

## How To Be In Compliance

### What is required for construction sites?

If your project will disturb one acre or more of ground, site owners and/or operators are required to:

1. **Develop a Stormwater Pollution Prevention Plan (SWPPP) and follow it.** The SWPPP is the plan for controlling runoff and pollutants from a site during and after construction. Stormwater planning early in project design provides the most aesthetic, effective and inexpensive stormwater controls.
2. Once a SWPPP is prepared, **obtain a Stormwater General Permit** from DEC. You can obtain help from DEC or your County Soil and Water Conservation District about permit requirements. Or, go to the DEC website for detailed stormwater information.
3. **Certify, under penalty of law,** to follow the SWPPP. Landowners and contractors must sign a statement that they understand and agree to comply with the terms and conditions of the SWPPP.
4. **Have a qualified professional\* perform inspections after 1/2 inch of rain, as well as weekly,** to determine compliance with water quality standards and adherence to the SWPPP.  
\* As specified in the permit. See the DEC website for more information.
5. **Maintain erosion and sediment control practices** and update the SWPPP regularly.
6. **Install permanent stormwater management practices** (e.g. pond, wetland, filter, infiltration device or swale) as required by and in accordance with DEC standards.
7. **Keep all SWPPP and inspection forms in a log book on the construction site** and available to regulatory staff.

## Contacts

### Training is available

The New York State Department of Environmental Conservation (DEC) regulates the Stormwater Program. DEC, Soil and Water Conservation Districts and Regional Planning Boards all provide stormwater training that is essential for contractors and developers.

Contractors and developers can benefit from training and obtaining certification for a staff member who can then conduct project inspections as a Certified Professional in Erosion and Sediment Control. For more information go to: [www.cpesc.net](http://www.cpesc.net)

### Information and assistance

For more information, contact the DEC Bureau of Water Permits at (518) 402-8111 or visit their stormwater website at:

[www.dec.state.ny.us/website/dow/mainpage.htm](http://www.dec.state.ny.us/website/dow/mainpage.htm)

Information is also available from your County Soil and Water Conservation District.

**For more information about stormwater in your area, contact:**

**All photos courtesy of the U.S. Environmental Protection Agency**

Stormwater regulations are required by US EPA's Stormwater Phase II rule and New York's State Pollution Discharge Elimination System General Permit 02-01.

# Stormwater Regulations and the Construction Industry



*Preventing Stormwater Pollution at the Source*

New York State Department of Environmental Conservation

George E. Pataki,  
Governor



Erin M. Crotty,  
Commissioner

In cooperation with  
New York's Soil and Water Conservation Districts



## Stormwater Discharges

The construction industry is a critical participant in New York State's efforts to protect our streams, wetlands, rivers, bays, and lakes through the use of erosion and sediment control (ESC) practices.

As stormwater flows over a construction site, it picks up soil, debris, and chemicals and washes them into our water resources. The result is degraded water quality and aquatic habitat.

Uncontrolled erosion can also have a significant financial impact on a construction project. It costs money and time to repair gullies, replace vegetation, clean sediment-clogged storm drains, replace poorly installed ESC practices, and repair damage to other people's property or to natural resources.



Rough graded or terraced slopes help keep soil in place.



Uncontrolled erosion degrades water quality and costs time and money to repair.

## Soil Erosion Prevention and Sediment Control

An important responsibility on all construction sites

### Minimize the area of exposed soil on site:

- To the extent possible, plan the project in stages to minimize the amount of area that is bare and subject to erosion. The less soil exposed, the easier and cheaper it will be to control erosion.
- Seed disturbed areas with permanent or temporary groundcover immediately upon reaching final grade.
- Seed or cover stockpiles that will not be used immediately.

### Protect defined channels with ESC practices adequate to handle expected storm flows:

- Use stabilization measures such as sod, geotextile, natural fiber, or riprap to allow channels to carry water without causing erosion.
- Use softer measures like geotextile or vegetation where possible to prevent downstream impacts.

### Reduce the velocity of stormwater:

- Use ESC practices such as vegetated buffers and check dams to slow down stormwater as it travels across and away from the project site.
- Don't use silt fences or other types of perimeter filters to reduce the velocity of runoff; never install them in streams or ditches.



### Keep sediment on site:

- Maintain a minimum 50-foot length of clean stone at access points to accommodate large vehicles.
- Sweep the construction entrance road often to prevent soil and debris from entering storm drains.
- Do not hose paved areas.
- Use temporary sediment traps and basins with other permanent measures to retain sediment.



### Divert clean water from disturbed soil:

- Use interceptors and diversion structures to direct flow away from exposed areas toward stable portions of the site.

### Maintain all ESC practices to ensure their effectiveness during the life of the project:

- Regularly remove collected sediment from silt fences, berms, traps, and other practices.
- Maintain sediment controls that protect sensitive areas such as diversion structures and silt fences.
- Keep geotextiles and mulch in place until vegetation is well established.

