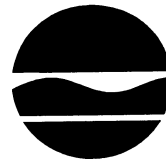


**New York State Department of Environmental Conservation  
Division of Water, Region 3**

100 Hillside Avenue – Suite 1W, White Plains, New York 10603-2860

**Phone:** (914) 428-2505 • **Fax:** (914) 428-0323

**Website:** [www.dec.ny.gov](http://www.dec.ny.gov)



Joseph Martens  
Commissioner

September 30, 2011

Mr. Kevin Donahue  
Code Administrative Officer  
Town of Philipstown  
238 Main Street  
Cold Spring, NY 10516

**RE: Town of Philipstown Municipal Separate Storm Water System (MS4)  
SPDES No: GP-0-10-002  
MS4 Audit Report**

Dear Mr. Donahue:

The Department of Environmental Conservation (DEC) conducted an audit of the Town's Municipal Separate Storm Sewer Systems (MS-4s) on September 29, 2011. Attached is the audit form for your reference. The purpose of the program evaluation was to determine the Town's compliance with the terms of their State Pollutant Discharge Elimination System (SPDES) MS-4 permit and to evaluate the current implementation status of the Town's storm water management program.

The result of the audit was found to be Satisfactory. Though the Town has received this rating, it is encouraged that the town review each minimum measure requirement in the MS4 permit to ensure full permit compliance. Please also refer to the comments section of the report for recommendations for improvement, and please be reminded that the Town must continue to meet the requirements of the MS4 permit on an on-going basis.

If you have questions or comments, please I can be reached at 914 428-2505, ext. 316.

Sincerely,

Jennifer Zunino-Smith  
Stormwater Specialist

cc: David Klotzle, Wetland Inspector  
Barbara Scuccimarra, Councilwoman



**NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF WATER**



Pilot Municipal Separate Storm Sewer System (MS4) Audit Report (for SPDES General Permit GP-0-08-002)

MS4 Name																																		
T	O	W	N		O	F		P	H	I	L	I	P	S	T	O	W	N																
MS4 County															Date					Permit Number														
P	U	T	N	A	M										0	9	/	2	9	/	2	0	1	1		N	Y	R	2	0	A	4	7	0

Rep First Name															Rep Last Name																		
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9	1	4			-	7	3	6			-	7	1	3	2																		

Permittee Name																																	
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Permittee Phone															Permittee Fax																		
8	4	5			-	2	6	5			-	5	2	0	3																		

### INSPECTION CHECKLIST

#### Program Management - Individual MS4s and Intermunicipal MS4s:

1. Which geographic areas, waterbodies, pollutants, and audiences have been identified as stormwater program priorities?  

See next page.
2. ☒ Yes ☐ No ☐ N/A Are regular meetings conducted during which SWMP management/planning/coordination is discussed by pertinent operating departments, the Mayor, Supervisor, Planning Board, Trustees, etc?
3. ☒ Yes ☐ No ☐ N/A Are adequate formal record keeping procedures in place in relevant operating departments and at facilities?
4. ☒ Yes ☐ No ☐ N/A How/when are new staff and new officials kept advised and up-to-date concerning NY Phase II requirements and the MS4s SWMP?

New appointees meet with the Wetland Inspector and other council members.

#### Program Management - Intermunicipal/Third Party MS4s:

5. ☐ Yes ☒ No ☐ N/A Are the permittees' intermunicipal/third party SWMP initiatives, roles, and responsibilities formalized through a written agreement?
6. ☐ Yes ☐ No ☒ N/A How is delivery/implementation of the BMPs that are being provided by another MS4/third party being ensured within the permittees' jurisdictions?

Town has joined the Putnam County MS4 Stormwater Coordinating Committee. The committee has not yet started to work with the participating municipalities.

7. ☐ Yes ☐ No ☒ N/A Have the individual permittees completed the follow-up that may be needed to fully satisfy Phase II requirements within their jurisdiction if only partial BMP implementation is provided by another party?

8. How are annual reports prepared? How is individual permittee progress reported?

Prepared in house and posted on-line. See comments.

