



**Department of
Environmental
Conservation**

FACT SHEET

**For
Modification
to the**

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
SPDES MULTI-SECTOR GENERAL PERMIT
FOR STORMWATER DISCHARGES
ASSOCIATED WITH INDUSTRIAL ACTIVITY**

**Permit No. GP-0-17-004
Issued Pursuant to Article 17, Titles 7, 8 and Article 70
Of the Environmental Conservation Law**

March 2020

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Introduction

On January 23, 2019, in the matter of Riverkeeper, Inc., et al., v. New York State Department of Environmental Conservation, et al., the Albany County Supreme Court held that the Department is prohibited by its own regulations from allowing discharges of stormwater associated with an industrial activity into Class AA-Special waterbodies. This includes stormwater associated with industrial activities under the Department's State Pollutant Discharge Elimination System (SPDES) Multi-Sector General Permit (MSGP). The Court remanded the Department's current MSGP, which became effective March 1, 2018 (GP-0-17-004) and directed the Department to issue a final modified GP-0-17-004 within 6 months. In order for the Department to develop a draft modified GP-0-17-004, comply with administrative procedures to issue the final modified GP-0-17-004, and for regulated facilities to implement necessary changes, the Court granted the Department's request for an extension. Pursuant to the amended Order, dated March 27, 2019, the Department must issue a final modified GP-0-17-004 by July 23, 2020. The current version of GP-0-17-004 is still in effect until the effective date of the final modified GP-0-17-004, which is July 23, 2020. The modifications of GP-0-17-004 are necessary to comply with the Court's amended order.

Summary of Changes

Part I.C - Ineligible Discharges

Language has been included in Part I.C to exclude discharges of industrial wastes and other wastes to AA-Special waters from coverage under GP-0-17-004.

Part I.D.5 and Part I.E

For facilities discharging to AA-Special waters, as clarified in Part I.E.7., coverage under GP-0-17-004 terminates on July 23, 2020. Part I.D.5. allows a facility to obtain the "Conditional Exclusion of No Exposure." Language has been included in Part I.D.5. requiring facilities, discharging industrial waste or other waste to AA-Special waters, to submit their complete No Exposure Certification to the Department by June 23, 2020.

Appendix A - Definitions

The definition *Discharge Authorized by a SPDES permit* has been removed. This definition is not used in GP-0-17-004.

The definition *Industrial Stormwater* has been removed. This definition is not used in GP-0-17-004.

Industrial Waste has been defined in Appendix A to GP-0-17-004. This definition is in accordance with New York State Environmental Conservation Law Section 17-0105(5) and 6 NYCRR 700.1(a)(26).

Other Wastes has been defined in Appendix A to GP-0-17-004. This definition is in accordance with New York State Environmental Conservation Law Section 17-0105(6) and 6 NYCRR 700.1(a)(40).

Contact Information

Questions or comments regarding the content of the proposed modification to the MSGP should be directed to:

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