

Village of Great Neck Plaza Stormwater Management Program Plan

Prepared in accordance with the
New York State Department of Environmental Conservation
SPDES General Permit for Stormwater Discharges from
Municipal Separate Storm Sewer System (MS4s)
Permit No. GP-0-24-001

Prepared By:



LiRo Engineers, Inc.
235 E Jericho Turnpike
Mineola, NY, 11501

Prepared For:



Village of Great Neck Plaza
2 Gussack Plaza (PO Box 440)
Great Neck, NY, 11022



March 2026

Table of Contents

1	Introduction	3
1.1	Purpose	3
1.2	Municipal Background Information	4
1.2.1	MS4 Description	4
2	Applicable Local Laws and Other Legal Authorities	6
2.1	Illicit Discharge Detention and Elimination Law	6
2.2	Erosion and Sedimentation Control Law	6
3	Inter-Municipal Agreements and the Nassau County Stormwater Coalition	6
4	Staffing, Staff Development Programs, and Staff Organization	7
5	MS4 Program Budget	9
6	Policies, Procedures and Practices for Each Minimum Control Measure (MCM's)	9
6.1	Public Education and Outreach Program	9
6.2	Public Involvement/Participation	10
6.3	Illicit Discharge Detection and Elimination	10
6.4	Construction Site Stormwater Runoff Control	11
6.5	Post-Construction Stormwater Management	12
6.6	Pollutant Prevention and Good Housekeeping	12
7	Management Practice Selection and Measurable Goals	14
7.1	Public Education and Outreach	14
7.2	Public Involvement/Participation	14
7.3	Illicit Discharge Detection and Elimination	15
7.4	Construction Site Stormwater Runoff Control	15
7.5	Post-Construction Stormwater Management	15
7.6	Pollutant Prevention and Good Housekeeping	15
8	Enforcement Measures and Tracking	16
9	GIS, Outfall and System Mapping	16

Appendices

Appendix A: Illicit Discharge Detection and Elimination Law

Appendix B: Erosion and Sedimentation Control Law

Appendix C: Intermunicipal Agreements

Appendix D: Third Party Certification

Appendix E: Illicit Discharge Track Down and Elimination Program

Appendix F: Construction Oversight Program

Appendix G: Post-Construction SWP Inspection and Maintenance Plan

Appendix H: Enforcement Response Plan

Appendix I: GIS, Outfalls, and System Mapping Documentation

1 Introduction

1.1 Purpose

The purpose of the Village's Stormwater Management Program (SWMP) is to reduce the number of pollutants discharged into the municipal stormwater system and to protect surface water quality to the maximum extent practical. The New York State Department of Environmental Conservation (NYSDEC) focuses on the leading forms of pollutants within waterbodies which include pathogens, nitrogen, phosphorus, silt and sediment, and floatables.

- Pathogens refer to the release of bacteria or viruses through animal waste, which then can cause disease and health complications for humans based on exposure levels. This may also be referred to as fecal coliform in NYSDEC references.
- Nitrogen and phosphorous are nutrients commonly used in fertilizers and other residential and industrial products which can cause algal blooms. This in turn leads to oxygen depletion and fishkills or other mass die-offs of marine life.
- Silt and sediment pollution is a result of erosion carried by stormwater. The eroded material can clog drainage ways and destroy natural habitats.
- Floatables are materials that tend to lie on the surface of water bodies. They tend to remain on the water's surface and break down, causing harm to marine life.

The sources of these pollutants are typically found in urban runoff which mixes with and carries human waste from failing septic systems, erosion from construction sites, fertilizers, animal wastes including pet and goose droppings and horse manure, and litter discarded by people. Within the Village, the municipal drainage system (gutters, manholes, and catch basin inlets) follows the roadway network.

Since 2003, the Village has participated in the Phase II Stormwater Management Program. As part of an amendment to the federal Clean Water Act, the USEPA required a reduction in pollutants to stormwater discharges. New York State's General Permit for Stormwater Discharges requires that operators of Municipal Separate Storm Sewer Systems (MS4s) develop, implement and enforce a Stormwater Management Program by January 8, 2008. The program has six major components, including:

- Public Education and Outreach Program
- Public Involvement/Participation
- Illicit Discharge Detection and Elimination
- Construction Site Stormwater Runoff Control
- Post-Construction Stormwater Management
- Pollutant Prevention and Good Housekeeping

The 2024 New York State General Permit for Stormwater Discharge (GP 0-24-001) created additional updates to the MS4 requirements. Within 6 months of the effective date of coverage (EDC), municipalities must make their SWMP available during normal business hours for the MS4 operator's management and staff responsible for implementation as well as the public and must be documented in the SWMP Plan (greatneckplaza.net/interests). The purpose of this document is to summarize all the Village's operations on stormwater and facilitate the onboarding of new staff. The SWMP is available in village hall located at 2 Gussack Plaza, Great Neck, NY 11021 and online at attached link: <https://greatneckplaza.net/index.asp?SEC=7C3E2D42-A51C-478D-AF6D-86E05DA8EA22&DE=BDC480C1-B7EF-48B1-8C78-220BF3198D95>.

1.2 Municipal Background Information

1.2.1 MS4 Description

MS4 is an acronym that stands for Municipal Separate Storm Sewer System. An MS4 is a municipality with such a storm system, in this case, the Village of Great Neck Plaza.

1.2.1.1 Village Location

The Village of Great Neck Plaza is a municipality located on the north shore of Long Island in the Town of North Hempstead in the northwestern corner of Nassau County, NY. It is bordered on the north by the Villages of Great Neck Estates and Kensington; on the east by the Village of Thomaston; on the south by Villages of Russell Gardens and Thomaston; and on the west by the Village of Great Neck Estates and the Unincorporated Hamlet of University Gardens. The Village does not border on any waterbody, but the Cutter Mill Brook drainage way constructed and owned by the County does pass through the Village and discharges to Little Neck Bay.

1.2.1.2 Village Demographics

The Village encompasses approximately 0.3 square miles. The Village has a population of approximately 7,429 in 2021, residing in 3,603 households. The population density is approximately 24,763 people per square mile (or 38.7 people per acre).

1.2.1.3 Village Land Use

The Village is fully developed with mixed land use including single-family homes, condominiums, co-operatives, rental apartments, office buildings, retail establishments, hotels, a nursing home and two (2) senior living facilities. The typical single-family residential lot size is $\frac{1}{4}$ acre. Multiple-family and commercial/business lot sizes are larger.

1.2.1.4 Village Administration

The Village government consists of three boards, namely, the Board of Trustees, the Board of Zoning Appeals, and the Planning Board. The three boards each have different purposes and act independently of each other. The Board of Trustees is the legislative body of the Village and has a broad grant of power that enables it to adopt a wide range of local laws to address Village concerns. The Village Board of Trustees consists of a Mayor and four Village Trustees. The general public elects the Mayor and members of the Board of Trustees. The Mayor is the chief executive officer of the Village and presides over the Board of Trustees.

The Board of Zoning Appeals and Planning Board members are officials appointed by the Mayor with the approval of the Board of Trustees. The Board of Zoning Appeals is responsible for the interpretation of zoning laws and amendments that are enacted by the Board of Trustees. The Board of Zoning Appeals is authorized to hear appeals from a decision made by the Building Inspector and issue variances from the zoning law. The Planning Board has the authority over subdivisions within the Village.

Twenty-two full time staff perform the day-to-day operations of the Village. The primary roles and functions related to the Stormwater Program are the following:

- The administration of the Village is performed by the Village Clerk-Treasurer who maintains the official records and serves as the chief financial officer of the Village. The Clerk-Treasurer coordinates the activities of the various Village Departments to assure the effective delivery of municipal services.
- The Commissioner of Public Services, who is also the Stormwater Management Officer (SMO) for this program, heads the Building Department. The Department reviews plans and issues permits

and certificates of occupancy. The building inspectors work closely with the Fire Marshall and our Code Enforcement Unit to assure compliance with approved plans.

- The Superintendent of Public Works heads the Village Public Works Department. DPW performs street and sidewalk maintenance including sweeping, snow removal, drainage system maintenance, landscaping, and parking meter service. DPW maintains the two parking structures and three parking lots. During the summer months DPW is busy planting and painting.

1.2.1.5 Village Facilities and Infrastructure

The following facilities and infrastructure are owned by the Village:

Facilities

The Village Hall at 2 Gussack Plaza is the only Village building. It contains the Mayor's Office, the Board Room, Clerk-Treasurer staff, Housing and Administrative Offices, Building Department, Code Enforcement, Court and Department of Public Works.

The Public Works offices are in the Village Hall. Public works vehicle is garaged and maintained in the lower level of the parking structure at Village Hall.

Infrastructure

Streets & Street Drainage: The Village has 3.96 miles of roads with 2.25 miles being owned by the County. The road networks and drainage systems are interconnected.

Parking Structures: The Village has two parking garages; one at Gussack Plaza as part of the Village Hall and another structured garage on Maple Drive.

Parking Lots: The Village has three open surface municipal parking lots.

1.2.1.6 Village Services

The following services are operated by the Village:

Road Maintenance: The Village Department of Public Works is responsible for the maintenance of the roadway network, the sidewalks and the drainage system, including snow and ice removal, tree, limb, brush and leaf removal and cleaning of problem gutter areas.

Solid Waste: The Village manages residential solid waste recycling and disposal. A private carter under contract with the Village collects trash. Trash is taken to the Town of North Hempstead transfer station on West Shore Road in Port Washington for out-of-state tipping.

The Village requires single-family homes and apartment buildings to follow the Town's recycling program for newspapers, magazines, plastics, glass, and metals. The Village provides residents with reusable recycling containers. These materials are collected at curbside and taken to the Town of North Hempstead Recycling Center by the carter.

The Village residents are encouraged to dispose of household wastes through the Town of North Hempstead STOP program. Residents bring their household hazardous wastes to designated Town locations. Village residents also use the Town recycling facility to dispose of used automotive oil.

1.2.1.7 *Special District Services*

The services listed below are provided to the entire Village by special districts with their own governing boards. These activities are independent of the Village.

Parks: The Great Neck Park District owns and operates the parks on the Great Neck Peninsula including those within the Village.

Water Supply: The Water Authority of Great Neck North supplies all public water.

Sanitary: The Great Neck Water Pollution Control District and the Belgrave Sewer District own and operate the sewers and treatment facilities serving the Village.

Electrical: Electricity is provided by PSEG.

Natural Gas: Natural gas is provided by National Grid.

2 Applicable Local Laws and Other Legal Authorities

2.1 Illicit Discharge Detention and Elimination Law

The Village adopted a local law to prohibit illicit connections to the municipal stormwater system October 18, 2006. The law is Chapter 180 Article II § 180-20 to §180-31 of the Village Code.

A copy of the Villages local law pertaining to Illicit Discharges to Storm Sewers is contained in **Appendix A**. The law is based on the NYSDEC's model local law, released by the DEC in April 2006.

2.2 Erosion and Sedimentation Control Law

The Village adopted a local law to require erosion control and stormwater management on construction sites on October 18, 2006. The law is chapter 180 Article I §180-1 to §180-19 of the Village Code. This law applies to all activities within the Village that cause the land disturbance of an acre or more.

A copy of the Village's local law pertaining to Erosion Control and Stormwater Management in **Appendix B**. The law is based on the NYSDEC's model local law, released by the DEC in March 2006 and updated in October 2006.

3 Inter-Municipal Agreements and the Nassau County Stormwater Coalition

The Village of Great Neck Plaza is a coalition member as a partner with Nassau County in the Phase II Stormwater Program. The Village is located within Nassau County, and there are County roads within and bordering the Village. A portion of the runoff from some Village streets could flow onto County roads. The County has a much larger government system than the Village, and the County has the means and manpower to do a number of activities related to the stormwater program that the Village simply could not do. The County has worked with funding that the Village was not eligible to receive regarding the stormwater program. In fact, the Village signed an agreement with the County for "in kind services" to help the County obtain NYSDEC grant money to implement the County's Phase II Stormwater Program to benefit all municipalities in the County as participants (see attached copy of Village Resolution).

As part of their obligation to the Coalition members, the County provided the following on a Countywide basis:

- conducted educational programs pertaining to stormwater quality for municipal employees, consultants and high school students;
- provided storm drain medallions;
- provided stormwater related literature to its residents;
- conducted public participation programs such as logo and slogan contests, and shoreline and beach cleanups;
- developed a model Drainage Use Ordinance;
- mapped outfalls along the County shoreline and stream corridors; and
- provided training for construction contractors and municipal officials regarding erosion and sediment control and good housekeeping for municipal operations.

A copy of the Nassau County Certification page from their annual report to the NYSDEC which is a coalition partnership acknowledgement is contained in **Appendix C**.

Additional information pertaining to the Nassau County Phase II Stormwater Program efforts may be found on the Nassau County website at: www.nassaucountyny.gov/agencies/dpw/stormwater.html.

4 Staffing, Staff Development Programs, and Staff Organization

The Village has a full-time staff complement of 22 people as shown below, and a part-time clerk for the Village Court and 7 part-time elected officials (1 mayor, 4 trustees, and two judges)

Clerical and Administrative:	4
Building Dept and Code Enforcement:	7
Public Works (including parking meter maintenance)	11

The primary Village staff involved with the Stormwater Program are listed below. In addition to their regular roles and functions, some staff members have additional responsibilities for stormwater management.

Position	Name	Email	Phone Number
Mayor	Ted Rosen		
Village Clerk/Treasurer	Patricia O’Byrne	obyrnep@greatneckplaza.net	516-482-4500
Commissioner of Public Services	Richard Belziti	belzitir@greatneckplaza.net	516-736-9670
Building Inspector	Steve Truglio		
Superintendent of the Department of Public Works	Roy Curtis		
Code Enforcement Supervisor	Dwight Nembhard		
MS4 Engineer	Daniel Loscalzo	loscalzod@liro-hill.com	516-636-3729

- Village Clerk/Treasurer: The Village Clerk/Treasurer serves as Owner/Operator and the Local Stormwater Public Contact. The Clerk/Treasurer’s primary duty is to carry out the policies of the Mayor and Trustees, supervise the various departments, coordinate all activities of the Village

government and approve all purchases. The Village Administrator-Clerk oversees the Village Office and issues licenses and permits and is the custodian of all Village records.

- Commissioner of Public Services: The Commissioner of Public Services oversees the Building Department including inspection and code enforcement, his primary function of the Building Department is to review plans and issue permits to build, extend, or improve property and to assure for conformance with the Building Zone Ordinance and Building Code and issue certificates of occupancy. The Commissioner of Public Services also serves as the Stormwater Management Program (SWMP) Coordinator and the Stormwater Management Officer (SMO) as an additional duty for Illicit Discharges (MCM 3).
- Superintendent of the Department of Public Works: The Superintendent of Public Works oversees the Public Works Department (DPW). DPW is responsible for maintenance of the village streets, drains, parking structures, parking lots, and other property. The Public Works crew plows the snow and sands the ice, cleans the streets and parking facilities, cuts the grass and removes refuse on roadway shoulders and islands; plants and maintains trees and shrubs; fabricates and installs street and traffic signs and pavement markings; clears and maintains storm drains, cleans up leaves, removes fallen branches and storm debris; and does a variety of other maintenance at Village Hall.
- Building Inspector and Code Enforcement Supervisor: The Building Inspector/Code Enforcement Officer's assist the Commissioner of Public Services in the Building Department. They inspect for conformance with the Building Zone Ordinance and Building Code and issues certificates of occupancy. All plumbing and electrical construction work must be done pursuant to a permit either issued by the building inspector or authorized by the Board of Zoning Appeals. The Village Building Inspector and Code Enforcement Supervisor are also the Stormwater Management Officers (SMO) for the Village for minimum control measures 4 and 5 (MCMs 4/5). However, as stated in Section 2.1.3, it is extremely unlikely that the 1-acre soil disturbance threshold for MCMs 4/5 will ever be reached because there are only three (3) properties in the Village that are an acre or more, and the Village owns two of them, and the other is completely developed as an apartment condominium.
- MS4 Engineer: The MS4 Engineer is responsible for submitting the MS4 annual reports to NYSDEC and assisting the various personnel at the Village in MS4 compliance.

Training and in stormwater program is provided through sessions conducted by Nassau County/ NY NEMO, and through briefings with the Village Stormwater Consultant.

The table below identifies several operations involved in MS4 compliance. Any maintenance work in the Village contracted to others must comply with the NYSDEC's third party contractor agreement (shown below). Third party contractors should sign this using the form in Appendix D.

Activity	Mechanism	Frequency
Street Sweeping	DPW	5 times per week in business area and weekly in residential areas
Sidewalk Cleaning	DPW	5 times per week in business area
Drain system inspect & maintenance	DPW	annually
Parking Structure Sweeping	DPW	5 days per week
Parking Lot Sweeping	DPW	5 days per week
Snow and Ice Control	DPW	as needed
Building Maintenance, trash removal, vacuuming and cleaning	3 rd party service	daily
Parks Maintenance	N/A- Village has no parks	N/A
Solid Waste Collection	3 rd Party Carter	<u>Residential</u> : 3 days/wk Recycling: 1 day/week <u>Commercial</u> : 5 days/wk <u>Sidewalk Containers</u> : 7 days/wk
Household Hazardous Waste (S.T.O.P.)	Town of North Hempstead	Information on Town program is posted on Village web-site

5 MS4 Program Budget

There is no line item in the Village budget for the required compliance with the Phase II Stormwater Program. The Village pays for the program out of its operating budget, and, to a limited extent, from available funding.

6 Policies, Procedures and Practices for Each Minimum Control Measure (MCM's)

6.1 Public Education and Outreach Program

The Village uses its website and newsletter, the Plaza Voice, as its primary method of reaching residents with stormwater quality related information. The website homepage has a hyperlink directing the public to the Stormwater Program web page which includes sections on:

- Reporting Illicit Pumping, Dumping
- Cleaning up after your pet
- Not feeding geese and ducks
- Properly using fertilizers and pesticides on your lawn and garden
- Disposing of your garbage properly
- Separating your recyclables and putting them out on the designated day
- Disposing of your household hazardous wastes at a town site
- Stormwater regulations and the construction industry
- What contractors can do at the site

The Plaza Voice is mailed to residents quarterly and always features an article on stormwater management including the topics above and information on car washing, pollution prevention for businesses and water conservation. Copies of past issues of the *Plaza Voice* are posted on the Village Website.

As a Coalition Partner, Nassau County is addressing storm water management issues watershed-wide including Great Neck Plaza. The Nassau County Storm water Management Program Annual Report (SWMPAR) is posted on the on the County website, <http://www.nassaucountyny.gov/agencies/DPW/stormwater.html>

Various educational materials are regularly updated on by Nassau County. For example, the Nassau County Soil and Water Conservation District and the NYS Dept. of Environmental Conservation released their educational film titled *Stormwater Pollution and Green Infrastructure Solutions* on January 28, 2016. This film highlights stormwater runoff impacts throughout New York State and showcases several green infrastructure solutions, it is available to view at this website:

<https://www.youtube.com/watch?v=ATNy-valPXI&feature=youtu.be&t=3s>

6.2 Public Involvement/Participation

The Village Board of Trustees conducts an advertised public meeting each year at the Village Hall on the Stormwater Management Program Annual Report (SWMPAR). The Village has used both meetings and website postings to invite public comment on the annual report and has had no response. Now the website is the primary method.

Other participatory Village activities include the advertised public meetings for:

- The Board of Trustees, for policy issues and all matters of public concern, (held the first and Wednesdays of each month) and
- The Planning Board, for hearings held for site plan review for construction projects (held as needed, usually monthly)

In year 4 of the program, the Village provided a youth group with Storm Drain Awareness Medallions, which were installed as a part of a community service project.

Also, Reference is made to pages 3 and 4 of Nassau County Stormwater Management Program Annual Report. The Village and watershed organizations are listed as an “MS4 Partner” and the County has signed the certification confirming this.

Public involvement and participation activities for residents along the north shore of Nassau County are performed by the Manhasset Bay Protection Committee, Coalition to Save Hempstead Harbor, Friends of the Bay (Oyster Bay), Nassau County and the Town of North Hempstead. The respective websites of the organizations provide details of the dates of activities, locations where they occur and the number of participants. The Village is in compliance with the public involvement and participation requirements and is not planning additional duplicative and redundant efforts.

6.3 Illicit Discharge Detection and Elimination

According to federal regulations, an illicit stormwater discharge is a discharge that is not composed entirely of stormwater. They are considered “illicit” because the municipal stormwater system is not designed to accept, process or dispose of non-stormwater wastes.

The Village staff person responsible for the Village Illicit Discharge Detection and Elimination Program is the Stormwater Management Officer (public works foreman), as identified in **Section 2**.

The Village adopted a local law to prohibit illicit connections to the municipal stormwater system on October 18, 2006. A copy of the Village's local law pertaining to Illicit Discharges to Storm Sewers is included in **Appendix A** of this plan. There were no illicit discharge enforcement actions taken since the local law was adopted at the end of the first five-year program (October 2006 through March 2015).

The Village has prepared an Illicit Discharge Track Down and Elimination Program which is identified in **Appendix E**. This program provides standard tables to log and track outfall illicit discharge field investigations and a standard form to be used for site reconnaissance.

One method of detecting illicit discharges is to conduct inspections of the stormwater system during dry periods, when there should be no flow due to precipitation. The Village is served by a municipal separate sanitary sewer system, so private septic systems are not an issue. The Village monitors the street sides for signs of potential illicit discharges to its system. The Village has no outfalls but has eight (8) connections to the county system. These connections were mapped in year 6. The Village initiated dry weather surveys these interconnections in 2009. These inspections are conducted annually. In addition, the Village's streets and curbs are monitored by DPW forces and code enforcement personnel who look and listen for dry weather flow and for dumping as a part of their maintenance and inspection activities. If moisture or other indicators are found, the Village will find the source and take appropriate action. The Village monitors the street sides for potential illicit discharges to its system. The Village has a standard table to log and track outfall illicit discharge field investigations. Illicit discharges will be logged if found which identifies the discharge, outcome, enforcement taken/needed.