**Public Education & Outreach:**

9. ☒ Yes ☐ No ☐ N/A Has the MS4 identified its pollutants of concern (POC's)?  
List POC's:

Phosphorus (Cortlandt Lake receives all drainage from the MS4 area); nitrogen from septic (no public sewer), litter, and silt/sediment from contractors.

10. ☒ Yes ☐ No ☐ N/A Has the MS4 identified waterbodies of concern?  
List waterbodies of concern:

Cortlandt Lake (phosphorus/nitrogen), Clove Creek (litter).

11. ☒ Yes ☐ No ☐ N/A Has the MS4 identified geographic areas of concern?  
List geographic areas of concern:

Cortlandt Lake, Clove Creek.

12. Which target audiences is the MS4s education and outreach program directed at? (i.e. homeowners, industry, developers/contractors, etc.)

Homeowners, Contractors.

13. Describe the components of the outreach and education program and how the MS4 is measuring their effectiveness:

See comments.

14. ☒ Yes ☐ No ☐ N/A Do the materials disseminated relate to priority pollutants?

15. ☒ Yes ☐ No ☐ N/A Did they reach the target audience?

16. How much material was disseminated and how frequently?

See comments.

**Public Education & Outreach:**

17. ☒ Yes ☐ No ☐ N/A Has the MS4 identified and published the name of the stormwater contact? \*see below

18. How was the annual report presented? Presented on-line

Public meeting:

Internet: (Identify website):

19. What participatory/stewardship activities (i.e. water body cleanups, stormwater advisory groups, hotlines, storm drain stenciling) did the MS4 implement? Do they relate to priority pollutants and waterbodies of concern? How was their effectiveness evaluated?

See attached.

20. How many people participated in the MS4s stormwater program activities? (Including annual report meeting, cleanups, etc.)

Record keeping for such activities must be maintained. See comments.

**IDDE Audit Criteria:**

21. ☒ Yes ☐ No ☐ N/A Have local laws been evaluated and certified to be equivalent to the State model law?

22. ☒ Yes ☐ No ☐ N/A Has outfall mapping been completed?

23. ☒ Yes ☐ No ☐ N/A Is there a plan for additional mapping?

Showing (Check applicable): ☐ Outfalls DONE  
☒ Stormwater Management Practices  
☒ Catch basins/storm drain inlets  
☒ Storm Sewer Lines  
☐ Receiving Water Bodies DONE  
☐ Storm Sewer Shed DONE

24. ☒ Yes ☐ No ☐ N/A Are there written procedures in place for conducting the IDDE program? (Ask for a copy)

25. ☒ Yes ☐ No ☐ N/A Is dry weather screening conducted?

What is the frequency of inspection for major and minor outfalls?

A total of 190 outfalls within the MS4 area, inspected each year during dry-weather conditions.

Are inspections adequately documented (attach copy of inspection form)?

Yes

\*Stormwater calls are directed to the Town Clerk, then distributed.  
 Clerk office is manned full-time.

Yes No N/A  
26. ☒ ☐ ☐

Is a reporting mechanism in use for illicit discharges (hotline, website, other)?  
How many have been reported during this reporting period (March 10-March 9)?

Calls are directed to the Town Clerk and distributed.  
Zero reported this period.

How many have been responded to?

0

How many have been eliminated?

0

27. ☒ ☐ ☐

Is a training/education program in-place for:

☒ ☐ ☐

MS4 Employees?

Spill Prevention & Response:

IDDE Procedures (response, investigation, elimination, prevention):

☒ ☐ ☐

Industry/Commercial?

Hazards of illegal dumping & illicit discharges:

☒ ☐ ☐

Public?

Hazards of illegal dumping & illicit discharges:

Used oil & household hazardous waste educational materials:

Recycling & disposal facilities:

IDDE reporting procedures:

☐ ☐ ☒

Other:

28.

During this reporting period (March 10 - March 9), what is the number of illicit discharges:

	Detected?	Eliminated?
By Public:	0	0
By Industry/Commercial:	0	0
By Private:	0	0
By MS4 Employee:	0	0
By Other:	0	0

Yes No N/A  
29. ☐ ☐ ☒

Have any enforcement actions been taken?

