



Department of
Environmental
Conservation

FACT SHEET
for
NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
SPDES GENERAL PERMIT
for
**PRIVATE, COMMERCIAL, AND INSTITUTIONAL DISCHARGES
TO GROUNDWATER OF TREATED SANITARY SEWAGE**
Permit No. GP-0-25-002

Issued Pursuant to Article 17, Title 7 and Article 70
of the Environmental Conservation Law

Issuance Date: April 23, 2025
Effective Date: May 11, 2025
Expiration Date: May 10, 2035

INTRODUCTION

The New York State Department of Environmental Conservation (NYSDEC) has renewed the State Pollutant Discharge Elimination System (SPDES) General Permit for Private, Commercial and Institutional (PCI) Discharges to Groundwater of Treated Sanitary Sewage as GP-0-25-002. Upon its effective date, GP-0-25-002 will replace the previous general permit, GP-0-15-001, which expires on May 10, 2025.

NYSDEC issues SPDES permits in accordance with the New York State Environmental Conservation Law (ECL), Article 17, titles 7 and 8, as well as Article 70. Pursuant to ECL 17-0817(1) and 6 New York Codes, Rules and Regulations (NYCRR) 750-1.15, GP-0-25-002 is a ten (10) year permit.

SUMMARY OF CHANGES

The most notable changes in GP-0-25-002 are in its administration and structure, which were made for consistency with the structure and administration of other SPDES general permits. To increase clarity and, therefore, improve compliance and overall water quality protection, numerous changes were also made throughout GP-0-25-002 compared to GP-0-15-001.

The most notable changes in GP-0-25-002, compared to GP-0-15-001, include the following:

1. A new owner must submit an electronic Notice of Intent (eNOI) for coverage, rather than a permit application;
2. A continuing owner must submit an electronic Request to Continue Coverage;
3. A new owner must submit the Design Certification of On-site Treatment Works form (Appendix to GP-0-25-002) with the eNOI, whereby the Professional Engineer (P.E.) certifies that the on-site treatment system (OWTS) was designed in accordance with one of the two design standards identified in GP-0-25-002;
4. Development of an electronic Notice of Intent (eNOT) to terminate coverage;
5. The process to change the owner of the OWTS was modified. The new owner must submit a complete eNOI to gain coverage and the old owner must submit a complete eNOT;
6. Specific requirements for reporting an Adverse Incident were added; and
7. Modification of operational requirements and inspections.

Part I.

Part I. of GP-0-25-002 sets forth the conditions for eligibility, identifies the ineligible discharges, and outlines the expectation of how the general permit maintains water quality.

A. Eligibility

Part I.A. of GP-0-25-002 contains the same design flow limitations, formerly in GP-0-15-001 under General Permit Authorized Activity. GP-0-25-002, like GP-0-15-001, continues to authorize the discharge to groundwater of treated sanitary waste, without the admixture of industrial or other wastes, from an OWTS with design flows equal to or greater than 1,000 gpd and less than 10,000 gpd, and limits cumulative design flows, from all OWTS outfalls serving the same PCI Facility, to less than 30,000 gpd. The 30,000 gpd threshold is regardless of the number of outfalls.

The upper threshold of 10,000 gpd per OWTS is pursuant to ECL 70-0117(6)(b)(ii). The lower threshold of 1,000 gpd per treatment system is pursuant to ECL 17-0701(6) and 6 NYCRR 750-1.5(a)(4)(i). The upper limit of 30,000 gpd for the cumulative design flows, from a PCI facility with multiple OWTS outfalls, is consistent with the threshold for discharges exempt from groundwater effluent limitations in 6 NYCRR 702.21(a)(1).

For consistency with 6 NYCRR Part 182, Part I.A.2 in GP-0-25-002 requires a permit or letter of non-jurisdiction where construction of an OWTS may adversely affect threatened or endangered species. Part II.C.3. of GP-0-25-002 is new and requires the owner to attach the permit or letter of non-jurisdiction, in Portable Document Format (PDF), to the submission of the eNOI to enable secure transfer of information.