6.4 Construction Site Stormwater Runoff Control

One of the primary pollutants of concern is sediment from construction sites that enters the storm system due to erosion from rainfall on unvegetated and unprotected surfaces.

The Village adopted a local law to require erosion control and stormwater management on construction sites on October 18, 2006. This law applies to all activities within the Village that cause the land disturbance of an acre or more. A copy of the Village's local law pertaining to Erosion Control and Stormwater Management is included in **Appendix B** of this plan. Information from the public concerning construction activities is routed through the Village Building Department, identified in **Section 4**, as well as the Village's Contact page on the website.

The Construction Oversight Program (COP) provides in greater detail the Village's operations for before, during, and closing out SWPPPs and construction activities. The COP is found in **Appendix F** and identifies the procedure for receiving, reviewing, and inspecting SWPPPs within the Village along with a list of all SWPPPs. The Village has a standard form to track active construction sites, a written erosion compliance procedure and a field inspection checklist. As a local practice, the Village requires sediment and erosion control on projects below the acre regulatory threshold when in the opinion of the building Department such measures are warranted. In addition, the Village requires a minimum of 3 inches of runoff storage as a post construction management practice on all new construction and substantial renovations.

According to the Nassau County land records on its GIS system, there are a total of 380 land parcels in the Village and of those only 32 are greater than or equal to one acre (and several of those are owned by the

Village, or the Great Neck Park District). Since the Village is already completely developed, the threshold for the new local law to apply will rarely be met.

Since the passing of the local law, there has been one project that submitted that involved the disturbance of more than an acre, but that project was withdrawn because of lack of funding. Thus, there are no active projects that have been subject to the new local law.

6.5 Post-Construction Stormwater Management

The Village requires that those responsible for construction activities to construct, install and maintain stormwater management facilities. The Village’s requirement is that the systems must be designed with the minimum storage capacity for the runoff from a 3-inch rainfall event.

This exceeds the Stream Channel Protection Volume (C_p) published in the NYS Stormwater Management Design Manual by one-half inch and assures the all pollutants carried by stormwater runoff by a one-year 24-hour storm are retained on-site. Furthermore, subdivisions of 5 lots or more and improvements abutting County roads require retention of five (5) to eight (8) inches of runoff per County requirements. When basement porches or there are potential impacts onto neighboring properties the design rainfall capacity may also be increased to 5-inch or 8-inch events, to limit negative impacts that would have occurred.

This requirement helps ensure that properties located downstream from construction sites are not impacted by stormwater.

6.6 Pollutant Prevention and Good Housekeeping

The following is a table that shows who is responsible for the maintenance of the various activities within Village operations.

Activity	Responsibility	Mechanism
Street sweeping	Village activity	By Village forces (DPW)
Sidewalk cleaning (business area)	Village activity	By Village forces (DPW)
Parking garages & lots	Village activity	By Village forces (DPW)
Solid waste collection & recycling	Village activity	3 rd party by contract
Building maintenance (1 building)	Village activity	3 rd party by contract
Storm drain inspection & maintenance	Village activity	By Village forces (DPW)
Parks maintenance	Great Neck Park Dist.	By others
Street side landscaping & pest control	Village activity, and no pesticides are used	By Village forces (DPW)
Snow & ice control	Village activity	By Village forces (DPW).
Municipal construction	Bid by Village	Outside contractor

The third-party certification requires that the provider adhere to the Phase II pollution prevention requirements. State and Federal environmental laws dictate how the contractors store, transfer, and

dispose of trash, garbage and other solid wastes. Although the Village does not enforce these environmental laws, contracts with its contractors specifically states that State and federal laws must be adhered to.

The Village sweeps its streets daily in the downtown area and weekly in the residential areas with mechanical sweepers. The Village cleans the sidewalks in the business area daily using an industrial vacuum. The two parking structures and three parking lots are swept daily by DPW. Catch basins are cleaned at least once each year and catch basins that accumulate additional sand and sediment are cleaned more often.

All parks within the Village are owned, operated and maintained by the Great Neck Park District, a special district that is independent of the Village.

Street side landscaping is performed seasonally as required to maintain the aesthetics of the Village. In residential areas, homeowners are responsible for right-of-way maintenance.

The Village has one building, Village Hall. The third-party vendor that maintains the building uses green products. Paper is recycled.

The Village through a third-party contract performs solid waste and recycling. Similarly, the Village Hall is cleaned and vacuumed by a third party.

It is the practice to apply a 2:1 sand-salt mix to Village streets for the welfare of the traveling public. Sand and salt are stored indoors on an impervious surface to assure that there are no unintentional releases to the environment.

For any municipal construction subject to MCM 4/5, Construction Activity SPDES Permit coverage will be obtained prior to commencement of work. Since the Village infrastructure and facilities are fully developed, there are no plans for any municipal construction. Any significant improvements will be done by an outside contract.

The Village does not use pesticides or fertilizers on its grounds.

The maintenance vehicles are kept in good condition to lessen the potential of a pollution event. Appropriate materials management is practiced, and recycling of used products is accomplished:

- Lubricants and solvents are stored in appropriate cabinets
- Used oil, antifreeze, solvents, batteries, and tires are recycled
- Secondary containment is provided for used fluids
- Spill kits are on hand
- All vehicle wash water is contained on site

Spill kits are available in the garage in the event of a spill.

Fabco inserts are installed in the 3 catch basins in the DPW maintenance area. They are serviced twice each month.

The Village has a series of standard forms to track municipal operations to ensure that good housekeeping is practiced within the Village.

The Village assesses its programs annually for effectiveness and make appropriate modifications.

7 Management Practice Selection and Measurable Goals

The following is a table of best management practices for each of the six minimum control measures, listed with responsible party, measurable goals and a timetable.

7.1 Public Education and Outreach

<u>BMP</u>	<u>Responsible Party</u>	<u>Measurable Goals</u>	<u>Time Frame</u>
Village Newsletter, <i>Plaza Voice</i>	Village	Mailed to each resident	Quarterly
Village Website	Village	Available continuously for everyone	Current practice
Printed Literature, Brochures, Bookmarks, Handouts	Nassau County and Watershed Groups	30,000 pieces distributed	Current practice
Nassau County Soil & Water Conservation District Newsletter	Nassau County	3,680 in circulation	Quarterly
Educational Courses, Seminars, and Outreach to Schools	Nassau County	Annually	Ongoing activity
Storm Drain Awareness Medallions	Nassau County	3,100 medallions distributed	Ongoing activity

7.2 Public Involvement/Participation

<u>BMP</u>	<u>Responsible Party</u>	<u>Measurable Goals</u>	<u>Time Frame</u>
Public Meetings or web posting for Stormwater Program	Village	Annually	On-going
Public Meetings on Village policy and matters of public concern	Village Board of Trustees	Two each month	First and third Wednesdays of the month
Public Meetings for Construction Projects,	Village Planning Board	Average 10 per year	As applications are heard as applications are received
Storm Drain labeling	Village	Youth service project	June 2005
Cleaning Preserves, Beaches and Shorelines	Nassau County	20 miles of shoreline and 7,000 pounds of litter in 2005 and 10,000 pounds in 2006and	
Education Courses in Schools	Nassau County		
Nassau County Logo and Slogan Contest	Nassau County		2008

7.3 Illicit Discharge Detection and Elimination

BMP	Responsible Party	Measurable Goals	Time Frame
Adopted Local Law	Village	In year 4	October 2006
Outfall Mapping	Village	No outfalls and 8 interconnections identified and mapped	Completed in Yr 6
Storm System Mapping	Village	Entire Village	Completed in 2004
Dry Weather Flow Monitoring	Village	During Permit Term	Beginning in 2009: done in 2011 and 2012

7.4 Construction Site Stormwater Runoff Control

BMP	Responsible Party	Measurable Goals	Time Frame
Adopted Local Law	Village	In yr 4	October 2006
Site Plan Review & SWPPP Requirement	Village	Full SWPPPs for all applications \geq 1 acre of soil disturb.	Ongoing practice
Construction Site Monitoring	Village	All construction \geq 1 acre of soil disturb	Ongoing practice

7.5 Post-Construction Stormwater Management

BMP	Responsible Party	Measurable Goals	Time Frame
Storage & infiltration of runoff for all new const & major renovation	Village	3" min. runoff storage for all new construction and major renovation	On-going requirement
Post Construction Site Monitoring	Village	No overflowing storage devices from a 3" rain	On-going

7.6 Pollutant Prevention and Good Housekeeping

BMP	Responsible Party	Measurable Goals	Time Frame
Street Sweeping	Village (DPW)	All Village streets 5 times per week in business area, weekly in residential areas	On-going
Sidewalk cleaning	Village (DPW)	5 times per week in business area	On-going
Street side landscaping	Village (DPW)	As required to maintain aesthetics	Seasonal Spring -Fall
Parking Structure Sweeping	Village (DPW)	5 times per week	On-going
Parking Lot Sweeping	Village (DPW)	5 times per week	On-going
Storm System Maintenance	Village (DPW)	All structures in system	Annually

Vehicle Maintenance	Village (DPW)	Recycle all oil, antifreeze, solvents, batteries and tires, Secondary containment of all fluids Spill control equipment on hand	On-going
Snow and Ice Control	Village (DPW)	All Village streets	As required
Building maintenance (one Bldg-Village Hall)	Village (3 rd Party)	Use green products, recycle paper	As required

8 Enforcement Measures and Tracking

When stormwater non-compliance is identified by the Village, enforcement actions will be taken promptly but no later than 7 days following identification of the non-compliance. The Village will take appropriate sanctions against the applicant based on the nature and severity of the situation. Non-compliance will be classified as a minor or major violation. The level of enforcement response will depend upon several of the following factors:

- Severity of the violation
- The violator’s knowledge of the regulations being violated.
- A history of violations and/or enforcement actions against the individual or contractor.
- The potential deterrent value of the enforcement action.

The Village will use a progressive enforcement policy, escalating the response when an applicant fails to respond in a timely manner. If the Village identifies a deficiency in the implementation of the approved SWPPP or amendments and the deficiency is not corrected immediately or by a date requested by the Village, the project is in non-compliance. The recommended sequence of enforcement actions is listed below:

1. Verbal Warning
2. Written Warning
3. Stop Work Order
4. Temporary Suspension of Work
5. Require Corrective Action
6. Revocation of Permit
7. Abatement

The Village has taken a comprehensive approach to enforcement through the Enforcement Response Plan, identified in **Appendix H**. The Enforcement Response Plan also identifies how measures taken by the Village will be tracked.

9 GIS, Outfall and System Mapping

The 2024 General Permit updates the requirements for mapping to include GIS solutions. The following maps are included under **Appendix I**. The Village originally mapped its system in 2004 and has been

expanding upon it as necessary. Storm watersheds were mapped in 2009. The Village is in the Cuttermill Brook Watershed that discharges to Little Neck Bay. The Village has no outfalls but has eight (8) connections to the County system. These connections were mapped in year 6. The Village initiated dry weather surveys of these interconnections in 2009. These inspections were conducted annually.

Appendix A

Illicit Discharge Detection & Elimination Law

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~

City

of

GREAT NECK PLAZA

Town

Village

Local Law No.

2

of the year 2006

A local law ~~amending the Village Code by adding thereto a Chapter 180 to include~~
(Insert Title)
~~provisions regulating stormwater collection and management within the~~
~~Village, and specifically to enact an Article I of such chapter to~~
~~prohibit illicit discharges, activities and connections to the storm~~

~~sewer system within the Village~~
Be it enacted by the BOARD OF TRUSTEES of the
(Name of Legislative Body)

~~County~~

City

of

GREAT NECK PLAZA

Town

Village

as follows:

I. INTENT:

The Board of Trustees hereby finds that it will benefit the health, welfare and safety of the Village and its residents to enact provisions in the Village Code addressing various stormwater collection and management issues within the Village. Specifically, it is the purpose of this local law (a) to regulate non-stormwater discharges into the Municipal Separate Storm Sewer System (MS4) to the maximum extent practicable as required by federal and state law, and (b) to establish methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the SPDES General Permit for MS4.

II. AMENDMENT

The Village Code is hereby amended by adding thereto a Chapter 180, entitled "Stormwater Management and Collection", including an Article I thereof, which shall be entitled "Prohibition of Illicit Discharges, Activities and Connections To Separate Storm Sewer System", which shall state as follows:

"Chapter 180

STORMWATER MANAGEMENT AND COLLECTION

Article I

Prohibition Of Illicit Discharges, Activities And Connections To Separate Storm Sewer System

Section 180-1. Objectives

The objectives of this Article are:

- A. To meet the requirements of the SPDES General Permit for Stormwater Discharges for the MS4 (Permit No. GP-02-02 or as amended or revised);
- B. To regulate the contribution of pollutants to the MS4 since such systems are not designed to accept, process or discharge non-stormwater wastes;
- C. To prohibit illicit connections, activities and discharges to the MS4;
- D. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this law; and
- E. To promote public awareness of the hazards involved in the improper discharge of trash, yard waste, lawn chemicals, pet waste, wastewater, grease, oil, petroleum products, cleaning products, paint products, hazardous waste, sediment and other pollutants into the MS4.

Section 180.2. Definitions

Whenever used in this law, unless a different meaning is stated in a definition applicable to only a portion of this Article, the following terms will have meanings set forth below:

- A. **BEST MANAGEMENT PRACTICES (BMPs).** Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and education practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.
- B. **CLEAN WATER ACT.** The Federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq.*), and any subsequent amendments thereto.
- C. **CONSTRUCTION ACTIVITY.** Activities requiring authorization under the SPDES permit for stormwater discharges from construction activity (GP-02-01, as amended or revised). These activities include construction projects resulting in land disturbance of one or more acres. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.
- D. **DEPARTMENT.** The New York State Department of Environmental Conservation.
- E. **DESIGN PROFESSIONAL.** New York State licensed professional engineer or licensed architect.
- F. **HAZARDOUS MATERIALS.** Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.
- G. **ILLICIT CONNECTIONS.** Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the MS4, including but not limited to:
 - 1. Any conveyances which allow any non-stormwater discharge including treated or untreated sewage, process wastewater, and wash water to enter the MS4 and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency; or

2. Any drain or conveyance connected from a commercial or industrial land use to the MS4 which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.
- H. ILLICIT DISCHARGE. Any direct or indirect non-stormwater discharge to the MS4, except as exempted in Section 180-5 of this Article.
- I. INDIVIDUAL SEWAGE TREATMENT SYSTEM. A facility serving one or more parcels of land or residential households, or a private, commercial or institutional facility, that treats sewage or other liquid wastes for discharge into the groundwaters of New York State, except where a permit for such a facility is required under the applicable provisions of Article 17 of the Environmental Conservation Law.
- J. INDUSTRIAL ACTIVITY. Activities requiring the SPDES permit for discharges from industrial activities except construction (GP-98-03, as amended or revised).
- K. MS4. Municipal Separate Storm Sewer System.
- L. MUNICIPAL SEPARATE STORM SEWER SYSTEM. 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 the Village of Great Neck Plaza;
 2. Designed or used for collecting or conveying stormwater;
 3. Which is not a combined sewer; and
 4. Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40CFR 122.2.
- M. MUNICIPALITY. The Village of Great Neck Plaza ("Village").
- N. NON-STORMWATER DISCHARGE. Any discharge to the MS4 that is not composed entirely of stormwater.
- O. PERSON. Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.
- P. POLLUTANT. Dredged spoil, filter backwash, solid waste, incinerator residue, treated or untreated 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.

- Q. PREMISES. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.
- R. SPECIAL CONDITIONS.
1. DISCHARGE COMPLIANCE WITH WATER QUALITY STANDARDS. The condition that applies where a municipality has been notified that the discharge of stormwater authorized under its MS4 permit may have caused or has the reasonable potential to cause or contribute to the violation of an applicable water quality standard. Under this condition the municipality must take all necessary actions to ensure future discharges do not cause or contribute to a violation of water quality standards.
 2. 303(d) LISTED WATERS. The condition in the municipality's MS4 permit that applies where the MS4 discharges to a 303(d) listed water. Under this condition the stormwater management program must ensure no increase of the listed pollutant of concern to the 303(d) listed water.
 3. TOTAL MAXIMUM DAILY LOAD (TMDL) STRATEGY. The condition in the municipality's MS4 permit where a TMDL including requirements for control of stormwater discharges has been approved by EPA for a waterbody or watershed into which the MS4 discharges.
 4. The condition in the municipality's MS4 permit that applies if a TMDL is approved in the future by EPA for any waterbody or watershed into which an MS4 discharges. Under this condition the municipality must review the applicable TMDL to see if it includes requirements for control of stormwater discharges. If an MS4 is not meeting the TMDL stormwater allocations, the municipality must, within six (6) months of the TMDL's approval, modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.
- S. STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES) STORMWATER DISCHARGE PERMIT. A permit issued by the Department that authorizes the discharge of pollutants to waters of the state.
- T. STORMWATER. Rainwater, surface runoff, snowmelt and drainage.
- U. STORMWATER MANAGEMENT OFFICER (SMO). An employee, the municipal engineer or other public official(s) designated by the Village to enforce this local law. The SMO may also be designated by the municipality to accept and review stormwater pollution prevention plans, forward the plans to the applicable municipal board and inspect stormwater management practices. Unless the Board of Trustees

of the Village hereinafter designates otherwise, the SMO shall be The Village Commissioner of Public Service.

- V. 303(d) LIST. A list of all surface waters in the state for which beneficial uses of the water (drinking, recreation, aquatic habitat, and industrial use) are impaired by pollutants, prepared periodically by the Department as required by Section 303(d) of the Clean Water Act. 303(d) listed waters are estuaries, lakes and streams that fall short of state surface water quality standards and are not expected to improve within the next two years.
- W. TMDL. Total Maximum Daily Load.
- X. TOTAL MAXIMUM DAILY LOAD. The maximum amount of a pollutant to be allowed to be released into a waterbody so as not to impair uses of the water, allocated among the sources of that pollutant.
- Y. WASTEWATER. Water that is not stormwater, is contaminated with pollutants and is or will be discarded.

Section 180-3. Applicability.

This Article shall apply to all water entering the MS4 generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

Section 180-4. Responsibility For Administration.

The Stormwater Management Officer(s) shall administer, implement, and enforce the provisions of this Article. Such powers granted or duties imposed upon the authorized enforcement official may be delegated in writing by the SMO as may be authorized by the municipality.

Section 180-5. Discharge Prohibitions.

A. Prohibition of Illegal Discharges.

No person shall discharge or cause to be discharged into the MS4 any materials other than stormwater except as provided in Section 180-5(A)(1). The commencement, conduct or continuance of any illegal discharge to the MS4 is prohibited except as described as follows:

1. The following discharges are exempt from discharge prohibitions established by this Article, unless the Department or the Village has determined them to be substantial contributors of pollutants: water line flushing or other potable water sources, landscape irrigation or lawn watering, existing diverted stream flows, rising groundwater, uncontaminated groundwater infiltration to storm

drains, uncontaminated pumped groundwater, foundation or footing drains, crawl space or basement sump pumps, air conditioning condensate, irrigation water, springs, water from individual residential car washing, natural riparian habitat or wetland flows, dechlorinated swimming pool discharges, residential street wash water, water from fire fighting activities, and any other water source not containing pollutants. Such exempt discharges shall be made in accordance with an appropriate plan for reducing pollutants.

2. Discharges approved in writing by the SMO to protect life or property from imminent harm or damage, provided that such approval shall not be construed to constitute compliance with other applicable laws and requirements, and further provided that such discharges may be permitted for a specified time period and under such conditions as the SMO may deem appropriate to protect such life and property while reasonably maintaining the purpose and intent of this local law.
3. Dye testing in compliance with applicable state and local laws is an allowable discharge, but requires a verbal notification to the SMO prior to the time of the test.
4. The prohibition shall not apply to any discharge permitted under a SPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Department, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the MS4.

B. Prohibition of Illicit Connections.

1. The construction, use, maintenance or continued existence of illicit connections to the MS4 is prohibited.
2. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
3. A person is considered to be in violation of this Article if the person connects a line conveying sewage to the municipality's MS4, or allows such a connection to continue.

Section 180-6. Prohibition Against Failing Individual Sewage Treatment Systems

No persons shall operate a failing individual sewage treatment system in areas tributary to the municipality's MS4. A failing individual sewage treatment system is one which has one or more of the following conditions:

- A. The backup of sewage into a structure.
- B. Discharges of treated or untreated sewage onto the ground surface.
- C. A connection or connections to a separate stormwater sewer system.
- D. Liquid level in the septic tank above the outlet invert.
- E. Structural failure of any component of the individual sewage treatment system that could lead to any of the other failure conditions as noted in this section..
- F. Contamination of off-site groundwater.

Section 180-7. Prohibition Against Activities Contaminating Stormwater

- A. Activities that are subject to the requirements of this section are those types of activities that:
 - 1. cause or contribute to a violation of the municipality's MS4 SPDES permit.
 - 2. cause or contribute to the municipality being subject to the Special Conditions as defined in Section 180-2 (Definitions) of this Article.
- B. Such activities include failing individual sewage treatment systems as defined in Section 180-6, improper management of pet waste or any other activity that causes or contributes to violations of the municipality's MS4 SPDES permit authorization.
- C. Upon notification to a person that he or she is engaged in activities that cause or contribute to violations of the municipality's MS4 SPDES permit authorization, that person shall take all reasonable actions to correct such activities such that he or she no longer causes or contributes to violations of the municipality's MS4 SPDES permit authorization.

Section 180-8. Requirement To Prevent, Control, And Reduce Stormwater Pollutants By The Use Of Best Management Practices.