Describe:

#### **Construction Site Stormwater Runoff Control:**

Yes No N/A  
30. ☒ ☐ ☐

Have any enforcement actions been taken?

☒ ☐ ☐

Are they being implemented?

31. ☒ ☐ ☐

Have local laws been evaluated and certified to be equivalent to the State model law?

32. ☒ ☐ ☐

Are procedures in place to receive public comments on construction activities? What are the procedures?

Public hearing with public comment. Written comments accepted and responded to.

**SWPPP Review:**

Yes No N/A  
 33. ☒ ☐ ☐

Are procedures for reviewing SWPPPs in writing? What is the procedure?

In writing as per Town Code and Local Law.

34.

What department/personnel are responsible for SWPPP review? What are their qualifications?

Ron Gainer, P.E., Town Engineer; David Klotzle, Wetland Inspector (see #39 below)

35.

Number of SWPPPs reviewed during this reporting period (March 10 - March 9)?

2

36.

Number of SWPPPs approved/disapproved during this reporting period (March 10 - March 9)?

1 app

37. ☒ ☐ ☐

Does the SWPPP review process insure that SWPPPs meet state technical standards or demonstrate to be equivalent to state standards?

**Construction Site Stormwater Runoff Control:**

38.

List the Department/Personnel responsible for construction site inspections.

David Klotzle, Wetland Inspector

Yes No N/A  
 39. ☒ ☐ ☐

Have inspectors received training? If so, what type of training and when?

4-hour contractor training plus multiple MS4, ESC, site management and non-point pollution training.

40. ☒ ☐ ☐

Are there adequate procedures in place for conducting inspections? (See DEC Inspection Manual)

41. ☐ ☒ ☐

Is a standardized inspection form used (obtain a copy of form)?

42. ☒ ☐ ☐

What is the number of active construction sites requiring inspection?

2

43. ☒ ☐ ☐

What is the number of inspections performed and the frequency over the past 12 months?

6

44. ☒ ☐ ☐

Are procedures in place for tracking inspections? What are the procedures?

Kept on file at Wetland Inspector's office.

45. ☒ ☐ ☐

How many violations were found in the prior year?

2

46. ☒ ☐ ☐

What are the procedures if violations are found?

Verbal or written Order to Remedy, then Stop Work Order, then Court Appearance.

47. ☒ ☐ ☐

How were violations handled?

All violations resolved after verbal or written order to remedy.

48. ☐ ☐ ☒

How were violations handled?

**Post Construction Control Practices: \*\*SEE COMMENTS\*\***

49. ☐ Yes ☒ No ☐ N/A Is there an inventory in place for post construction control practices?
50. ☐ Yes ☒ No ☐ N/A Is there an effective procedure (O&M Manuals) for inspecting/maintaining post construction control practices?
51. Who is responsible for inspecting/maintaining the post construction control practices?
52. What is the frequency of inspection? (Proactive/Response to emergencies)
53. ☐ Yes ☒ No ☐ N/A Is there a mechanism to obtain and maintain O/M manuals for different types of facilities?

**Pollution Prevention and Good Housekeeping for Municipal Operations****Infrastructure and Stormwater Management Facilities Inspection:**

54. ☒ Yes ☐ No ☐ N/A Is there a schedule for inspection and cleaning of catch basins and conveyance system established?
55. What is the frequency of inspection? (Proactive/Response to emergencies)
56. How are the spoils disposed of?

**Facilities Operation and Maintenance:**

57. Identify the facilities which need Operation and Maintenance.
58. ☒ Yes ☐ No ☐ N/A Is there a designated stormwater person/facility? Identify.
59. What type of maintenance operations are performed (List Facility, Frequency, Guidance & Procedures, Resources)?
60. ☒ Yes ☐ No ☐ N/A Is there a checklist for inspection?
61. ☐ Yes ☐ No ☒ N/A Is there a SWPPP for facilities that would otherwise (if not covered under the MS4 General Permit) require a Multi-Sector General Permit?

**Road Maintenance:**

62. ☒ Yes ☐ No ☐ N/A Is there a road maintenance plan established? (Attach copy)

63. ☒ Yes ☐ No ☐ N/A Are roads prioritized based on their water quality impacts?