For consistency with the State Historic Preservation Act, as well as the approach in the SPDES Construction General Permit for Stormwater Discharges from Construction Activity, Part I.A.3 of GP-0-25-002 requires the owner to complete, and document, consultation with the Office of Parks and Historic Preservation (OPRHP), if construction of the OWTS has the potential to affect a historic property. Part II.C.4. of GP-0-25-002 is new and requires the owner to attach a NYSDEC consultation form (Appendix C of GP-0-25-002), in PDF, to the submission of the eNOI. Requiring owners to submit the consultation form in PDF ensures ease in conversion from other file formats and will enable secure transfer of information. Requiring owners to use the specific form provides consistency with the information NYSDEC receives.

Under the Letter of Resolution with OPRHP regarding compliance with PRHPL § 14.09 for the State Pollution Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002), NYSDEC committed to conduct significant outreach and training for design engineers, planning boards, and other review authorities on State Historic Preservation Act (SHPA) requirements to assist owners in complying with the SHPA.

Although construction of an OWTS typically disturbs less than one acre of soil, NYSDEC intends to follow the procedures outlined in that Letter of Resolution in implementing the GP-0-25-002 in those instances, to ensure SHPA requirements that archeologically sensitive and historic properties are not disturbed. Where a larger OWTS may disturb greater than one acre of soil, the owner must obtain individual SPDES permit coverage or coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity, and that Letter of Resolution would apply.

For consistency with Article 8 of the ECL and 6 NYCRR Part 617, Part I.A.4. of GP-0-25-002 requires compliance with the State Environmental Quality Review Act (SEQRA). Where construction of the OWTS is not subject to SEQRA but is subject to an equivalent environmental review from another state agency, Part I.A.5. in GP-0-25-002 is necessary to address the environmental review for those construction activities.

For consistency with the Uniform Procedures Act (UPA) in ECL Article 70 and 6 NYCRR Part 621, Part I.A.6. of GP-0-25-002 requires the owner to obtain all such necessary permits or receive notification from NYSDEC, pursuant to 6 NYCRR 621.3(a)(4), exempting Part I.A.6.a. This condition is new and clarifies that there are two different ways to be eligible for coverage under GP-0-25-002, with respect to UPA permits. The reference to the equivalent of a UPA permit, from another New York State or federal agency, is necessary to address instances where the OWTS may need a Clean Water Act 401 certification that is issued by another Certifying Authority, besides NYSDEC.

Where New York State Department of Health (NYSDOH) has concurrent jurisdiction over the construction of the OWTS, Part I.A.7. of GP-0-25-002 requires the owner to obtain NYSDOH plan approval prior to commencing construction of the OWTS. This requirement clarifies that coverage under GP-0-25-002 does not supersede the need for NYSDOH approval for construction of the same OWTS. Part II.C.2. of GP-0-25-002 requires the owner to attach the NYSDOH plan approval, in PDF, to the submission of the eNOI to enable secure transfer of information.

Part I.A.8. of GP-0-25-002 is new and requires the owner to obtain a jurisdictional determination (JD) from NYSDEC, or from the Adirondack Park Agency if the facility is located in the Adirondack Park, to determine whether the OWTS would be located in NY State regulated wetlands or wetland adjacent areas.

For freshwater wetlands, a parcel JD may be obtained by completing a JD request form available on NYSDEC's website. If a positive parcel JD is issued by NYSDEC, an owner must request a project jurisdictional determination from a NYSDEC regional office. A negative project or parcel JD is required for coverage under GP-0-25-002.

This requirement, along with Part I.B.1.b., ensures that the facility will not be located in tidal or freshwater wetlands or adjacent areas as defined in Articles 24 and 25.

Part II.C.1. of GP-0-25-002 requires the owner to attach the jurisdictional determination, in PDF, to the submission of the eNOI to enable secure transfer of information.

