



STORMWATER MANAGEMENT ON INDUSTRIAL AND COMMERCIAL PROPERTIES

Stakeholder Advisory Group

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2. Municipal Separate Storm Sewer System (MS4) Permit Overview
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4. Stormwater Management Plan (SWMP): **Industrial and Commercial Stormwater Sources**
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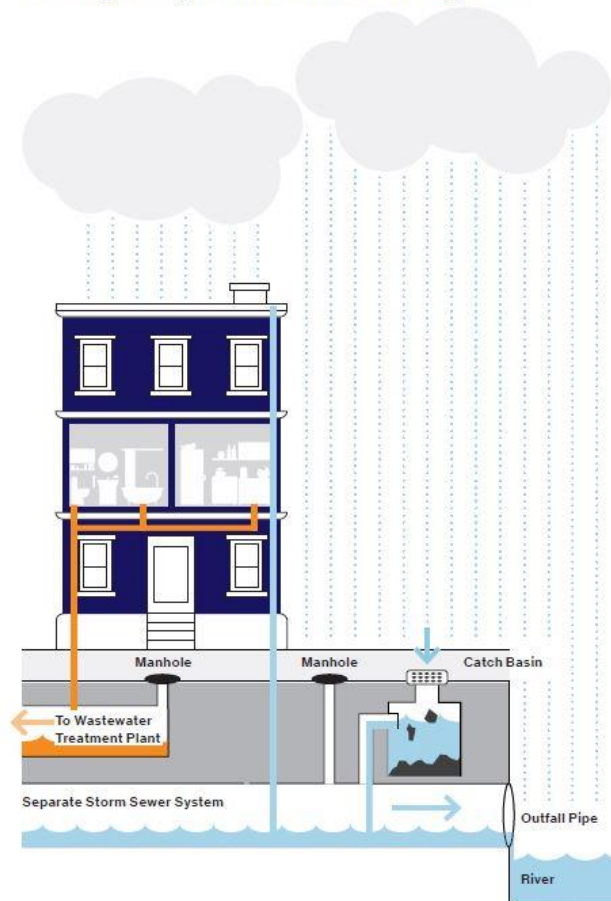
Municipal Separate Storm Sewer System (MS4)

- A conveyance or system of conveyances;
- owned by a state, city, town, village, or other public entity that discharges to waters of the US;
- designed or used to collect or convey stormwater (including storm drains, pipes, ditches, etc.);
- not a combined sewer; and
- not part of a Publicly Owned Treatment Works (sewage treatment plant).

Combined Sewer System



Municipal Separate Storm Sewer System



New York State Pollutant Discharge Elimination System (SPDES)

- ❖ **Municipal Separate Storm Sewer System Permit (MS4 Permit)**
 - Effective date: August 1, 2015
 - Duration: renewal every 5 Years
 - Permit intent: to implement measures to reduce pollution in stormwater runoff
 - NYC is required to develop a **Stormwater Management Program (SWMP)** to submit to NYSDEC on **August 1, 2018**



Why is this Important?

Stormwater is water from rain or melting snow that doesn't soak into the ground but runs into the sewer system and/or local waterways.

What's the Problem? In MS4 Areas, stormwater runoff collects and transports pollutants into local waterways.

To comply with the Clean Water Act, the New York State Department of Environmental Conservation (DEC) administers the State Pollutant Discharge Elimination System (SPDES) **Multi-Sector General Permit (MSGP)** which addresses the potential problems associated with stormwater runoff from industrial sites.

For more information see NYSDEC links below:

<http://www.dec.ny.gov/chemical/8468.html>





<http://www.dec.ny.gov/chemical/9009.html>

The MS4 Permit regulates drainage areas (collectively called the MS4 area) where stormwater drains:

