



FACT SHEET

For

NEW YORK STATE

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

SPDES GENERAL PERMIT

FOR STORMWATER DISCHARGES

FROM

MUNICIPAL SEPARATE STORM SEWER SYSTEMS

(MS4s)

Permit No. GP-0-15-003

**Issued Pursuant to Article 17, Titles 7, 8 and Article 70
of the Environmental Conservation Law**

April 15, 2015

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INTRODUCTION

Pursuant to Section 402 of the Clean Water Act (CWA), discharges from small municipal separate storm sewer systems (MS4s), located in urbanized areas and those additionally designated by the New York State Department of Environmental Conservation (Department), must be authorized by a National Pollutant Discharge Elimination System (NPDES) permit or by a state permit program. New York's State Pollutant Discharge Elimination System (SPDES) is a NPDES-approved program with permits issued in accordance with the Environmental Conservation Law (ECL).

The Department has renewed the SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems as GP-0-15-003. GP-0-15-003 is effective on May 1, 2015 and will replace GP-0-10-002, which expires on April 30, 2015. GP-0-15-003 is a two (2) year interim permit intended to cover discharges of stormwater to surface waters of the State from small MS4s as defined in 40 CFR Part 122.26(a)(1)(v), 122.26(b)(8), and 122.26(b)(16)-(19). As issued, GP-0-15-003 contains only conforming changes, such as a new general permit identification number, a two (2) year term, and updated references to the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002) and Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (GP-0-12-001).

An owner or operator of a small MS4 with coverage under GP-0-10-002, as of the effective date of GP-0-15-003, shall be permitted to discharge in accordance with GP-0-15-003 on an interim basis for 180 days from the effective date of GP-0-15-003, and thereafter must gain coverage under GP-0-15-003 by submitting their 2014 Annual Report due June 1, 2015. An owner or operator of a small MS4 not authorized under GP-0-10-002 may obtain coverage under GP-0-15-003 by submitting a Notice of Intent (NOI) to the address provided on the NOI form. For newly regulated MS4s, authorization under GP-0-15-003 is effective upon written notification from the Department.

In 2010, Natural Resources Defense Council, Riverkeeper, Waterkeeper Alliance and other environmental organizations filed an Article 78 Petition challenging several provisions of GP-0-10-002. That litigation is still pending. The Department issues GP-0-15-003 as an interim general permit to allow time for judicial resolution of the litigation. After conclusion of the litigation, the Department will review the content of the general permit holistically and propose any necessary and appropriate changes, considering the final judicial decision in its entirety.