64. How often does street sweeping occur?

Sweeping does not occur in the MS4 area, but occurs in remainder of town with paved roads. See comments.

65. How are the street sweeping spoils disposed of?

Stockpiled at the highway garage and used for fill.

**Pesticide, Herbicide, Fertilizer, & other chemicals:**

66. ☐ Yes ☐ No ☒ N/A Is there an Integrated Pest Management (IPM) practice in place?

67. ☐ Yes ☐ No ☒ N/A Are storage locations identified for chemicals?

68. ☒ Yes ☐ No ☐ N/A Does the municipality adequately address road salt storage?

69. ☐ Yes ☐ No ☒ N/A Are there procedures for chemical applications?

70. How many Household Hazardous Waste pick-up events are there annually?

Putnam Counts holds two events per year in the Spring and Fall.

**Standards, Guidance, & Outreach:**

71. ☒ Yes ☐ No ☐ N/A Is there technical guidance designated and made available for maintenance staff?

72. What types of training have been received?

Recent training given to highway department on MM VI. See comments.

73. How many of the staff have been trained? (List by facility)

All of highway department. See comments.

74. ☐ Yes ☐ No ☒ N/A Do maintenance contracts include language on stormwater impact and appropriate BMPs?

**Additional Watershed Requirements:**

75. ☒ Yes ☐ No ☐ N/A Is the MS4 complying with their additional watershed requirements?



**Wrap-Up**

76. ☒ Yes ☐ No ☐ N/A

Are program goals being achieved? If not, why not? What corrective measures have been taken?

See comments.

77.

How is effectiveness evaluation of program components addressed?

Guidance Manuals and Annual Report narratives have been maintained that evaluate the program components.

78. ☐ ☐ ☒

Are Best Management Practices (BMPs) for each Minimum Control Measure effectively being implemented?

**Overall Audit Rating:** ☒ Satisfactory ☐ Marginal ☐ Unsatisfactory

**Name/Agency of  
Lead Auditor:**

**Signature of  
Lead Auditor:**

Auditor First Name

J E N N I F E R 1

Auditor Last Name

Z U N I N O - S M I T H

*Jennifer Zunino-Smith*

**Names/Agencies of  
Other Auditors:**

Auditor First Name

2

Auditor Last Name

Auditor First Name

Auditor Last Name

3

**Additional Comments:**

It is encouraged for the town to review each minimum measure requirement in the MS4 permit to ensure full permit compliance.

Please see attached for additional comments.

**TOWN OF PHILIPSTOWN  
ADDITIONAL COMMENTS**

**13. Describe the components of the outreach and education program and how the MS4 is measuring their effectiveness:**

- Multiple stormwater flyers are distributed at Town Hall, Recreation and the Library.
- The 'After the Storm' CD is played every few months on the town's public channel. The brochure is also available on-line.
- A newsletter is distributed twice per year at Town Hall, Recreation, Library, Post-Office, various store, and on-line with extensive stormwater information. All newsletters address stormwater outreach (runoff, effects of pollution, etc), lawn care, septics, litter, pet waste, etc. Newsletters also include requirements for permits for flood development, and guidelines for recycling at the town's recycling center. Additional information targeting contractors has been included in the newsletters.
- The Town gave a presentation on non-point source pollution and preventing pollution at the annual meeting of the Continental Village Association. Flyers targeting homeowners were distributed.
- Town's Stormwater Management Officer was a panelist at a community forum 'Follow the Water' on water quality and conservation. The event was advertised and open to the public.
- Town meetings have been held on septic systems and nitrogen.
- Signs and flyers are posted throughout the Town targeting littering, with a contact to report litter.
- There are multiple educational items and outreach events that target litter. The Philipstown Beautification project is open to public participation and is advertised in the newsletter. The Local Garden Club does a clean-up twice per year on Rts 9, 9D, 403, and Snake Hill Road. Residents at the Walter Haring Home do trash pick-ups twice per year. The Lions Club does an annual clean-up on Route 301. The Friends of Fahn Stock Park do an annual clean-up on Rt 9D. Keep Putnam Beautiful is a County program that the town advertises at Town Hall. Public can volunteer for multiple events through this program.
- Town accepts many materials from town residents at the recycling center. Regulations and guidelines are posted in the newsletter and on-line. In addition, a town-wide bulk/tire clean-up day is held annually.