- A. Best Management Practices.

Where the SMO has identified illicit discharges as defined in Section 180-2 or activities contaminating stormwater as defined in Section 180-7, the municipality may require implementation of Best Management Practices (BMPs) to control those illicit discharges and activities.

1. The owner or operator of a commercial or industrial establishment shall provide, at its own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the MS4 through the use of structural and non-structural BMPs.
2. Any person responsible for a property or premise, which is, or may be, the source of an illicit discharge as defined in Section 180-2 or an activity contaminating stormwater as defined in Section 180-7, may be required to implement, at said person's expense, additional structural and non-structural BMPs to reduce or eliminate the source of pollutant(s) to the MS4.
3. Compliance with all terms and conditions of a valid SPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section.

B. Individual Sewage Treatment Systems - Response to Special Conditions Requiring No Increase of Pollutants or Requiring a Reduction of Pollutants

Where individual sewage treatment systems are contributing to the municipality's being subject to the Special Conditions as defined in Section 180-2 of this Article, the owner or operator of such individual sewage treatment systems shall be required to:

1. Maintain and operate individual sewage treatment systems as follows:
 - a. Inspect the septic tank annually to determine scum and sludge accumulation. Septic tanks must be pumped out whenever the bottom of the scum layer is within three inches of the bottom of the outlet baffle or sanitary tee or the top of the sludge is within ten inches of the bottom of the outlet baffle or sanitary tee.
 - b. Avoid the use of septic tank additives.
 - c. Avoid the disposal of excessive quantities of detergents, kitchen wastes, laundry wastes, and household chemicals; and
 - d. Avoid the disposal of cigarette butts, disposable diapers, sanitary napkins, trash and other such items.
2. Repair or replace individual sewage treatment systems as follows:
 - a. In accordance with 10 NYCRR Appendix 75A to the maximum extent practicable.

- b. A design professional licensed to practice in New York State shall prepare design plans for any type of absorption field that involves:
 - (i) Relocating or extending an absorption area to a location not previously approved for such.
 - (ii) Installation of a new subsurface treatment system at the same location.
 - (iii) Use of alternate system or innovative system design or technology.
- c. A written certificate of compliance shall be submitted by the design professional to the municipality at the completion of construction of the repair or replacement system.

Section 180-9. Suspension Of Access To MS4.

- A. Illicit Discharges in Emergency Situations. The SMO may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, to the health or welfare of persons, or to the MS4. The SMO shall notify the person of such suspension within a reasonable time thereafter in writing of the reasons for the suspension. If the violator fails to comply with a suspension order issued in an emergency, the SMO may take such steps as deemed necessary to prevent or minimize damage to the MS4 or to minimize danger to persons.
- B. Suspension due to the detection of illicit discharge. Any person discharging to the municipality's MS4 in violation of this Article may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The SMO will notify a violator in writing of the proposed termination of its MS4 access and the reasons therefor. The violator may petition the SMO for a reconsideration and hearing. Access may be granted by the SMO if he/she finds that the illicit discharge has ceased and the discharger has taken steps to prevent its recurrence. Access may be denied if the SMO determines in writing that the illicit discharge has not ceased or is likely to recur. A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the SMO.

Section 180-10. Industrial Or Construction Activity Discharges.

Any person subject to an industrial or constructive activity SPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the municipality prior to the allowing of discharges to the MS4.

Section 180-11. Access And Monitoring Of Discharges.

- A. Applicability. This section applies to all facilities that the SMO must inspect to enforce any provision of this Article, or whenever the authorized enforcement agency has cause to believe that there exists, or potentially exists, in or upon any premises any condition which constitutes a violation of this Article.
- B. Access to Facilities.
1. The SMO shall be permitted to enter and inspect facilities subject to regulation under this Article as often as may be necessary to determine compliance with this Article. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to the SMO.
 2. Facility operators shall allow the SMO ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records as may be required to implement this Article.
 3. The municipality shall have the right to set up on any facility subject to this Article such devices as are necessary in the opinion of the SMO to conduct monitoring and/or sampling of the facility's stormwater discharge.
 4. The municipality has the right to require the facilities subject to this Article to install monitoring equipment as is reasonably necessary to determine compliance with this Article. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.
 5. Unreasonable delays in allowing the municipality access to a facility subject to this law is a violation of this law. A person who is the operator of a facility subject to this law commits an offense if the person denies the municipality reasonable access to the facility for the purpose of conducting any activity authorized or required by this law.

6. If the SMO has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this Article, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this law or any order issued hereunder, then the SMO may seek issuance of a search warrant from any court of competent jurisdiction.

Section 180-12. Notification of Spills.

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into the MS4, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the municipality in person or by telephone or facsimile no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the municipality within three business days of the telephone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

Section 189-13. Enforcement.

A. Notice of Violation.

When the municipality's SMO finds that a person has violated a prohibition or failed to meet a requirement of this law, he/she may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:

1. The elimination of illicit connections or discharges;
2. That violating discharges, practices, or operations shall cease and desist;
3. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
4. The performance of monitoring, analyses, and reporting;
5. Payment of a fine; and

6. The implementation of source control or treatment BMPs. If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.

B. Penalties

In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this Article shall be guilty of a violation punishable by a fine not exceeding three hundred fifty dollars (\$350) or imprisonment for a period not to exceed six months, or both for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than three hundred fifty dollars nor more than seven hundred dollars (\$700) or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense all of which were committed within a period five years, punishable by a fine not less than seven hundred dollars nor more than one thousand (\$1,000) or imprisonment for a period not to exceed six months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this Article shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.

Section 180-14. Appeal of Notice of Violation.

Any person receiving a Notice of Violation may appeal the determination of the SMO to the Village Board of Trustees within 15 days of its issuance, which shall hear the appeal within 30 days after the filing of the appeal, and within five days of making its decision, file its decision in the office of the municipal clerk and mail a copy of its decision by certified mail to the discharger.

Section 180-15. Corrective Measures After Appeal.

- A. If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, within 5 business days of the decision of the Village Board of Trustees upholding the decision of the SMO, then the SMO shall request the owner's permission for access to the subject private property to take any and all measures reasonably necessary to abate the violation and/or restore the property.
- B. If refused access to the subject private property, the SMO may seek a warrant in a court of competent jurisdiction to be authorized to enter upon the property to determine whether a violation has occurred. Upon determination that a violation has

occurred, the SMO may seek a court order to take any and all measures reasonably necessary to abate the violation and/or restore the property. The cost of implementing and maintaining such measures shall be the sole responsibility of the discharger.

Section 180-16. Injunctive Relief.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Article. If a person has violated or continues to violate the provisions of this law, the SMO may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

Section 180-17. Alternative Remedies.

- A. Where a person has violated a provision of this Article, he/she may be eligible for alternative remedies in lieu of a civil penalty, upon recommendation of the Village Attorney and concurrence of the Village Commission of Public Services where:
 - 1. The violation was unintentional.
 - 2. The violator has no history of previous violations of this Article.
 - 3. Environmental damage was minimal.
 - 4. Violator acted quickly to remedy violation.
 - 5. Violator cooperated in investigation and resolution.

- B. Alternative remedies may consist of one or more of the following:
 - 1. Attendance at compliance workshops
 - 2. Storm drain stenciling or storm drain marking
 - 3. River, stream or creek cleanup activities

Section 180-18. Violations Deemed A Public Nuisance.

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this Article is a threat to public health, safety and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

Section 180-19. Remedies Not Exclusive.

The remedies listed in this Article are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.”

III. SEVERABILITY

The invalidity of any sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law which can be given effect without such invalid part or parts.

IV. EFFECTIVE DATE

This local law shall become effective immediately as provided in the Municipal Home Rule Law upon being filed in the Office of the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of the (County)(City)(Town)(Village) of Great Neck Plaza was duly passed by the Board of Trustees on _____, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

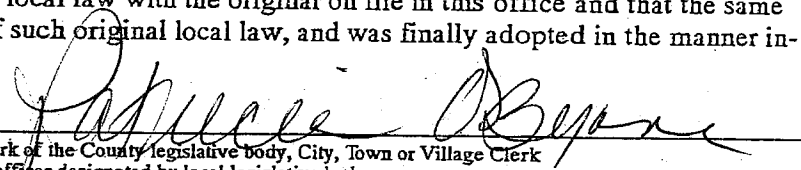
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.



Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

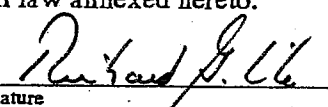
Date: 10/18/06

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF Nassau

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature

Village Attorney

Title

County _____
City _____
Town of GREAT NECK PLAZA
Village _____

Date: 10-18-06

Appendix B

Erosion & Sedimentation Control Law

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~

City

of GREAT NECK PLAZA

Town

Village

Local Law No. 3 of the year 20 06

A local law amending the Village Code by adding an Article II to Chapter 180
(Insert Title)
thereof to include provisions for stormwater management and erosion
and sediment control

Be it enacted by the BOARD OF TRUSTEES of the
(Name of Legislative Body)

~~County~~

City

of GREAT NECK PLAZA

Town

Village

as follows:

I. INTENT:

The Board of Trustees hereby finds that it will benefit the health, welfare and safety of the Village and its residents to enact additional provisions in the Village Code to address various stormwater management issues, specifically those relating to erosion and sediment control.

II. AMENDMENT

The Village Code is hereby amended by adding thereto an Article II of Chapter 180 entitled "Stormwater Management And Erosion and Sediment Control", which shall state as follows:

“ARTICLE II

Stormwater Management And Erosion and Sediment Control

Section 180-20. Findings of Fact

It is hereby determined that:

- A. Land development activities and associated increases in site impervious cover often alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, flooding, stream channel erosion, or sediment transport and deposition;
- B. This stormwater runoff contributes to increased quantities of water-borne pollutants, including siltation of aquatic habitat for fish and other desirable species;
- C. Clearing and grading during construction tends to increase soil erosion and add to the loss of native vegetation necessary for terrestrial and aquatic habitat;
- D. Improper design and construction of stormwater management practices can increase the velocity of stormwater runoff thereby increasing stream bank erosion and sedimentation;
- E. Impervious surfaces allow less water to percolate into the soil, thereby decreasing groundwater recharge and stream baseflow;
- F. Substantial economic losses can result from these adverse impacts on the waters of the municipality;
- G. Stormwater runoff, soil erosion and nonpoint source pollution can be controlled and minimized through the regulation of stormwater runoff from land development activities;
- H. The regulation of stormwater runoff discharges from land development activities in order to control and minimize increases in stormwater runoff rates and volumes, soil erosion, stream channel erosion and nonpoint source pollution associated with stormwater runoff is in the public interest and will minimize threats to public health and safety.
- I. Regulation of land development activities by means of performance standards governing stormwater management and site design will produce development

compatible with the natural functions of a particular site or an entire watershed and thereby mitigate the adverse effects of erosion and sedimentation from development.

Section 180-21. Purpose.

The purpose of this Article is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public residing within this jurisdiction and to address the findings of fact in Section 180-20 hereof. This Article seeks to meet those purposes by achieving the following objectives:

- A. Meet the requirements of minimum measures 4 and 5 of the SPDEs General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s) (Permit No. GP 02-02 or as amended or revised);
- B. Require land development activities to conform to the substantive requirements of the NYS Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities (GP-02-01 or as amended or revised);
- C. Minimize increases in stormwater runoff from land development activities in order to reduce flooding, siltation, increases in stream temperature, and streambank erosion and maintain the integrity of stream channels;
- D. Minimize increases in pollution caused by stormwater runoff from land development activities which would otherwise degrade local water quality;
- E. Minimize the total annual volume of stormwater runoff which flows from any specific site during and following development to the maximum extent practicable; and
- F. Reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through stormwater management practices and to ensure that these management practices are properly maintained and eliminate threats to public safety.

Section 180-22. Applicability.

- A. This Article shall be applicable to all land development activities as defined in Section 180-23.
- B. The Village shall designate a Stormwater Management Officer who shall accept and review all stormwater pollution prevention plans and forward such plans to the Village Board of Trustees. The Stormwater Management Officer may (1) review the

plans, (2) upon approval by the Village Board of Trustees, engage the services of a registered professional engineer to review the plans, specifications and related documents at a cost not to exceed a fee schedule established by said Board, or (3) accept the certification of a licensed professional that the plans conform to the requirements of this Article.

- C. All land development activities subject to review and approval by the Village Board of Trustees, by the Village Board of Zoning and Appeals or by the Village Planning Board under subdivision, site plan permit of compliance, variance, conditional permit and/or special permit regulations shall be reviewed subject to the standards contained in this Article.
- D. All land development activities not subject to review as stated in Section 180-22(C) shall be required to submit a Stormwater Pollution Prevention Plan (SWPPP) to the Stormwater Management Officer who shall approve the SWPPP if it complies with the requirements of this law.

Section 180-23. Exemptions.

The following activities are exempt from review under this Article.

- A. Agricultural activity as defined in this Article.
- B. Silvicultural activity except that landing areas and log haul roads are subject to this law.
- C. Routine maintenance activities that disturb less than five acres and are performed to maintain the original line and grade, hydraulic capacity or original purpose of a facility.
- D. Repairs to any stormwater management practice or facility deemed necessary by the Stormwater Management Officer.
- E. Any part of a subdivision if a plat for the subdivision has been approved by the Village Board of Trustees or Village Planning Board on or before the effective date of this Article.
- F. Land development activities for which a building permit has been approved on or before the effective date of this Article.
- G. Cemetery graves.

- H. Installation of fence, sign, telephone, and electric poles and other kinds of posts or poles.
- I. Emergency activity immediately necessary to protect life, property or natural resources.
- J. Activities of an individual engaging in home gardening by growing flowers, vegetable and other plants primarily for use by that person and his or her family.
- K. Landscaping and horticultural activities in connection with an existing structure.

Section 180-24. Definitions.

The terms used in this Article shall have the meaning as set forth in this section.

- A. **Agricultural Activity** - the activity of an active farm including grazing and watering livestock, irrigating crops, harvesting crops, using land for growing agricultural products, and cutting timber for sale, but shall not include the operation of a dude ranch or similar operation, or the construction of new structures associated with agricultural activities.
- B. **Applicant** - a property owner or agent of a property owner who has filed an application for a land development activity.
- C. **Building** - any structure, either temporary or permanent, having walls and a roof, designed for the shelter of any person, animal or property, and occupying more than 10 square feet of area.
- D. **Channel** - a natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.
- E. **Clearing** - any activity that removes the vegetative surface cover.
- F. **Dedication** - the deliberate appropriation of property by its owner for general public use.
- G. **Department** - the New York State Department of Environmental Conservation
- H. **Design Manual** - the *New York State Stormwater Management Design Manual* (most recent version including applicable updates) that serves as the official guide for stormwater management principles, methods and practices.
- I. **Developer** - a person who undertakes land development activities.

- J. **Erosion Control Manual** - the most recent version of the "New York Standards and Specifications for Erosion and Sediment Control" manual, commonly known as the "Blue Book".
- K. **Grading** - excavation or fill of material, including the resulting conditions thereof.
- L. **Impervious Cover** - those surfaces, improvements and structures that cannot effectively infiltrate rainfall, snow melt and water (e.g., building rooftops, pavement, sidewalks, driveways, etc.)
- M. **Industrial Stormwater Permit** - a State Pollutant Discharge Elimination System permit issued to a commercial industry or group of industries which regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies.
- N. **Infiltration** - the process of percolating stormwater into the subsoil.
- O. **Jurisdictional Wetland** - an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.
- P. **Land Development Activity** - construction activity including clearing, grading, excavating, soil disturbance or placement of fill that results in land disturbance.
- Q. **Landowner** - the legal or beneficial owner of land, including those holding the right to purchase or lease the land, or any other person holding proprietary rights in the land.
- R. **Maintenance Agreement** - a legally recorded document that acts as a property deed restriction, and which provides for long-term maintenance of stormwater management practices.
- S. **Municipality** - The Village of Great Neck Plaza.
- T. **Nonpoint Source Pollution** - pollution from any source other than from any discernible, confined, and discrete conveyances, and shall include, but not be limited to, pollutants from agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.
- U. **Phasing** - clearing a parcel of land in distinct pieces or parts, with the stabilization of each piece completed before the clearing of the next.

- V. **Pollutant of Concern** - sediment or a water quality measurement that addresses sediment (such as total suspended solids, turbidity or siltation) and any other pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from the land development activity.
- W. **Project** - land development activity.
- X. **Recharge** - the replenishment of underground water reserves.
- Y. **Sediment Control** - measures that prevent eroded sediment from leaving the site.
- Z. **Sensitive Areas** - cold water fisheries, shellfish beds, swimming beaches, groundwater recharge areas, water supply reservoirs, habitats for threatened, endangered or special concern species.
- AA. **SPDES General Permit for Construction Activities GP-02-01** - A permit under the New York State Pollutant Discharge Elimination System (SPDES) issued to developers of construction activities to regulate disturbance of one or more acres of land.
- BB. **SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems GP-02-02** - a permit under the New York State Pollutant Discharge Elimination System (SPDES) issued to municipalities to regulate discharges from municipal separate storm sewers for compliance with EPA established water quality standards and/or to specify stormwater control standards.
- CC. **Stabilization** - the use of practices that prevent exposed soil from eroding.
- DD. **Stop Work Order** - an order issued which requires that all construction activity on a site be stopped.
- EE. **Stormwater** - rainwater, surface runoff, snowmelt and drainage.
- FF. **Stormwater Hotspot** - a land use or activity that generates higher concentrations of hydrocarbons, trace metals or toxicants that are found in typical stormwater runoff, based on monitoring studies.
- GG. **Stormwater Management** - the use of structural or non-structural practices that are designed to reduce stormwater runoff and mitigate its adverse impacts on property, natural resources and the environment.

- HH. **Stormwater Management Facility** - one or a series of stormwater management practices installed, stabilized and operating for the purpose of controlling stormwater runoff.
- II. **Stormwater Management Officer** - an employee or officer designated by the Village to accept and review stormwater pollution prevention plans, forward the plans to the applicable municipal board and inspect stormwater management practices.
- JJ. **Stormwater Management Practices (SMPs)** - measures, either structural or nonstructural, that are determined to be the most effective, practical means of preventing flood damage and preventing or reducing point source or nonpoint source pollution inputs to stormwater runoff and water bodies.
- KK. **Stormwater Pollution Prevention Plan (SWPPP)** - a plan for controlling stormwater runoff and pollutants from a site during and after construction activities.
- LL. **Stormwater Runoff** - flow on the surface of the ground, resulting from precipitation.
- MM. **Surface Waters of the State of New York** - lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, 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 or underground waters), which are wholly or partially within or bordering the state or within its jurisdiction.
- Storm sewers and waste treatment systems, including treatment ponds or lagoons which also meet the criteria of this definition are not waters of the state. This exclusion applies only to manmade bodies of water which neither were originally created in waters of the State (such as a disposal area in wetlands) nor resulted from impoundment of waters of the state.
- NN. **Village.** The Village of Great Neck Plaza.
- OO. **Watercourse** - a permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.
- PP. **Waterway** - a channel that directs surface runoff to a watercourse or to the public storm drain.

Section 180-25. Stormwater Pollution Prevention Plans

A. Stormwater Pollution Prevention Plan Requirement

No application for approval of a land development activity shall be reviewed until the appropriate board has received a Stormwater Pollution Prevention Plan (SWPPP) prepared in accordance with the specifications in this Article. A SWPPP consistent with the requirements of this Article shall be required in connection with preliminary and final plat approval under Chapter 187 of the Village Code; for site plan approval under Chapter 225 of the Village Code; for a permit of compliance under Chapter 225 of the Village Code; and in connection with any other approval to be issued by the Village for a land development activity, including building permits, variances and conditional use permits, as appropriate.

B. Contents of Stormwater Pollution Prevention Plans

1. All SWPPs shall provide the following background information and erosion and sediment controls:
 - a. Background information about the scope of the project, including location, type and size of project.
 - b. Site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map should 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); wetlands and drainage patterns that could be affected by the construction activity; existing and final slopes; locations of off-site material, waste, borrow or equipment storage areas; and location(s) of the stormwater discharge(s). Site map should be at a scale no smaller than 1" = 100' (e.g. 1" = 500" is smaller than 1" = 100").
 - c. Description of the soil(s) present at the site.
 - d. Construction phasing plan describing the intended sequence of construction activities, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other activity at the site that results in soil disturbance. Consistent with the New York Standards and Specifications for Erosion and Sediment Control (Erosion Control Manual), not more than five (5) acres shall be distributed at any one time unless pursuant to an approved SWPPP.

- e. Description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a pollutant source in stormwater runoff.
- f. Description of construction and waste materials expected to be stored on-site with updates as appropriate, and a description of controls to reduce pollutants from these materials including storage practices to minimize exposure of the materials to stormwater, and spill prevention and response.
- g. Temporary and permanent structural and vegetative measures to be used for soil stabilization, runoff control and sediment control for each state of the project from initial land clearing and grubbing to project close-out.
- h. A site map/construction drawing(s) specifying the location(s), size(s) and length(s) of each erosion and sediment control practice.
- i. Dimensions, material specifications and installation details for all erosion and sediment control practices, including the siting and sizing of any temporary sediment basins.
- j. Temporary practices that will be converted to permanent control measures.
- k. Implementation schedule for staging temporary erosion and sediment control practices, including the timing of initial placement and duration that each practice should remain in place.
- l. Maintenance schedule to ensure continuous and effective operation of the erosion and sediment control practice.
- m. Name(s) of the receiving water(s).
- n. Delineation of SWPPP implementation responsibilities for each part of the site.
- o. Description of structural practices designed to divert flows from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable.
- p. Any existing data that describes the stormwater runoff at the site.

