NYC GREEN CODES
LEGISLATION AT A GLANCE

GCTF Proposal
Maintain Site-Based Stormwater Detention Systems

Implemented
Chapter 31 of Title 15 of the Rules of the City of New York

Summary
Site-based stormwater diversion and detention systems must be properly maintained to be a reliable component of the city's stormwater infrastructure.

This law amends the chapter of the Rules of New York City governing the house & site connections to the sewer system to set new requirements for the maintenance of detention and retention systems.

New Requirements or Changes

Effective: July 4, 2012. These changes do not apply retroactively; they are only triggered with new development or alteration of existing development in combined sewer areas of the city.

Amendments to Chapter 31 of Title 15 of the Rules of the City of New York, Section 4:

- Any detention or retention system or any replacement of such a system used to comply with the new Stormwater Release Rate must be properly maintained through the useful life of the system, and the maintenance documented with records, until DEP approves a replacement system.

- This requirement shall apply to current owners and future owners through a binding deed restriction or other DEP-approved method.

- Every three years after the date of initial approval, a licensed professional engineer, a registered architect or a licensed master plumber shall inspect the operation of the system and submit certification of compliant operations to the DEP.

Enforcement

This amendment is part of the Sewer System Connections rule, but goes further than most DEP rules in requiring ongoing maintenance, which will require ongoing enforcement. The Department can enforce these requirements in the same manner as any other element of this rule, but will have to allocate resources to the ongoing review.

Implementation

Other amendments to the stormwater rule create new opportunities for the use of green stormwater discharge and retention techniques, described in SW 4 and SW 5. The maintenance reporting requirements described here are more demanding than has been normal for stormwater connections and regulations in the past. The skills and equipment required to perform the maintenance are widely available.