Part I.A.9. of GP-0-25-002 is new and requires the owner to certify that only sanitary discharges are permitted to be discharged from the OWTS. This certification is necessary to verify the owner's understanding of the coverage under GP-0-25-002 and that the OWTS is designed to treat only sanitary waste and is not designed to treat any industrial admixtures, and because the owner is responsible, in conformance with Part II.A. to ensure that the OWTS does not receive or commit to receive any admixture of industrial waste.

B. Ineligible Discharges

With the exception of the items noted below, Part I.B. of GP-0-25-002 contains the same areas that were ineligible for coverage in GP-0-15-001 under Exclusions from Coverage Under this Permit.

Facilities in the Delaware River Watershed, where the cumulative design flows, from all of the OWTS outfalls at the PCI facility, are greater than 10,000 gpd, are ineligible for coverage under Part I.B.1.f. of GP-0-25-002. The 10,000 gpd threshold is regardless of the number of OWTS outfalls. The OWTSs at such facilities must comply with specific conditions imposed by the Delaware River Basin Commission through their regulations and, therefore, are not appropriately covered by a general permit (6 NYCRR 750-1.21(a)(3) and (4)).

OWTSs located in areas with percolation rates faster than 10 minutes/inch, that are sited over primary or principal aquifers, are ineligible for coverage under Part I.B.1.d. of GP-0-25-002. The NYSDEC 2014 Design Standards for Intermediate Wastewater Facilities states that soils that percolate quickly may not be sufficient to protect groundwaters that overlie aquifers designated by New York State as Primary Water Supply Aquifers and Principal Aquifers. To be protective of groundwater, where soils are unconfined and wastewater will flow through quickly or soil is shallow, a conventional OWTS should not be used. Additional site-specific protective OWTS design should be implemented, either with soil fill that will slow the percolation rate for more effective treatment or pretreating wastewater to protect public and private drinking water supplies. Therefore, OWTSs in these areas are not appropriately covered by this general permit (6 NYCRR 750-1.21(a)(3)).

Although the regulatory requirements of 6 NYCRR 750-1.6(f) applied to OWTSs seeking coverage under GP-0-15-001, the text of 6 NYCRR 750-1.6(f) was not included in GP-0-15-001. Part I.B.2. in GP-0-25-002 simply reiterates the requirements of 6 NYCRR 750-1.6(f) in the text of this general permit. This change was made for ease of reference for owners in understanding requirements to which they must adhere to be authorized to discharge under this general permit.

C. Maintaining Water Quality

Part I.C. of GP-0-25-002 simply restates ECL 17-0501 and 6 NYCRR 750-2.1(b). NYSDEC expects that compliance with the conditions in GP-0-25-002 will result in discharges being controlled as necessary to meet applicable water quality standards. For consistency with 6 NYCRR 750-2.1(b), the conditions in Part I.C. of GP-0-25-002 expand upon those found in Condition 7: No Violation of Water Quality Classification and Standards in GP-0-15-001.

Part II.

A. Permit Coverage for Discharges Authorized Under GP-0-15-001

The conditions in Part II.A. of GP-0-25-002 are new. GP-0-15-001 required owners to submit a renewal application within 180 days of expiration of that general permit to maintain coverage.

As described in Part II.A. in GP-0-25-002, within 30 days of the effective date of GP-0-25-002, the owner of an OWTS, with existing coverage under GP-0-15-001, must submit a complete electronic Request to Continue Coverage or a new eNOI. Electronic submission is the format acceptable to NYSDEC (6 NYCRR 750-2.5(e)). An electronic Request to Continue Coverage is more efficient for submission and processing. OWTSs with existing coverage under GP-0-15-001 are authorized with interim coverage under GP-0-25-002 for 1) up to 45 calendar days if the owner submits a Request to Continue Coverage or 2) up to 60 calendar days if the owner submits a new eNOI after the effective date of GP-0-25-002. Owners who do not submit the Request to Continue Coverage in accordance with

Part IIA. in GP-0-25-002 do not have coverage under GP-0-25-002 beyond the 45-calendar day interim coverage.