2. Land development activities as defined in Section 180-24(P) of this Article and meeting Condition "A", "B" or "C" below shall also include water quantity and air quality controls (post-construction stormwater runoff controls) as set forth in Section 180-25(B)(3) below as applicable.

Condition A - Stormwater runoff from land development activities discharging a pollutant of concern to either an impaired water identified on the Department's 303(d) list of impaired waters or a Total Maximum Daily Load (TMDL) designated watershed for which pollutants in stormwater have been identified as a source of the impairment.

Condition B - Stormwater runoff from land development activities disturbing five (5) or more acres.

Condition C - Stormwater runoff from land development activity disturbing between one (1) and five (5) acres of land during the course of the project, exclusive of the construction of single family residences and construction activities at agricultural properties.

3. SWPPP Requirements for Condition A, B and C:
 1. All information in Section 180-25(B)(1) of this Article.
 2. Description of each post-construction stormwater management practice.
 3. Site map/construction drawing(s) showing the specific location(s) and size(s) of each post-construction stormwater management practice.
 4. Hydrologic and hydraulic analysis for all structural components of the stormwater management system for the applicable design storms.
 5. Comparison of post-development stormwater runoff conditions with pre-development conditions.
 6. Dimensions, material specifications and installation details for each post-construction stormwater management practice.
 7. Maintenance schedule to ensure continuous and effective operation of each post-construction stormwater management practice.

8. Maintenance easements to ensure access to all stormwater management practices at the site for the purpose of inspection and repair. Easements shall be recorded on the plan and shall remain in effect with transfer of title to the property.
9. Inspection and maintenance agreement binding on all subsequent landowners served by the on-site stormwater management measures in accordance with.

4. Plan Certification

The SWPPP shall be prepared by a landscape architect, certified professional or professional engineer and must be signed by the professional preparing the plan, who shall certify that the design of all stormwater management practices meet the requirements in this Article.

5. Other Environmental Permits

The applicant shall assure that all other applicable environmental permits have been or will be acquired for the land development activity prior to approval of the final stormwater design plan.

6. Contractor Certification

- A. Each contractor and subcontractor identified in the SWPPP who will be involved in soil disturbance and/or stormwater management practice installation shall sign and date a copy of the following certification statement before undertaking any land development activity: "I certify under penalty of law that I understand and agree to comply with the terms and conditions of the Stormwater Pollution Prevention Plan. I also understand that it is unlawful for any person to cause or contribute to a violation of water quality standards."
- B. The certification must include the name and title of the person providing the signature, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification is made.
- C. The certification statement(s) shall become part of the SWPPP for the land development activity.

7. A copy of the SWPPP shall be retained at the site of the land development activity during construction from the date of initiation of construction activities to the date of final stabilization.

Section 180-26. Performance and Design Criteria for Stormwater Management and Erosion and Sediment Control

All land development activities shall be subject to the following performance and design criteria:

A. Technical Standards

For the purpose of this Article, the following documents shall serve as the official guides and specifications for stormwater management. Stormwater management practices that are designed and constructed in accordance with these technical documents shall be presumed to meet the standards imposed by this Article:

1. The New York State Stormwater Management Design Manual (New York State Department of Environmental Conservation, most current version or its successor, hereafter referred to as the Design Manual)
2. New York Standards and Specifications for Erosion and Sediment Control (Empire State Chapter of the Soil and Water Conservation Society, 2004, most current version or its successor, hereafter referred to as the Erosion Control Manual).

B. Water Quality Standards

Any land development activity shall not cause an increase in turbidity that will result in substantial visible contrast to natural conditions in surface waters of the State of New York.

Section 180-27. Maintenance and Repair of Stormwater Facilities

A. Maintenance During Construction

1. The applicant or developer of the land development activity shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the applicant or developer to achieve compliance with the conditions of this Article. Sediment shall be removed from sediment traps or sediment ponds whenever their design capacity has been reduced by fifty (50) percent.
2. The applicant or developer or their representative shall be on site at all times

when construction or grading activity takes place and shall inspect and document the effectiveness of all erosion and sediment control practices. Inspection reports shall be completed every 7 days and within 24 hours of any storm event producing 0.5 inches of precipitation or more. The reports shall be delivered to the Stormwater Management Officer and also copied to the site log book.

B. Maintenance Easement(s)

Prior to the issuance of any approval that has a stormwater management facility as one of the requirements, the applicant or developer must execute a maintenance easement agreement that shall be binding on all subsequent landowners served by the stormwater management facility. The easement shall provide for access to the facility at reasonable times for periodic inspection by the Village and its appropriate officials to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this Article. The easement shall be recorded by the grantor in the office of the County Clerk after approval by the Village Attorney.

C. Maintenance after Construction

The owner or operator of permanent stormwater management practices installed in accordance with this Article shall be operated and maintained to achieve the goals of this Article. Proper operation and maintenance also includes as a minimum, the following:

1. A preventive/corrective maintenance program for all critical facilities and systems of treatment and control (or related appurtenances) which are installed or used by the owner or operator to achieve the goals of this law.
2. Written procedures for operation and maintenance and training new maintenance personnel.
3. Discharges from the SMPs shall not exceed design criteria or cause or contribute to water quality standard violations in accordance with Section 180-26(B).

D. Maintenance Agreements

The Village shall approve a formal maintenance agreement for stormwater management facilities binding on all subsequent landowners and recorded in the office of the County Clerk as a deed restriction on the property prior to final plan approval. The maintenance agreement shall be consistent with the terms and

conditions of Schedule B of this Village entitled Sample Stormwater Control Facility Maintenance Agreement. The Village, in lieu of a maintenance agreement, at its sole discretion may accept dedication of any existing or future stormwater management facility, provided such facility meets all the requirements of this Article and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

Section 180-28. Construction Inspection.

A. Erosion and Sediment Control Inspection

The Stormwater Management Officer may require such inspection as necessary to determine compliance with this Article and may either approve that portion of the work completed or notify the applicant wherein the work fails to comply with the requirements of this Article and the stormwater pollution prevention plan (SWPPP) as approved. To obtain inspections, the applicant shall notify the Village enforcement official at least 48 hours before any of the following as required by the Stormwater Management Officer.

1. Start of construction
2. Installation of sediment and erosion control measures
3. Completion of site clearing
4. Completion of rough grading
5. Completion of final grading
6. Close of the construction season
7. Completion of final landscaping
8. Successful establishment of landscaping in public areas.

If any violations are found, 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 Stormwater Management Officer.

B. Stormwater Management Practice Inspections

The Stormwater Management Officer is responsible for conducting inspections of stormwater management practices (SMPs). All applicants are required to submit "as built" plans for any stormwater management practices located on-site after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and must be certified by a professional engineer.

C. Inspection of Stormwater Facilities After Project Completion

Inspection programs shall be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants; inspections of business or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of state or federal water or sediment quality standards or the SPDES stormwater permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other stormwater management practices.

D. Submission of Reports

The Stormwater Management Officer may require monitoring and reporting from entities subject to this Article as are necessary to determine compliance with this Article.

E. Right-Of-Entry for Inspection

When any new stormwater management facility is installed on private property or when any new connection is made between private property and the public storm water system, the landowner shall grant to the Village the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection as specified in Section 180-28(B).

Section 180-29. Performance Guarantee

A. Construction Completion Guarantee

In order to ensure the full and faithful completion of all land development activities

related to compliance with all conditions set forth by the Village in its approval of the Stormwater Pollution Prevent Plan, the Village may require the applicant or developer to provide, prior to construction, a performance bond, cash escrow, or irrevocable letter of credit from an appropriate financial or surety institution which guaranteed satisfactory completion of the project and names the Village as the beneficiary. The security shall be in an amount to be determined by the Village based on submission of final design plans, with reference to actual construction and landscaping costs. The performance guarantee shall remain in force until the surety is released from liability by the Village, provided that such period shall not be less than one year from the date of final acceptance or such other certification that the facility(ies) have been constructed in accordance with the approved plans and specifications and that a one year inspection has been conducted and the facilities have been found to be acceptable to the Village. Per annum interest on cash escrow deposits shall be reinvested in the account until the surety is released from liability.

B. Maintenance Guarantee

Where stormwater management and erosion and sediment control facilities are to be operated and maintained by the developer or by a corporation that owns or manages a commercial or industrial facility, the developer, prior to construction, may be required to provide the Village with an irrevocable letter of credit from an approved financial institution or surety to ensure proper operation and maintenance of all stormwater management and erosion control facilities both during and after construction, and until the facilities are removed from operation. If the developer or landowner fails to properly operate and maintain stormwater management and erosion and sediment control facilities, the Village may draw upon the account to cover the costs of proper operation and maintenance, including engineering and inspection costs.

C. Record keeping

The Village may require entities subject to this Article to maintain records demonstrating compliance with this Article.

Section 180-30. Enforcement and Penalties.

A. Notice of Violation.

When the Village determines that a land development activity is not being carried out in accordance with the requirements of this Article, it may issue a written notice of violation to the landowner. The notice of violation shall contain:

1. the name and address of the landowner, developer or applicant;

2. the address when available or a description of the building, structure or land upon which the violation is occurring;
3. a statement specifying the nature of the violation;
4. a description of the remedial measures necessary to bring the land development activity into compliance with this Article and a time schedule for the completion of such remedial action;
5. a statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed;
6. a statement that the determination of violation may be appealed to the municipality by filing a written notice of appeal within fifteen (15) days of service of notice of violation.

B. Stop Work Orders

The Village may issue a stop work order for violations of this Article. Persons receiving a stop work order shall be required to halt all land development activities, except those activities that address the violations leading to the stop work order. The stop work order shall be in effect until the Village confirms that the land development activity is in compliance and the violation has been satisfactorily addressed. Failure to address a stop work order in a timely manner may result in civil, criminal, or monetary penalties in accordance with the enforcement measures authorized in this Article.

C. Violations

Any land development activity that is commenced or is conducted contrary to this Article, may be restrained by injunction or otherwise abated in a manner provided by law.

D. Penalties

In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this Article shall be guilty of a violation punishable by a fine not exceeding three hundred fifty dollars (\$350) or imprisonment for a period not to exceed six months, or both for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than three hundred fifty dollars nor more than seven hundred dollars (\$700) or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense all of which were committed within a period of five years, punishable by a fine not less than seven hundred dollars nor more than one thousand dollars (\$1,000) or imprisonment for a period not to exceed six months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of

this Article shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.

E. Withholding of Certificate of Occupancy

If any building or land development activity is installed or conducted in violation of this Article, the Stormwater Management Officer may prevent the occupancy of said building or land.

F. Restoration of lands

Any violation may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Village may take necessary corrective action, the cost of which shall become a lien upon the property until paid.

Section 180-31. Fees for Services

The Village may require any person undertaking land development activities regulated by this law to pay reasonable costs at prevailing rates for review of SWPPPs, inspections, or SMP maintenance performance by the Village or performed by a third party for the Village.

III. SEVERABILITY

The invalidity of any sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law which can be given effect without such invalid part or parts.

IV. EFFECTIVE DATE

This local law shall become effective immediately as provided in the Municipal Home Rule Law upon being filed in the Office of the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of the (County)(City)(Town)(Village) of Great Neck Plaza was duly passed by the Board of Trustees on _____, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.

[Signature]
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

(Seal)

Date: 10/18/06

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF Nassau

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

[Signature]
Signature

Village Attorney
Title

County
City of GREAT NECK PLAZA
Town
Village

Date: 10-18-06

Appendix C

Intermunicipal Agreements

Phase II SPDES General Permit for

Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s), GP-02-02
MUNICIPAL COMPLIANCE CERTIFICATION (MCC) FORM



Regulated MS4: County of Nassau SPDES Permit Number: NYR20A022

See information packet for information to help complete this form.

MCC Form for year ending: March 9, <u> </u> 2006 (Year 3) <u> </u> 2007 (Year 4) <u> X </u> 2008 (Year 5)			
Section A. MS4 Owner/Operator and Contact Person Information (contact persons explained in instructions)			
Owner/Operator Is information below new or changed? <u> </u> Yes <u> X </u> No			
Name: Kenneth G. Arnold		Title: Sanitary Engineer IV	Department: Public Works
Mailing Address:	Street or P.O. Box: 1194 Prospect Avenue		City: Westbury
	County: Nassau	State: New York	Zip Code: 11590
Phone: (516) 571-6850		E-mail Address: Karnold@nassaucountyny.gov	
Local Stormwater Public Contact (Required by Minimum Measure 2)			
Is information below: 1) new or changed? <u> </u> Yes <u> X </u> No 2) same as: <u> X </u> Owner/Operator			
Name:		Title:	Department:
Mailing Address:	Street or P.O. Box:		City:
	County:	State:	Zip Code:
Phone: ()		E-mail Address:	
Stormwater Management Program (SWMP) Coordinator (Responsible for implementation/coordination of SWMP)			
Is information below: 1) new or changed? <u> </u> Yes <u> X </u> No 2) same as: <u> </u> Owner/Operator <u> </u> Local Stormwater Public Contact <u> </u> SWMP Coordinator			
Name:		Title:	Department:
Mailing Address:	Street or P.O. Box:		City:
	County:	State:	Zip Code:
Phone: ()		E-mail Address:	
Annual Report Preparer			
Is information below: 1) new or changed? <u> </u> Yes <u> X </u> No 2) same as: <u> X </u> Owner/Operator <u> </u> Local Stormwater Public Contact <u> </u> SWMP Coordinator			
Name:		Title:	Department:
Mailing Address:	Street or P.O. Box:		City:
	County:	State:	Zip Code:
Phone: ()		E-mail Address:	

IMPORTANT NOTE: Rows can be added to the tables in the following sections by going to the rightmost cell in the bottom row of the table and hitting tab. Hitting return in a given row will make the row wider, creating more room to type or write.

Section B. Local Water Quality Information

Information to help complete this section can be found in the instructions.

1. Does the MS4 discharge to 303(d) listed waters or is it in a TMDL watershed?

Yes (complete the table below) ___ No ___ Not Yet Determined

(Put an X in the 'Classification' cell to indicate if the MS4 discharges to a waterbody on the 303(d) list and / or if it is in a TMDL watershed.)

Impaired Waters Name (from 303 (d) list and/or TMDL)	Pollutant(s) of Concern (from 303 (d) list and/or TMDL)	Classification	
		303 (d)	TMDL
East Bay	Pathogens	X	
South Oyster Bay	Pathogens	X	
Middle Bay	Pathogens	X	
East Rockaway Inlet	Pathogens	X	
Reynolds Channel, East	Pathogens	X	
Hempstead Bay	Pathogens	X	
Woodmere Channel	Pathogens	X	
Long Island Sound, Nassau County Waters	Pathogens, PCB's	X	
Manhasset Bay	Pathogens, PCB's	X	
Hempstead Harbor	Pathogens, PCB's	X	X
Dosoris Pond	Pathogens	X	
Cold Spring Harbor	Pathogens	X	
Oyster Bay Harbor	PCB's	X	X
Massapequa Reservoir	Chlordane	X	
Freeport Reservoir	Chlordane	X	
Smith/Roosevelt Pond	Chlordane	X	
Lofts Pond	Chlordane	X	
Smith Pond	Chlordane	X	
Halls Pond	Chlordane	X	
Grant Park Pond	Phosphorus	X	
Whitney Lake	Chlordane	X	
Glen Cove Creek	PCB's	X	
Hempstead Lake	Phosphorous	X	
East Meadow Brook	Silt/Sediment	X	
Mill Neck Creek	PCB's	X	
Ridders Pond	Chlordane	X	
Little Neck Bay	Pathogens, PCB's	X	

2. Have you received notification from the Department that you are subject to the special conditions in Part III.B. of the permit?

Yes
___ No

3. Have all necessary changes been made to the Stormwater Management Program (SWMP) to ensure compliance with Part III.B. of the MS4 permit for discharges to 303(d) or TMDL waters?

Yes
___ No (explain below)

Explanation:

Section C. Partnership Information

Section C. Partnership Information Information to help complete this section can be found in the instructions.
1. Does your MS4 work with partners? <input checked="" type="checkbox"/> Yes (complete table below) <input type="checkbox"/> No (Proceed to Section D)
List MS4 Partners with Legally Binding Agreements or Contracts in Place
See attached list.
List MS4 Partners with Planned Legally Binding Agreements or Contracts
N/A
List MS4 Partners with Other Agreements in Place
South Shore Estuary Reserve Council Long Island Sound Study Citizens Advisory Committee Manhasset Bay Protection Committee Hempstead Harbor Protection Committee Meadowbrook Task Force

Section C Attachment:

List of MS4 Partners with Agreements:

- City of Glen Cove NYR20A100
- City of Long Beach NYR20A189
- County of Nassau NYR20A022
- Town of Hempstead NYR20A390
- Town of North Hempstead NYR20A318
- Town of Oyster Bay NYR20A371
- Village of Atlantic Beach NYR20A097
- Village of Baxter Estates NYR20A174
- Village of Bayville NYR20A304
- Village of Bellerose NYR20A388
- Village of Brookville NYR20A439
- Village of Cedarhurst NYR20A010
- Village of Cove Neck NYR20A440
- Village of East Rockaway NYR20A410
- Village of East Hills NYR20A001
- Village of Farmingdale NYR20A
- Village of Floral Park NYR20A347
- Village of Flower Hill NYR20A171
- Village of Garden City NYR20A070
- Village of Great Neck NYR20A453
- Village of Great Neck Estates NYR20A321
- Village of Great Neck Plaza NYR20A366
- Village of Hewlett Bay Park NYR20A085
- Village of Hewlett Harbor NYR20A062
- Village of Island Park NYR20A384
- Village of Kensington NYR20A452

Municipality: County of Nassau
Village of Kings Point NYR20A451
Village of Lake Success NYR20A034
Village of Lattingtown NYR20A
Village of Laurel Hollow NYR20A441
Village of Lawrence NYR20A336
Village of Lynbrook NYR20A169
Village of Malverne NYR20A450
Village of Manorhaven NYR20A338
Village of Massapequa Park NYR20A063
Village of Matinecock NYR20A437
Village of Mill Neck NYR20A449
Village of Mineola NYR20A111
Village of Muttontown NYR20A448
Village of New Hyde Park NYR20A0014
Village of Old Brookville NYR20A447
Village of Old Westbury NYR20A434
Village of Plandome NYR20A066
Village of Plandome Heights NYR20A162
Village of Plandome Manor NYR20A360
Village of Port Washington North NYR20A438
Village of Roslyn NYR20A071
Village of Roslyn Estates NYR20A446
Village of Roslyn Harbor NYR20A059
Village of Russell Gardens NYR20A016
Village of Saddle Rock NYR20A445
Village of Sands Point NYR20A444
Village of Sea Cliff NYR20A075
Village of South Floral Park
Village of Stewart Manor NYR20A011
Village of Thomaston NYR20A443
Village of Upper Brookville NYR 20A442
Village of Valley Stream NYR20A002
Village of Westbury NYR20A408
Village of Williston Park NYR20A068
Village of Woodsburgh NYR20A107

Section D. Geographic Areas Addressed by Stormwater Management Program (SWMP)

Information to help complete this section can be found in the instructions.

1. Does your SWMP cover all jurisdictional (automatic and additionally designated) areas within the MS4, as required by 40 CFR 122.32(a)? Yes No (Explain below)

Explain:

Section E. Funding and Resource Allocation

Information to help complete this section can be found in the instructions.

1. Are adequate resources (funding mechanism, equipment, staff, etc.) planned or in place to fully implement your SWMP no later than January 8, 2008? Yes No (explain below)

Explain:

2. If the MS4 is receiving funding through the municipal budget, a grant, or other source, briefly explain below: what are the sources, estimated amounts, and frequency of funding for the MS4?

Explain:

Municipal Budget:

Nassau County Operating Budget

Source: Nassau County General Operating Funds

Estimated Amount: \$1,000,000

Funding Frequency: Annual Basis

Nassau County Storm Water Management Program Budget

Source: Capital Project Funds

Estimated Amount: \$700,000

Funding Frequency: part of the Annual Capital Project Appropriation

Grants: Implementation of the Nassau County Storm Water Management Program

Source: NYS Department of Environmental Conservation

Estimated Amount: \$500,000.00

Funding Frequency: Apply for grants on annual basis or as announced.

3. If the MS4 is not receiving funding, briefly explain below: plans the MS4 has for obtaining future funding?

Explain: N/A

Section F. Compliance Certification

Compliance Assessment - For each of the minimum control measures, indicate below if your program has made steady progress toward full implementation *and* has achieved all measurable goals scheduled to be completed **during this reporting year**. Refer to the NOI and prior Annual Reports for information about measurable goals scheduled for this reporting year.

Permit Part	Minimum Control Measure	ANSWER BOTH COLUMNS FOR THIS REPORT YEAR ONLY			
		Steady Progress		Goals Achieved	
IV.C.1.	Public Education and Outreach on Stormwater Impacts Explain 'no' / 'N/A' answer:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
IV.C.2.	Public Involvement / Participation Explain 'no' / 'N/A' answer:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
IV.C.3.	Illicit Discharge Detection and Elimination Explain 'no' / 'N/A' answer:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
IV.C.4.	Construction Site Stormwater Runoff Control Explain 'no' / 'N/A' answer:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
IV.C.5.	Post-Construction Stormwater Management Explain 'no' / 'N/A' answer:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
IV.C.6.	Pollution Prevention / Good Housekeeping for Municipal Operations Explain 'no' / 'N/A' answer:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

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."

Print Name: Raymond A. Ribeiro, P.E. Title: Commissioner of Public Works

Signature: _____ Date: 5/30/08

This form must be signed by either a principal executive officer or ranking elected official, or duly authorized representative of that person as described in Part VII.2. of the permit. See instructions for more information about who can sign this form.

