stormwater Management Practice (SMP) inspection and maintenance program. The purpose of the program is to ensure the long-term performance of SMPs in removing pollutants from stormwater runoff.

According to our records an applicable SMP* is on-site at your location. Please forward to our attention an inspection report at the frequency specified in the O&M plan contained in the approved SWPPP. Per NYSDEC requirements, document the inspecting using the [Stormwater Management Practices Inspection Checklist](#)** or an equivalent form containing the same information. The town/village can only accept **Level 1 inspections** on the SMP Inspection Checklist by private owners inspecting post- construction SMPs.

Please forward the inspection report by (DATE). The maintenance of SMPs are enforced through the Village's Local Law Chapter 114, Stormwater Management, Chapter 114-28. Failure to comply will put you in violation of the Local Law, and a Notice of Violation will be issued. The Post-Construction Stormwater Management Practice (SMP) inspection and maintenance program further requires the town/village to utilize Enforcement Response Plans to initiate follow-up actions (i.e., maintenance, repair, or higher level inspection) within thirty (30) days of inspection; and to initiate enforcement within sixty (60) days of the inspection if follow-up actions are not complete.

The town/village appreciates your cooperation to comply with the NYSDEC's new stormwater permit requirements. Stormwater Management Practices are vital to controlling and treating stormwater pollutants. Excess nutrients in sediment is a leading pollution issue that is greatly impacting surface water quality and leading to aquatic weeds, algae and harmful algae growth, and degradation of drinking and fishing waters. It is important that the Town/Village remain in compliance with State regulation, and that SMPs within the Town/Village boundary remain in fully functioning shape.

Sincerely yours,

Village Engineer

Notes:

*

[NYSDEC Stormwater Discharges from Municipal Separate Storm Sewer Systems Permit, GP-0-24-001](#)

[Part VI.E.4: Post-Construction Stormwater Management Practice \(SMP\) inspection and maintenance program](#)

[Part VI.E.1: Applicable SMP](#)

**[Stormwater Management Practices Inspection Checklist](#) is available at NYSDEC's Construction Stormwater Toolbox at this link <https://dec.ny.gov/environmental-protection/water/water-quality/stormwater/construction-stormwater-toolbox>

Village of Pomona		
Standard Operating Procedures (SOPs) for Sweeping Streets, Parking Lots, Bridges, and Right of Ways (owned by Municipality)		
Purpose of SOPs:	<i>Per Part VI.F.d (pg. 54) of the NYSDEC Stormwater MS4 Permit (GP-0-24-001), the MS4 Operator must develop and implement procedures for sweeping and/or cleaning municipal Streets, Bridges, Parking lots, and Right of ways owned/operated by the MS4 Operator. The procedures and completion of permit requirements must be documented in the municipal Storm Water Management Plan (SWMP)*.</i>	
Location of SOPs:	<i>Indicate where SOPs are kept: Electronically stored at Engineer's Office</i>	
Entity in charge of street sweeping:	<i>Town/Village or Outside Contractor name: Town of Ramapo</i>	
Municipal contacts:	<i>Highway Super/Name overseeing Procedures: _____</i> <i>Municipal Stormwater Management Officer: _____</i> <i>Municipal Stormwater Mapping (GIS) contact: _____</i>	

PERMIT EXEMPTIONS:

Per Part VI.F.(pg 54) these requirements are **NOT applicable** to:

- i) Uncurbed roads with no *catch basins*;
- ii) High-speed limited access highways; or
- iii) Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.

Pre-Requisites

1. Employees and outside contractors performing these procedures must read the SOP.
2. **The procedures, noting completion of the sweeping requirements, must be documented in the SWMP Plan.**
3. All applicable employees and should be trained in stormwater pollution prevention; including how to recognize and report illegal connections or discharges. Report these matters immediately to the Stormwater Management Officer listed above.
4. When utilizing Contractors, annual agreements **must be documented in with SWMP** per the **Alternative Implementation Agreements** (pg. Part VI.A.1).

