

EMERGENCY RESPONSE PLAN

Minimum Measure III

Illicit Discharge Detection and Elimination

Procedures:

Contacts:

- Village Administrator: Andrew Stewart (845) 358-3582 during regular business hours.
- Village Clerk: Linda Donnelly (845) 358-3581 during regular business hours.
- Village DPW Superintendent: Jonathan Abrams (845) 401-3228 (cell)
- Building Inspector – Manny Carmona (914) 523-8713 (cell).
- Village Engineer – Eve Mancuso, PE (845) 547-2516 during regular business hours
- Town of Orangetown Police Department (845) 359-3700 non-emergency or 911 for emergencies and after hours. The Police Department will initiate the emergency response protocol depending upon the nature of the call.

If an illicit discharge or potential illicit discharge is discovered during the course of routine inspections by the building department, department of public works or engineer, or if an illicit discharge is noted by a resident or other interested party, the following steps should be taken.

- After one of the above noted parties are contacted a field inspection shall be performed immediately, and a detailed inspection report shall be completed. (Attached is a sample report form)
- Photos shall be included when possible.
- The building department shall be contacted, together with the Village personnel involved such as the code enforcement officer. The Village Engineer, or DPW Superintendent, Jonathan Abrams may be called upon if necessary. The source of the illicit discharge should be identified and confirmed. Positive actions should be taken to stop the illicit discharge.
- Depending upon the specific details of the illicit discharge a warning, violation or stop work order may be imposed by the Building Department or code enforcement officer on the party responsible for the discharge. A court appearance may become necessary. Fines may be charged.
- Escalation:
 1. First a verbal warning or discussion would take place to inform the owner/responsible party of the issue.
 2. The property owner, or violator shall take steps to immediately stop the illicit discharge or take immediate action to remediate the illicit discharge.
 3. A written Notice of violation would follow with a specific course of action to follow. The Notice would identify the illicit discharge, and remediation if needed.
 4. If the property owner, or violator does not take immediate action to resolve the matter, a Stop Work order shall be issued by the Building Department, or Code Enforcement officer who has such authority.
 5. A Court appearance ticket, and fines imposed would be the final course of action if the owner/responsible party is not responding, or if the illicit discharge occurs again.
 6. If it is determined to be a recurring issue, the Courts shall have the authority to increase fines.
- A report identifying the cause and remediation plan shall be prepared for each illicit discharge discovered.
- These reports and any other building department or court documents shall be submitted to the building department for record keeping purposes.

- Should the potential illicit discharge complaint be determined to not be a discharge, the required inspection report shall be completed and filed with the building department for closure of the investigation.
- During the annual inspection of outfalls and the stormwater management system, the DPW personnel or those personnel assigned, should complete a report for each structure inspected. These reports shall be maintained by the DPW Superintendent.
- Copies of all reports shall be submitted to the preparer of the MS-4 Annual Report, Eve Mancuso, PE, on an annual basis.

Goals:

The Village goal is to eliminate all illicit discharges. A clear, concise plan of action is outlined in this Emergency Response Plan.

The DPW staff, or Engineering Consultant will inspect 100% of all outfalls on a five-year rotation.

EMERGENCY RESPONSE PLAN

Minimum Measure IV

Construction Site Stormwater Runoff Control

Procedures:

Contacts:

- Village Administrator: Andrew Stewart (845) 358-3582 during regular business hours.
 - Village Clerk: Linda Donnelly (845) 358-3581 during regular business hours.
 - Village DPW Superintendent: Jonathan Abrams (845) 401-3228 (cell)
 - Building Inspector – Manny Carmona (914) 523-8713 (cell).
 - Village Engineer – Eve Mancuso, PE (845) 547-2516 during regular business hours
 - Town of Orangetown Police Department (845) 359-3700 non-emergency or 911 for emergencies and after hours. The Police Department will initiate the emergency response protocol depending upon the nature of the call.
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- Erosion and sediment control measures shall be required for all construction work disturbing soil which requires the issuance of a building permit. The Building Department will ensure erosion control practices are implemented prior to any soil disturbance commencing. The Building Department will ensure the erosion control practices are effective and maintained throughout the course of construction.
 - If the proposed construction or land disturbance requires an appearance before the Planning Board or Zoning Board of Appeals an Erosion Control Plan indicating these measures shall be prepared.
 - The Village Engineer shall review such plan for compliance and effectiveness.
 - The Building Department shall hold a pre-construction meeting with the owner and contractor prior to any work commencing.
 - The owner or their agent shall implement the erosion control measures prior to starting any soil disturbance or work.
 - The building department or engineer's office will provide oversight of construction throughout the course of the project.
 - The erosion control measures shall be maintained throughout the course of construction and shall be routinely inspected by the building or engineer's office.
 - A report stating the findings of the inspections shall be generated and submitted to the building department for record keeping.
 - The owner or their agent will be informed first verbally, followed by in writing of problems or potential problems. They will be given a specified time to remediate the problem. Failure to address the erosion problem in the prescribed time shall result in a Warning Notice, Stop Work Order and/or a Violation being issued.
 - Continued failure to remediate the erosion problem may result in continued Stop Work Notices and Violation fines being imposed by the court.
 - Escalation:
 1. First a verbal warning or discussion would take place to inform the owner/ responsible party of the issue.
 2. A written Notice of Violation would follow with a specific course of action to follow. The Notice would identify the illicit discharge, and remediation if needed.
 3. A Stop Work order may be issued by the Building Department, or Code Enforcement officer who has such authority.

