

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Region 3

21 South Putt Corners Road, New Paltz, NY 12561-1620

P: (845) 256-3000 | F: (845) 255-3414

www.dec.ny.gov

SENT VIA EMAIL ONLY:

mmclean@cenhud.com

October 29, 2021

Mark McLean, Senior Director of Environmental Affairs
Central Hudson Gas & Electric Corporation
284 South Avenue
Poughkeepsie, NY 12601

NOTICE OF VIOLATION

RE: Central Hudson Gas & Electric Corporation Training Center
2229-2271 Route 9W, Town of Ulster, Ulster County
SPDES General Permit for Stormwater Discharges from Construction Activity
GP-0-20-001, SPDES Permit ID: **NYR11G073**

Dear Mark McLean:

An inspection was performed at the above referenced site on August 3, 2021 to ensure compliance with the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002) and the Environmental Conservation Law (ECL) in response to a complaint received by this Department.

At the time of the inspection, the water quality in the wetland was indicative of pollution from discharges from stormwater runoff related to construction activities. This is a violation of Article 17 of ECL. **Please be advised that violations of the ECL are subject to penalties of up to \$37,500 per day per violation.**

All necessary erosion and sediment controls must be installed and implemented for the duration of the project to prevent any future violations and contraventions of New York State Water Quality Standards. We anticipate your compliance, which we will take into account before making a final determination on enforcement. If you have questions regarding this inspection, please contact me at (845) 255-3760 or douglas.upright@dec.ny.gov.

Sincerely,



Douglas J. Upright, P.E.
Assistant Engineer

Attachments

Cc: Natalie Browne, NYSDEC
Manju Cherian, P.E., NYSDEC
Warren Tutt, Town of Ulster
Christian Paggi, P.E, Lawrence J. Paggi PE,PC



Department of
Environmental
Conservation



NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER



Construction Stormwater Inspection Report for SPDES General Permit GP-0-20-001

Project Name and Location: _____ Municipality: _____ County: _____	Date: _____	
	Weather: _____	
	Permit # (if any): NYR1	
	Entry Time: _____	Exit Time: _____
Name of SPDES Permittee: _____ Contacted: Yes <input type="checkbox"/> No <input type="checkbox"/>	Inspection Type: <input type="checkbox"/> NOT <input type="checkbox"/> Compliance <input type="checkbox"/> Referral <input type="checkbox"/> Complaint	
On-site Representative(s) and Company(s): _____		
Phone Number(s): _____		

General Permit Requirements

- | | <u>Yes</u> | <u>No</u> | <u>N/A</u> | |
|----|--------------------------|--------------------------|--------------------------|--|
| 1. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Does the project have permit coverage (if required)? |
| 2. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is a copy of the General Permit available on site? |
| 3. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is a copy of the MS4 SWPPP Acceptance Form available on site? |
| 4. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is a current copy of the signed SWPPP retained at the construction site? |
| 5. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is a copy of the signed NOI & Acknowledgment Letter retained at the construction site? |
| 6. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Was written authorization issued for any disturbance greater than 5 acres? |

Inspected: ☐ Y ☐ N

Citation

I.E. & II. B.1
II.C.2.
II.C.2.
II.C.2.
II.C.2.
II.C.3.

SWPPP General Requirements

- | | <u>Yes</u> | <u>No</u> | <u>N/A</u> | |
|-----|--------------------------|--------------------------|--------------------------|--|
| 7. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the SWPPP current (accurate Permittee information, reflect current project)? |
| 8. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | SWPPP identifies potential sources of pollutants in runoff |
| 9. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | SWPPP identifies Trained Contractor. |
| 10. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Contractor/Subcontractor certification statements have been signed. |
| 11. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | SWPPP is signed by responsible corporate officer, general partner, proprietor, principal executive officer, ranking elected official, or duly authorized representative. |

Inspected: ☐ Y ☐ N

Citation

II.E. & III.A.4
III.A.2
III.A.6.
III.A.6.
VII.H.2.

Recordkeeping

- | | <u>Yes</u> | <u>No</u> | <u>N/A</u> | |
|-----|--------------------------|--------------------------|--------------------------|---|
| 12. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Does Trained Contractor have current certification card? |
| 13. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are self-inspections performed at permit-required frequency? (check the box below)
<input type="checkbox"/> Daily during periods of soil disturbance by Trained Contractor
<input type="checkbox"/> Weekly during soil disturbance by Owner/Operator for excepted projects
<input type="checkbox"/> Weekly for soil disturbances <= 5 acres by Qualified Inspector
<input type="checkbox"/> Twice weekly for soil disturbances >5acres or if water segment listed in App. C or E
<input type="checkbox"/> Monthly during periods of temporary stabilization by Qualified Inspector |
| 14. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do the qualified inspector's reports include the minimum reporting requirements? |
| 15. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are the qualified inspector's reports signed and retained onsite? |
| 16. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Do the inspection reports identify deficiencies that are recurring &/or corrective measures that have not been implemented, & include date-stamped color photos |

Inspected: ☐ Y ☐ N

Citation

VII.O.
IV.B.1.
IV.C.1.
IV.C.2.a.
IV.C.2.b.&e.
IV.C.2.c
IV.C.4.
IV.C.6.
IV.C.4.

Visual Observations

- | | <u>Yes</u> | <u>No</u> | <u>N/A</u> | |
|-----|--------------------------|--------------------------|--------------------------|--|
| 17. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are all erosion and sediment control measures installed properly? |
| 18. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are all erosion and sediment control measures being maintained properly? |
| 19. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Have stabilization measures been implemented in inactive areas per Permit? |
| 20. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are post-construction SMPs constructed/installed correctly? |
| 21. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Has final site stabilization been achieved and temporary E&SC measures removed prior to NOT submittal? |
| 22. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Was there a discharge from the site on the day of inspection? |
| 23. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is there evidence that a discharge caused or contributed to a violation of water quality standards? |

Inspected: ☐ Y ☐ N

Citation

IV.C.4.g.

IV.C.4.f.

I.B.1.b.

IV.C.4.i.

V.A.2.

I.B.1.e. & f.

ECL 17-0501, &
6 NYCRR 703.2, &
GP-0-20-001: I.B.

Water Quality Observations


Describe the discharge(s): location, source(s), impact on receiving water(s), etc.

Describe the quality of the receiving water(s) both upstream and downstream of the discharge

Describe any other water quality standards or permit violations

Additional Comments

☐ Photographs attached

Overall Inspection Rating: <input type="checkbox"/> Satisfactory <input type="checkbox"/> Marginal <input type="checkbox"/> Unsatisfactory	
Name/Agency of Lead Inspector:	Signature of Lead Inspector: 
Names/Agencies of Other Inspectors:	

**NYSDEC Inspection Photo Log
Central Hudson Training Center
Town of Ulster, Ulster County
SPDES Permit ID: NYR11G073
Inspection Date: 8/3/21**



Photo 1: Turbidity in onsite wetland



Photo 2: Silt fence in need of maintance