Send two completed **hard copies** (an original and a photocopy) of this form, the Annual Report Table and any attachments to the DEC Central Office (MS4 Permit Coordinator, 625 Broadway, Division of Water - 4th Floor, Albany, NY 12233-3505). **DO NOT SUBMIT REPORTS IN THREE-RING BINDERS.**

Appendix D

Third Party Certification Statement

Village of Great Neck Plaza
Stormwater Management Program Plan

Contract Number: _____ Date: _____
Contractor Name: _____

Services to be provided which pertain to MS4 Compliance:

Potential areas of Non-compliance to prevent:

Contracted Entity Certification Statement:

"I certify under penalty of law that I understand and agree to comply with the terms and conditions of the (permittee's name) stormwater management program and agree to implement any corrective actions identified by the (permittee's name) or a representative.

I also understand that the (permittee's name) must comply with the terms and conditions of the New York State Pollutant Discharge Elimination System ("SPDES") general permit for stormwater discharges from the Municipal Separate Storm Sewer Systems ("MS4s") and that it is unlawful for any person to directly or indirectly cause or contribute to a violation of water quality standards. Further, I understand that any noncompliance by (permittee's name) will not diminish, eliminate, or lessen my own liability."

Responsible Person: _____ Phone: _____ Email: _____

Signature of Responsible Person: _____ Date: _____

Notarized by: _____



Appendix E

Illicit Discharge Track Down & Elimination Program

**Village of Great Neck Plaza
Municipal Separate Storm Sewer System
Appendix E
Illicit Discharge Detection & Elimination
Program**

Prepared By:



**LiRo Engineers, Inc.
235 E Jericho Turnpike
Mineola, NY, 11501**

Prepared For:



**Village of Great Neck Plaza
2 Gussack Plaza (PO Box 440)
Great Neck, NY, 11022**

February 27

Table of Contents

1	Introduction	2
1.1	Purpose of the Illicit Discharge Detection and Elimination Program.....	2
1.2	Applicability.....	2
2	Responsibilities of Personnel	2
3	Monitoring Locations & Inspections Procedure	3
3.1	Monitoring Locations	4
3.2	Inspection and Sampling Program	5
4	Detections for Illicit Discharge	7
5	Illicit Discharge Track Down & Elimination Procedure.....	8



1 Introduction

Municipal Separate Storm Sewer Systems (MS4s) are publicly owned drainage systems which include streets, ditches, catch basins, curbs, gutters, and storm drains that are designed for collecting stormwater from built up areas and discharge it into local streams and rivers. The Village of Great Neck Plaza's (further referred to as the "Village") stormwater discharges are regulated by the New York State Department of Environmental Conservation (NYSDEC). The overall goal of the MS4 program is to reduce the discharge of pollutants from the drainage systems into surface waters, which will enhance water quality in natural ecosystems to improve biodiversity, recreational opportunities, and promote ecological and human health.

1.1 Purpose of the Illicit Discharge Detection and Elimination Program

The MS4 program is divided into several Minimum Control Measures (MCMs) which create quantitative and qualitative benchmarks for the Village to obtain. The detection and elimination of illicit discharges is covered under MCM3. The Illicit Discharge Detection and Elimination Program (IDDEP) memorializes and standardizes the village's operation. The program creates a procedure for developing, implementing, and enforcing a program which systematically detects, tracks down, and eliminates illicit discharges to the MS4. The overall intent of the IDDEP is to steadily reduce and eliminate the conveyance of pollutants to major waterbodies and ensure that the MS4 does not convey pollutants associated with flows other than those directly attributable to stormwater runoff.

1.2 Applicability

The IDDEP is implemented closely with the Enforcement Response Plan (ERP) in **Appendix H** of the Stormwater Management Plan (SWMP).

2 Responsibilities of Personnel

The following summarizes the responsibilities of the various individuals/entities/roles in their implementation of the IDDEP:

- **Responsible Party** – The responsible party is a resident, owner, contractor, or other entity responsible for an illicit discharge. In the case of negligent or purposeful illicit discharges, they may be held responsible for helping to eliminate an illicit discharge.
- **Clerk** – The clerk acts as the SWMP contact and is responsible for coordinating the Village's team for a response. They will receive any reports from the public and serve as the control center for IDDEP operations.
- **Commissioner for the Department of Public Works** – As the Stormwater Management Officer (SMO), the Commissioner will direct actions to prevent, eliminate, or contain an illicit discharge within a municipal right-of-way. This may require the dispatch of emergency responders (such as the local fire or police department, Department of Public Works personnel, or a private



contractor. The SMO will act in this authority selecting the proper resources for the illicit discharge depending on where, when, and how the illicit discharge occurred along with its severity. The SMO will oversee the work that is occurring and ensure compliance with the SWMP.

- **Building Inspector** – The Building Inspector should review properties for potential illicit discharges in the form of septic system deficiencies, outfalls that run into a public right-of-way, or unauthorized pumping. The Building Inspector should report any illicit discharges to the SWMP coordinator and will communicate with Department of Public Works, when necessary, to implement the necessary changes. The Building Inspector will oversee illicit discharges associated with a Stormwater Pollution Prevention Plan (SWPPP).
- **Public** – The public may report illicit discharges through the channels detailed in the SWMP. This includes contacting Village Hall by phone or email as well as the Nassau County hotline.

2.1 Training Protocol

Anyone tasked with implementing the IDDEP inspections must be trained in accordance with the MS4 general permit requirements. Any staff conducting illicit discharge track down procedures must be given the training on the IDDEP prior to be tasked with implementing any protocol stipulated within it. Personnel must receive the training applicable to their roles and responsibilities at least every five (5) years to be considered qualified to ensure implementation of the IDDEP.

For new staff, the responsibilities of the IDDEP, and MS4 program at large, should be incorporated in their job description with their training focused on their applicable responsibilities. The Village should arrange for training to occur regularly through their Village Engineer or an MS4 coalition partner. When a training is conducted, the date of the training and the trainer should be recorded along with the names, titles, and contract information of the staff which successfully completed it. That list should be reviewed annually to determine the need to set up additional training.

Alterations and updates to the IDDEP should be conducted regularly to ensure that the IDDEP is kept up to date with MS4 requirements and the specific requirements of the Village. In such cases, an email should be sent to all personnel included in the IDDEP at a minimum. Personnel with an IDDEP role should respond to that email affirming that they understand the requirements. When changes to the IDDEP may be applicable to a larger body of staff, the changes to the program should be sent to all impacted individuals. However, it is not a requirement that such personnel respond affirming they understand the change. Training and tracking of alteration or update affirmations should be conducted under Appendix E-a.

3 Monitoring Locations & Inspections Procedure

The following section describes the various monitoring locations and inspections required as part of the IDDEP.



3.1 Monitoring Locations

The primary purpose of monitoring locations is to detect illicit discharges. Monitoring locations can be any location within the stormwater network which are accessible to create a visual observation, conduct sampling, or conduct any protocol required by staff in the implementation of the IDDEP. These locations can be at MS4 outfalls which are typically a catch basin, manhole, ditches and swales or another drainage structure that is easily accessible without destructive methods and that discharges to surface waters of the State from the MS4. Interconnections are monitoring locations at any point of stormwater discharge from pipes, ditches and swales as well as other points of concentrated flow where the MS4 is discharging to another MS4 or private storm sewer system. Municipal intraconnections are locations where stormwater is conveyed from an MS4 municipal facility to the MS4 Operator’s own MS4.

The Village’s monitoring locations are identified in **Appendix E-b**. The inventory information varies based on the type of monitoring locations as shown in the table below.

Inventory Information	Monitoring Locations		
	MS4 Outfalls	Interconnections	Municipal Facility Intraconnections
ID	X	X	X
Prioritization (high or low)	X	X	X
Type of monitoring location	X	X	X
Name of MS4 Operator receiving discharge or private storm sewer		X	
Name of MS4 Operator’s municipal facility	X	X	X
Receiving Waterbody name and class	X	X	X
Receiving Waterbody WI/PWL Segment ID	X		
Land use in drainage area	X		
Types of conveyance (open or closed)	X		
Material	X		
Shape	X		
Dimension	X		
Submerged in Water or Sediment	X		

Table 1 – Monitoring Location Inventory Criteria

The inventory is updated annually to account for new outfalls or monitoring locations being created, discovered, or eliminated.

Monitoring locations are prioritized based on their siting and discharge locations. High priority monitoring locations are those that are located at a high priority municipal facility, discharge to an impaired waterbody, a TMDL watershed, a Class AA-S, A-S, AA, A, B, SA, or SB waters, or have three or more citizen complaints within the last 12 months. Newly discovered or created monitoring locations

must be considered a high priority for 30 days. The prioritizations must be updated annually in the inventory based on information gathered during the monitoring location inspection and sampling program. The updated monitoring prioritization information must be documented in the SWMP Plan-

The Village conducts both formal and informal monitoring programs of their drainage system.

Formal monitoring

- Inspections by Village staff specifically to see if illicit discharges are taking place

Must complete Inspection log form and Monitoring locations inspection and Sampling field sheet. Informal monitoring

- During the course of doing other work.
- Not regular intervals
- Inspection forms not completed immediately, however illicit discharge must be documented if observed.

3.2 Inspection and Sampling Program

MS4 operator must develop and implement a monitoring locations inspection and sampling program.

During dry weather, one inspection of each monitoring location identified in the inventory must be conducted every five years from the most recent inspection.

The Monitoring locations inspection and sampling program must document all monitoring location inspections, including sampling results, using the Monitoring Location Inspection and Sampling Field Sheet (**Appendix E-c**).

Sampling must be conducted at all monitoring locations which had inspections result in a suspect or obvious illicit discharge characterization. Sampling is not required if the source of illicit discharge is clear and discernable (i.e. sewage). Sampling requirements are based on the number and severity of physical indicators present in the flow. Physical indications include odor, color, turbidity, floatables, damage to structure, stains and deposits, pipe benthic growth, abnormal vegetation, etc.. Physical indicators are detailed in the Monitoring Locations Inspections and Sampling Field sheet (**Appendix E-c**).

Sampling may be performed with field test kits or field instrumentations that are sufficiently sensitive to detecting the parameter below the sampling action level used and are not subject to 40 CFR Part 136 requirements for approved methods and certified laboratories. Refer to the table below for sampling equipment.



Table 40: Equipment Needed for Sample Collection
<ul style="list-style-type: none">• A cooler (to be kept in the vehicle)• Ice or "blue ice" (to be kept in the vehicle)• Permanent marker (for labeling the samples)• Labeling tape or pre-printed labels• Several dozen one-liter polyethylene plastic sample bottles• A "dipper," a measuring cup at the end of a long pole, to collect samples from outfalls that are hard to reach• Bacteria analysis sample bottles (if applicable), typically pre-cleaned 120mL sample bottles, to ensure against contamination

Table 2 – Sample Collection equipment

The above table is referenced from chapter 12.2 of the *Center for Watershed (CWP) Illicit discharge Discharge Detection and Elimination: A Guidance Manual*.

Upon completion of sampling, track down procedures in accordance with section 5 of this appendix will be initiated for monitoring locations with an overall characterization of "suspect illicit discharge" or "obvious illicit discharge" or any characterization that exceeds any sampling action level used.

For monitoring location where physical indicator unrelated to flow are observed, potentially indicating intermittent or transitory discharges, the Village will re-inspect the monitoring location within 30 days of the initial inspection using the techniques listed below or equivalent:

- a. Odd hours monitoring
- b. Optical brightener Monitoring traps
- c. Caulk dams
- d. Pool sampling
- e. Toxicity monitoring

Refer to Chapter 12.6 of the *Center for Watershed Protection Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assistance* for detailed description of each techniques listed above.

The Village will initiate the implementation of track down procedures if the same physical indicators persist following the reinspection.

For projects located within a phosphorus impaired watershed, on-site wastewater systems (i.e., septic tanks, cesspools, absorption fields, or distribution systems) must be inspected once every five (5) years. The Village must ensure that the system is pumped, and every system component including septic tanks,

absorption fields, are inspected. The inspector must document the individual conducting the inspection, inspection date, address and location of the system on the property and any evidence of failed systems. All system failures must be reported to the appropriate agency to ensure that corrective actions are taken.

4 Detection of Illicit Discharges

Detections of illicit discharges can be discovered by the public reporting it or by the Village staff conducting formal or informal inspections. Illicit discharges can be reported by the public through the Village's website, by phone, or by calling the Nassau County hotline as detailed in the SWMP. Records for an illicit discharge must be documented within 30 days by the MS4 Operator and each report must include the following information:

- i. Date of the Report
- ii. Location of the illicit discharge
- iii. Nature of the illicit discharge
- iv. Follow up actions taken or needed (including response times)
- v. Inspection outcomes and any enforcement taken

The Village has prepared the Illicit Discharge Inventory Form, identified in **s E-a**, which must be kept and updated as part of the SWMP. This form will be completed by the trained village staff during its routine inspections of the monitoring locations. The MS4 permit does not define any date upon which such records can be discharged. The monitoring locations and inventory will be prepared in accordance with section **3 – Monitoring Location and Inspection Procedures**.

Locations should identify an illicit discharge as the distance from an intersection, residence number, stationing, or utility pole numbers. It should also include the side of the street. Potential illicit discharges likely to be considered are shown below :

- i. Pathogens
- ii. Silt/sediment
- iii. Phosphorus
- iv. Floatables
- v. Nitrogen
- vi. Oils or other miscellaneous materials

5 Illicit Discharge Track Down & Elimination Procedure

The Village will initiate the track down procedure within 24 hours for flowing MS4 monitoring locations with obvious illicit discharges, within 2 hours of an illicit discharge for sanitary waste, or within 5 days of a suspected illicit discharge. By April 1st of every year, the track down procedure shall be updated annually based on “lessons learned” and updates to the operational conditions of other entities (changes in contacts, phone numbers, etc.).

Once an illicit discharge is found and confirmed, the specific source must be isolated using a combination of methods. The methods used to track an illicit discharge include storm drain network investigations, drainage area investigations, on-site investigations, and septic system investigations.

Storm drain network investigations involve strategically inspecting manholes within the storm network to measure physical and chemical indicators that may isolate discharges to specific sections of the network. This message helps to isolate the discharge to an isolated pipe segment. Field crews can decide to inspect a storm drain network in three (3) ways, storm drains can be tracked by starting at the discharge locations and moving up the trunk line, the storm drain network can be split between field crews, or the crew can start at the headwaters and move down the storm network. The method used depends on the size of the system and crew. Once the segment is identified, on-site investigations are used to find the specific discharge or improper connection.

Drainage area investigations rely on analysis of land use and other characteristics of the area that is producing the illicit discharge. These investigations work best if the observed discharge is has distinct and unique characteristics that allow crews to quickly determine the probable operation or business that is likely generating the discharge.

On-site investigations include methods used to trace a source of an illicit discharge in a pipe segment, including dye, video (CCTV) or smoke testing within isolated segments of the storm drain network. The investigations are introduced into the storm system to confirm improper connections into the storm drainage system. The table below shows the applicability and limitation of each on-site investigation technique.

Technique	Best Applications	Limitations
Dye Testing	<ul style="list-style-type: none"> Discharge limited to a very small drainage area (<10 properties is ideal) Discharge probably caused by a connection from an individual property Commercial or industrial land use 	<ul style="list-style-type: none"> May be difficult to gain access to some properties
Video Testing	<ul style="list-style-type: none"> Continuous discharges Discharge limited to a single pipe segment Communities who own equipment for other investigations 	<ul style="list-style-type: none"> Relatively expensive equipment Cannot capture non-flowing discharges Often cannot capture discharges from pipes submerged in the storm drain
Smoke Testing	<ul style="list-style-type: none"> Cross-connection with the sanitary sewer Identifying other underground sources (e.g., leaking storage techniques) caused by damage to the storm drain 	<ul style="list-style-type: none"> Poor notification to public can cause alarm Cannot detect all illicit discharges

Table 3 – On-Site Track Down Investigation Techniques

Failing septic systems can be a source of illicit discharge. Homeowner surveys, surface inspections and infrared photography can be implemented to find failing septic systems in low-density watersheds.

Once an illicit discharge has been detected and tracked; enforcement measures will be issued to the responsible party. The enforcement responses are based on type, magnitude and duration of the violation, the effect of the violation on the receiving waterbody, compliance history of the responsible party, and good faith compliance efforts.

The SMO must eliminate an illicit discharge that has a reasonable likelihood of adversely affecting human health or the environment within 24 hours of identification. The SMO must eliminate illicit discharges within 5 days of identification if the discharge does not have a reasonable likelihood of adversely affecting human health or the environment. If the elimination of an illicit discharge is not feasible within 5 days, the SMO must notify the Regional Water Engineer.

Staff responsible for implementing the elimination procedures must be properly trained on such procedures.

The SMO enforcement efforts will begin with a written notice of violation. Such notice may require, without limitation:

1. The elimination of the illicit connection or discharge.
2. Cease and desist of the violating discharges, practices or operations.
3. The abatement, remediation of stormwater pollution or contamination hazards and the restoration of any affected property/
4. The performance of monitoring, analyses and reporting
5. Payment of a fine
6. The implementation of source control or treatment BMPs.

If the abatement of a violation and/or restoration of affected property is required, the notice will set forth a deadline within which remediation must be completed. Progress of remediation efforts as well as a schedule for the implementation of such measures must be provided to the Village by the responsible party. Failure to adhere to the remediation commitment may result in further enforcement as described below. Furthermore, SMO may request the owner's permission for access to the subject property to take any measures necessary to abate the violation. The cost of implementing and maintaining such measures is the responsibility of the party responsible.

Any violators of the village's illicit discharge regulations are subject to fees and legal repercussions as detailed on the Village's zoning regulations.

Once the source of an illicit discharge has been identified through the Village's track down procedures, the MS4 Operator will begin the elimination phase in accordance with the processes recommended in the Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments (Center for Watershed Protection, 2004), which outlines a systematic approach for characterizing discharge types, identifying contributing conditions, and planning corrective actions. This phase begins with documenting the nature and severity of the discharge, including pollutant characteristics, system entry point, and any contributing site factors, consistent with the broader program structure described in CWP guidance.

Following characterization, the MS4 Operator will work with the responsible party to determine and implement the corrective actions needed to eliminate the discharge. These actions may include removing improper connections, repairing or replacing failing infrastructure, redirecting process wastewater, cleaning impacted areas, or modifying site operations to prevent recurrence. This approach aligns with the corrective action expectations described in municipal IDDE programs that rely on the CWP framework.

In cases where the illicit discharge originates from sanitary, industrial, or otherwise regulated sources, the MS4 Operator will coordinate with the appropriate agencies to ensure corrective measures meet all applicable regulations or permit requirements. This interagency coordination step is emphasized throughout the CWP manual to ensure complete and compliant removal of illicit sources.