The Request to Continue Coverage is necessary to provide NYSDEC with verification of the owner, owner contact information, and facility address; that the OWTS design components have not changed; and that the OWTS otherwise meets the requirements of Part II.C. and Parts III. through VIII. of GP-0-25-002. Since the PCI General Permit has been in place for approximately 30 years, this new requirement to submit verification to NYSDEC is important to clean up administrative records and to ensure proper coverage is effective.

If the owner cannot complete the Request to Continue Coverage, because the OWTS design components have changed, the owner must submit a new eNOI. Up to 60 days of interim coverage are necessary to avoid a lapse in general permit coverage while the owner determines that a new eNOI is required and then prepares and submits the new eNOI, as well as to reflect the timeframes in Part II.C. of GP-0-25-002.

Up to 45 days of interim coverage are necessary to avoid a lapse in general permit coverage while the owner prepares and submits the Request to Continue Coverage. OWTSs with existing coverage under GP-0-15-001 are authorized to discharge under GP-0-25-002, notwithstanding the interim coverage, upon receipt of a Letter of Authorization to Discharge from NYSDEC. NYSDEC anticipates sending a Letter of Authorization to Discharge concurrently with receipt of the complete Request to Continue Coverage. Since NYSDEC already verified completeness of the eNOI, no additional time for authorization to discharge is required. The Letter of Authorization to Discharge indicates the date the OWTS is authorized to discharge under GP-0-25-002.

As described in Part II.C. of GP-0-25-002, authorization to construct an OWTS is effective 30 calendar days after a complete eNOI is received. Although that date is memorialized in a Letter of Authorization to Construct sent by NYSDEC, receipt of that letter does not affect authorization to construct.

The owner of a facility where the OWTS has not been constructed, if able to meet eligibility for coverage under this general permit in accordance with Part I.A. and Part I.B of GP-0-25-002, must submit an eNOI in accordance with Part II.C. of GP-0-25-002, because an up-to-date wetlands jurisdictional determination from NYSDEC is required.

B. Permit Coverage for New Facilities, Unpermitted Facilities and Facilities Modified After the Effective Date of GP-0-25-002

The design standards in Part II.B. of GP-0-25-002 did not change from GP-0-15-001 and are the most current design standards.

Pursuant to Section 17-a of the Community Risk and Resiliency Act (CRRA), Chapter 355 of the Laws of 2014 (as amended by Section 9 of the Climate Leadership and Community Protection Act (CLCPA), Chapter 106 of the Laws of 2019), NYSDEC must identify “the

most significant climate-related risks” and promote “measures that could mitigate significant climate-related risks.”

In accordance with the CRRA, 6 NYCRR Part 490, and associated guidance, activities covered by major permits for regulatory programs subject to the UPA, including GP-0-25-002, are required to demonstrate that future physical climate risk has been considered.

Part II.B. of GP-0-25-002 was added as a first step and is consistent with the NYSDEC ECL SPDES General Permit for Concentrated Animal Feeding Operations (CAFOs), Permit No. GP-0-22-001, and the NYSDEC SPDES Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity, Permit No. GP-0-23-001.

Moreover, NYSDEC can require activities to mitigate significant risks to natural resources in the vicinity of the activity. To implement that requirement, Part II.B. of GP-0-25-002 requires design of the OWTS to prevent inundation of critical equipment by siting the OWTS components in: 1) tidal areas at an elevation resulting from adding the high sea level rise elevation for the full service life of the facility plus three vertical feet to the base flood elevation of the closest hydrologically connected floodplain, and in 2) non-tidal areas at either three vertical feet above the 100 year flood zone elevation, or above the 500 year flood zone elevation, whichever is higher. Such requirements are appropriate for new, unpermitted or modified OWTSs, and not for an existing OWTS, because existing OWTSs may not be able to comply with eligibility restrictions that were not in place when the existing OWTSs were built.

Further guidance on CRRA and CLCPA can be found on NYSDEC’s website at <https://www.dec.ny.gov/lands/102559.html>. Additionally, mapping guidance on guideline elevations can be found at https://services.nyserda.ny.gov/SLR_Viewer/ and <https://www.coast.noaa.gov/llv/>.

