
STORM WATER POLLUTION PREVENTION POLICY FOR VENDOR/CONTRACTOR SERVICES

Category: Events and Facilities

Responsible Office: Environmental Health & Safety Office

Date Established: 05/01/2008

Date Last Revised: 03/28/2015

Date Posted to Library: 04/01/2016

POLICY SUMMARY

This policy identifies expectations and protocols for incorporating good housekeeping, storm water pollution prevention, and control practices into work performed by contracted entities on SUNY Buffalo State premises.

POLICY

Policy Statement

This policy is intended to ensure that contracted entities (e.g. vendors and contractors) provide services on the SUNY Buffalo State premises in a manner that prevents and minimizes storm water pollution in accordance with the terms of the State Pollutant Discharge Elimination System (SPDES) Municipal Separate Storm Sewer Systems (MS4) permit (i.e., storm water discharge permit), issued by the NYS Department of Environmental Conservation (NYSDEC).

Policy and Procedure

- 1) Six (6) Minimum Measures – The MS4 permit, issued by NYSDEC, specifies six (6) minimum measures for implementation by Buffalo State campus users, employees, and contractors/vendors while on campus:
 - Awareness and education on impacts from storm water pollution;
 - Participation in storm water pollution control and prevention;
 - Illicit discharge elimination and detection;
 - Storm water run-off control from areas where soil disturbance (i.e., sediment and erosion), such as construction and repair will occur;
 - Storm water management after final stabilization of disturbed soil (i.e., construction or repair completion); and
 - Good housekeeping and storm water pollution prevention by maintenance workers.
- A) Affected SUNY Buffalo State employees identified in the MS4 permit, Section IV.1, shall ensure the minimum measures are implemented, where practicable or applicable for their project or activity, through use of appropriate methods. These methods include communicating appropriate requirements as written specifications or restrictions into procurement documents, work instructions, change orders, and work site monitoring of contractor activities and meetings with the vendor.
- B) A catalog of good housekeeping and storm water pollution prevention techniques and restrictions -- for inclusion as written "boilerplate" scope requirements or specifications into services and other third

party contracts and requisitions -- is provided as Appendix A for use by affected SUNY Buffalo State employees.

- 2) Discharging or illicit dumping of materials or waste into the storm drain system is prohibited by the MS4 permit and NYS regulation. Incidents where any person is observed undertaking such activity shall be immediately reported to the University Police Department and Environmental Health & Safety (EH&S) Office for follow-up action.
- 3) The NYS DEC SPDES General Permit for MS4s, requires contract entities, in particular those with scope identified in Section IV.1 and Appendix A, provide a specific, signed certification to the college before commencing work activity on campus premises.
 - A) Affected Buffalo State employees shall ensure the contracted entity's representative is authorized to sign contracts, signs and returns the following certification prior to performing work on campus:

"I certify under penalty of perjury that I understand and agree to comply with the terms and conditions of the SUNY Buffalo State storm water management program and agree to implement any corrective actions identified by SUNY Buffalo State or its representative. I also understand that SUNY Buffalo State must comply with the terms of the State Pollutant Discharge Elimination System General Permit for storm water discharges from the Municipal Separate Storm Sewer System permit and that it is unlawful for any person to directly or indirectly cause or contribute to a violation of water quality standards. Further, I understand that any non-compliance by SUNY Buffalo State would not diminish, eliminate, or lessen my own liability."

Signature

Printed Name

Date

Address

Telephone Number

- B) The signed certification shall be returned to the EH&S Office before the contract entity initiates work on campus.
- 4) Housekeeping, Spill Prevention, Notification, and Cleanup - When working on campus premises, contracted entities shall implement good housekeeping and spill prevention and control measures that include, at a minimum:
 - A) Promptly initiating campus notification and clean-up of chemical, waste, or fuel spills from work areas or sources under their control. Contractors shall adhere to protocols specified in SUNY Buffalo State's Oil Spill Notification, Reporting and Response Policy.
 - B) Visually monitoring all bulk chemical and fuel transfers at all times during the transfer process;

- C) Keeping work areas neat and orderly to minimize safety and spill hazards to campus users;
- D) Sweeping and cleaning up outdoor paved work areas at the end of each work day and containerizing waste and debris accumulations that may otherwise become mobilized by storm water run-off;
- E) Keeping waste containers or material stockpiles (soil, sand), closed or covered when not in use, at the end of each work day, or at the outset of rainfall; and
- F) Ensuring containers with materials or waste are labeled to identify the contents.