As part of the elimination process, the Village will maintain detailed documentation of the discharge characteristics, communication with responsible parties, selected corrective actions, and all observations made during the elimination process. This documentation is incorporated into the SWMP Plan and supports annual reporting requirements described in the MS4 permit. Table 4 below summarizes the standard corrective action pathways, common pollutant sources, and typical remedial measures used by the Village during illicit discharge elimination, serving as a quick-reference guide to support consistent implementation of these procedures

Technique	Application	Description	Estimated Cost
1. Service Lateral Disconnection, Reconnection	Lateral is connected to the wrong line	Lateral is disconnected and reconnected to appropriate line	\$2,500 ¹
2. Cleaning	Line is blocked or capacity diminished	Flushing (sending a high pressure water jet through the line); pigging (dragging a large rubber plug through the lines); or rodding	\$1/linear foot ¹
3. Excavation and Replacement	Line is collapsed, severely blocked, significantly misaligned, or undersized	Existing pipe is removed, new pipe placed in same alignment; Existing pipe abandoned in place, replaced by new pipe in parallel alignment	For 14" line, \$50-\$100/linear foot (higher number is associated with repaving or deeper excavations, if necessary) ²
4. Manhole Repair	Decrease ponding; prevent flow of surface water into manhole; prevent groundwater infiltration	Raise frame and lid above grade; install lid inserts; grout, mortar or apply shotcrete inside the walls; install new precast manhole.	Vary widely, from \$250 to raise a frame and cover to ~ \$2,000 to replace manhole ²
5. Corrosion Control Coating	Improve resistance to corrosion	Spray- or brush-on coating applied to interior of pipe.	< \$10/linear foot ²
6. Grouting	Seal leaking joints and small cracks	Seals leaking joints and small cracks.	For a 12" line, ~ \$36-\$54/linear foot ²
7. Pipe Bursting	Line is collapsed, severely blocked, or undersized	Existing pipe used as guide for inserting expansion head; expansion head increases area available for new pipe by pushing existing pipe out radially until it cracks; bursting device pulls new pipeline behind it	For 8" pipe, \$40-\$80/linear foot ⁴
8. Slip Lining	Pipe has numerous cracks, leaking joints, but is continuous and not misaligned	Pulling of a new pipe through the old one.	For 12" pipe, \$50-\$75 /linear foot ²
9. Fold and Formed Pipe	Pipe has numerous cracks, leaking joints	Similar to sliplining but is easier to install, uses existing manholes for insertion; a folded thermoplastic pipe is pulled into place and rounded to conform to internal diameter of existing pipe	For 8-12" pipe, \$60-\$78/linear foot ³
10. Inversion Lining	Pipe has numerous cracks, leaking joints; can be used where there are misalignments	Similar to sliplining but is easier to install, uses existing manholes for insertion; a soft resin impregnated felt tube is inserted into the pipe, inverted by filling it with air or water at one end, and cured in place.	\$75-\$125/linear foot ²

Table 4 – Methods to Eliminate Discharges

VILLAGE OF GREAT NECK PLAZA														*ID is local ID and Number is Outfall Number These Outfall Discharge uphill to a recharge basin that seeps into Little Neck Bay
NO.	ID	Prioritization	Monitoring Location Type	Receiving Waterbody Name	Class	WI/PWL Segment ID	Land Use in Drainage Area	Type of Conveyance	Material	Shape	Dimensions	Submerged in Water or Sediments	Name of MS4 Operator Receiving Discharge or Private Storm System	Notes
12D0036		High	Outfall	Little Neck Bay	SB	1702-0029	Transportation							In Roof of MH Chimney of Culv.
12D0035		High	Outfall	Little Neck Bay	SB	1702-0029	Transportation							In Roof of MH Chimney of Culv.
12D0034		High	Outfall	Little Neck Bay	SB	1702-0029	Transportation							Into N Wall of Drain Culv.
12D0033		High	Outfall	Little Neck Bay	SB	1702-0029	Community Services			Round	18" Diameter			Into N Wall of Drain Culv.
12D0032		High	Outfall	Little Neck Bay	SB	1702-0029	Commercial			Round	24" Diameter			Into N Wall of Drain Culv.
12D0031		High	Outfall	Little Neck Bay	SB	1702-0029	Commercial							High in MH Chimney of Drain Culv.
12D0029		High	Outfall	Little Neck Bay	SB	1702-0029	Commercial			Round	24" Diameter			Low in MH Chmney of Drain Culv.
12D0028		High	Outfall	Little Neck Bay	SB	1702-0029	Commercial			Round	8" Diameter			High in MH Chimney of Drain Culv.
12D0027		High	Outfall	Little Neck Bay	SB	1702-0029	Commercial			Round	48" Diameter			Into N Wall of Drain Culv. At MH
12D0026		High	Outfall	Little Neck Bay	SB	1702-0029	Commercial			Round	24" Diameter			High in MH Chimney of Drain Culv.
12D0025		High	Outfall	Little Neck Bay	SB	1702-0029	Commercial			Round	30" Diameter			Low in MH Chmney of Drain Culv.
12D0024		High	Outfall	Little Neck Bay	SB	1702-0029	Commercial			Round	8" Diameter			High in MH Chimney of Drain Culv.
12D0030		High	Outfall	Little Neck Bay	SB	1702-0029	Transportation			Round	30" Diameter			High in MH Chimney of Drain Culv.
12D0023		High	Outfall	Little Neck Bay	SB	1702-0029	Transportation			Round	15" Diameter			Into N Wall of Drain Culv.
12D0022		High	Outfall	Little Neck Bay	SB	1702-0029	Commercial			Round	15" Diameter			Into W Drain Wall of Drain Culv.
12D0021		High	Outfall	Little Neck Bay	SB	1702-0029	Residential							In Roof of Drain Culv.
12D0020		High	Outfall	Little Neck Bay	SB	1702-0029	Residential			Round	4" Diameter			Into N Wall Drain Culv.
12D0019		High	Outfall	Little Neck Bay	SB	1702-0029	Residential			Round	18" Diameter			Into N Wall Drain Culv.
12D0018		High	Outfall	Little Neck Bay	SB	1702-0029	Residential			Round	18" Diameter			Into N Wall Drain Culv.
12D0017		High	Outfall	Little Neck Bay	SB	1702-0029	Residential			Round	18" Diameter			Into N Wall Drain Culv.
12D0008		High	Outfall	Little Neck Bay	SB	1702-0029	Residential			Round	15" Diameter			
12D0007		High	Outfall	Little Neck Bay	SB	1702-0029	Commercial			Round	15" Diameter			No pipes lead to outfall
111302		High	Interconnect	Little Neck Bay	SB	1702-0029	Residential		Reinforced Concrete	Round	12" Diameter			Owner is Russel Gardens even though it is in Great Neck Plaza
121865		High	Interconnect	Little Neck Bay	SB	1702-0029	Residential							Owner is Great Neck Estates even though it is in Great Neck Plaza
92366	8	High	Interconnect	Little Neck Bay	SB	1702-0029	Residential						Great Neck Estates	
92365	7	High	Interconnect	Little Neck Bay	SB	1702-0029	Residential						Thomaston	
92364	6	High	Interconnect	Little Neck Bay	SB	1702-0029	Residential						Thomaston	Potentially in adjacent CB
92363	5	High	Interconnect	Little Neck Bay	SB	1702-0029	Commercial						Thomaston	
92362	4	High	Interconnect	Little Neck Bay	SB	1702-0029	Commercial						Great Neck	
92361	3	High	Interconnect	Little Neck Bay	SB	1702-0029	Commercial						Great Neck	
92360	2	High	Interconnect	Little Neck Bay	SB	1702-0029	Commercial						Great Neck	
92358	1	High	Interconnect	Little Neck Bay	SB	1702-0030	Residential						Great Neck	

Monitoring Locations Inspection and Sampling Field Sheet

Section 1: Background Data

Subwatershed:		Monitoring Location ID:	
Today's date:		Time (Military):	
Investigators:		Form completed by:	
Temperature (°F):	Rainfall (in.):	Last 24 hours:	Last 48 hours:
Latitude:	Longitude:	GPS Unit:	GPS LMK #:
Camera:		Photo #s:	
Land Use in Drainage Area (Check all that apply):			
<input type="checkbox"/> Industrial <input type="checkbox"/> Ultra-Urban Residential <input type="checkbox"/> Suburban Residential <input type="checkbox"/> Commercial		<input type="checkbox"/> Open Space <input type="checkbox"/> Institutional Other: _____ Known Industries: _____	
Notes (e.g., origin, if known):			

Section 2: Monitoring Location Description

LOCATION	MATERIAL	SHAPE	DIMENSIONS (IN.)	SUBMERGED
<input type="checkbox"/> Closed Pipe	<input type="checkbox"/> RCP <input type="checkbox"/> CMP <input type="checkbox"/> PVC <input type="checkbox"/> HDPE <input type="checkbox"/> Steel <input type="checkbox"/> Other: _____	<input type="checkbox"/> Circular <input type="checkbox"/> Single <input type="checkbox"/> Elliptical <input type="checkbox"/> Double <input type="checkbox"/> Box <input type="checkbox"/> Triple <input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____	Diameter/Dimensions: _____	In Water: <input type="checkbox"/> No <input type="checkbox"/> Partially <input type="checkbox"/> Fully With Sediment: <input type="checkbox"/> No <input type="checkbox"/> Partially <input type="checkbox"/> Fully
<input type="checkbox"/> Open drainage	<input type="checkbox"/> Concrete <input type="checkbox"/> Earthen <input type="checkbox"/> Rip-Rap <input type="checkbox"/> Other: _____	<input type="checkbox"/> Trapezoid <input type="checkbox"/> Parabolic <input type="checkbox"/> Other: _____	Depth: _____ Top Width: _____ Bottom Width: _____	[Hatched Area]
<input type="checkbox"/> In-Stream	(applicable when collecting samples)			
Flow Present?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If No, Skip to Section 5</i>			
Flow Description (if present)	<input type="checkbox"/> Trickle <input type="checkbox"/> Moderate <input type="checkbox"/> Substantial			

Section 3: Quantitative Characterization

FIELD DATA FOR FLOWING MONITORING LOCATIONS				
PARAMETER	RESULT	UNIT	EQUIPMENT	
<input type="checkbox"/> Flow #1	Volume		Liter	Bottle
	Time to fill		Sec	
<input type="checkbox"/> Flow #2	Flow depth		In	Tape measure
	Flow width	____' ____"	Ft, In	Tape measure
	Measured length	____' ____"	Ft, In	Tape measure
	Time of travel		S	Stopwatch
Temperature			°F	Thermometer
pH			pH Units	Test strip/Probe
Ammonia			mg/L	Test strip

Monitoring Locations Inspection and Sampling Field Sheet

Section 4: Physical Indicators for Flowing Monitoring Locations Only

Are Any Physical Indicators Present in the flow? Yes No (If No, Skip to Section 5)

INDICATOR	CHECK if Present	DESCRIPTION	RELATIVE SEVERITY INDEX (1-3)		
			1 - Faint	2 - Easily detected	3 - Noticeable from a distance
Odor	<input type="checkbox"/>	<input type="checkbox"/> Sewage <input type="checkbox"/> Rancid/sour <input type="checkbox"/> Petroleum/gas <input type="checkbox"/> Sulfide <input type="checkbox"/> Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Color	<input type="checkbox"/>	<input type="checkbox"/> Clear <input type="checkbox"/> Brown <input type="checkbox"/> Gray <input type="checkbox"/> Yellow <input type="checkbox"/> Green <input type="checkbox"/> Orange <input type="checkbox"/> Red <input type="checkbox"/> Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Turbidity	<input type="checkbox"/>	See severity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floatables -Does Not Include Trash!!	<input type="checkbox"/>	<input type="checkbox"/> Sewage (Toilet Paper, etc.) <input type="checkbox"/> Suds <input type="checkbox"/> Petroleum (oil sheen) <input type="checkbox"/> Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section 5: Physical Indicators for Both Flowing and Non-Flowing Monitoring Locations

Are physical indicators that are not related to flow present? Yes No (If No, Skip to Section 6)

INDICATOR	CHECK if Present	DESCRIPTION	COMMENTS
Monitoring Location Damage	<input type="checkbox"/>	<input type="checkbox"/> Spalling, Cracking or Chipping <input type="checkbox"/> Peeling Paint <input type="checkbox"/> Corrosion	
Deposits/Stains	<input type="checkbox"/>	<input type="checkbox"/> Oily <input type="checkbox"/> Flow Line <input type="checkbox"/> Paint <input type="checkbox"/> Other:	
Abnormal Vegetation	<input type="checkbox"/>	<input type="checkbox"/> Excessive <input type="checkbox"/> Inhibited	
Poor pool quality	<input type="checkbox"/>	<input type="checkbox"/> Odors <input type="checkbox"/> Colors <input type="checkbox"/> Floatables <input type="checkbox"/> Oil Sheen <input type="checkbox"/> Suds <input type="checkbox"/> Excessive Algae <input type="checkbox"/> Other:	
Pipe benthic growth	<input type="checkbox"/>	<input type="checkbox"/> Brown <input type="checkbox"/> Orange <input type="checkbox"/> Green <input type="checkbox"/> Other:	

Section 6: Overall Monitoring Location Characterization

Unlikely Potential (presence of two or more indicators) Suspect (one or more indicators with a severity of 3) Obvious

Section 7: Data Collection

1. Sample for the lab? Yes No

2. If yes, collected from: Flow Pool

3. Intermittent flow trap set? Yes No If Yes, type: OBM Caulk dam

Section 8: Any Non-Illicit Discharge Concerns (e.g., trash or needed infrastructure repairs)?



Appendix F

Construction Oversight Program

**Village of Great Neck Plaza
Municipal Separate Storm Sewer System
Appendix F
Construction Oversight Program**

Prepared By:



**LiRo Engineers, Inc.
235 E Jericho Turnpike
Mineola, NY, 11501**

Prepared For:



**Village of Great Neck Plaza
2 Gussack Plaza (PO Box 440)
Great Neck, NY, 11022**

May 24

Table of Contents

1	Introduction	2
1.1	Purpose	2
1.2	Applicability.....	2
1.3	Prior to Construction Approval	2
2	Responsibilities of Personnel	4
2.1	Qualified Inspectors	4
3	Construction Site Characteristics, Prioritization Methodology, and Inventory	6
4	Construction Inspection Procedure	7
4.1	Pre-construction Oversight Requirements	7
4.2	Inspection Requirements	7
4.3	Close-out Requirements	7
4.4	Construction Enforcement.....	8
5	Reporting Requirements.....	8

1 Introduction

Municipal Separate Storm Sewer Systems (MS4s) are publicly owned drainage systems which include streets, ditches, catch basins, curbs, gutters, and storm drains that are designed for collecting stormwater from built up areas and discharge it into local streams and rivers. MS4s are applicable in urbanized areas where stormwater runoff management is critical to protect water quality. The overall goal of the MS4 program is to reduce the discharge of pollutants from the drainage systems into surface waters, which will enhance water quality in natural ecosystems. The Village of Great Neck Plaza's stormwater discharges are regulated by the New York State Department of Environmental Conservation.

1.1 Purpose

The MS4 program is divided into several Minimum Control Measures (MCMs) which create quantitative and qualitative benchmarks for the Village to obtain. The Construction Oversight Program ensures compliance with MCM 4 for Construction Site Stormwater Runoff Control. The program identifies planning, oversight, and enforcement of construction activities to ensure they do not compromise water quality. The COP oversees the construction process from the pre-construction meeting to the final site walkthrough and identifies the various roles of key personnel. The overall goal of this MCM is to protect and maintain water quality throughout the various phases of construction and maintain comprehensive record of any activity.

The COP should be followed by the Post-Construction SMP Inspection and Maintenance Plan (Post-Construction Plan) in **Appendix G** of the Stormwater Management Program (SWMP). The Post-Construction Plan ensures compliance with MCM 5 for Post-Construction Stormwater Management.

1.2 Applicability

Private land developers are required to obtain a Stormwater Pollution Prevention Plan (SWPPP) permit for construction activities that disturb one acre or more of land, or those less than one acre that are part of a larger common plan of development that ultimately disturbs one or more acres. The COP ensures that the SWPPP is implemented. While smaller developments will not obtain a SWPPP the village can use the COP as a template for the inspection procedure to ensure private developments are conducting proper erosion control.

1.3 Prior to Construction Approval

The Village conducts site plan reviews of all developments within the Village, regardless of whether they require a SWPPP. The Village Engineer will review the plans as part of this process for grading, drainage, and erosion control measures. When a SWPPP is required the owner's design professional will prepare it in accordance with the Village's SWMP and best management practices. The approval of the erosion control or SWPPP will coincide with the approval of the construction drawings. The construction site inventory will be completed in accordance with Section 3 of the COP at this time, including the prioritization.



2 Responsibilities of Personnel

The following summarizes the responsibilities of the various individuals/entities/roles in their implementation of the SWPPP or enforcement of the COP:

- **Owner** – The owner of any private development and/or site disturbance is ultimately responsible for ensuring the SWPPP is implemented in its entirety. It is the owner’s responsibility to identify whether a SWPPP permit, or any other permits, are required prior to entering construction with the assistance of their design professionals or project manager.
- **Design Professional** – An Engineer or Architect is often responsible for producing a site design and ensures that the plans comply with the Village requirements and permits. They are often responsible for the SWPPP’s preparation along with the construction drawings approved by the Village. There may be more than one design professional involved in the process, so it is important to identify which company/professional is responsible for the preparation of the SWPPP or erosion control.
- **Project Manager** – The Project Manager represents the owner on site and is often a general contractor or owner’s representative. They will oversee the work that is occurring and maintain overall responsibility for contract administration. As such, the Project Manager is responsible for executing the SWPPP, as prepared by the designer and approved by the Village, prior to commencing work. Like a design team, the Project Manager is likely to oversee several trades or construction companies to complete the entire project. They must ensure that every construction company who is responsible for conducting the SWPPP’s requirements is aware of their responsibilities.
- **Building Inspector** – The Building Inspector is the Village’s representative who will monitor all aspects of the SWPPP, reviewing materials for acceptance, ensuring erosion control measures are properly installed, and enforcing general maintenance. They will conduct construction site inspections as detailed in the COP and deemed necessary.
- **Public** – The public may report failures in the SWPPP or erosion control procedures through the channels detailed in the SWMP. This includes contacting Village Hall by phone or email as well as the Nassau County hotline.

2.1 Qualified Inspectors

Anyone tasked with implementing the COP inspections must be trained in accordance with the MS4 general permit requirements. These include the following:

- A four (4) hour Department of Environmental Conservation endorsed course in proper erosion and sediment control principles. This course must be completed every three years.
- Qualified professionals or qualified inspectors who are knowledgeable in stormwater management best practices and the Village’s Stormwater Management Plan. This may include licensed Engineers, Architects, or Landscape Architects along with others.

Construction site inspectors must receive the training identified to be considered qualified to ensure implementation of the COP.



3 Construction Site Characteristics, Prioritization Methodology, and Inventory

The Construction Oversight Plan establishes a tracking system for active construction sites which includes physical characteristics and tracking information which help to actively manage the sites.

Appendix F-a is to be actively filled out by the Village Administrator and covers the required inventory items.

Inventoried physical characteristics for the site include the following:

- i. Location
- ii. Receiving Waterbody
- iii. Receiving Waterbody WI/PWL Segment ID

The receiving waterbody and segment ID can be gathered from the NYSDEC GIS Database (<https://gisservices.dec.ny.gov/gis/stormwater/>). This information is critical into identifying the site's prioritization which is identified in Appendix F-a. The prioritization will be classified as "high" or "low" based on whether the site fulfills one of the requirements below which would designate it as being a high priority location:

- i. Locations which outfall to a waterbody that are listed in Appendix C of the MS4 General Permit, are classified as AA-S, AA, or A, and are classified with a trout or trout spawning designation are given a high priority.
- ii. Sites which are greater than 5 acres will be given a high priority.
- iii. Sites within 100 feet of a lake/pond or within 50 feet of a river/stream.

These above policies prioritize sites which have a larger impact on water quality for ecological communities. Per the MS4 general permit, this prioritization must be completed within 30 days of the project's initiation but should be completed at the time of site approval being granted.

Regulatory information and oversight information will be taken as part of the project record, which will include the following:

- i. Owner/Operator
- ii. SPDES Identification Number
- iii. SWPPP Approval Date
- iv. Inspection history including dates and ratings (satisfactory, marginal, or unsatisfactory)
- v. Current status of construction site/project (active, temporarily shut down, complete)

The inventory must be annually updated to ensure project records are up-to-date and accurate.

4 Construction Inspection Procedure

The following section describes the various inspections and steps that are to be taken throughout a construction project's duration as part of the COP.

4.1 Pre-construction Oversight Requirements

As part of the site plan review process applicants must provide the necessary plans for Village's, or the Village Engineer's approval. The plans are reviewed for grading and drainage of the site after construction is completed. A demolition plan is also provided along with the SWPPP plan where relevant. This review ensures that the construction plans conform to the Village's MS4 requirements and that the owner, design professional, and project manager are identified. The applicant is further notified of their responsibility to implement the SWPPP as identified, otherwise their permit can be revoked. They are also advised that the COP will be used to maintain these requirements and the rights of the Village to inspect the property.

4.2 Inspection Requirements

Site inspections shall be conducted at the following frequencies:

- **Daily:** The Project Manager will check the site daily to ensure that the site is clear of unnecessary trash or debris which could impact erosion control performance. This is in accordance with SWPPP best management practices.
- **Weekly and after Heavy Rainstorms:** The SWPPP inspector, typically the Project Manager, will conduct an inspection of all erosion control devices on the site to ensure that they are free of sediment buildup. This inspection will be at least once a week or after 0.5" of rainfall during a 24-hour period in accordance with the SWPPP best management practices.
- **Annually:** The site will be inspected at least once per year by Village officials as part of the COP. This should ensure that all erosion control is properly installed, the SWPPP records are in place, and that personnel on site are qualified. This should be conducted in accordance with **Appendix F-b**.

4.3 Close-out Requirements

A final site inspection must be conducted and documented within the SWMP. This is documented on the Construction Site Inspection Report Form provided under the MS4 General Permit. This form is provided in **Appendix F-b**.

A Notice of Termination (NOT) will be signed by the Village when it is considered complete, which will only be signed after the owner provides the Notice of Intent, SWPPP plan, and inspection reports. After that point the Post-Construction SMP Inspection and Maintenance Plan will be considered applicable for oversight and enforcement.

4.4 Construction Enforcement

During construction non-compliance of the SWPPP could be identified by an inspector or the public. When the public identifies a construction site complaint, the Village should identify the date of the complaint, the location on the construction site, the nature of the complaint, follow-up actions taken or needed, the outcome of any follow-up inspections, and any follow-up enforcement taken/needed. Inspectors will also note non-compliance during their inspection procedure. When stormwater non-compliance is identified by the Village, enforcement actions will be taken promptly but no later than 7 days following identification of the non-compliance. The Village will take appropriate sanctions against the applicant based on the nature and severity of the situation. This is further identified in the Enforcement Response Plan in **Appendix H** of the SWMP, but may include verbal warnings, written warnings, or stop work orders which can be used to communicate the need for these requirements.

After construction has been completed owners must maintain crucial documentation, including the Notice of Intent (NOI), SWPPP, and inspection reports, for at least five years following the submission of a Notice of Termination (NOT) (Part VI.A of the SPDES General Permit GP 0-20-001).

5 Reporting Requirements

The Village shall regularly maintain the following regarding the COP's implementation:

1. Inspectors who are qualified to perform COP inspections
2. Site Plan and SWPPP approvals
3. Construction Site Inventory
4. Construction Duration Inspections
5. Final Construction Site Inspection Report.

These records shall be updated on a yearly basis at a minimum.

Appendix f-a - Construction Site Characteristics

Location			
Receiving Waterbody(s)			
Receiving Waterbody WI/PWL Segment ID(s)			
Post-Construction SMP			
Owner/Operator			
SPDES Identification Number			
SWPPP Approval Date			
Inspection history including dates and ratings (satisfactory, marginal, or unsatisfactory)			
Current status of construction site/project (active, temporarily shut down, complete)			

Instructions:

- Inspection Forms will be filled out during the entire construction phase of the project.
- Complete inspections must include:
 - ✓ An inspection form
 - ✓ A site plan showing the areas under active construction
 - ✓ Color Photos with date and time stamps showing any deficiencies or corrections to previous deficiencies
 - ✓ The signature of the QI
 - ✓ If the QI is working under the direction of a PE or RLA, the signature of the PE or RLA.
- **Required Elements:**
 - ✓ On a site map, indicate the extent of all disturbed site areas and drainage pathways.
 - Indicate site areas that are expected to undergo initial disturbance or significant site work within the next 14-day period.
 - Indicate, on a site map, all areas of the site that have undergone temporary or permanent stabilization.
 - Indicate all disturbed site areas that have not undergone active site work during the previous 14-day period.
 - ✓ Inspect all sediment control practices and record the approximate degree of sediment accumulation as a percentage of sediment storage volume (for example, 10 percent, 20 percent, and 50 percent).
 - ✓ Inspect all erosion and sediment control practices and record all maintenance requirements such as verifying the integrity of barrier or diversion systems (earthen berms or silt fencing) and containment systems (sediment basins and sediment traps).
 - ✓ Identify any evidence of rill or gully erosion occurring on slopes and any loss of stabilizing vegetation or seeding/mulching.
 - ✓ Document any excessive deposition of sediment or ponding water along barrier or diversion systems. Record the depth of sediment within containment structures, any erosion near outlet and overflow structures, and verify the ability of rock filters around perforated riser pipes to pass water.
 - ✓ Immediately report to the Developer any deficiencies that are identified with the implementation of the SWPPP.
 - ✓ Take color photos with time and date stamps of any identified deficiencies or corrections to previous deficiencies
 - ✓ Maintain onsite a record of all inspection documents and reports in the site log book.