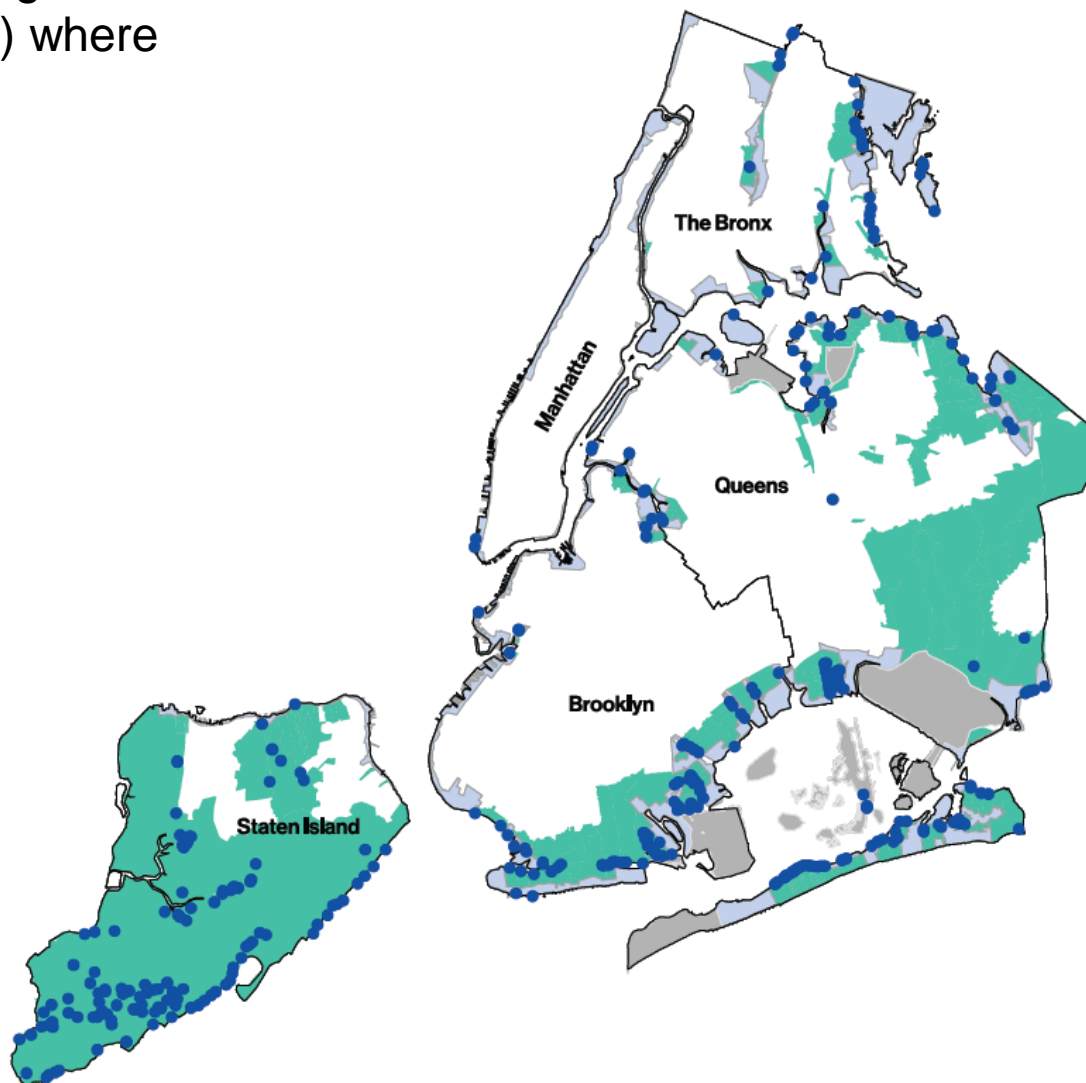
- To a city-owned MS4
- By overland flow from a city-owned facility

Historical MS4 Map

Drainage Area Type

-  Direct Drainage
-  Municipal Separate Storm Sewer System
-  Combined Sewer System (Not Covered By MS4 Permit)
-  Federal Land and Airports (Not Covered By MS4 Permit)

-  MS4 Outfalls



i. Executive Summary

ii. Introduction

Chapter 1: Legal Authority and Program Administration

Chapter 2: Public Education and Outreach

Chapter 3: Public Involvement and Participation

Chapter 4: Mapping

Chapter 5: Illicit Discharge Detection and Elimination

Chapter 6: Construction and Post-Construction

Chapter 7: Pollution Prevention/Good Housekeeping

Chapter 8: Industrial and Commercial Stormwater Sources

Chapter 9: Control of Floatable and Settleable Trash and Debris

Chapter 10: Monitoring and Assessment Program

Chapter 11: Special Conditions for Impaired Waters

Chapter 12: Recordkeeping and Reporting

Prepare an inventory of all industrial/commercial facilities located in New York City that could discharge Pollutants of Concern (POCs) to the MS4 through stormwater.