C. Submission of Electronic Notice of Intent (eNOI) for Authorization to Construct a New or Modified OWTS

GP-0-15-001 required an owner to submit an application to gain coverage under that general permit. NYSDEC, coordinated by the Division of Environmental Permits, reviewed and approved design plans and verified eligibility before making a determination that the OWTS could be authorized for coverage. The owner was authorized to begin construction of the OWTS upon receipt of a NYSDEC-validated permit, that specified an authorized design flow as was indicated in the submitted design plans. This approach in GP-0-15-001 was not consistent with the structure and administration of other SPDES general permits.

As described in Part II.C. of GP-0-25-002, authorization to construct an OWTS is effective 30 calendar days after a complete eNOI is received, which is now coordinated by Division of Water. Considering the changes in administration and structure of GP-0-25-002, the 30-day timeframe is appropriate to allow Division of Water time to verify that the eligibility requirements in Part I.B. of GP-0-25-002 are met. Although that date is memorialized in a

Letter of Authorization to Construct sent by NYSDEC, receipt of that letter does not affect authorization to construct for a new or modified OWTS.

Pursuant to 6 NYCRR 750-2.10(f), NYSDEC can accept, in lieu of submission of engineering reports or plans and specifications, a licensed P.E. certification that the OWTS design conforms to NYSDEC design standards in 6 NYCRR 750-2.10(g). As described in Part II.C.5. of GP-0-25-002, the owner must attach, to the eNOI, the Design Certification of On-site Treatment Works form (Appendix to GP-0-25-002). That form must be signed by a P.E., certifying that the design conforms to the standards in Part II.B. of GP-0-25-002. The Design Certification of On-site Treatment Works form includes a checklist as allowed by 6 NYCRR 750-2.10(f). The checklist contains questions verifying the NYSDEC design standards were followed, such as: required separation distances of the proposed OWTS from surface water, from private wells and property lines; and the derivation of the design flow and the application rates used to size the OWTS. Requiring owners to use the specific form provides consistency with the information NYSDEC receives.

As described in Part II.C. of GP-0-25-002, the owner must attach certain required approval documents and jurisdictional determinations to the eNOI. This change is required to allow Division of Water to verify that the OWTS is eligible for general permit coverage.

Under GP-0-15-001, the application for authorization to construct an OWTS, could be submitted by email or by regular mail to NYSDEC. Part II.C. of GP-0-25-002 requires that owners submit the Notice of Intent electronically, which is the format acceptable to NYSDEC (6 NYCRR 750-2.5(e)). An eNOI is more efficient for submission and processing. Additionally, all required attachments to the eNOI, in Part II.C. of the GP-0-25-002, including the Design Certification of On-Site Treatment Works, must be attached in PDF to the eNOI. Requiring owners to submit PDF files ensures ease in conversion from other file formats and will enable secure transfer of information.

D. Submission of Post Construction Certification for Authorization to Discharge from a New or Modified OWTS

As described in Part II.D. of GP-0-25-002, the owner must submit a complete Post Construction Certification for Authorization to Discharge form (Appendix to GP-0-25-002) to NYSDEC. This requirement confirms that the OWTS was built in accordance with the plans and specifications noted in the Design Certification of On-site Treatment Works form, attached to the eNOI. NYSDEC anticipates sending a Letter of Authorization to Discharge concurrently with receipt of the complete Post Construction Certification for Authorization to Discharge form. As NYSDEC already verified completeness of the eNOI, additional time for authorization to discharge is not needed. The date of that letter is controlling as to authorization to discharge.

The conditions in Part II.D. of GP-0-25-002 are unchanged from GP-0-15-001, except that, upon receipt of the Post-Construction Certification for Authorization to Discharge form from the owner, under GP-0-15-001, NYSDEC did not provide a response or authorization. The

NYSDEC Letter of Authorization to Discharge under GP-0-25-002 provides the owner with clarity as to when the OWTS has authorization to discharge.

