



# Town of Brookhaven Pollution Prevention Requirements for Construction Projects



# Storm Water Runoff & Its Impacts at a Construction Site

- Storm water runoff is precipitation that flows over land and does not percolate into the soil.
- Runoff picks up trash, debris, and pollutants such as sediment, oil/grease, and pesticides which have detrimental impacts on habitats, wildlife, and human health.
- Soil exposed at unstabilized construction sites is especially vulnerable to erosion.
- Sediment is the primary storm water pollutant at construction sites; therefore **it is necessary to implement erosion and sediment control measures.**



## What are the State and Federal Requirements for Storm Water Runoff from Construction Sites?

- The Clean Water Act and associated federal regulations require nearly all construction site operators engaged in clearing, grading, and excavating activities that **disturb one acre or more, including smaller sites in a larger common plan of development or sale** to obtain authorization for their storm water discharges.
- Under this regulation, New York State requires an owner or operator of a construction project that will involve soil disturbance of **one or more acres** to obtain authorization under the *State Pollutant Discharge Elimination System (SPDES) General Permit for Storm Water Discharges from Construction Activity*.



## What construction activities require authorization?

The following construction activities involving soil disturbances of **one (1) or more acres** of land require authorization:



- Construction — residential and commercial
- Subdivisions
- Reconstruction
- New roadways
- Clearing for the creation of open space, including parks, trails, and paths
- Golf courses/athletic fields
- Institutional facilities
- Places of worship
- Parking lot construction or reconstruction
- Campgrounds
- Municipal facilities

## What construction activities are exempt from obtaining authorization?

- Agricultural activities of an active farm.
- Routine maintenance activities, disturbing less than two (2) acres to maintain original line and grade, hydraulic capacity, or **original purpose** of facility.
- Installation of fence, sign, telephone, and electric poles and other kinds of posts or poles.
- Emergency measures, approved by the Town of Brookhaven, immediately necessary to protect life, property, or natural resources.
- Activities of an individual engaging in home gardening.
- Landscaping and horticultural activities in connection with an existing structure.
- Resurfacing or repair of an existing paved surface, which does not expand the area of pavement.

## Steps to Authorization for Development Projects

Under the *SPDES General Permit for Storm Water Discharge from Construction Activities*, an owner or operator must:

1. **Develop a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the requirements of the State Permit .\*\*\***
  - A SWPPP describes pollution prevention practices and activities which will reduce pollutants leaving the site in stormwater runoff.
  - **Common objectives** include: Stabilize the site as soon as possible; protect slopes and channels; reduce impervious surfaces and promote infiltration; control the perimeter; protect receiving waters adjacent to the site; follow pollution prevention measures; and minimize the area and duration of exposed soils.
  - **Required elements** include: site and activity description; identification of potential pollutant sources; description of controls to reduce pollutants; maintenance/inspection procedures; and SWPPP certification.
2. **Submit a completed Notice of Intent (NOI) to the NYSDEC.**
  - After a SWPPP has been approved, a NOI must be submitted to the NYSDEC. Coverage begins **five (5) business days** after the NYSDEC receives this form, upon which a notice of work must be posted on site; and work may begin.
3. **File an electronic Notice of Termination (NOT).**
  - After the project is complete and the property has been stabilized, the NOT must be submitted to the NYSDEC.

\*\*\* **Construction activities located within watersheds of a state-designated 303(d) List of Impaired Waters must also submit a *Water Quality & Quantity Control Plan (WQQCP)* \*\*\***



## Best Management Practices (BMPs)

The ultimate goal of a SWPPP is to protect water bodies that could be affected by construction projects. An effective SWPPP includes a combination of **erosion** (keeping soil in place) and **sediment control** (capture of sediment in storm water) practices.

### Keys to Effective Erosion and Sediment Control and Sample BMP Options

- 1. Minimize disturbed areas and protect natural features and soil:** Disturb only areas necessary for construction, establish vegetative buffers.
- 2. Phase construction activity:** Concentrate work in certain areas, minimizing soil exposure at any given time.
- 3. Control storm water flowing through your site:** Establish diversion ditches or berms.
- 4. Stabilize soils promptly:** Temporarily seed to establish vegetative cover.
- 5. Protect slopes:** Install rolled erosion control products (mats, geotextiles, erosion control blankets).
- 6. Protect storm drain inlets:** Place silt fences, rock-filled bags, or gravel to surround or cover inlets to capture sediment.
- 7. Establish perimeter controls:** Install silt fencing and/or fiber rolls as a temporary sediment barrier.
- 8. Retain sediment on-site and control dewatering practices:** Establish sediment basins at low-lying areas and down-gradient of bare soils.
- 9. Establish stabilized construction exits:** A crushed rock exit and a truck wash will remove sediment and prevent it from washing onto public roads.
- 10. Inspect and maintain controls:** Establish an inspection and maintenance approach/strategy. Perform maintenance as soon as problems are noted.



*“An effective SWPPP includes a suite of both structural and non-structural BMPs, reflecting site-specific conditions, designed to work together.”*

### Six Key Pollution Prevention Principles

Construction projects generate a large amount of building-related waste which can end up polluting storm water if not properly managed. The suite of BMPs in a SWPPP must include pollution prevention practices, designed to prevent contamination of storm water from a wide range of materials.

- 1. Provide for waste management.**
- 2. Establish proper building material staging areas.**
- 3. Designate paint and concrete washout areas.**
- 4. Establish proper equipment/vehicle fueling and maintenance practices.**
- 5. Control equipment/vehicle washing and allowable non-storm water discharges.**
- 6. Develop a spill prevention and response plan.**



## Inspections

- A *qualified inspector* shall conduct site inspections:
  - At least once every **seven (7) calendar days** at sites where soil disturbance activities are on-going.
  - At least **two (2) times** every **seven (7) calendar days**; each separated by a minimum of **two (2) full calendar days** at sites greater than **five (5) acres** where soil disturbance activities are on-going.
  - Within **twenty-four (24) hours** of a storm event with at least **one-half inch (1/2")** of precipitation or more.

## Best Management Practices (BMP) Maintenance

- A good BMP maintenance program is essential to the success of a SWPPP. Consider the following points when conducting maintenance:
  - Follow the designer's or manufacturer's recommended maintenance procedures for BMPs.
  - Remove collected sediment as appropriate and properly dispose into controlled areas to prevent excess soil from returning during subsequent rain events.
  - Remove sediment from paved roadways and from protected storm drains.
  - Replace damaged BMPs, such as silt fences, when no longer effective.

## Recordkeeping

- Keep copies of the SWPPP, inspection records, copies of all reports required by the permit, and records of all data used to complete the **NOI** to be covered by the permit for a period of at least 3 years from the date that permit authorization expires or is terminated.
- Documentation must be kept on site at all times and available upon request.



### **Town of Brookhaven**

Department of Planning, Environment,  
and Land Management  
One Independence Hill  
Farmingville, NY 11738

Division of Environmental Protection: (631) 451-6455  
Division of Engineering: (631) 451-6400

Document prepared with information from the United States Environmental Protection Agency and the New York State Department of Environmental Conservation