A comprehensive list of good housekeeping and storm water pollution prevention specifications for contracted entities is provided as Appendix A for use by affected SUNY Buffalo State employees.

- 5) Integrated Pest Management (IPM) – IPM is a systematic approach to manage pests that focuses on long-term prevention or suppression with minimal impact on human health, the environment, and non-target organisms. IPM includes measures to prevent pest problems by properly identifying pests, monitoring population dynamics, and utilizing cultural, physical, biological, or chemical pest population control methods to reduce pests to acceptable levels. Contracted pest control service vendors shall be licensed in accordance with 6 NYCRR Part 325 and utilize IPM. Preference shall be given to use of non-chemical alternatives where practicable.
- 6) Performance Goals (Metrics) Support - For materials applied or removed (i.e., cleaned up) from the outdoor storm “sewer shed” (i.e., surface areas exposed to rainfall or storm water run-off), including the storm drain system, affected SUNY Buffalo State employees shall ensure contracted entities determine, record, and report the quantity of material or residues it applies or removes to the EH&S Office. Examples include gallons and type/concentration of pesticide type, tons or cubic yards of sediment and debris swept up from parking lots and other paved areas, length of drain pipe cleaned, and tons of de-icing mixture (e.g. road salt mix) applied.
- 7) Work Activities that Disturb Soil (e.g. excavation, scraping clearing, grading)
 - A) Separate Permit for Soil Disturbance – A separate storm water discharge permit for soil disturbances (clearing, digging, grading etc.) is required from the NYSDEC (i.e. Storm Water Discharges Associated with Construction Activity) for any of the following:
 - i. Where the total acreage of soil disturbances from the planned project or contract scope equals or exceeds one (1) acre; or
 - ii. Where the acreage of soil disturbances is less than one (1) acre, but the “larger common plan for development,” including the sum of planned disturbance of contiguous area, exceeds one (1) acre. “Larger common plan for development” is defined by NYSDEC to include contiguous area where multiple separate and distinct construction activities are occurring or will occur under one plan. “Plan” is broadly defined by NYSDEC as “any announcement or piece of documentation, including a sign, public notice or hearing, drawing, permit application computer design etc., or physical demarcation (boundary signs survey stakes).”
 - iii. Any affected SUNY Buffalo State employee whose plan falls within the criteria identified in Section V.7.A.1 or 2 shall ensure the Notice of Intent, or other appropriate permit application, is prepared and filed with NYSDEC and the project Storm Water Pollution Prevention Plan (SWP3) is prepared and implemented by the contractor before initiating soil disturbance for the project. Once started the EH&S Office will inspect and audit the project to verify appropriate permitting, documentation, and control measures are in place.

- B) Training – A contracted entity that will disturb soil as part of any planned activity falling within the criteria of Section V.6.A.1 and 2 shall ensure its workers who perform these activities receive sediment and erosion control training from a qualified entity, such as the NYSDEC or the Soil Conservation Service. Documentation of training completion shall be submitted to the EH&S Office before undertaking such work.
 - C) Sediment and Erosion Control – The contracted entity shall install and maintain, in functioning order, measures to control or prevent storm run-off induced migration of exposed soil/sediment from the work area in accordance with the SWP3. For smaller projects, including those activities that do not disturb one (1) acre or more of soil, the contracted entity shall install and maintain in functioning order measures to control and prevent migration of exposed soil/sediment via run-off from the work area: 1) where substantive adverse impacts are observed or otherwise expected to storm water discharges from the MS4 sewer shed, including water quality violations at the receiving water, Scajaquada Creek; or 2) at the request of the SUNY Buffalo State EH&S Office. Examples of such measures include placing filter fabric covers over nearby storm run-off drain receivers (catch basins), utilizing existing vegetated areas to filter runoff from the work area, or installing silt control fences or run-off diversion techniques such as tarpaulin covers. Refer to Appendix A for best management practices (BMP) specifications and restrictions.
- 8) Post Construction (Permanent) Storm Water Control Structures/Devices - For those projects with scope that includes construction of permanent storm water control practices, devices, or structures, such as a parking lot run-off collection and filtration system, the affected SUNY Buffalo State employee shall ensure the contractor is contractually obligated and provides the operation and maintenance manual for the practice, device or structure.
- 9) Records and Related Information – Records for BMP inspections, storm water training sessions, performance metrics data, the MS4 Annual Report to NYSDEC, and proof of training, shall be retained at the EH&S Office for a minimum of five (5) years. Copies of the SPDES MS4 permit and Storm Water Management Plan shall also be retained at the EH&S Office.

