

Progressive Enforcement Response Form

Individual case record • Illicit discharge, construction runoff, or post-construction SMP

A. CASE AND SITE INFORMATION

Case ID		Date opened		Inspector	
Site / facility name			Site address / parce		
Owner / operator			Phone / email		
Discovery source			Initial determination date		

B. VIOLATION TYPE AND SEVERITY

☐ Illicit discharge / IDDE ☐ Construction runoff ☐ Post-construction SMP

☐ Other Describe

Severity level (select one): ☐ 1 — Minor / promptly corrected

☐ 2 — Significant deficiency

☐ 3 — Serious discharge / repeat

☐ 4 — Urgent / severe / persistent

Factors considered (check all that apply):

☐ Type of violation ☐ Magnitude / duration ☐ Receiving-water impact ☐ Prior history

☐ Good-faith effort ☐ Continuing / repeat ☐ Immediate threat

Facts observed / applicable requirement or approval condition:

Receiving MS4 feature / waterbody / discharge pathway

Enforcement Decision & Corrective Action

Use severity and history to select a proportionate response; document why

C. PROGRESSIVE RESPONSE SELECTION

- ☐ Step 1 — Informal / field warning
Use only where appropriate; record contact and deadline; verify correction.
- ☐ Step 2 — Written notice of deficiency / noncompliance
Specify facts, verified authority, interim controls, corrective actions, deadline, and reinspection.
- ☐ Step 3 — Formal notice of violation / citation
Only if authorized; follow required service, hearing, appeal, and penalty procedures.
- ☐ Step 4 — Escalated action
Consider lawful stop-work/order, approval action, bond/cost recovery, court action, or agency referral.
- ☐ NYSDEC / other agency referral
Refer where appropriate, including suspected SPDES violation, significant discharge, or limits of Town authority.

Selected response and rationale:

D. CORRECTIVE ACTION AND DEADLINES

Immediate interim controls / containme _____

Required permanent corrective action _____

Responsible party _____ Due date _____

Informal effort start date _____ 60-day limit / end date* _____

*Permit provision: informal efforts to obtain voluntary correction must not extend beyond 60 days from initial determination until compliance. This is not a general grace period and does not override shorter deadlines or urgent action.

Proof required / reinspection plan

Reinspection date _____ Notice date / service method _____

Follow-up, Closure & Certification

Complete this page for all cases, including cases referred to another agency

E. REPEAT VIOLATION / ESCALATION REVIEW

☐ Repeat violation ☐ Not a repeat ☐ Prior case exists

Prior case IDs / dates _____

Reason for escalation or reason lower response is appropriate:

F. REFERRALS AND SUPPORTING RECORDS

☐ NYSDEC ☐ County / other agency ☐ Town counsel ☐ Other

Agency/contact, date, reference number, outcome _____

☐ Photos ☐ Inspection report ☐ Notice / proof of service ☐ SWPPP / plans
☐ Emails / correspondence ☐ Sampling / field notes ☐ Other records

Record locations / attachments index _____

G. VERIFICATION AND CASE CLOSURE

☐ Correction verified ☐ Not yet verified ☐ Partially corrected

Verification method / findings _____

Date verified _____ Date resolved / closed _____

Open items / next action / due date _____

Prepared by / title _____ Date _____

Supervisor / authorized reviewer _____ Date _____

Closure rule: do not close a case solely because the responsible party promised or reported correction. Record verification evidence. Any citation, penalty, order, stop-work action, approval restriction, bond recovery, or cost recovery must be supported by applicable legal authority and due process.

Use Instructions & Compliance Notes

Retain with the case file; consult the current permit and Town legal authority

1. Purpose and scope

Use one form per case involving an alleged illicit discharge, construction-site runoff deficiency, post-construction stormwater management practice deficiency, or other stormwater noncompliance relevant to the Town's MS4 program.

2. Progressive response

Select a response proportionate to the violation. Consider violation type, magnitude and duration, actual or potential effects on receiving waters, compliance history, and the responsible party's good-faith efforts. A serious or continuing discharge may require immediate escalation without an informal warning.

3. 60-day maximum for informal correction efforts

GP-0-24-001 Part IV.F addresses the limit on informal efforts to obtain voluntary correction: they must not exceed 60 days from initial determination until compliance. This is not permission to delay action for 60 days. Apply shorter deadlines required by law, permits, approvals, or the facts.

4. Traditional Land Use Control MS4

Use this form with the Town's current SWMP Plan and current local laws/ordinances. Town of Brunswick publishes its Stormwater Management Plan and GP-0-24-001 on its official documents page. Verify the latest adopted/current versions before relying on specific local-law references.

5. Legal authority

Legal Authority is vested in Local Law No.5 for the year 2007 a local law establishing regulations regarding erosion, sediment control and stormwater management in the Town of Brunswick and Local Law No.6 for the year 2007 prohibiting illicit discharges, activities and connections to separated stormwater sewer system in the Town of Brunswick.

6. Permit distinction

GP-0-24-001 governs the MS4 operator's program. Construction-site operators may be subject to a separate NYSDEC Construction General Permit. Check the permit version applicable to the project and distinguish Town requirements from state permittee obligations.

7. Case file and reporting

Keep the completed form with inspection reports, dated photos, notices, proof of service, correspondence, corrective-action evidence, referrals, and closure verification. Track open cases and unresolved deadlines; include enforcement tracking information in SWMP documentation and reporting as required.

Official references

NYSDEC GP-0-24-001: https://dec.ny.gov/sites/default/files/2023-12/Permit_Final%20MS4%20GP-0-24-001_13Dec2023_Signed.pdf

Town references

Town of Brunswick documents: <https://brunswickny.gov/documents.php> | Town SWMP / stormwater program documents are listed under Stormwater Information.