Permitted Facilities:

- Inspect and prioritize facilities that are already covered under the MSGP.
- Conduct enforcement activities to ensure compliance with the SPDES MSGP.

Unpermitted Facilities:

- Inspect and assess industrial and commercial facilities to determine if they generate significant contributions of POCs to impaired waters.
- Refer facilities that generate significant contributions of POCs to DEC.

New York City MS4 Legislation

- Local Law 97 of 2017, the New York City Stormwater Law, was enacted by the City Council on May 10, 2017.

Rulemaking:

- The New York City Stormwater Law authorizes DEP to establish a program to inspect commercial and industrial sites and to enforce the MSGP.
- The City expects to propose draft rules in Summer 2018 and finalize those rules by the end of 2018.

What is Changing for Facilities?

Currently	Beginning January
DEC conducts inspections and enforcement at all MSGP covered facilities	DEP will conduct inspections and enforcement on behalf of DEC for MSGP-covered facilities that discharge to the MS4.

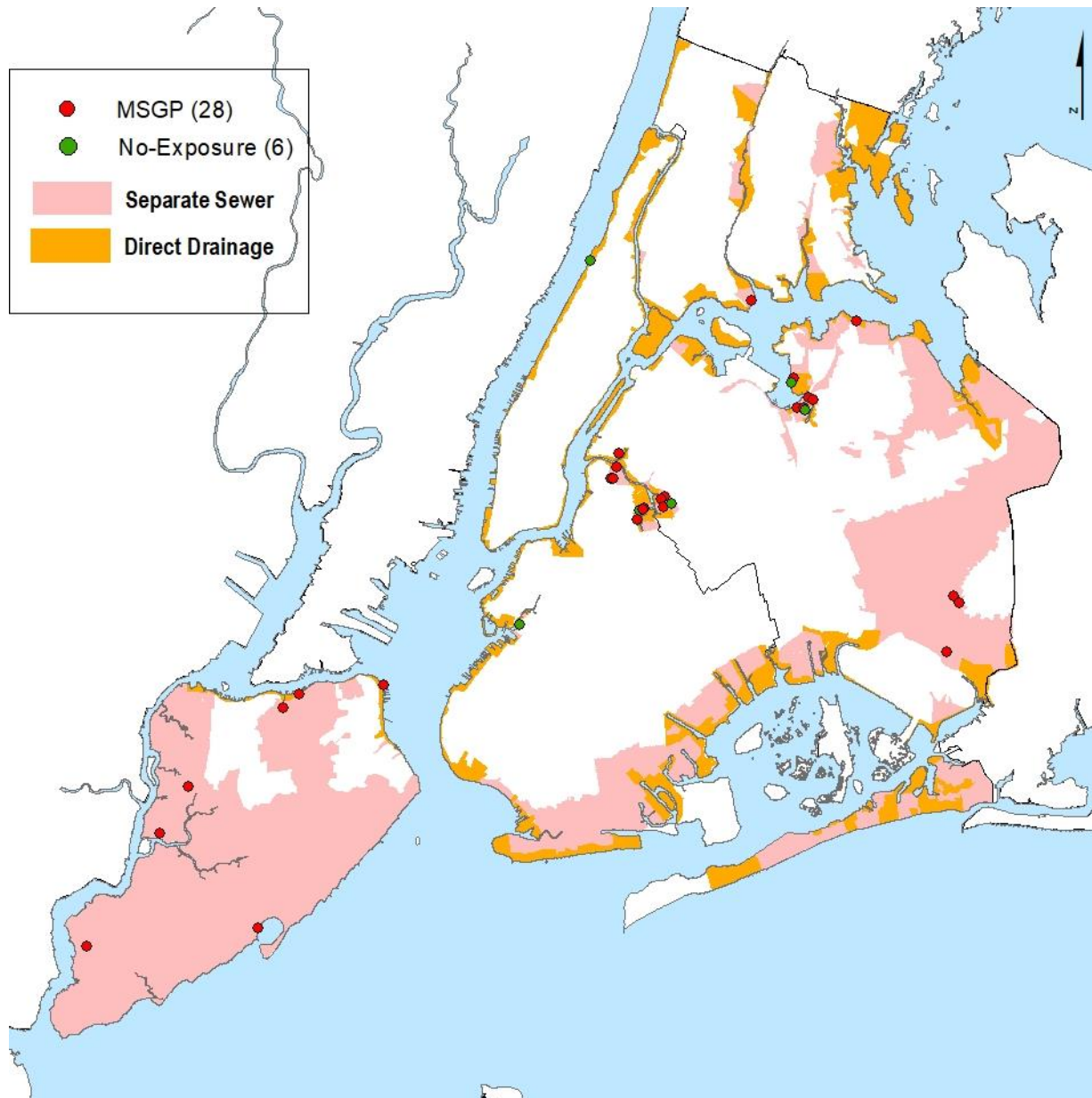
DEP will send formal notifications to all of the facilities that are on the inventory by **November 2018**.