Applicability

This policy and procedure apply to SUNY Buffalo State employees who supervise, specify, monitor, plan, or procure services from contract entities that provide:

- A) Outdoor maintenance services, including but not limited to road sweeping; road, sidewalk, utility, or other structural repair; snow removal and road deicing; pest control; and storm and sanitary sewer system maintenance or cleaning;
- B) Any service where there is a potential for spills or releases of chemicals, petroleum, waste or residues into storm water run-off or the storm drain system from the performance of the contracted service. Examples of these services include pesticide application, waste pick-up, food service waste collection, and chemical or fuel delivery; or
- C) Construction or repair services, where soil disturbance (e.g. trench excavation, filling, vegetation clearing) may result in exposure of soil to storm run-off.

Responsibility

SUNY Buffalo State employees

SUNY Buffalo State employees with work responsibilities identified in Section IV.1 are responsible for insuring contracted entities implement good housekeeping and storm water pollution prevention and control practices through use of appropriate mechanisms. This includes incorporating written specifications, controls, and restrictions into contracts, purchase orders, change orders, etc. or other techniques to insure the contracted entity implements measures to prevent, mitigate, and minimize impacts to storm water run-off from its work activity.

Environmental Health & Safety Office

The SUNY Buffalo State Environmental Health & Safety Office is responsible for:

- A) Monitoring, assessing, and improving the process for compliance with this policy and procedure and maintaining the Storm Water Management Plan (SWMP) for the college;
- B) Monitoring regulations and disseminating information to affected SUNY Buffalo State employees on new or modified implementation requirements for storm water pollution prevention and control;
- C) Providing consultative guidance to SUNY Buffalo State employees on appropriate methods to ensure compliance with permit terms and regulatory requirements for storm water pollution prevention and control;
- D) Performing inspections of campus work activities on campus, as required by the MS4 permit and NYS SPDES regulations, to insure storm water pollution prevention and control BMPs are implemented;
- E) Preparing reports and notifications to regulatory agencies as necessary; and
- F) Retaining records for BMP inspections, storm water training, metrics, etc.

RELATED INFORMATION

Documents and Forms

Appendix A (attached)

Related Links:

- 1) [SPDES General Permit for Storm Water Discharges from MS4](#)
- 2) [SPDES General Permit for Storm Water Discharges from Construction Activity](#)
- 3) [6 NYCRR Part 750-02 "Operating in Accordance with a SPDES Permit"](#)
- 4) [6 NYCRR Part 325, "Application of Pesticides"](#)
- 5) [SUNY Buffalo State Oil Spill Notification, Reporting and Response Policy](#)

Other Information:

Environmental Health & Safety Office Internal Reference: SWP2-008-001.JPB

CONTACT INFORMATION

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REVISION HISTORY

Date of change: 03/28/2015
Brief description of edit: Adapted to standard template

APPROVAL

Approved prior to 2016

APPENDIX A
List of Storm Water BMP Specifications & Restrictions for Contractors

Contractor Work Scope includes...	Specification/Restriction: (e.g. "The contractor shall...
Chemical, Waste, or Petroleum management (delivery, transfer, removal, or distribution)	...visually examine each container to verify its integrity before it is moved or deployed for use on campus.
	...visually monitor material and waste transfers at all times.
	... label all chemical and waste containers to identify the contents.
	...properly close and secure containers prior to relocation or transport.
	...follow EH&S Policy PBS-007-001 for spill notification and response. Spills shall be cleaned up immediately and the waste properly disposed.
	...keep spill clean-up kit(s) on hand at the liquid, material, or waste transfer locations.
	...protect nearby drains with absorbents, such as spill booms.
	...place waste (spill clean-up) residuals into proper containers and cover and secure.
	... not dispose of materials or waste to the storm drain.
Sweeping/Vacuuming Roads, Parking Lots, and Walkways, Cleaning Drains Cleaning, or Removing Debris	...not clean equipment on outdoor (asphalt or concrete) paved areas.
	...determine the quantity of waste, debris, and sediment removed from the drain or cleaned up from the lots, roadways, or grounds and reported it to the Buffalo State EH&S Office.
	...determine the length of drain pipe cleaned shall be determined and reported to the EH&S Office. (Pipe cleaning only.)
	...properly contain removed materials/waste residuals (spoils) to prevent migration and re-entry of residuals into the drain or off-campus. Disposal of removed materials, waste, or spoils into the storm drain system prohibited.