1. Sweeping Inventory, Frequency, and Recordkeeping

→ Streets should be swept according to an established schedule. The schedule, inventory of the below municipal (ex. List of municipal parking lots, bridges, etc), and record keeping is located at:

Permit Requirement	Required Frequency (see Exemptions)	Date Accomplished (or TBD)	Asset Inventory Location (GIS, physical file, etc)	Record Location for SWMP (GIS, physical file, etc)
Municipal Streets	<i>Swept and/or cleaned once every five (5) years in the Spring (following winter activities such as sanding).</i>			
Municipal Bridges	<i>Swept and/or cleaned once every five (5) years in the Spring (following winter activities such as sanding).</i>			
Municipal Parking Lots	<i>Swept and/or cleaned once every five (5) years in the Spring (following winter activities such as sanding).</i>			
Municipal Right of Ways	<i>Swept and/or cleaned once every five (5) years in the Spring (following winter activities such as sanding).</i>			
Business Areas	<i>Annually, from April 1 through October 31</i>			
Commercial Areas	<i>Annually, from April 1 through October 31</i>			

References

1. [General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems Permit, GP-0-24-001 \(PDF\)](#).
2. Impaired Waters are those listed on the [NYS 303\(d\) List of Impaired Waters](#).
3. Cornell Cooperative Extension, Rockland County's [Stormwater Interactive Map](#).

IMPAIRED SEWERSHEDS

NYSDEC MS4 PERMIT 0-24-001 SCRC SWPPP Checklist (for applicable sites):

Have the following when reviewing Construction projects for *applicable* sites and when conducting a Pre-Construction meeting:

- The NYSDEC MS4 Permit requirements, pages (pgs 29-35).
- MS4 Operator's SWPPP review sheet (for NYSDEC CGP compliance)
- THIS SHEET -SCRC SWPPP review sheet (for NYSDEC MS4 Permit compliance)
- NYSDEC Construction Inspection Form ([MS4 permit](#), Appendix D)
- SCRC Enforcement Response Plan for Construction
- SCRC Enforcement Response Plan for Post-Construction
- Applicant's NYSDEC NOI Intent form or [NYSDEC NOI Database](#) to fill in the Construction and Post-Construction Inventories

SWPPP Review:

1. Has the SWPPP reviewer received current 4-Hour Training*? Individuals who have not received this training cannot review the SWPPP. Annually update in SWMP.
2. Review all SWPPPs for conformance with requirements of NYSDEC Construction General Permit (CGP), and Part VI.D.6 of the MS4 Permit (SWPPP Review, pg. 33).
3. Is this a Priority Construction Site (Part VI.D. 5)(pg. 32)? Review criteria to self-verify. See [CCE's Stormwater & Water Quality Interactive Map](#) for assistance.
4. Request SWPPP in Electronic format (showing all post-construction practices in electronic format).
5. NYSDEC MS4 SWPPP Acceptance Form (Issued by the Village):
6. Permanent Catch-Basin stamping with 'DO NOT DUMP' installed. Codify your municipal detail.



*Four (4) hours of Department-endorsed training in proper Erosion and Sediment Control principles from a Soil & Water Conservation District, or other Department-endorsed entity. Training must be completed within 3 years of the EDC (January 2024) and every 3 years thereafter. Individuals who meet the definition of a *qualified professional* or *qualified inspector* are exempt from this requirement.

Pre-Construction Meeting:

Date of meeting:

Ask contractors to bring:

- The NYSDEC Notice of Intent completed and signed (to fill in Construction/Post-Construction Inventory).
- Qualified Inspector's proof of current 4-Hour Training*.

Required attendance:

1. The MS4 Operator(fill in name):
2. The owner/operator listed on the [NYSDEC NOI Database](#). Fill in name:
3. The contractor(s) responsible for implementing the SWPPP for the construction activity (fill in name):
4. The Qualified Inspector (if required for the construction activity by Part IV.C. the CGP) (fill in name):
 - Confirm the project site received coverage under the CGP or an individual SPDES permit. Copy of the NYSDEC Notice of Intent completed and signed.
 - Have contractors and subcontractors identified at least one individual that has received current 4-Hour Training* as required by the CGP and the NYSDEC MS4 Permit?
 - Review the Construction Oversight Program (Part VI.D.3.) (pg.30) (see Oversight Program in the Storm Water Management Plan) and expectations for compliance.
 - Complete Construction/Post-Construction Site Inventories (see below).