Assessments and Inspections may begin as early as **January 2019**:

- **Industrial facilities covered by the MSGP:** DEP will inspect for compliance with the permit and the facility's Stormwater Pollution Prevention Plan (SWPPP).
- **Unpermitted industrial and commercial facilities:** DEP will perform a one-time, onsite assessment to determine whether the facility is a significant contributor of POCs to the MS4.
- **Facilities with a Certificate of No Exposure:** DEP will conduct inspections on a complaint basis and will focus on compliance with the No Exposure Certification.

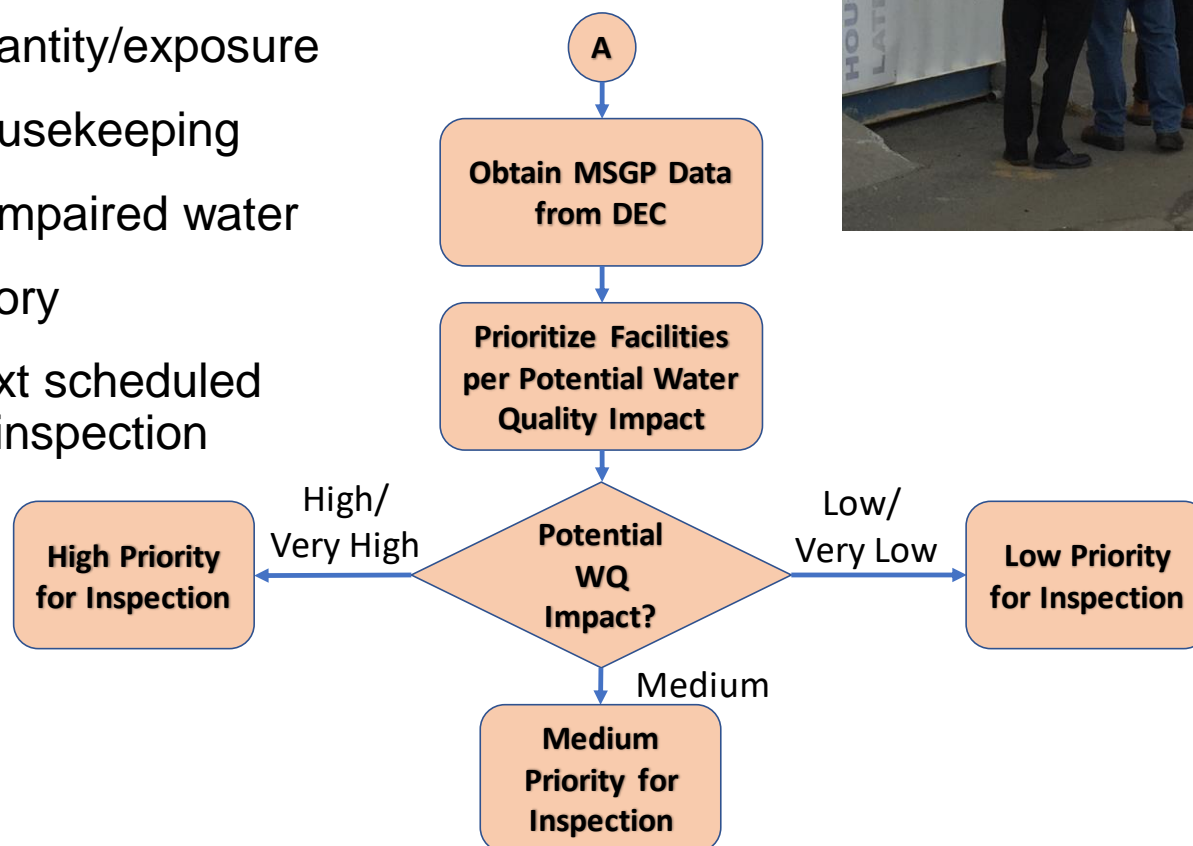
Inspection findings for permitted facilities and assessment findings for unpermitted facilities determined to be significant contributors of POC to impaired waters will be referred to DEC.