	...properly close and secure waste containers prior to relocation or transport.
	...keep spill clean-up kit on hand at all times when operating equipment on campus. Equipment leaks shall be cleaned up immediately and the waste properly disposed.
Landscaping of Lawn Maintenance	... properly store fertilizer in a covered container or under shelter.
	...not dispose of fertilizers and other chemicals to campus storm drains.
	...only slow release fertilizers.
	...use drip irrigation where available.
	...test soils to determine nutrient needs before undertaking broad applications of fertilizer.
	...label all chemical and waste containers to identify contents.
	...operate mower discharge chutes in a manner that avoids or minimizes discharge of vegetation into storm drains and onto paved areas.
	...not clean mower decks and equipment on outdoor (asphalt or concrete) paved areas.
	...determine and report the quantity of woody debris cleaned up and removed or reused.

List of Storm Water BMP Specifications & Restrictions for Contractors

Contractor Work Scope includes...	Specification/Restriction (e.g. "The contractor shall...)
Pest Control or Pesticides (Herbicides, Rodenticides, Biocides, etc)	...follow Integrated Pesticide Management (IPM) principles at all times, including 1) identifying target organism before application, 2) eliminating food sources, 3) no outdoor chemical applications during rain events or windy conditions, and 4) using non-chemical alternatives where feasible.
	...ensure all pesticides applications are by a NYS DEC licensed applicator or technician and adhere to 6 NYCRR Part 325.
	...follow pesticide label instructions and avoid applications near storm drains.
	...not apply "2,4 D-" herbicide on campus.
	...label chemical and waste containers to identify contents.
	...close and secure containers when not in use.
	...transfer materials for containers to container within spill containment or away from storm drains where possible.
	...keep spill clean-up kits and containers on hand at all times.
	...keep applicator equipment in proper working order and calibrated.
	...immediately clean up spills and equipment leaks and properly dispose of waste.
	...not use or apply out dated pesticides.
	...not dispose of materials or waste to the storm drain.

	...determine and report the quantity of pesticide applied for each service visit to the EH&S Office (878-6136) within 10 business days of after each visit.
	...not clean equipment on outdoor paved areas. Cleaning rinseates shall be properly managed and shall not be discharged to the storm drain.
Deicing Materials (e.g. road salt)	...contact the EH&S before changing or applying new deicing mixtures.
	...calibrate spreading equipment that will be used on campus on a routine basis.
	...maintain campus stockpiles of deicing mixtures under shelter.
	...keep containers of liquid deicing mixture closed when not in use.
	...avoid spreading deicing mixtures on vegetated areas.
	...clean up spills, excess applications, and deposits of deicing materials.

List of Storm Water BMP Specifications & Restrictions for Contractors

Service scope includes...	Specification/Restriction (e.g. "The contractor shall...
Building Repairs, Paving, or Masonry	...not use diesel fuel to lube forms or tools.
	...not clean equipment on outdoor paved areas.
	...mix only enough concrete or mortar for a 2-hour period at any one time.
	...shovel or vacuum cut slurry to vegetated (pervious) areas or the sanitary sewer.
	...keep works areas orderly and swept up at the end of each work day.
	...perform paving only during dry weather.
	...where practicable, use berms to direct run-off away from the work area.
	...properly protect (e.g. cover) fresh applications of materials from rainfall/run-off until the surface is dry.
	... properly secure bags of cement, grout, and concrete and keep away from storm drain receivers.
	...place tarps under mixing equipment to capture spills.
	...protect (cover) stockpiles of raw materials to prevent washout from rainfall/run-off.
	...immediately remedy leaking equipment or removed it from campus premises.
	...temporarily cover or protect nearby catch basins to prevent introduction of water contaminants, sediment, waste or other residuals.

Projects with Small Areas (< 1 acre) of Soil Disturbance, Clearing, or Placement	...protect stockpiles of soil or soil amendments to prevent erosion and sediment entry into run-off. Tarp covers, run-off diversion/control, containment berms/walls, silt control filters, or other techniques shall be used as necessary for stockpiles.
	... not pump unfiltered water from excavations to paved surfaces or the storm drain system. Excavation water shall be pumped in a controlled manner to vegetated areas or properly filtered. Pumping shall be visually monitored at all times.
	... install and maintain sediment control measures, such as silt fences, run-off diversion, storm drain catch basin covers/filters, where sediment contaminated run-off migration from the work area to paved areas or the storm drain system might otherwise occur. These control measures shall be maintained in functioning order until the exposed soil is stabilized (e.g. re-vegetated) or armored and removed within 30 days after establishment of the protective cover (e.g. vegetation).