

**Multi-Sector General Permit for
Stormwater Discharges Associated
with Industrial Activities (GP-0-23-001)
Inactive/Unstaffed Waiver Claim
Instructions**

Background

The MSGP (Part IV.G.2) states that when it is infeasible for an owner/operator to conduct Quarterly Visual Monitoring, an Annual Comprehensive Site Inspection, Benchmark Monitoring, and/or Compliance Monitoring at an inactive and unstaffed site and industrial materials and activities are not exposed to stormwater, an Inactive/Unstaffed Waiver may be exercised as long as the facility remains inactive and unstaffed throughout the **entire** monitoring period.

Eligibility

The Inactive/Unstaffed Waiver can be used in lieu of performing Quarterly Visual Monitoring, an Annual Comprehensive Site Inspection, Benchmark Monitoring, and Compliance Monitoring.

The Inactive/Unstaffed Waiver can only be used if the site was inactive and unstaffed and no industrial materials or activities were exposed to precipitation for the **entire** monitoring period. Facilities that operate under Sector J are exempt from these criteria provided that adequate stormwater controls are in place to prevent migration of contaminated stormwater to surface water.

In addition, an Annual Comprehensive Site Inspection is not required at a facility that is inactive and unstaffed for an entire monitoring year if a Dry Weather Flow Inspection was performed prior to shut down and the results of which are maintained with the facility's Stormwater Pollution Prevention Plan (SWPPP).

Instructions when using waiver for Benchmark and/or Compliance Monitoring

Complete your Annual Certification Report and mark that you are claiming an Inactive/Unstaffed Waiver. Complete all your Discharge Monitoring Reports leaving the results sections blank. Enter in the *Comments and Explanations of Any Violation* section on the bottom of the DMR page, "Inactive/Unstaffed Waiver claimed, see attached." Sign and date all ACRs and DMRs in accordance with Appendix G.10 of the MSGP.

Complete the entire Inactive/Unstaffed Waiver Form. The waiver form must be signed and certified in accordance with Appendix G.10 of the MSGP and submitted with all Annual Certification Reports (ACR) and Discharge Monitoring Reports (DMRs).

A copy of the waiver form must be maintained with the Stormwater Pollution Prevention Plan (SWPPP) stating that the site was Inactive/Unstaffed for the entire monitoring period, and that performing Benchmark and/or Compliance Monitoring was not feasible. In addition the SWPPP must document that a Dry Weather Flow Inspection was performed prior to shut down.

Instructions when using waiver for Quarterly Visual Monitoring and Annual Comprehensive Site Inspection

Complete your Quarterly Visual Monitoring Form by marking that you are claiming an Inactive/Unstaffed Waiver in the comments section.

Complete the entire Inactive/Unstaffed Waiver Form. The waiver form must be signed and certified in accordance with Appendix G.10 of the MSGP.

A copy of the waiver form must be maintained with the SWPPP stating that the site was inactive and unstaffed, and that performing Quarterly Visual Monitoring examinations and/or an Annual Comprehensive Site Inspection during a qualifying period is not feasible. In addition the SWPPP must document that a Dry Weather Flow Inspection was performed prior to shut down.

Note: The Quarterly Visual Monitoring Form and completed Inactive/Unstaffed Waiver Form must be maintained with the SWPPP and **not** submitted to the Department.

Additional Questions for Sector J Facilities ONLY

5) Were industrial materials or activities exposed to stormwater at any point during the monitoring period? Yes No

If YES, please answer question 6.

If NO, you are eligible for this waiver.

6) Were adequate stormwater controls in place to prevent migration of contaminated stormwater to surface water? Yes No N/A

If YES, you are eligible for this waiver

If NO, you are not eligible for this waiver.

Certification

I certify under penalty of law that I have read and understand the eligibility requirements for claiming a condition of "Inactive and Unstaffed Site." Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

O/O Signature First Name (please print or type)

O/O Signature Last Name (please print or type)

____ / ____ / ____
Date

Signature

Please submit this form and all supporting documentation to:

Stormwater Compliance Coordinator
NYSDEC, Bureau of Water Compliance
625 Broadway
Albany, New York, 12233-3506