Under GP-0-15-001, the Post-Construction Certification of On-Site Treatment Works form, for approval to discharge from an OWTS, could be submitted by email or by regular mail to NYSDEC. Part II.D. of GP-0-25-002 requires that owners submit the Post-Construction Certification for Authorization to Discharge form (PDF) via email to a specific mailbox, which is the format acceptable to NYSDEC (6 NYCRR 750-2.5(e)). Requiring owners to submit PDF files ensures ease in conversion from other file formats and will enable secure transfer of information. Requiring owners to use the specific form provides consistency with the information NYSDEC receives and allows NYSDEC to concurrently send a Letter of Authorization to Discharge.

E. Change of Owner

The conditions in Part II.E. of GP-0-25-002 are different from Condition 6: Permit Transfer under General Conditions of GP-0-15-001. GP-0-15-001 required owners to submit a written permit transfer application to NYSDEC 30 days prior to actual transfer of ownership. As described in Part II.E. of GP-0-25-002, when property ownership changes, the following process applies.

The new owner of an OWTS that, under the old owner, had authorization to discharge under GP-0-25-002, must submit an eNOI for continued authorization to discharge. Similar to Part II.D. of GP-0-25-002, general permit coverage for the new owner will be effective upon receipt of a Letter of Authorization to Discharge. The eNOI from the new owner does not need to include the attachments in Part II.C. because NYSDEC already verified that the OWTS is eligible for general permit coverage and authorized the discharge from the OWTS under the previous owner. Upon receipt of its Letter of Authorization to Discharge, the new owner must provide its new SPDES number to the original owner.

The new owner of a facility where the OWTS has not been constructed, if able to meet eligibility for coverage under this general permit in accordance with Part I.A. and Part I.B of GP-0-25-002, must submit an eNOI in accordance with Part II.C. of GP-0-25-002. General permit coverage for the new owner will be effective 30 calendar days after submission of a complete eNOI. As a courtesy, NYSDEC sends a Letter of Authorization to Construct. Receipt of that letter does not affect authorization to construct. Upon receipt of its Letter of Authorization to Construct, the new owner must provide its new SPDES number to the original owner.

Upon receipt of the new owner's SPDES number, the original owner must submit to NYSDEC a complete eNOT in accordance with Part IV.A. of GP-0-25-002. The eNOT must include the new SPDES number so NYSDEC can verify that the OWTS has continuing coverage, before the old owner's coverage is terminated. Termination of general permit coverage for the old owner will be automatically effective 15 days after NYSDEC's receipt of a complete eNOT.

This change is consistent with the structure and administration of the GP-0-25-002 that requires an eNOI for general permit coverage from new owners and an eNOT for general permit termination.

F. Transfer from Individual Permit to General Permit

The conditions in Part II.F. of GP-0-25-002 are new. Part II.F. in GP-0-25-002 allows an OWTS, authorized to discharge to groundwater under an individual SPDES permit, and an OWTS that had been authorized under an individual SPDES permit that subsequently had expired, to obtain coverage under GP-0-25-002, if certain conditions are met. This change was made because, where the owner is operating in accordance with the terms of an individual SPDES permit, the conditions of that individual SPDES permit (expired or current) are equally protective of water quality as the conditions of the GP-0-25-002.

The OWTS must adhere to the process outlined in Part II.F. of GP-25-002 to be covered under that general permit. However, the owner is not required to submit the Design Certification of Onsite Treatment Works form or the Post-Construction Certification for Authorization to Discharge form, because the individual permit was reviewed and approved by NYSDEC when the application to discharge was first submitted for authorization to discharge.

There is no reduction in water quality protection where individual permits are transferred to this general permit. The permit conditions in GP-0-25-002 are not less stringent than an individual permit that authorizes/authorized that same discharge. This change was made for administrative flexibility; improved data management of the authorized OWTSs; and to reduce the financial burden of compliance on the OWTS owners as the fees for general permit coverage are less than those for individual permit coverage.

