

New York State Department of Environmental Conservation

Office of Environmental Quality - Region 5

232 Golf Course Road, Warrensburg, NY 12885

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Joe Martens
Commissioner

June 6, 2011

Mr. Joshua S. Brown
TRC Solutions
10 Maxwell Drive
Clifton Park, NY 12065

**Re: SPDES Permit Identification No. NYR10U267 (through Permit No. GP-0-10-001)
Niagara Mohawk Power dba National Grid
Spier Falls – Rotterdam New 115 KV Line
Saratoga and Schenectady (Co.)**

Dear Mr. Brown:

Thank you for submitting the Environmental Management and Control Plan (EM & CP) and Stormwater Pollution Prevention Plan (SWPPP) for the above referenced project. I have reviewed the applicable portions of the EM & CP as well as the SWPPP for conformance with the *State Pollutant Discharge Elimination System (SPDES) General Permit (No. GP-0-10-001) for Stormwater Discharges from Construction Activity* ("general permit"), the *New York State Standards and Specifications for Erosion and Sediment Control - August 2005 revision (SSESC)*, and the *New York State Stormwater Management Design Manual - August 2010 revision (SMDM)*. Based on my review, I would like to make the following comments:

Environmental Management and Construction Plan:

1. On page 1-3 of the EM & CP Procedures; Appendix F of the EM & CP; you call for the installation of silt fence and/or straw bale barriers at the entrance to culverts that receive runoff from disturbed areas and at the down-slope outfall of waterbars. In accordance with the SSESC (see pages 5A.17 and 5A.19) silt fence and straw bale dikes shall only be used where there is no concentration of water flowing to the practice. Please remove all references to placing straw bales and silt fence in areas of concentrated flow from both the EM&CP and SWPPP.
2. On Page 1-4 of the EM & CP Procedures you state that only a silt fence or staked straw bale barrier will be permitted at equipment crossings spanning water bodies. It is unclear from that statement if you intend for the silt fence or straw bales to be installed in the water body or just across the access road. Please clarify this in the EM & CP and SWPPP. Please refer to the SSESC for the proper installation of silt fence and straw bales.
3. On page 1-10 of the EM & CP Procedures, you state that inspections of structural controls receiving flows from areas that have not been stabilized permanently

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will occur in accordance with the general permit. Please revise the EM & CP and SWPPP to clearly identify the required inspection frequency as specified in Part IV of the general permit.

4. On page 1-11 of the EM & CP Procedures you state that "...areas that have undergone final stabilization, or where runoff is unlikely due to winter conditions, inspections are to be performed at least once every month by the Environmental Monitor...". Please be advised that, in accordance with Part IV.C.2.c. of the general permit, for construction sites where soil disturbance activities have been temporarily suspended (such as winter shutdown) and temporary stabilization measures have been applied to all disturbed areas, the inspection frequency may be reduced to once every thirty days. In order to reduce the inspection frequency, all disturbed areas must be stabilized. Frozen ground conditions do not constitute stabilization. Please revise the EM & CP and SWPPP to comply with the general permit.
5. On page 5-1 of the EM & CP Procedures you state that areas will be stabilized within one month of the completion of construction unless seasonal limitations preclude final restoration within this timeframe. Please be advised that; in accordance with Part II.C.3.b. of the general permit; in areas of the site where soil disturbance activities have temporarily or permanently ceased, temporary or permanent soil stabilization measures must be installed within 7 days. Please revise the EM & CP and SWPPP to comply with the general permit.
6. On Page 5-2 of the EM & CP Procedures, you specify that native upland and/or wetland vegetation must be established on all disturbed areas within 3 months. Please refer to the preceding comment and revise the EM & CP and SWPPP accordingly.
7. In Exhibit A of the EM & CP Procedures you have included details for many of the erosion and sediment control measures you have proposed for this site. One of those details is for a "Typical Dewatering Haybale Basin". Given the proximity of this site to wetlands and other waterbodies, please revise that detail; and any others referencing the use of hay bales; to specify the use of straw rather than hay.

Stormwater Pollution Prevention Plan:

8. In Attachment A of the SWPPP you have included a list of contacts for the project. Please update the list with my information as the "NYSDEC Region 5 Stormwater Contact". My information is as follows:

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Beth A. Magee, CPESC
Environmental Engineering Technician 1
NYS DEC, Region 5, Warrensburg
bamagee@gw.dec.state.ny.us
518-623-1232

Please also add Jeffrey McCullough as the "NYSDEC Region 4 Stormwater Contact". Jeffrey's information is as follows:

Jeffrey McCullough
Environmental Engineer 1
NYS DEC, Region 4, Schenectady
jbmccull@gw.dec.state.ny.us
518-357-2313

9. On Page 21 of the SWPPP, you state that disturbed areas shall be stabilized using permanent seed mix of native grasses as specified in the *New York Standards and Specifications for Erosion and Sediment Control* but you do not list the specific seeding recommendations. Please revise the SWPPP to clearly identify the seeding recommendations for this site. In reviewing the plan sheets for this project I found that you have proposed the use of "Erosion Control Barrier" in numerous locations throughout the site. I was unable to find a detail or description for that practice in the SWPPP or EM & CP. Please revise the documents to include a detail for each erosion and sediment control measure you have proposed.
10. On sheet 3K of 35 of the plan sheets you show a detail for dry swales. Based on that detail, you are proposing a filter bed of 18 to 24 inches of clean washed concrete sand in the swales. In accordance with the SMDM (see page 6-60) dry swales shall contain a filter bed of at least 30 inches of permeable soil. Please explain this discrepancy.
11. You have proposed the use of dry swales and media filter drains for the post-construction stormwater runoff from a portion of the site but have not shown the specific locations in which to install those practices. Please revise the EM & CP and SWPPP to clearly identify where to install those practices.

General:

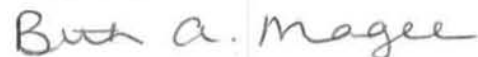
12. In both the EM & CP Procedures (page 1-2) and SWPPP (page 4) you have included a construction sequencing plan. Although that plan does address the general sequence of construction activities, it is not specific enough and needs to be further expanded. Please revise the construction sequencing plan to include not only the sequence of construction activities to be commenced at

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each site but also a phasing plan that clearly delineates each phase of the project and the order in which those phases will be disturbed.

Please revise the EM & CP and SWPPP to address these comments and submit the documents for review. In the meantime, please feel free to contact me at (518) 623-1232 if you have any questions or comments.

Sincerely,



Beth A. Magee, CPESC
Environmental Engineering Technician 1
Division of Water

ec: Michael Dauphinais, NYS DEC
Andrea Dzierwa, NYS DEC
Rudyard Edick, NYS DEC
David Gasper, NYS DEC
Chris Hogan, NYS DEC
William Lupo, NYS DEC
Jeffrey McCullough, NYS DEC
Lisa Wilkinson, NYS DEC