- The Town website has a section on stormwater that includes the Annual Report, the After the Storm brochure, a contact for storm water questions or concerns, and a list of workshops, including past workshops.
- The Town has prepared extensive Guidance Manuals and Annual Report narratives each year that have evaluated the effectiveness of the program.

**16. How much material was disseminated and how frequently:**

- Eight stormwater flyers are distributed at Town Hall, Recreation and the Library. Two flyers target contractors, remaining six target homeowners. A total of 300 copies of the newsletter are made twice per year, for a total of 600 copies distributed. Litter signs are permanently posted, with additional flyers distributed throughout town.

## **ADDITIONAL COMMENTS:**

- It is encouraged for the town to review each minimum measure requirement in the MS4 permit to ensure full permit compliance.
- The Audit Report form is a general guidance to use for items and records that are requested during an audit.
- It is recognized that the Town has joined the Putnam County MS4 Stormwater Coordinating Committee, and that the committee has not yet started to work with the participating municipalities.
- It is recognized that the Town is has applied for a 40/20 public assistance grant to clean up litter in Clove Creek.
- It is recognized that street sweeping does not occur in the MS4 boundary, however catch-basins are continually cleaned throughout the year in this boundary, no sand is used on the roads in this area, and the town has strongly-enforced litter as an MS4 pollutant of concern with significant public outreach and participation.
- In accordance with the requirements of the MS4 permit, please continue to evaluate and report on the effectiveness of each minimum measure of your program.
- Benchmark monitoring for outfalls taking run-off from the highway department will need to be done once per year, and include the parameters as outlined in the NYSDEC SPDES Multi-Sector General Permit for Storm Water Discharges associated with Industrial Activity (GP-0-06-002) (section VIII.AE).

The following comments pertain to each Minimum Control Measure (MCM):

### **Minimum Measures I and II:**

- The Town has multiple outreach and education programs relating to stormwater. Record keeping for MMI and II should include the title and number of materials disseminated (brochures, etc), at what locations, and how frequently. A record should be kept of the dates that the 'After the Storm' CD is aired. Public participation events relating to stormwater should be tracked and maintained. Events would include all litter clean-ups, town meetings on septic systems and nitrogen, and any community forums open to the public. Relevant record keeping would include the date of such events, the estimated number of participants, and the estimated amount of garbage collected. Please refer to the MS4 permit for further guidance on record keeping of each minimum measure.
- Annual Reports may be posted on-line, but must provide a comment period before submission to Albany. Please refer to Part V.C.2.c of the MS4 permit.

### **Minimum Measure III:**

- The Town should consider training the Highway Department on MM III within the next two years. A record of the participants and training materials should be maintained.
- Continue to maintain all training records of other MS4 employees (Wetland Inspector and other town members).

### **Minimum Measures IV and V:**

- A copy of the Wetland Inspector's 4-hour contractor training card should be copied and kept with MM IV records.
- In accordance with Part II.F of the MS4 permit, MS4s must extend MM VI and V to the to the entity's full jurisdiction.
- Part VIII.A.4 of the MS4 permit outlines all requirements for site inspection and record keeping.
- Please note that the town must ensure that construction site contractors have received erosion and sediment training, as per Part VIII.A.4.a.iii.vii of the MS4 permit.
- An inventory of post-construction practices town-wide will need to be created and mapped as listed in Part VII.A.5.a.vi of the MS4 permit. The inventory should include items listed on #49-#53 of this report.

### **Minimum Measure VI:**

- Record keeping for catch basin cleaning, repair and street sweeping (sweeping outside of the MS4 area) is maintained in a combined spreadsheet at the highway department. Please note that as outlined in Part VII.A.6.f.ii, required record keeping of MM VI includes the 'number of catch basins inspected, and, where necessary, cleaned'.