Part III. REQUIREMENTS FOR OWNERS

A. Maximum Flow, Strength, and Character

It is the responsibility of the owner to ensure that the OWTS does not receive, or commit to receive, sanitary sewage without the admixture of industrial waste that exceeds the OWTS design flow or has a strength or characteristic beyond the design capability of the OWTS. This provision is consistent with 6 NYCRR 750-2.8(a)(1) and is necessary to ensure that the OWTS does not overload or malfunction. The conditions in Part III.A. of GP-0-25-002 are the same as those found in Condition 4: Maximum Flow, Strength, and Character of GP-0-15-001.

B. Control Measures

The owner is required to perform routine maintenance on the OWTS to ensure proper operation. Part III.B. of GP-0-25-002 adds requirements for the owner to 1) inspect the OWTS quarterly and 2) develop, implement, and maintain a written operations and

maintenance plan. Maintenance of the OWTS includes correcting the issues with the OWTS that are identified during the quarterly inspection, as outlined in Part III.B.1.d. Quarterly inspections ensure the OWTS is operating properly in varying seasonal conditions.

Part III.B. of GP-0-25-002 is consistent with 6 NYCRR 750-2.8(a)(2). The conditions in Part III.B. of GP-0-25-002 are more specific than Condition 6: Maintain Facility of GP-0-15-001.

For consistency with 6 NYCRR 750-2.7(f), Part III.B.1.d. of GP-0-25-002 requires owners to implement corrective actions based on the results of the inspection.

C. Annual Septic Tank Inspection

The scum that floats on the liquid surface and the sludge that accumulates at the bottom of the septic tank must be prevented from escaping through the outlet or plugging the outlet filter or screen of the septic tank. Annual inspection, and where required, removal of sludge build up are crucial requirements for the proper operation of a septic tank, and protection of the downstream soil-based treatment system from clogging due to washed out solids, especially fats, oils, and greases.

GP-0-15-001 allowed the permittee to conduct septic tank inspections, without requiring training. Part III.C of GP-0-25-002 requires inspection of a septic tank, at least annually, by a Qualified Inspector. Appendix A of GP-0-25-002 defines who can act as the Qualified Inspector, including the owner with certain training. Inspection by a Qualified Inspector ensures that improperly maintained or leaking tanks can be identified and replaced as necessary.

Part III.C. of GP-0-25-002 also requires the owner to remove scum and sludge accumulations such that the accumulations do not exceed $\frac{1}{4}$ of the liquid depth. Part III.C. of GP-0-25-002 is consistent with 6 NYCRR 750-2.8(d). The conditions in Part III.C. of GP-0-25-002 are revised from those found in Condition 5: Inspect Septic Tanks of GP-0-15-001.

Within 30 calendar days following each annual inspection, the Qualified Inspector must prepare and sign an OWTS Inspection Report form (Appendix C to GP-0-25-002) that includes the name of the Qualified Inspector performing the inspection; date of inspection; the address of the inspection; the location of the OWTS on property; and any evidence of a failed OWTS. For consistency with 6 NYCRR 750-2.7(f), Part III.B.1.d. of GP-0-25-002 requires owners to implement corrective actions based on the results of the inspection. Requiring the use of the specific form provides consistency with the information NYSDEC receives. Maintenance of records of annual septic tank inspections is necessary to document compliance with this crucial maintenance requirement.

D. Adverse Incident Reporting

Part III.D. of GP-0-25-002 requires an owner to notify NYSDEC orally within twenty-four (24) hours, from the time the owner becomes aware of any adverse incidents with the OWTS, including a discharge of untreated or partially treated sewage. A written incident report must be submitted within 5 days of discovery of the incident. Part III.D.3. requires the owner to submit the Report of Noncompliance Event form (Appendix C to GP-025-002) in PDF via email to a specific mailbox, which is the format acceptable to NYSDEC. Requiring owners to submit PDF files ensures ease in conversion from other file formats and will enable secure transfer of information. Requiring the use of the specific form provides consistency with the information NYSDEC receives. Part III.D. of GP-0-25-002 also requires 2-hour oral reporting for discharges that would impact bathing areas, during the bathing season, shellfishing or public drinking water intakes. Part III.D. of GP-0-25-002 is consistent with the requirements of 6 NYCRR 750-2.7(b), (c), and (d). The conditions in Part III.D. of GP-0-25-002 are more specific than Condition 11: Operating in Accordance with SPDES Rules of GP-0-15-001.