Duration Inspection Form

Maintaining Water Quality

Yes No N/A

- Is there an increase in turbidity causing or reasonably likely to cause a substantial visible contrast to natural conditions?
- Is there residue from oil and floating substances, visible oil film, or globules or grease?
- All disturbance is within the limits of the approved plans.
- Have receiving lake/bay, stream, and/or wetland been impacted by silt from the project?

Housekeeping

1. General Site Conditions

Yes No N/A

- Is construction site litter and debris appropriately managed?
- Are facilities and equipment necessary for implementation or erosion and sediment control in working order and/or properly maintained?
- Is construction impacting the adjacent property?
- Is dust adequately controlled?

Runoff Control Practices

1. Excavation Dewatering

Yes No N/A

- Upstream and downstream berms (sandbags, inflatable dams, etc.) are installed per plan.
- Clean water from upstream pool is being pumped to the downstream pool.
- Sediment laden water from work area is being discharged to a silt trapping device.
- Constructed upstream berm with one-foot minimum freeboard.

Soil Stabilization

Topsoil and Spoil Stockpiles

Yes No N/A

- Stockpiles are stabilized with vegetation and/or mulch.
- Sediment control is installed at the toe of the slope.

Revegetation

Yes No N/A

- Temporary seeding and mulch have been applied to idle areas.
- 6 inches minimum of topsoil has been applied under permanent seeding.

Sediment Control Practices

1. Stabilized Construction Entrance

Yes No N/A

- Stone is clean enough to effectively remove mud from vehicles.
- Installed per standards and specifications?
- Does all traffic use the stabilized entrance to enter and leave site?
- Is adequate drainage provided to prevent ponding at entrance?

2. Silt Fence

Yes No N/A

- Installed on Contour, 10 feet from toe of slope (not across conveyance channels).
- Joints constructed by wrapping the two ends together for continuous support.
- Fabric buried 6 inches minimum.
- Posts are stable, fabric is tight and without rips or frayed areas. Sediment accumulation is ___% of design capacity.

Storm Drain Inlet Protection

(Use for Stone & Block, Filter Fabric, Curb, or Excavated practices)

Yes No N/A

- Installed concrete blocks lengthwise so open ends face outward, not upward.
 - Placed wire screen between No. 3 crushed stone and concrete blocks.
 - Drainage area is 1 acre or less.
 - Excavated area is 900 cubic feet.
 - Excavated side slopes should be 2:1.
 - 2" x 5" frame is constructed and structurally sound.
 - Posts 3-foot maximum spacing between posts.
 - Fabric is embedded 1 to 1.5 feet below ground and secured to frame/posts with staples at max 8-inch spacing.
 - Posts are stable, fabric is tight and without rips or frayed areas.
- Sediments accumulation ___% of design capacity.

CONSTRUCTION DURATION INSPECTIONS

Modifications to the SWPPP (To be completed as described below)

The Developer shall amend the SWPPP whenever:

- There is a significant change in design, construction, operation, or maintenance which may have a significant effect on the potential for the discharge of pollutants to the waters of the State and which has not otherwise been addressed in the SWPPP; or

- The SWPPP proves to be ineffective in;

- Eliminating or significantly minimizing pollutants from sources identified in the SWPPP and as required by this permit; or
- Achieving the general objectives of controlling pollutants in stormwater discharges from permitted construction activity; and
- Additionally, the SWPPP shall be amended to identify any new contractor or subcontractor that will implement any measure of the SWPPP.

Modification & Reason:

Qualified Inspector's 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 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 understand that certifying false, incorrect or inaccurate information is a violation of the laws of the State of New York and could subject me to criminal or civil penalties and/or administrative proceedings.

Inspector (Print name)

Date of Inspection


Qualified Professional (print name)

Qualified Professional Signature



**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER**



 Department of Environmental Conservation		New York State Department of Environmental Conservation Construction Site Inspection Report for SPDES MS4 General Permit GP-0-24-001	
Project Name:		Date:	
Project Location:		Weather:	
Permit # (if any): NYR	Contacted: <input type="checkbox"/> Yes <input type="checkbox"/> No	Entry Time:	Exit Time:
Name of SPDES Permittee:	Inspection Type: <input type="checkbox"/> NOT <input type="checkbox"/> Complaint <input type="checkbox"/> Compliance <input type="checkbox"/> Referral	MS4 Operator Name: MS4 Permit ID: NYR20A	
Phone Number(s):			
On-site Representative(s) and Company(s):			

SPDES Authority

Yes No N/A	Citation
1. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the project have permit coverage?	GP-0-20-001: I.A & II. B
2. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is a copy of the NOI and Acknowledgment Letter available on site and accessible for viewing?	GP-0-20-001: II.D.2
3. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is a copy of the MS4 SWPPP Acceptance Form available on site and accessible for viewing?	GP-0-20-001: II.D.2
4. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is an up-to-date copy of the signed SWPPP retained at the construction site?	GP-0-20-001: II.D.2. & III.A.4
5. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is a copy of the SPDES General Permit retained at the construction site?	GP-0-20-001: II.D.2
6. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the NOI accurately report the number of acres to be disturbed?	GP-0-20-001: II.B.4

SWPPP Content

Yes No N/A	Citation
7. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the SWPPP describe and identify the erosion and sediment control measures to be employed?	GP-0-20-001: III.B.1.e
8. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the SWPPP provide an inspection schedule and maintenance requirements for the E&SC measures?	GP-0-20-001: III.B.1.i
9. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the SWPPP describe and identify the stormwater management practices to be employed?	GP-0-20-001: III.B.2
10. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the SWPPP identify the contractor(s) and subcontractor(s) responsible for each measure?	GP-0-20-001: III.A.6
11. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the SWPPP identify at least one trained individual from each contractor(s) and subcontractor(s) companies?	GP-0-20-001: III.A.6
12. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Does the SWPPP include all the necessary Contractor Certification Statements and signatures?	GP-0-20-001: III.A.6
13. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is the SWPPP signed by the permittee?	GP-0-20-001: VII.H.2
14. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is the SWPPP prepared by a qualified professional (if post-construction stormwater management required)?	GP-0-20-001: III.A.3
15. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Do the SMPs conform to the Enhanced Phosphorus Removal Standards (projects in TMDL watersheds)?	GP-0-20-001: III.B.3

Recordkeeping

Yes No N/A	Citation
16. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Are self-inspections performed as required by the permit (weekly, or twice weekly for >5 acres disturbed)?	GP-0-20-001:IV.C.2.a. & b
17. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Are the self-inspections performed and signed by a qualified inspector and retained on site?	GP-0-20-001:II.C.2.,IV.C.6 & VII.H.3
18. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Do the qualified inspector's reports include the minimum reporting requirements?	GP-0-20-001: IV.C.4
19. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Do inspection reports identify corrective measures that have not been implemented or are recurring?	GP-0-20-001: IV.C.5



**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER**



Visual Observations

Yes No N/A	Citation
20. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Are all erosion and sediment control measures installed properly?	GP-0-20-001: VII.L
21. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Are all erosion and sediment control measures being maintained properly?	GP-0-20-001: IV.A.1
22. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Was written authorization issued for any disturbance greater than 5 acres?	GP-0-20-001: II.D.3
23. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Have stabilization measures been implemented in inactive areas per Permit (>5acres) or ESC Standard?	GP-0-20-001: II.D.3.b & III.B.1.f
24. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Are post-construction stormwater management practices constructed/installed correctly?	GP-0-20-001: III.B.2
25. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Has final site stabilization been achieved and temporary E&SC measures removed prior to NOT submittal?	GP-0-20-001: V.A.2
26. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Was there a discharge from the site on the day of inspection?	
27. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Is there evidence that a discharge caused or contributed to a violation of water quality standards?	ECL 17-0501, 6 NYCRR 703.2 & GP-0-20-001: I.D

Water Quality Observations

Describe the discharge(s): location, source(s), impact on receiving water(s), etc.

Describe the quality of the receiving water(s) both upstream and downstream of the discharge:

Describe any other water quality standards or permit violations:



**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER**



Additional Comments:

Photographs attached

Overall Inspection Rating: <input type="checkbox"/> Satisfactory <input type="checkbox"/> Marginal <input type="checkbox"/> Unsatisfactory	
Name/Agency of Lead Inspector:	Signature of Lead Inspector:
Names/Agencies of Other Inspectors:	

Appendix G

Post-Construction SWP Inspection & Maintenance Plan

**Village of Great Neck Plaza
Municipal Separate Storm Sewer System
Appendix G
Post-Construction SMP
Inspection and Maintenance Plan**

Prepared By:



**LiRo Engineers, Inc.
235 E Jericho Turnpike
Mineola, NY, 11501**

Prepared For:



**Village of Great Neck Plaza
2 Gussack Plaza (PO Box 440)
Great Neck, NY, 11022**

Table of Contents

1	Introduction	2
1.1	Purpose	2
1.2	Applicability.....	2
2	Responsibilities of Personnel	2
2.1	Qualified Inspectors	3
3	Post-Construction Site Inventory	3
4	Post-Construction Inspection Procedure	4
5	Reporting Requirements.....	4



1 Introduction

Municipal Separate Storm Sewer Systems (MS4s) are publicly owned drainage systems which include streets, ditches, catch basins, curbs, gutters, and storm drains that are designed for collecting stormwater from built up areas and discharge it into local streams and rivers. MS4s are applicable in urbanized areas where stormwater runoff management is critical to protect water quality. The overall goal of the MS4 program is to reduce the discharge of pollutants from the drainage systems into surface waters, which will enhance water quality in natural ecosystems. The Village of Great Neck Plaza's stormwater discharges are regulated by the New York State Department of Environmental Conservation.

1.1 Purpose

The MS4 program is divided into several Minimum Control Measures (MCMs) which create quantitative and qualitative benchmarks for the Village to obtain. The Post-Construction SMP Inspection and Maintenance Plan (Post-Construction Plan) ensures compliance with MCM 5 for Post-Construction Stormwater Management. MCM 5 emphasizes the long-term effectiveness of post-construction stormwater management practices (SMPs). Through systematic inventory tracking, regular inspections, and maintenance programs, the MS4 Operator ensures that these SMPs function optimally to reduce pollutants over time. The ongoing training of staff and the documentation of compliance efforts further enhance the program's effectiveness.

The Post-Construction Plan ensures that stabilized construction sites maintain their erosion control measures and follow the Construction Oversight Plan (COP) detailed in **Appendix F** of the Stormwater Management Program (SWMP).

1.2 Applicability

The Post-Construction Plan addresses stormwater from publicly owned/operated Stormwater Management Practices (SMPs). This could include Post-Construction SMPs installed as part of a SWPPP or as part of a construction general permit (CGP). Post-Construction SMPs are often required if development during construction increases the impervious area, to reduce the impact of the additional runoff on ecological systems. Private owners and developers are exempt from the Post-Construction Plan, however private properties are encouraged, and in some cases required by law, to maintain SMPs on their property after construction.

2 Responsibilities of Personnel

The following summarizes the responsibilities of the various individuals/entities/roles in their implementation of the SWPPP or enforcement of the COP:

- **Owner** – The owner of the site after work has been completed. If the site is sold or transferred, then the current owner is responsible for maintaining the records from the prior owner.



- **Design Professional** – An Engineer or Architect is often responsible for preparing the SWPPP permit, which may include Post-Construction SMPs in their design.
- **Building Inspector** – The Building Inspector is the Village’s representative who will monitor all post-construction SMPs.
- **Public** – The public may report failures in the SWPPP or erosion control procedures through the channels detailed in the SWMP. This includes contacting Village Hall by phone or email as well as the Nassau County hotline.

2.1 Qualified Inspectors

Anyone implementing the Post-Construction Plan must be trained in accordance with the MS4 general permit requirements. These include the following:

- A four (4) hour Department of Environmental Conservation endorsed course in proper erosion and sediment control principles. This course must be completed every five years (this differs from the COP which requires recertification every three years).
- Qualified professionals or qualified inspectors who are knowledgeable in stormwater management best practices and the Village’s Stormwater Management Plan. This may include licensed Engineers, Architects, or Landscape Architects along with others.

3 Post-Construction Site Inventory

The Post-Construction Plan establishes a tracking system for sites after construction is completed which includes physical characteristics of the site and SMP tracking information which help to actively manage the sites. **Appendix G-a** is to be actively filled out by the Village Administrator and covers the required inventory items. Inventoried physical characteristics for the site include the following:

- i. Location (including street address and tax parcel)
- ii. Receiving Waterbody
- iii. Receiving Waterbody WI/PWL Segment ID

The receiving waterbody and segment ID can be gathered from the NYSDEC GIS Database (<https://gisservices.dec.ny.gov/gis/stormwater/>). Regulatory information and oversight information will be taken as part of the project record, which will include the following for every form of Post-Construction SMP prepared:

- i. Owner/Operator
- ii. Responsible party for maintenance
- iii. Contact information for responsible party for maintenance
- iv. Location of documentation depicting Operation and Maintenance requirements and legal agreements for post-construction SMPs.
- v. Frequency of Inspections Required
- vi. Reason for installation (new development, redevelopment, retrofit, flood control)
- vii. Date of last inspection

- viii. Inspection results
- ix. Corrective actions identified
- x. Date corrective action was completed

A single site may have several post-construction SMPs associated with development, and it may be possible that multiple public organizations share ownership of them. The inventory must be annually updated to ensure project records are up-to-date and accurate. In the case of switching ownership, use **Appendix G-b** to maintain a record of the transfer of responsibility between parties.

4 Post-Construction Inspection Procedure

Site inspections shall be conducted on an annual basis and those instances recorded in accordance with **Appendix G-c**. The inspector will fill out the form identified in **Appendix G-d**. After construction has been completed owners must maintain crucial documentation, including the Notice of Intent (NOI), SWPPP, and inspection reports, for at least five years following the submission of a Notice of Termination (NOT) (Part VI.A of the SPDES General Permit GP 0-20-001). The inspector will also ensure that soil stabilization, housekeeping, and water quality along with any site-specific post-construction SMPs.

Failure of a post-construction SMP could be identified by an inspector or the public. When the public identifies a failure, the Village should identify the date of the complaint, the location on the construction site, the nature of the complaint, follow-up actions taken or needed, the outcome of any follow-up inspections, and any follow-up enforcement taken/needed. Inspectors will also note non-compliance during their inspection procedure. Corrective actions should be initiated within thirty (30) days of the owner being notified. When stormwater non-compliance is identified by the Village, enforcement actions will be taken promptly but no later than 60 days following identification of the non-compliance. The Village will take appropriate sanctions against the applicant based on the nature and severity of the situation. This is further identified in the Enforcement Response Plan in Appendix H of the SWMP, but may include verbal warnings, written warnings, or punitive measures which can be used to communicate the need for these requirements.

5 Reporting Requirements

The Village shall regularly maintain the following regarding the Post-Construction Plan's implementation:

1. Inspectors who are qualified to perform Post-Construction Plan inspections
2. Site Plan, approvals, and inspection reports from Construction for up to 5 years.
3. Post-Construction Site Inventory
4. Post-Construction Site Inspection Reports.

These records shall be updated on a yearly basis at a minimum.



Post-Construction SMP Inspection and Maintenance Plan
Appendix G-a - Post-Construction SMP Site Inventory

Location:			
Address:		Tax Parcel:	
Receiving Waterbody(s)			
Receiving Waterbody WI/PWL Segment ID(s)			
Post-Construction SMPs used at site (use additional pages as necessary)			
Owner/Operator			
Party Responsible for Maintenance			
Contact information of Responsible Party			
Frequency of Inspections Required			
Reason for Installation			
Dates of Inspection			
Inspection Results			
Corrective Actions Identified			
Date Corrective Action Completed			

Appendix G-b: Certificate of Transfer

As directed by the owner's representative, the copy of the storm water pollution prevention plan retained at the site, along with all signed statements, reports and schedules contained herein for completion by the contractor are to be provided to the new owner at the transfer of ownership. The new owner shall retain the plan, reports and records of all data for a period of five years from the date that the site is stabilized. This period may be extended by the Village at any time upon written notification. The original owner should continue to keep a copy for their records.

Receiving Agency:

Date of Transfer: _____

Name: _____

Title: _____

Firm: _____

Signature: _____

Received from:

Name: _____

Title: _____

Address: _____

Tel. Number(s): _____

Signature: _____

(Note: Inquiries in regard to copies of pollution prevention plan by either the State Director or any local agency having jurisdiction to be directed to owner's project representative.)

Appendix G-d: Post-Construction SMP Inspection Form

Project Name:		Date:	
Project Location:		Weather:	
Permit # (if any):	Contacted: <input type="checkbox"/> Yes <input type="checkbox"/> No	Entry Time:	Exit Time:
SPDES Permittee Organization:		Inspection Type:	<input type="checkbox"/> NOT <input type="checkbox"/> Complaint
Phone Number(s):			<input type="checkbox"/> Compliance <input type="checkbox"/> Referral
On-site Representative(s) and Company(s) Present:		MS4 Operator Name:	
		MS4 Permit ID:	

Qualified Professional Certification: A qualified professional shall perform site inspections.

Maintenance of Records

Yes No N/A

- If less than 5 years from final stabilization, is the SWPPP and all associated records maintained. If yes, then where:

Maintaining Water Quality

Yes No N/A

- Is there residue from oil and floating substances, visible oil film, or globules or grease?
- Are receiving lake/bay, stream, and/or wetland been impacted by silt from the project?

Housekeeping

Yes No N/A

- Is site litter and debris appropriately managed?
- Are facilities and equipment necessary for implementation or erosion and sediment control in working order and/or properly maintained?
- Is the drainage system impacting the adjacent property?

Soil Stabilization

Yes No N/A

- Stabilized regions maintain vegetation and/or mulch coverage.
- Banks, slopes, and berms are stabilized.

Please detail any additional Post-Construction SMPs and detail their condition:

Additional Comments:

Photographs attached

Overall Inspection Rating: <input type="checkbox"/> Satisfactory <input type="checkbox"/> Marginal <input type="checkbox"/> Unsatisfactory
--

Qualified Inspector's 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 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 understand that certifying false, incorrect or inaccurate information is a violation of the laws of the State of New York and could subject me to criminal or civil penalties and/or administrative proceedings.

Qualified Professional (print name)

Qualified Professional Signature

Appendix H

Enforcement Response Plan

Village of Great Neck Plaza Municipal Separate Storm Sewer System Enforcement Response Plan

Prepared By:



**LiRo Engineers, Inc.
235 E Jericho Turnpike
Mineola, NY, 11501**

Prepared For:



**Village of Great Neck Plaza
2 Gussack Plaza (PO Box 440)
Great Neck, NY, 11022**

May 24

Table of Contents

1	Introduction	2
1.1	Purpose	2
1.2	Types of Enforcement Actions	2
1.2.1	Construction Sites	2
1.2.2	Illicit Discharges and Connections	3
2	Methods of Discovery of Non-Compliance	3
3	Construction Site Erosion and Sediment Enforcement and Post-Construction Stormwater Management.....	3
3.1	Compliance Requirements.....	3
3.2	Construction Enforcement.....	4
3.2.1	Verbal Warning	4
3.2.2	Written Warning	4
3.2.3	Stop Work Order	5
4	Illicit Discharges and Connection Enforcement	5
4.1	Verbal Warning	6
4.2	Written Warning	6
4.3	Removal of Connection/Discharge	6
4.4	Civil Action	6
4.4.1	New York State Department of Environmental Conservation (NYSDEC).....	6
4.4.2	United States Environmental Protection Agency (USEPA).....	7
5	Emergency Response Conditions	7
6	Reporting Requirements.....	7

1 Introduction

The Village of Great Neck Plaza's stormwater discharges are regulated by the New York State Department of Environmental Conservation. This Stormwater Enforcement Response Plan (ERP) describes procedures implemented by the Village to achieve compliance with legal authority and enforcement requirements stipulated in New York's State Pollutant Discharge Elimination System (SPDES) Municipal Separate Storm Sewer Systems (MS4s) Permit No. GP-0-24-001. This plan is specific to the requirements in the stormwater conveyance system owned, leased, or operated by the Village. The Village uses legal authority delegated within the New York Administrative Code to enforce against illegal encroachments, including spills and illicit discharges, and utilizes contract specifications to leverage authority on contractors performing work administered by the Village.

1.1 Purpose

This ERP describes the response measures available to the Village to exercise its authority to control pollutant discharges to its MS4s. Enforcement procedures are designed to encourage timely responses and beneficial coordination with dischargers in order to prevent stormwater pollution. Standard implementation of the measures provides a consistent response across the Village's MS4s to avoid confusion, delays and disputes. The Village's standard process for documentation of possible discharges, subsequent investigations, and follow-up actions is also outlined in this ERP.

1.2 Types of Enforcement Actions

The Village will use Village Code, permits, and penalties to enforce illicit discharges to the Village's MS4 system. The Village anticipates two general types of stormwater violations: construction sites and illicit discharges or connections to the Village's MS4. Potential violators include construction contractors, businesses, industries, private citizens, and other governmental agencies which are detailed below.