4. A Court appearance ticket, and fines imposed would be the final course of action if the owner/responsible party is not responding, or if the illicit discharge occurs again.
- The Village has an enhanced requirement for triggering SWPPP's. For projects disturbing an area of 10,000 SF or more, a SWPPP, Stormwater Pollution Prevention Plan, shall be required.
 - A SWPPP shall conform to the requirements as dictated by the conditions of the current General Permit and the Village Zoning Code.
 - The Village Engineer shall review the SWPPP.
 - Should the project receive a Final Approval the NOI will be reviewed and processed by the Village Engineer. Once reviewed and accepted, the Mayor Joseph Rand shall sign the document as the Chief Executive Officer.
 - The Building Department shall hold a pre-construction meeting with the owner and contractor prior to any work commencing.
 - Throughout the course of construction, a certified erosion control inspector shall perform inspections on behalf of the owner and submit reports to the building department. These inspections shall be performed weekly for disturbances under 5 acres, and biweekly for disturbances over 5 acres.
 - The building department and Village Engineer shall review the reports and perform periodic inspections.
 - At the completion of the project an As Built Plan shall be submitted to the Building Department and Engineer.
 - If the project is 100% complete and has been completed in substantial compliance with the approved plan, the NOT will be processed through the Village Engineer on behalf of the Village.
 - Once reviewed and accepted, the Mayor Joseph Rand will sign the document on behalf of the Village.
 - Prior to issuance of a NOT all appropriate Maintenance Agreements, as required by the Village, shall be in place. These Maintenance Agreements shall be reviewed by the Village attorney, Dennis Michaels, Esq. prior to acceptance.

Goals:

- The Village goal is to review 100% of all projects and SWPPP's submitted.
- Active construction sites shall be inspected on a regular basis.
- The Village shall implement a tracking method in the Building department for continual follow up, and annual inspections for those projects with Stormwater Maintenance Agreements.

EMERGENCY RESPONSE PLAN

Minimum Measure V

Post Construction Site Stormwater Runoff Control

Procedures:

Contacts:

- Village Administrator: Andrew Stewart (845) 358-3581 during regular business hours.
- Village Clerk: Linda Donnelly (845) 358-3581 during regular business hours.
- Village DPW Superintendent: Jonathan Abrams (845) 401-3228 (cell)
- Building Inspector – Manny Carmona (914) 523-8713 (cell).
- Village Engineer – Eve Mancuso, PE (845) 547-2516 during regular business hours
- Town of Orangetown Police Department (845) 359-3700 non-emergency or 911 for emergencies and after hours. The Police Department will initiate the emergency response protocol depending upon the nature of the call.

For Small Projects

- For small projects that did not require a Planning Board, or Zoning Board of Appeals review, or a SWPPP, Post Construction Site Stormwater Run-off Control shall be overseen by the Building Department under property maintenance.
- The property owner or their agent remains continually responsible for erosion control and stormwater run-off control on their property. Failure to do so may result in an Illicit Discharge emanating from the site.
- Should notification of a potential violation be received by any of the above noted persons, the appropriate course of action will commence. An inspection will be performed to identify the matter of concern.
- If a problem is discovered, the property owner will first be given a Verbal Notice, followed by a written Notice. The Notice shall describe the issue and required remediation. A specific time limit shall be noted for completion of the remediation.
- Upon re-inspection of the issue, if it is determined not to be fully addressed the matter may rise to the next level for enforcement action.
- Failure to address the post construction site stormwater run-off control problem in the prescribed time shall result in a warning notice, stop work order and/or a violation being issued.
- Continued failure to remediate the matter may result in fines being imposed by the court.

For Large Projects that have Stormwater Maintenance Agreements

- For project disturbing an area of 10,000 SF or more, a SWPPP was required, and the property owner has executed a Stormwater Maintenance Agreement with the Village.
- The Stormwater Maintenance Agreement obligates the property owner, or any future property owner to maintain the stormwater management system indefinitely.
- Post construction inspections for those projects having a SWPPP shall be performed annually in accordance with the maintenance schedule outlined in the SWPPP. These inspections shall be documented in a report and submitted to the building department for record keeping purposes. The reports shall specifically state the inspection performed and the action taken.
- As outlined in the requirements of the Stormwater Maintenance Agreement, the property owner is obligated to retain the services of a professional to perform Post Construction inspections of the full stormwater management system. That party shall determine if the

system is functioning as intended, if the system requires cleaning or minor maintenance, or if the system requires major repairs or replacement.

- The findings of this report shall be submitted to the Building Department and Engineering Consultant annually.
- Dependent upon the findings of the Post Construction Inspection, the follow up maintenance service shall be performed as needed.
- A follow up inspection is required, and report again submitted to the Building Department and Engineering Consultant to demonstrate appropriate remediation was satisfactorily performed.
- Failure to perform the required inspections or to perform the required work to maintain the stormwater management system may result in a warning notice, violation being issued by the code enforcement officer.
- Fines may be imposed upon the property owner or responsible entity by the court.
- Should an immediate threat to life of property be eminent, the Village may take immediate action to resolve the matter with the escrow funds posted in the Stormwater Maintenance Agreement, and/or to post charges to add the charges to the subject property's tax bill.
- Copies of these inspection reports shall be submitted by the building department to the preparer of the MS-4 Annual Report on an annual basis.

Goals:

- A tracking system will be maintained by the Building Department to ensure the required Annual Post Construction inspection are being performed by the property owner, and reports submitted.
- Notification letters will be sent to the property owners as a reminder to perform such inspections.
- Court action may be required to ensure compliance.