Part IV. TERMINATION OF SPDES GENERAL PERMIT COVERAGE

Termination of SPDES General Permit Coverage

Part I.A. of GP-0-25-002 requires the owner to obtain a jurisdictional determination from NYSDEC that the proposed OWTS will not be sited in jurisdictional wetlands or adjacent areas. This jurisdictional determination is only valid for 5 years, because the extent of wetlands can change over time. New jurisdictional determinations must be obtained to be protective of any changes to wetlands boundaries.

As described in Part II.C. and Part IV.A.5. of the GP-0-25-002, if the owner does not construct the OWTS within the 5-year period that the wetlands jurisdictional determination is valid, SPDES general permit coverage is automatically terminated. However, as a courtesy, NYSDEC will send the owner a Letter of Termination. To regain permit coverage, the owner must obtain a new jurisdictional determination from NYSDEC and submit it through an update to the owner's eNOI. This confirms that the OWTS meets the eligibility requirement in Part I.A.8.

Part IV. of GP-0-25-002 provides the ability for an owner to terminate permit coverage. Part IV. of GP-0-25-002 is new because there was no explicit and clear termination process in GP-0-15-001 for an owner of a OWTS that is no longer discharging. Upon termination, the owner is no longer responsible for compliance with the general permit and fees associated with general permit coverage. The termination conditions are important for NYSDEC to maintain accurate database management of the many OWTSs that are authorized to discharge under the general permit.

Part IV. in GP-0-25-002 requires that owners submit the Notice of Termination (NOT) electronically, which is the format acceptable to NYSDEC (6 NYCRR 750-2.5(e)). An eNOT is more efficient for submission and processing.

The eNOT contains owner and facility information; the date the OWTS was decommissioned; and the reason for termination, as listed in Part IV.A.1. of GP-0-25-002. The owner must sign and certify that the OWTS was decommissioned in accordance with 6 NYCRR 750-2.11., which ensures that the OWTS was decommissioned properly.

The owner must obtain an inspection certification from the Regional Water Engineer verifying that influent and effluent pipes have been sealed and that all solid and residual materials related to the treatment process have been removed. The inspection certification must be attached, in PDF, to the eNOT. Requiring owners to submit PDF files will enable secure transfer of information.

Termination of permit coverage will be automatically effective 15 days after receipt of a complete eNOT. However, as a courtesy, NYSDEC will send the owner a Letter of Termination. Receipt of that letter does not affect termination.

Part V. ELECTRONIC SUBMISSION WAIVER

Part V. of GP-0-25-002 allows an owner to obtain a waiver from the electronic submission requirements of this general permit. 6 NYCRR Part 750 does not contain a process to obtain a waiver; however, the process in GP-0-25-002 follows the process at 40 CFR 127.15. The conditions in Part V. of GP-0-25-002 are new.

Part VI. RECORDS MAINTENANCE AND RETENTION SCHEDULE

Part VI. of GP-0-25-002 requires owners to maintain a copy of the documents listed in Part VI. throughout the duration of general permit authorization and for five years after termination of permit coverage, in accordance with Part IV. Part VI. of GP-0-25-002 is based on the requirements of 6 NYCRR 750-2.5(c). The conditions in Part VI. of GP-0-25-002 are more specific than Condition 11: Operating in Accordance with SPDES Rules of GP-0-15-001.

Part VII. STANDARD PERMIT CONDITIONS

GP-0-25-002 contains, in the text of the general permit, the relevant requirements of 6 NYCRR Part 750. This change was made for ease of reference for owners in understanding requirements to which they must adhere to be authorized to discharge under this general permit. The Standard Permit Conditions in Part VII of GP-0-25-002 are more specific than Condition 11: Operating in Accordance with SPDES Rules of GP-0-15-001, as well as the relevant portions of General Conditions and Notification of Other Permittee Obligations of GP-0-15-001.