Pre-Construction Meeting: Construction/Post-Construction Site Inventory (Refer to NOI):

- Complete the **Construction** Site Inventory (use completed NOI or database). Is this a priority site (Part VI.D. 5)(pg 32)?? What makes it a priority site?
- Complete the **Post-Construction** Site Inventory (use completed NOI or database). The SWPPP must include an O&M plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each post-construction SMP. The SWPPP must identify the entity that will be responsible for the long-term operation and maintenance of each practice.

Pre-Construction Meeting: Construction and Post-Construction Inspections:

1. The MS4 has local laws for erosion and sediment control [Chapter 114 Stormwater Management](#): <https://ecode360.com/12717657#12717657>.

*Four (4) hours of Department-endorsed training in proper Erosion and Sediment Control principles from a Soil & Water Conservation District, or other Department-endorsed entity. Training must be completed within 3 years of the EDC (January 2024) and every 3 years thereafter. Individuals who meet the definition of a *qualified professional* or *qualified inspector* are exempt from this requirement.

2. The MS4 Operator must develop and implement an **Enforcement Response Plan (ERP)** for Construction and Post-Construction clearly outlining actions to be taken for violations. The ERPs must set forth a protocol to address repeat and continuing violations through progressively stricter responses (i.e., escalation of enforcement) as needed to achieve compliance with the terms and conditions of the NYSDEC's MS4 SPDES general permit. **Review Enforcement Response Plans.**
3. Attach [Stormwater Consortium Erosion & Sediment Control brochure](#). Sediment is a leading pollution issue that is greatly impacting surface water quality. Excess nutrients in sediment (Phosphorus, Nitrogen) leads to aquatic weeds, algae and harmful algae growth, degradation of drinking and fishing waters, etc. This is a great cost to the community.
4. MS4 Operator:
Construction Site Inspections (pg. 34):
Annually inspect all sites with **construction activity** identified in the Construction Inventory (Part VI.D.4.) during active construction after the pre-construction meeting (Part VI.D.7.), or sooner if deficiencies are noted that require attention. Ensure all *MS4* Construction Site Inspectors receive 4-Hour Training* prior to conducting construction site inspections.

Inspections must be conducted using NYSDEC Construction Site Inspection Report Form (Appendix D). **Review the Inspection Form.** Follow up to corrective actions must be completed within timeframes established by the CGP and the Enforcement Response Plan.

Post-Construction:

Per [NYSDEC MS4 Operator Forum](#) recording on 12/4/24 (at 1:03), the permit must identify SMPs that are (1) installed as part of construction activities that result in land disturbance greater than or equal to 1 acre, and (2) directly, by a pipe or overflow structure, discharge to the MS4.

Ensure the **Post-Construction SMP** is inspected at the frequency specified using the [SMP Inspection Checklist](#) or an equivalent forms containing the same information. The MS4 Operator can only accept **Level 1 inspections** on Checklist by private owners inspecting post- construction SMPs.

Enforcement Response Plan provides provisions to initiate follow-up actions (i.e., maintenance, repair, or higher-level inspection) **within thirty (30) days of inspection;** and Provisions to initiate enforcement **within sixty (60) days** of the inspection if follow-up actions are not complete.

Construction Site Close-Out

1. Final Site Inspection

*Four (4) hours of Department-endorsed training in proper Erosion and Sediment Control principles from a Soil & Water Conservation District, or other Department-endorsed entity. Training must be completed within 3 years of the EDC (January 2024) and every 3 years thereafter. Individuals who meet the definition of a *qualified professional* or *qualified inspector* are exempt from this requirement.

2. Optional- Submission of “As-Builts” for SMPs including sloping to ensure compliance with pre-construction plans (refer to [NYSDEC MS4 Operator Forum](#) recording on 12/4/24 (at 30:57). Surveyed by a Licensed Land Surveyer. Model in Hydro-CAD to ensure the SMP is functioning as intended. Is the Post-Construction SMP Inventory completed?
3. NOTICE OF TERMINATION (Village sign-off).

*Four (4) hours of Department-endorsed training in proper Erosion and Sediment Control principles from a Soil & Water Conservation District, or other Department-endorsed entity. Training must be completed within 3 years of the EDC (January 2024) and every 3 years thereafter. Individuals who meet the definition of a *qualified professional* or *qualified inspector* are exempt from this requirement.