*MSGP-permitted facilities will continue to submit required annual reports to DEC, with a copy to DEP.



Prioritize MSGP Facilities/Sites for Inspection

- Obtain MSGP data from DEC
- Prioritize per potential water quality impacts:
 - Use DEC and DEP criteria
 - SWPPP adequacy
 - POC type/quantity/exposure
 - Observed housekeeping
 - Proximity to impaired water
 - Violation history
- Revise priority for next scheduled inspection based on inspection findings.



Initial Prioritization of MSGP Sites

NYSDEC provided prioritization for 26 MSGP sites within MS4:

Initial DEC's Prioritization Rating	*Number of MSGP Sites
High	2
Medium	16
Low	8

MSGP Inspection Frequency

Once a site receives a permit, it will be ranked and inspected at the following frequency:

Facility/Activity Priority	Inspection Frequency
High	Annual
Medium	3 Years
Low	5 Years

SPDES Industrial Stormwater MSGP Facility Inspection SOP (currently 28 MSGP sites)

- Pre-inspection activities
 - Maintain inventory/priorities/inspection schedule
 - Assemble/assess background information
- On-site inspection procedures
 - Records review
 - Walk-through inspection
 - Characterize permit compliance
 - Use DEC/BWT inspection criteria
- Post-inspection reporting
 - Notify business of findings
 - Notify DEC of findings
 - Revise inventory/priorities

Quarterly Pre-Planning

- Maintain I/C inventory, priorities
- Quarterly identification of businesses to inspect per priorities
- Request facility MSGP data from DEC

Pre-Inspection Activities

- Review available data about business
 - Prioritization findings
 - Latest facility MSGP data from DEC
 - 5-year violation record
- Assemble inspection equipment

On-Site Inspection Procedures

- Introductions
- On-Site Records Review
 - SWPPP
 - Self-Inspection/Monitoring Reports
- Facility Walkthrough
- Confirm Facility Drainage to MS4
- Wrap-up meeting to review findings

Post-Inspection Activities

- Complete Inspection Report
- Notify facility of findings
- Log Inspection findings in database
- Update I/C inventory, prioritization
- Notify DEC (as necessary)

“No Exposure” facilities are defined as facilities at which all industrial materials and activities are protected by a storm-resistant shelter to prevent exposure to rain, snow, snow melt, and/or runoff.

- There are currently 6 facilities in the MS4 area with a DEC No Exposure Certification.
 - DEP may inspect facility (on a complaint basis). If DEP receives a public complaint about potential stormwater pollution and determines that the facility is a significant contributor of POCs, it will refer the facility to DEC.
 - If violations of the No Exposure Certificate are found, DEP will refer facility to DEC.
 - Renewals of No Exposure Certificate will continue to be coordinated through DEC.
- DEP will update the I/C Facility Inventory as DEC issues more No Exposure Certifications.

Next Steps:

- Continue to refine inventory of industrial/commercial facilities.
- Complete procedures for the inspection of MSGP-permitted and unpermitted sites.

Rulemaking:

- DEP will schedule another meeting this summer to review the draft rules.

Questions?



For more information, visit our website: nyc.gov/dep/ms4
If you have questions or feedback, please contact the MS4 Team at:
ms4@dep.nyc.gov