1.2.1 Construction Sites

The Village's construction contractors are required to obtain all required permits pertaining to land disturbance activities from various agencies. Permits could include County, State or Federal permits.

The Village is responsible for inspection oversight responsibility and must ensure that a trained employee inspects construction activity at sites until final stabilization is achieved. The MS4 permit requires the Village to implement a system to monitor contracted construction activities and to enforce Permit provisions. Should any issues with Permit compliance occur, the Village will initiate progressive enforcement action. The Village is required to list and describe all violations and enforcement responses taken for construction activities in the Annual Report to NYSDEC (see **Section 6**).

The Village's authority to take enforcement action at construction sites is derived from its Village code along with permit language.

1.2.2 Illicit Discharges and Connections

The Permit also requires the Village to take measures to detect and eliminate illicit discharges and connections to the Village's MS4. An illicit discharge is defined as any discharge to a MS4 that is not entirely composed of stormwater, with the exception of allowable non-stormwater discharges and separately permitted discharges. Illicit connections are defined as any man-made conveyance that connects an illicit discharge directly to the MS4. The Village is required to implement a program to minimize, detect, investigate, and eliminate illicit discharges and connections, including unauthorized non-stormwater discharges and spills, into the MS4 system.

2 Methods of Discovery of Non-Compliance

Reports of a stormwater violation or non-compliance may come from one of the following sources:

- Reports from Village Staff – Illicit discharges and discharges of sediment or other pollutants from the construction sites, facilities, or other sources within the Village's MS4 may be observed by Village staff as they conduct normal activities such as driving to or from job sites or when inspecting other activities. Such non-compliances could include water and wind erosion, sediment tracking onto local streets, poor housekeeping, incorrect location of concrete washouts, and failed ineffective best management practices (BMPs).
- Permit Compliance Activities – Non-compliances may be discovered through Permit-required inspections or monitoring, including construction site inspections, dry weather screening, and stormwater sampling.
- Contractor Compliance Activities – A construction contractor's failure to comply with the State's Construction General Permit (CGP) requirements such as conducting and submitting inspection reports, obtaining annual certification, preparing and implementing Stormwater Pollution Prevention Plans (SWPPPs).
- Reports from the Public – Public complaints may come directly to the Village or through other local, state or federal government agencies.

3 Construction Site Erosion and Sediment Enforcement and Post-Construction Stormwater Management

This section imposes the obligation of an applicant to perform their duties in an honest, diligent, and cooperative manner.

The following section describes the Village's authority and the mechanisms for enforcing Permit provisions on construction sites within the boundaries of the Village's MS4 jurisdiction.

3.1 Compliance Requirements

Compliance with stormwater permits and laws on construction projects within the Village's MS4 must be enforced according to these Enforcement Response Procedures.

Applicants are to comply with the State's SPDES CGP, Village, and County permits for regulated construction projects, including the obligation to file a NOI and obtain authorization under the State CGP for each construction project or site. The applicant shall also file a NOT for each construction project or site, either terminating their responsibility if final stabilization has been achieved or transferring it to another owner for completion.

3.2 Construction Enforcement

When stormwater non-compliance is identified by the Village, enforcement actions will be taken promptly but no later than 7 days following identification of the non-compliance. The Village will take appropriate sanctions against the applicant based on the nature and severity of the situation. Non-compliances will be classified as a minor or major violation. Major violations are generally those acts or omissions that lead to a discharge of pollutants to stormwater. Minor violations are generally instances of non-compliance that do not directly result in such a discharge. Serious discharges or an imminent threat of discharge on a project may require an immediate escalation to a higher level of enforcement. The level of enforcement response will depend upon several of the following factors:

- Severity of the violation: the duration, quality, and quantity of pollutants, and effect on public safety and the environment.
- The violator's knowledge (either negligent or intentional) of the regulations being violated.
- A history of violations and /or enforcement actions individual or contractor.
- The potential deterrent value of the enforcement action.

The Village will use a progressive enforcement policy, escalating the response when an applicant fails to respond in a timely manner. If the Village identifies a deficiency in the implementation of the approved SWPPP or amendments and the deficiency is not corrected immediately or by a date requested by the Village, the project is in non-compliance. The timeframes to complete corrective actions and the name or position title of responsible person(s) for conducting enforcement will be documented in the notice. The recommended sequence of enforcement actions is detailed below.

3.2.1 Verbal Warning

This action is a verbal exchange between an inspector or the resident engineer and the alleged violator. The information exchanged will be documented by the inspector. Typically, no letter is written if the problem is corrected immediately, and the inspector or resident engineer observes the corrective action and deems it appropriate.

3.2.2 Written Warning

A warning letter may be issued if the non-compliance continues for 7 days after the verbal warning is issued, if the non-compliance cannot be corrected while the inspector is on site, or if the non-compliance is a significant violation. The warning letter will document the reasons why the discharge is illegal and will provide a deadline for compliance. Based on the type and severity of the non-compliance, the period between the verbal and written warnings may not wait the full 7 days. Compliance is required within 7 days to avoid additional enforcement actions; however, if the situation warrants it, shorter or longer deadlines may be permissible. A sample letter to violators is provided in **Appendix A**.

3.2.3 Stop Work Order

If the verbal and written warnings do not result in corrective action by the documented deadline, the Village may stop work (full or partial shutdown) at the construction site. Upon successful corrective action in response to a stop work order and upon approval by the Village, work may begin at the site. Example Stop Work Orders and Resume Work Orders are provided in **Appendix B**.

3.2.3.1 Temporary Suspension of Work

If immediate action is required due to an imminent threat of discharge, or if the contractor does not respond to the warning letter within the required time frame, the Village may temporarily suspend work on the project until the corrective action has been completed.

3.2.3.2 Require Corrective Action

The Village may require the permit holder to undertake corrective or remedial action to address any release, threatened release, or discharge of the hazardous substance, pollutant or contaminant, water, wastewater, or stormwater.

3.2.3.3 Revocation of Permit

The Village may revoke any permit issued to the permit holder if corrective action is not completed by the documented deadline.

3.2.3.4 Abatement

The Village may correct the deficiency or hire a contractor to correct the deficiency if corrective action is not completed by the documented deadline. The issuance of a permit constitutes a right-of-entry for the Village or its contractor to enter the construction site for the purpose of correcting deficiencies in erosion control. If the Village corrects the deficiency or hires a contractor to correct the deficiency, the Village may require reimbursement to the Village for all costs incurred in correcting stormwater pollution control deficiencies, pursuant to Village Code.

4 Illicit Discharges and Connection Enforcement

The Permit requires the Village to implement and enforce a program that ensures that the Village effectively prohibits non-stormwater discharges into its MS4. In addition, neighboring property owners are not allowed to occupy, use, or interfere with public ROW without permission. Any discharge/connection without permission is an illegal encroachment on the Village's MS4. A discharge/connection can be discovered in two ways, either through routine inspection or due to a complaint.

Similarly to the process in **Section 3.2**, notification of observed illicit connections or discharges will be carried forward to the alleged illegal connector/discharger by the inspector or observer. The Village will

use the following progressive enforcement policy, escalating the response when a discharger fails to respond in a timely manner.

4.1 Verbal Warning

When a routine inspection of the drainage system identifies an illegal connection/discharge to the Village's MS4 system, the inspector documents the discharge on a IDDE Inspection Form or in their Village electronic management system, which will be provided to the Village Engineer within 48 hours, as well as notify other departments and agencies as appropriate.

If the source of the connection is evident, the observer/inspector will contact the connector/discharger directly by phone or in person to discuss elimination. The communication will include requesting any permits or other authorizations and providing a follow-up date (within 15 days). If the discharge is permitted or authorized (documentation is required), no further action is required; if the discharge is not authorized, it will need to be addressed or ceased within 15 days.

4.2 Written Warning

If after 15 days of the verbal warning the illicit connection/discharge has not been corrected, the Public Works Director will issue a "Notice of Illegal Discharge and Demand for Corrective Action" letter to the property owner (example letter in **Appendix C**). The letter will request that the connection/discharge be ceased or removed within 30 days. A follow-up inspection will be performed by a Village staff member to ensure compliance. If the connection/discharge has not been corrected, the incident will be referred internally to the Village Engineer for further review.

4.3 Removal of Connection/Discharge

The Village may remove the illegal connection/discharge if it has not been corrected within a suitable timeframe. If the Village removes the illegal connection/discharge, the responsible party is subject to civil action for damages.

4.4 Civil Action

If the illegal connection/discharge is not corrected within 60 days of observation, the Village Engineer may forward the matter to be considered for further legal action. Additional measures will be escalated as needed to achieve compliance.

4.4.1 New York State Department of Environmental Conservation (NYSDEC)

Authority to administer the state MS4 permit in New York rests with the NYSDEC. The NYSDEC has several enforcement mechanisms for violations of SPDES rules, including fines. A sample letter to the NYSDEC asking for enforcement upon the violator is attached in **Appendix D**.

4.4.2 United States Environmental Protection Agency (USEPA)

Although the USEPA delegated authority for the SPDES Program to the state of New York, the USEPA reserves the authority to apply fines in addition to fines issued by the NYSDEC. Federal environmental regulations based on the Clean Water Act allow the USEPA to levy fines on dischargers of up to \$27,500 per day per violation.

5 Emergency Response Conditions

The Village's MS4 Permit identifies "discharges from emergency situations where federal rules specify washing as the preferred method to assure public safety" as an authorized non-stormwater discharge. Discharges or flow from firefighting activities and other discharges authorized by the Village and/or State Duty Officer that are necessary to protect public health and safety are not subject to enforcement action.

Ineffective erosion control or an illicit discharge/connection may require coordination with law enforcement and local fire departments if one or more of the following conditions are met:

1. There is a clear and present danger to the public: Contamination can cause significant damage to water quality in the cases of drinking water or recreational purposes. Commensurate action should be taken to ensure that the public is protected from harm.
2. There is an opportunity to contain the discharge: Depending on how quickly an illicit discharge is identified there may be an opportunity to mitigate the impact on the public and the environment. This could include prevention from reaching the outfall, impacting natural ecosystems, or mitigating it from spreading across a greater region.

If one or more of these conditions are met, the local police department and fire departments should be contacted to see if they can mobilize assistance. In addition, based on the location of the illicit discharge and the downstream system, the downstream municipalities should be contacted to communicate a response.

6 Reporting Requirements

The Village shall provide a list and description of all violations and their resolutions, including any enforcement actions taken against contractors, corporations, or other entities in the Annual Report to NYSDEC. At a minimum, the inspector should document the source of the complaint, the date, the time, the contact person (if any), a description of the nature of the non-compliance or illicit discharge, actions taken, and final resolution.

At a minimum, the Village shall document the following for each violation:

1. Name of the person responsible for violating the terms and conditions of the permittee's regulatory mechanism(s).
2. Date(s) and location(s) of the observed violation(s).
3. Description of the violation(s).
4. Corrective action(s) (including completion schedule) issued by the permittee.
5. Referrals to other regulatory organizations (if any).
6. Date(s) violation(s) resolved.

APPENDIX A
Non-Compliance Notice to Contractors

Appendix A

Village of Great Neck Plaza

NONCOMPLIANCE NOTICE

FROM: _____

TO: _____

Date: _____
Time: _____

CONTRACT NO. _____
PROJECT TITLE _____
CONTRACTOR _____

You are hereby notified that tests, inspection indicates that the _____

does not conform to the contract requirements.

Refer to Section _____ Paragraph _____ Drawing No/Detail _____
of the _____

Under these provisions, the requirements are _____

Non complying work shall be removed and replaced at no cost to the Department. It shall be the contractor's responsibility to determine the corrective action necessary and to submit a corrective plan for approval.

INSPECTOR

Noncompliance notice was received by the Contractor on _____
By: _____
Title: _____

APPENDIX B
Stop Work and Resume Work Orders

Appendix B

Village of Great Neck Plaza

STOP WORK ORDER

F.A. Project No. _____

Fund Code Order No. _____

Project _____

Contractor _____

Date Effective _____

Time of Day _____

Work Stopped 100%

Work Stopped Partial

(Check square applicable)

Reason: _____

If partial shutdown, list items affected on
reverse side or attached sheet

Resident Engineer

Appendix B

Village of Great Neck Plaza

RESUME WORK ORDER

Project No. _____ A.F.E. No. _____ Order No. _____

Project _____ Contractor _____

Date Effective _____ Time of Day _____

Work 100% Resumed

Reason: _____

Resident Engineer

APPENDIX C
Notice of Illegal Discharge and Demand
for Corrective Action

Appendix C

Village of Great Neck Plaza

2 Gussack Plaza
Great Neck, NY 11021

XXXXXXXXXXXX

Mayor

XXXXXXXXXXXX

SWMP Supervisor

<Insert Date>

XXXXXXXXXXXX

Village Clerk

NOTICE OF ILLEGAL DISCHARGE OR CONNECTION

Person or Business Name

Address

Oyster Bay, New York

Dear Property Owner:

The Village of Great Neck Plaza is responsible for maintaining the extensive storm drain network located within the Town's rights-of-way. The New York State Pollutant Discharge System (SPDES), which is a component of the Clean Water Act of 1972, requires the Town to control the amount of pollutants entering the drainage system. Part of this charge is the detection and elimination of illegal discharges or connections to the system that may contain pollutants or are otherwise not allowed. Left uncorrected, any pollutants entering the system will ultimately impact nearby streams, as storm drainage is not treated at any sort of treatment facility. In addition, neighboring property owners are not allowed to occupy, use or interfere with public right of way without permission. Any discharge/connection without permission is an illegal encroachment on the Town's right of way.

An inspection of the drainage system has occurred in the vicinity of your property and an illegal connection/discharge was discovered entering into the Town's system. The discharge/connection was discovered on <insert date> at <insert business name or address>.

Indicators or Source include piping and staining.

Photographs of this discharge/connection are enclosed with this letter. In addition, I have enclosed an aerial photograph showing the location of this discharge/connection.

This discharge or connection must be ceased or removed within 30 days. A follow-up investigation will be conducted after that time to ensure compliance. If the situation is not corrected, the Town will take corrective measures, including but not limited to sending this matter to the New York State Department

Appendix C

of Environmental Conservation so that additional penalties/fines may be levied on you. In the alternative, the Town may remove the discharge/connection and bill you directly.

If the illegal discharge/connection cannot be removed within 30 days, you do not understand this notice, or you disagree that an illegal discharge/connection exists at your property, please contact me with further details or explanation by calling XXX.XXX.XXXX or by email at XXXXXXX@XXXX.gov.

Sincerely, XXXXXXXXXXXX

<Insert Title>

<Insert Address>

Enclosure (photographs)

cc: XXXXXXXXXXXXXXXX

APPENDIX D
**Letter to New York State Department of
Environmental Conservation**

Appendix D

Village of Great Neck Plaza

**2 Gussack Plaza
Great Neck, NY 11021**

XXXXXXXXXXXX

Mayor

XXXXXXXXXXXX

SWMP Supervisor

<Insert Date>

XXXXXXXXXXXX

Village Clerk

Mr. XXXXXXXXXXX

New York State Department of Environmental Conservation
Address

Dear Mr. XXXXXXXXX:

The Village of Great Neck Plaza is responsible for maintaining the extensive storm drain pipe network located within the Town’s rights-of-way. On <insert date>, an illegal connection/discharge was discovered entering into the Town’s system at <insert location>. A Notice of Illegal Discharge and Demand for Corrective Action letter (attached) was sent to the property owner <insert name> on <Insert date>. Thirty days have elapsed since the issuance of the letter and the Town conducted a follow-up inspection on <insert date>, where it was discovered that the illegal connection/discharge has not ceased or been removed.

This letter is to request assistance from the New York State Department of Environmental Conservation’s Office in the removal of the discharge/connection and to provide additional penalties/fines on the violator. If you have any questions or need further information, please contact me by calling XXX.XXX.XXXX or by email at XXXXXXX@XXXX.gov.

Sincerely, XXXXXXXXXXX

<Insert Title>

<Insert Address>

cc: XXXXXXXXXXXXXXXX

APPENDIX E
Enforcement Tracking Form

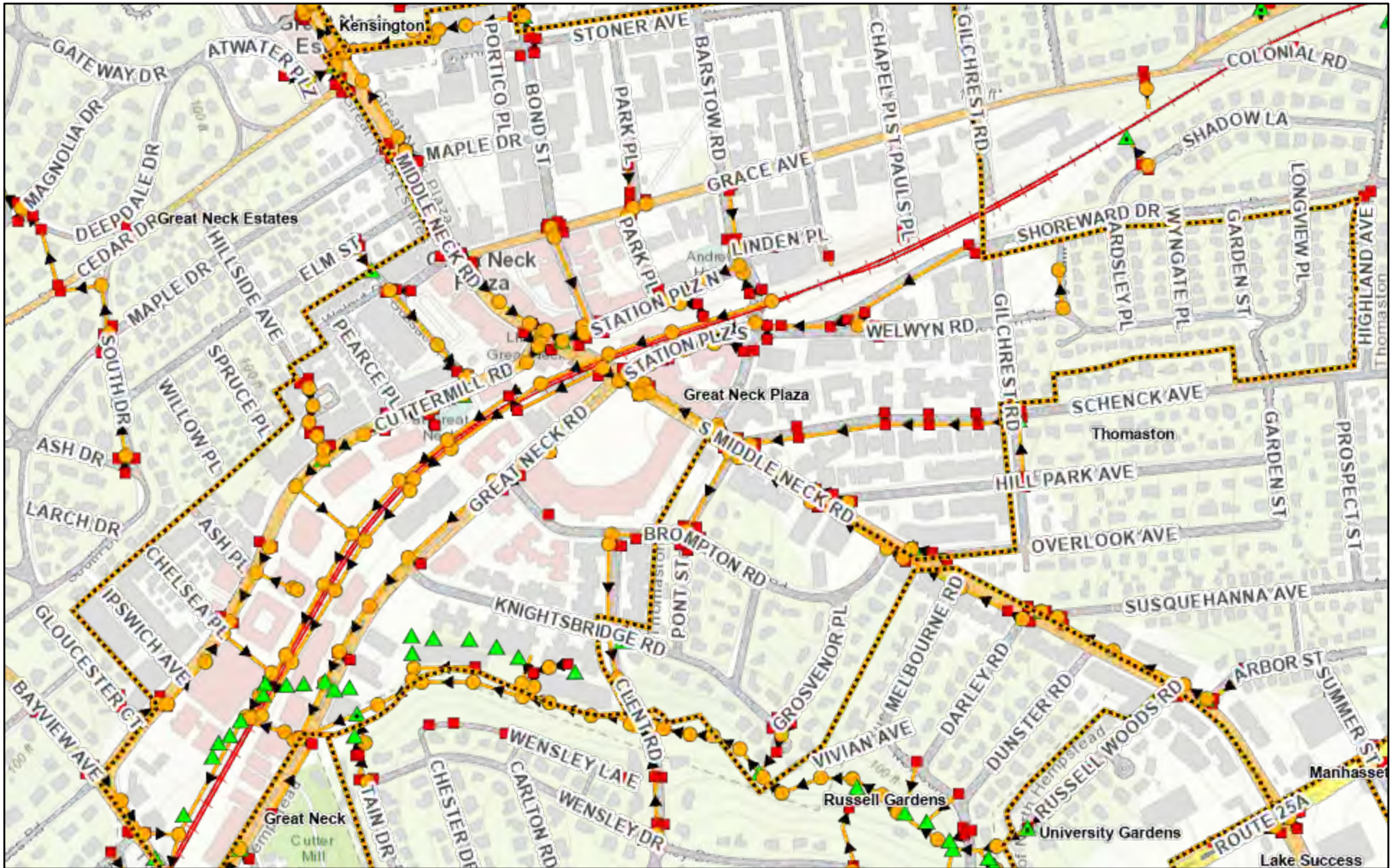
Village of Great Neck Plaza
Stormwater Management Program Enforcement Tracking Form

Enforcement Action 2 Date:			60 days from Enforcement Action:		
Compliance must be achieved within 60 days of a verbal or written notice, otherwise, escalate enforcement measure					
Enforcement Type (check one): Verbal Warning Written Notice Stop Work Order Citation					
Withholding Auth. Other: _____					
Responsible Department: _____					
Responsible Person:		Phone:		Email:	
Description of Enforcement Action:					
Actions and Schedule to Achieve Compliance:					
Was Violation corrected within 60 days: Y N Photos Taken: Y N					
Inspected By:		Signature:		Date:	
Enforcement Action 3 Date:			60 days from Enforcement Action:		
Compliance must be achieved within 60 days of a verbal or written notice, otherwise, escalate enforcement measure					
Enforcement Type (check one): Verbal Warning Written Notice Stop Work Order Citation					
Withholding Auth. Other: _____					
Responsible Department: _____					
Responsible Person:		Phone:		Email:	
Description of Enforcement Action:					
Actions and Schedule to Achieve Compliance:					
Was Violation corrected within 60 days: Y N Photos Taken: Y N					
Inspected By:		Signature:		Date:	

Appendix I

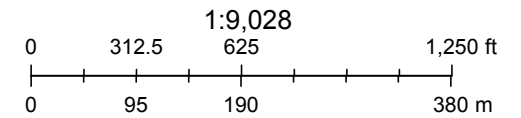
GIS, Outfall, and System Mapping Documentation

Great Neck Plaza



December 17, 2024

- | | | | |
|---------|--|---|--|
| Roadway | State | Nassau Drainage Pipes | Outfall / Interconnect |
| | Other | Nassau Drainage Structures | Drywell |
| | County | Catch Basin | Manhole |
| | Street Names | | |
| | Railroad | | |



(C) Copyright Nassau County, NYC OpenData, Nassau County, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA