NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

# State Pollutant Discharge Elimination System (SPDES)
# DISCHARGE PERMIT

First3.99

| | | | |
|---|---|---|---|
| Industrial Code: | **4931** | SPDES Number: | **NY-0107069** |
| Discharge Class (CL): | **01** | DEC Number: | **8-5736-00005-00001** |
| Toxic Class (TX): | **T** | Effective Date (EDP): | **12/01/2005** |
| Major Drainage Basin: | **07** | Expiration Date (ExDP): | **11/30/2010** |
| Sub Drainage Basin: | **05** | Modification Dates:(EDPM) | **08/01/2009, 04/01/2010** |
| Water Index Number: | **ONT66-12-P369-115** | | |
| Compact Area: | | | |

This SPDES permit is issued in compliance with Title 8 of Article 17 of the Environmental Conservation Law of New York State and in compliance with the Clean Water Act, as amended, (33 U.S.C. §1251 et.seq.)(hereinafter referred to as "the Act").

## PERMITTEE NAME AND ADDRESS

Name: **AES Greenidge, L.L.C.** Attention: **Douglas J. Roll**

Street: **590 Plant Road, P.O.B. 187**

City: **Dresden** State: **NY** Zip Code: **14441-0187**

is authorized to discharge from the facility described below:

## FACILITY NAME AND ADDRESS

Name: **Lockwood Ash Disposal Site**

Location (C,T,V): **Torrey (T)** County: **Yates**

Facility Address: **Swarthout Road**

City: **Dresden** State: **NY** Zip Code: **14441**

NYTM -E: 335.4 NYTM - N: 4726.8

From Outfall No.: **001** at Latitude: ° ′ ″ & Longitude: ° ′ ″

into receiving waters known as: **Keuka Lake Outlet** Class: **C(T)**

and; (list other Outfalls, Receiving Waters & Water Classifications)

in accordance with: effluent limitations; monitoring and reporting requirements; other provisions and conditions set forth this permit; and 6 NYCRR Part 750-1.2(a) and 750-2.

## DISCHARGE MONITORING REPORT (DMR) MAILING ADDRESS

Mailing Name: **AES Creative Resources Lab: Lockwood Ash Disposal Site**

Street: **720 Riverside Drive**

City: **Johnson City** State: **NY** Zip Code: **13790**

Responsible Official or Agent: **D.J. Roll - Manager - AES Greenidge** Phone: **(607) 729-6950**

This permit and the authorization to discharge shall expire on midnight of the expiration date shown above and the permittee shall not discharge after the expiration date unless this permit has been renewed, or extended pursuant to law. To be authorized to discharge beyond the expiration date, the permittee shall apply for permit renewal not less than 180 days prior to the expiration date shown above.

DISTRIBUTION:

CO BWP - Permit Coordinator
RWE - Region 8
RPA - Region 8
EPA Region II - Michelle Josilo

Permit Administrator: Kimberly A. Merchant

Address: NYSDEC Region 8
6274 E. Avon Lima Road
Avon, NY 14414

Signature: Kimberly Merchant Date: 3/16/10

# PERMIT LIMITS, LEVELS AND MONITORING DEFINITIONS

| OUTFALL | WASTEWATER TYPE | RECEIVING WATER | EFFECTIVE | EXPIRING |
|---|---|---|---|---|
| | This cell describes the type of wastewater authorized for discharge. Examples include process or sanitary wastewater, storm water, non-contact cooling water. | This cell lists classified waters of the state to which the listed outfall discharges. | The date this page starts in effect. (e.g. EDP or EDPM) | The date this page is no longer in effect. (e.g. ExDP) |

| PARAMETER | MINIMUM | MAXIMUM | UNITS | SAMPLE FREQ. | SAMPLE TYPE |
|---|---|---|---|---|---|
| e.g. pH, TRC, Temperature, D.O. | The minimum level that must be maintained at all instants in time. | The maximum level that may not be exceeded at any instant in time. | SU, °F, mg/l, etc. | | |

| PARA-METER | EFFLUENT LIMIT | PRACTICAL QUANTITATION LIMIT (PQL) | ACTION LEVEL | UNITS | SAMPLE FREQUENCY | SAMPLE TYPE |
|---|---|---|---|---|---|---|
| | Limit types are defined below in Note 1. The effluent limit is developed based on the more stringent of technology-based standards, required under the Clean Water Act, or New York State water quality standards. The limit has been derived based on existing assumptions and rules. These assumptions include receiving water hardness, pH and temperature; rates of this and other discharges to the receiving stream; etc. If assumptions or rules change the limit may, after due process and modification of this permit, change. | For the purposes of compliance assessment, the analytical method specified in the permit shall be used to monitor the amount of the pollutant in the outfall to this level, provided that the laboratory analyst has complied with the specified quality assurance/quality control procedures in the relevant method. Monitoring results that are lower than this level must be reported, but shall not be used to determine compliance with the calculated limit. This PQL can be neither lowered nor raised without a modification of this permit. | Type I or Type II Action Levels are monitoring requirements, as defined below in Note 2, that trigger additional monitoring and permit review when exceeded. | This can include units of flow, pH, mass, Temperature, concentration. Examples include µg/l, lbs/d, etc. | Examples include Daily, 3/week, weekly, 2/month, monthly, quarterly, 2/yr and yearly. | Examples include grab, 24 hour composite and 3 grab samples collected over a 6 hour period. |

Note 1: DAILY DISCHARGE: The discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for the purposes of sampling. For pollutants expressed in units of mass, the 'daily discharge' is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the 'daily discharge' is calculated as the average measurement of the pollutant over the day. DAILY MAX: The highest allowable daily discharge. DAILY MIN: The lowest allowable daily discharge. MONTHLY AVG (daily avg): The highest allowable average of daily discharges over a calendar month, calculated as the sum of each of the daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. RANGE: The minimum and maximum instantaneous measurements for the reporting period must remain between the two values shown. 7 DAY ARITHMETIC MEAN (7 day average): The highest allowable average of daily discharges over a calendar week. 12 MRA (twelve month rolling avg): The average of the most recent twelve month's monthly averages. 30 DAY GEOMETRIC MEAN (30 d geo mean): The highest allowable geometric mean of daily discharges over a calendar month, calculated as the antilog of: the sum of the log of each of the daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. 7 DAY GEOMETRIC MEAN (7 d geo mean): The highest allowable geometric mean of daily discharges over a calendar week.

Note 2: ACTION LEVELS: Routine Action Level monitoring results, if not provided for on the Discharge Monitoring Report (DMR) form, shall be appended to the DMR for the period during which the sampling was conducted. If the additional monitoring requirement is triggered as noted below, the permittee shall undertake a short-term, high-intensity monitoring program for the parameter(s). Samples identical to those required for routine monitoring purposes shall be taken on each of at least three consecutive operating and discharging days and analyzed. Results shall be expressed in terms of both concentration and mass, and shall be submitted no later than the end of the third month following the month when the additional monitoring requirement was triggered. Results may be appended to the DMR or transmitted under separate cover to the same address. If levels higher than the Action Levels are confirmed, the permit may be reopened by the Department for consideration of revised Action Levels or effluent limits. The permittee is not authorized to discharge any of the listed parameters at levels which may cause or contribute to a violation of water quality standards. TYPE I: The additional monitoring requirement is triggered upon receipt by the permittee of any monitoring results in excess of the stated Action Level. TYPE II: The additional monitoring requirement is triggered upon receipt by the permittee of any monitoring results that show the stated action level exceeded for four of six consecutive samples, or for two of six consecutive samples by 20 % or more, or for any one sample by 50 % or more.

# PERMIT LIMITS, LEVELS AND MONITORING

| OUTFALL No. | WASTEWATER TYPE | RECEIVING WATER | EFFECTIVE | EXPIRING |
|---|---|---|---|---|
| 001 | Sedimentation/Neutralization Basin | Keuka Lake Outlet | 08/01/2009 | 11/30/2010 |

| PARAMETER | MINIMUM | MAXIMUM | UNITS | SAMPLE FREQUENCY | SAMPLE TYPE | FOOTNOTES (FN) |
|---|---|---|---|---|---|---|
| pH | 6.0 | 9.0 | SU | Batch | Grab | |

| PARAMETER | COMPLIANCE LIMIT | | MONITORING ACTION LEVEL | | UNITS | SAMPLE FREQUENCY | SAMPLE TYPE | FN |
|---|---|---|---|---|---|---|---|---|
| | Daily Avg. | Daily Max. | TYPE I | TYPE II | | | | |
| Flow | Monitor | 250,000[d] | | | GPD | Each Batch | Calculated | d |
| Duration of Discharge | NA | Monitor | | | Days | Each Batch | Calculated | e |
| Aluminum (Total) | NA | 2.4 | | | mg/l | Each Batch[c] | 24-hr Comp. | a,b,c |
| Cadmium (Total) | NA | 0.11 | | | mg/l | Each Batch[c] | 24-hr Comp. | a,b,c |
| Copper (Total) | NA | 1.0 | | | mg/l | Each Batch[c] | 24-hr Comp. | a,b,c |
| Iron (Total) | NA | 4.0 | | | mg/l | Each Batch[c] | 24-hr Comp. | a,b,c |
| Zinc (Total) | NA | 2.0 | | | mg/l | Each Batch[c] | 24-hr Comp. | a,b,c |
| Mercury (Total) | NA | 50 | | | **ng/l** | Each Batch | Grab | a,b |
| Manganese (Total) | NA | 3.0 | | | mg/l | Each Batch[c] | 24-hr Comp. | a,b,c |
| Solids, Total Suspended | NA | 50 | | | mg/l | Each Batch[c] | 24-hr Comp. | a,b,c |
| Arsenic (Total) | NA | 0.1 | | | mg/l | Each Batch[c] | 24-hr Comp. | a,b,c, |
| Selenium (Total) | NA | 0.07 | | | mg/l | Each Batch[c] | 24-hr Comp. | a,b,c |
| Temperature | NA | Monitor | | | °F | Each Batch[c] | Grab | c |
| Boron (Total) | NA | Monitor | | | mg/l | Each Batch[c] | 24-hr Comp. | a,b,c, f |
| | | | | | | | | |

Footnotes:

a. Composite samples shall begin with the first day of discharge. EPA Method 1631 is required for Mercury Sampling.

b. Grab samples on a batch basis may be substituted for 24 hour composite sampling if the runoff receives 24 hour detention and no additional runoff flows into the settling basin during the discharge of this batch. A minimum of 24 hour detention shall be provided for all storm runoff less than or equal to the 10 year 24 hour storm.

c. If duration of batch discharge exceeds 14 days then an additional sample shall be collected and analyzed for each parameter as identified above.

d. Maximum daily flow shall not exceed 140,000 GPD if stream flow measured at Keuka Lake Outlet at Dresden (USGS 04232482) is less than 27 CFS.

e. The duration (in days) of each discharge event is required to be monitored and recorded.

f. Additional sampling is needed and limit may be developed after additional testing has been completed.

# WHOLE EFFLUENT TOXICITY (WET) TESTING PROGRAM

| OUTFALL No. | WASTEWATER TYPE | RECEIVING WATER | EFFECTIVE | EXPIRING |
|---|---|---|---|---|
| 001 | Discharge from Sedimentation/Neutralization Basin | Keuka Lake Outlet | 08/01/2009 | 11/302010 |

| PARAMETER | EFFLUENT LIMIT | | PQL | MONITORING ACTION LEVEL | | UNITS | SAMPLE FREQUENCY | SAMPLE TYPE | FN |
|---|---|---|---|---|---|---|---|---|---|
| | Monthly Avg. | Daily Max. | Daily Max. | TYPE I | TYPE II | | | | |
| WET - Acute Invertebrate | - | - | | 10.7 | | TUa | Quarterly | seefootnote | 1 |
| WET - Acute Vertebrate | - | - | | 10.7 | | TUa | Quarterly | seefootnote | 1 |
| WET - Chronic Invertebrate | - | - | | 70 | | TUc | Quarterly | seefootnote | 1 |
| WET - Chronic Vertebrate | - | - | | 70 | | TUc | Quarterly | seefootnote | 1 |

1. Whole Effluent Toxicity (WET) Testing:

Testing Requirements - WET testing shall consist of **Chronic Only for Outfall 001.** WET testing shall be performed in accordance with 40 CFR Part 136 and TOGS 1.3.2 unless prior written approval has been obtained from the Department. The test species shall be *Ceriodaphnia dubia* (water flea - invertebrate) and *Pimephales promelas* (fathead minnow - vertebrate). Receiving water collected upstream from the discharge should be used for dilution. All tests conducted should be static-renewal (two 24 hr composite samples with one renewal for Acute tests and three 24 hr composite samples with two renewals for Chronic tests). The appropriate dilution series bracketing the IWC and including one exposure group of 100% effluent should be used to generate a definitive test endpoint, otherwise an immediate rerun of the test is required. WET testing shall be coordinated with the monitoring of chemical and physical parameters limited by this permit so that the resulting analyses are also representative of the sample used for WET testing. The ratio of critical receiving water flow to discharge flow (i.e. dilution ratio) is 34.5 :1 for acute, and 69 :1 for chronic. Discharges which are disinfected using chlorine should be dechlorinated prior to WET testing or samples shall be taken immediately prior to the chlorination system.

Monitoring Period - WET testing shall be performed at the specified sample frequency **during calendar years ending in 1 and 6** beginning in January and lasting for a period of one full year.

Reporting - Toxicity Units shall be calculated and reported on the DMR as follows: TUa = (100)/(48 hr LC50) or (100)/(48 hr EC50) (note that Acute data is generated by both Acute and Chronic testing) and TUc = (100)/(NOEC) when Chronic testing has been performed or TUc = (TUa) x (10) when only Acute testing has been performed and is used to predict Chronic test results, where the 48 hr LC50 or 48 hr EC50 and NOEC are expressed in % effluent. This must be done for both species and using the Most Sensitive Endpoint (MSE) or the lowest NOEC and corresponding highest TUc. Report a TUa of 0.3 if there is no statistically significant toxicity in 100% effluent as compared to control.

The complete test report including all corresponding results, statistical analyses, reference toxicity data, daily average flow at the time of sampling and other appropriate supporting documentation, shall be submitted within 60 days following the end of each test period to the Toxicity Testing Unit. A summary page of the test results for the invertebrate and vertebrate species indicating TUa, 48 hr LC50 or 48 hr EC50 for Acute tests and/or TUc, NOEC, IC25, and most sensitive endpoints for Chronic tests, should also be included at the beginning of the test report.

WET Testing Action Level Exceedances - If an action level is exceeded then the Department may require the permittee to conduct additional WET testing including Acute and/or Chronic tests. Additionally, the permittee may be required to perform a Toxicity Reduction Evaluation (TRE) in accordance with Department guidance. If such additional testing or performance of a TRE is necessary, the permittee shall be notified in writing by the Regional Water Engineer. The written notification shall include the reason(s) why such testing or a TRE is required.

# MERCURY MINIMIZATION PROGRAM REQUIREMENTS
## INDUSTRIAL FACILITIES

1. **General** - The permittee shall develop, implement, and maintain a Mercury Minimization Program (MMP). The MMP is required because the 50 ng/L permit limit exceeds the state-wide calculated water quality based effluent limit (WQBEL) of 0.70 nanograms/liter (ng/L) for Total Mercury. The goal of the MMP will be to reduce mercury effluent levels in pursuit of the calculated WQBEL.

2. **MMP Elements** - The MMP shall be documented in narrative form and shall include any necessary drawings or maps. Other related documents already prepared for the facility may be used as part of the MMP and may be incorporated by reference. At a minimum, the MMP shall include an on-going program consisting of: periodic monitoring; an acceptable control strategy which will become enforceable under this permit; and, submission of annual status reports.

A. Monitoring - The permittee shall conduct periodic monitoring designed to quantify and, over time, track the reduction of mercury. All permit-related mercury monitoring shall be performed using EPA Method 1631 and shall be coordinated so that the results can be compared. All samples should be grabs and use of EPA Method 1669 during sample collection is recommended. Minimum required monitoring shall be at the following locations: effluent from outfall 001 (as required by Permits Limits page), influent to basin (quarterly, unless otherwise approved), any other key locations in the wastewater and/or stormwater collection systems, and known or potential mercury sources, including raw materials. Additional monitoring must be completed as may be required elsewhere in this permit or upon Department request.

B. Control Strategy - An acceptable control strategy is required for reducing mercury discharges via cost-effective measures, which may include, but is not limited to, more stringent control of tributary waste streams, remediation, and/or installation of new or improved treatment facilities. Required monitoring shall also be used, and supplemented if appropriate, to determine the most effective way to operate the wastewater treatment system(s) to ensure effective removal of mercury while maintaining compliance with other permit requirements.

C. Annual Status Report - An annual status report shall be submitted to the Regional Water Engineer and to the Bureau of Water Permits summarizing: (a) all MMP monitoring results for the previous year; (b) a list of known and potential mercury sources; (c) a mass balance comparison of influent to basin, effluent from 001, and sludge levels or from any other known mercury sources at the facility; (d) all action undertaken pursuant to the strategy during the previous year; (e) actions planned for the upcoming year, and (f) progress toward the goal. The first annual report (for the 2010 calendar year) is due by April 1, 2011 and follow-up reports are due annually thereafter (by April 1st for the previous calendar year). Note that the complete MMP documentation need not be submitted to the Department unless otherwise requested.

3. **MMP Modification** - The MMP shall be modified whenever: (a) changes at the facility or within the collection system increase the potential for mercury discharges; (b) actual discharges exceed 50 ng/L; (c) a letter from the Department identifies inadequacies in the MMP; or (d) pursuant to a permit modification.

**Additional Requirements**

1. Groundwater Monitoring Program

   A. Final Groundwater Monitoring Program

   Submit copies of the Groundwater Monitoring Program, as specified in the Article 27, Title 7; 6NYCRR 360: Solid Waste Management Permit to:

   Regional Water Engineer
   Division of Water
   New York State Department of Environmental Conservation
   6274 E. Avon - Lima Road
   Avon, New York 14414
   **AND**
   Bureau of Water Compliance Programs
   Division of Water
   New York State Department of Environmental Conservation
   625 Broadway
   Albany, New York 12233-3506

2. The Lockwood Ash Disposal Site is for disposal of solid waste material from the Greenidge Generating Station, and from facilities otherwise approved by NYSDEC. Approval shall be obtained from NYSDEC Division of Solid and Hazardous Materials, in accordance with the Part 360 permit, prior to disposal of solid waste from other sources not previously approved. Region 8 Division of Water shall be copied on any such requests and approvals.

3. A minimum of 24 hour detention shall be provided for all storm runoff less than or equal to the 10 year 24 hour storm. Within 6 months of EDPM (**02/01/2010**) the permittee shall submit a plan and schedule for dredging the sedimentation basin to ensure that the minimum 24-hour detention shall be provided. The plan and schedule shall be submitted to the Region 8 Regional Water Engineer and to the Bureau of Water Compliance Programs for review and approval.

4. The permittee shall operate the disposal facility in accordance with Part 360, the Solid Wastes Management Facility Guidelines, the Final Environmental Impact Statement, and the plans, specifications and engineering report approved for this facility by the Division of Solid Waste.

5. The Dust-Suppressant Agents Identified in the permit application may be used on all areas which runoff is collected and diverted to the sedimentation/neutralization basin. Any dust-suppressant agents not specifically identified in the NY-2c permit application shall require approval prior to use.

6. Additional Sampling
   Due to increased amount of ash generated with the new pollution control technology at the AES Greenidge facility, and the possible effects on the discharges at the Lockwood Ash Disposal Site, the permittee shall complete additional sampling from Outfall 001. One 24-hour composite, except for parameters where proper sample collection/preservation techniques require grab, for Conventionals and 126 Priority Pollutants shall be collected. Sampling shall be conducted EDPM + 2 years and the results shall be submitted to the Department by EDPM + 2.5 years. Results shall be submitted to Region 8 Division of Water, the Bureau of Water Compliance Programs and to the Bureau of Water Permits, 625 Broadway, Albany, NY 12233-3505 and may result in modifications to this permit.

7. Thermal Study Requirements

By **02/01/2011** the permittee must submit a Thermal Discharge Study Workplan (Workplan), approvable as defined in 6 NYCRR Part 750-1.2(a)(8), to outline the scope of work to satisfy the requirements of 6 NYCRR Part 704.4. The permittee shall have the burden of establishing to the satisfaction of the commissioner that one or more of the criteria, contained in 6 NYCRR Part 704.2, are unnecessarily restrictive as to a particular project in that a modification of such criterion, or criteria, as the case may be, would assure the protection and propagation of a balanced indigenous population of shellfish, fish, and wildlife in and on the body of water into which the discharge is to be made.

The Workplan must include a description of studies to be conducted to determine the impact, if any, of the thermal discharge on the Keuka Lake Outlet. Such studies shall include, but shall not be limited to:

(1) A comparative analysis of environmental effects of the thermal discharge on the receiving waters when subject to the stated criteria of this Part, and when subject to the permittee's discharge temperature.

(2) An analysis of the different discharge modes (*e.g.*, surface or subsurface) and the advantages and disadvantages, if any, of each mode with regard to effects on aquatic life..

The studies must include temperature monitoring at the sedimentation basin outlet, at the location just before entering the Keuka Lake Outlet, and within the Keuka Lake Outlet both upstream and downstream of the discharge. Sampling shall be conducted during peak summer period during maximum discharge temperature conditions. The studies shall also include any historical data that may be available, including data for the Keuka Lake Outlet.

The Workplan must include a schedule for conducting studies. When proposing the schedule, the study shall be conducted within one year of NYSDEC approval of the Workplan and the final Report shall be submitted to NYSDEC within three months of completion of the field study.

8. Stormwater Runoff from Areas adjacent to disposal ponds or landfills

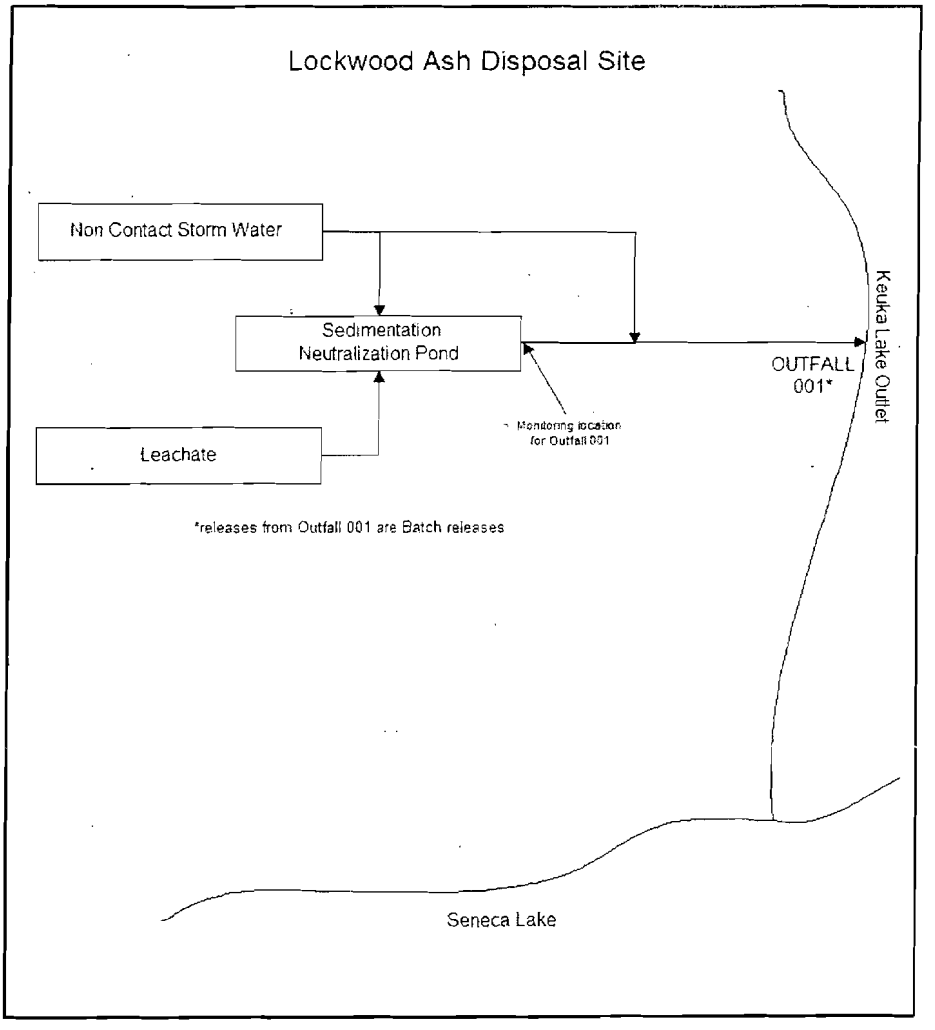
The permittee shall describe and implement measures that prevent or minimize contamination of stormwater runoff from areas adjacent to disposal ponds or landfills. The permittee must develop procedures to:

(i) Reduce ash residue which may be tracked on to access roads traveled by residue trucks or residue handling vehicles; and
(ii) Reduce ash residue on exit roads leading into and out of residue handling areas.

Procedures shall be provided to the NYSDEC upon request.

# MONITORING LOCATIONS

The permittee shall take samples and measurements, to comply with the monitoring requirements specified in this permit, at the location(s) specified below: *Samples for Outfall 001 shall be collected at the discharge from the Sedimentation/Neutralization Pond. A portion of the stormwater runoff from completed areas (ie., with final cover) will be diverted from the pond.



# SCHEDULE OF COMPLIANCE

a) The permittee shall comply with the following schedule:

| Action Code | Outfall Number(s) | Compliance Action | Due Date |
|---|---|---|---|
| | | Mercury Minimization Program<br>The first annual report (for the 2010 calendar year) is due by April 1, 2011 and follow-up reports are due annually thereafter (by April 1st for the previous calendar year) | by April 1, 2011 and annually by April 1st thereafter |
| | 001 | WET Testing<br>During calendar years ending in 1 and 6 beginning in January and lasting for a period of one full year. | years ending in 1 and 6. |
| | 001 | DISCHARGE NOTIFICATION REQUIREMENTS<br>Except as provided in (c) of the Discharge Notification Act requirements, the permittee shall install and maintain identification signs at all outfalls to surface waters listed in this permit (and at discharge point to Keuka Lake Outlet). If not done so already, such signs shall be installed within 90 days of the Effective Date of this Modification. | 11/01/2009 |
| | 001 | Additional Sampling (see Additional Requirement 6)<br>Sampling shall be conducted by **08/01/2011** years and the results shall be submitted to the Department by **02/01/2012**. | 02/01/2012 |
| | 001 | Thermal Discharge Study Workplan<br>Submit Thermal Study Workplan (see additional Requirement 7) | 02/01/2011 |

**The above compliance actions are one time requirements. The permittee shall comply with the above compliance actions to the Department's satisfaction once. When this permit is administratively renewed by NYSDEC letter entitled "SPDES NOTICE/RENEWAL APPLICATION/PERMIT," the permittee is not required to repeat the submission(s) noted above. The above due dates are independent from the effective date of the permit stated in the letter of "SPDES NOTICE/RENEWAL APPLICATION/PERMIT."**

b) The permittee shall submit a written notice of compliance or non-compliance with each of the above schedule dates no later than 14 days following each elapsed date, unless conditions require more immediate notice as prescribed in 6 NYCRR Part 750-1.2(a) and 750-2. All such compliance or non-compliance notification shall be sent to the locations listed under the section of this permit entitled RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS. Each notice of non-compliance shall include the following information:

1. A short description of the non-compliance;
2. A description of any actions taken or proposed by the permittee to comply with the elapsed schedule requirements without further delay and to limit environmental impact associated with the non-compliance;
3. A description or any factors which tend to explain or mitigate the non-compliance; and
4. An estimate of the date the permittee will comply with the elapsed schedule requirement and an assessment of the probability that the permittee will meet the next scheduled requirement on time.

c) The permittee shall submit copies of any document required by the above schedule of compliance to NYSDEC Regional Water Engineer at the location listed under the section of this permit entitled RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS and to the Bureau of Water Permits, 625 Broadway, Albany, N.Y. 12233-3505, unless otherwise specified in this permit or in writing by the Department.

# DISCHARGE NOTIFICATION REQUIREMENTS

(a) Except as provided in (c) of these Discharge Notification Act requirements, the permittee shall install and maintain identification signs at all outfalls to surface waters listed in this permit and at Keuka Lake Outlet. Such signs shall be installed within 90 days of the Effective Date of this Modification.

(b) Subsequent modifications to or renewal of this permit does not reset or revise the deadline set forth in (a) above, unless a new deadline is set explicitly by such permit modification or renewal.

(c) The Discharge Notification Requirements described herein do not apply to outfalls from which the discharge is composed exclusively of storm water, or discharges to ground water.

(d) The sign(s) shall be conspicuous, legible and in as close proximity to the point of discharge as is reasonably possible while ensuring the maximum visibility from the surface water and shore. The signs shall be installed in such a manner to pose minimal hazard to navigation, bathing or other water related activities. If the public has access to the water from the land in the vicinity of the outfall, an identical sign shall be posted to be visible from the direction approaching the surface water.

The signs shall have **minimum** dimensions of eighteen inches by twenty four inches (18" x 24") and shall have white letters on a green background and contain the following information:

**N.Y.S. PERMITTED DISCHARGE POINT**

**SPDES PERMIT No.: NY_____**

**OUTFALL No. :____**

For information about this permitted discharge contact:

Permittee Name: _____

Permittee Contact: _____

Permittee Phone: ( ) - ### - ####

OR:

NYSDEC Division of Water Regional Office Address :

NYSDEC Division of Water Regional Phone: ( ) - ### -####

(e) For each discharge required to have a sign in accordance with a), the permittee shall, concurrent with the installation of the sign, provide a repository of copies of the Discharge Monitoring Reports (DMRs), as required by the **RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS** page of this permit. This repository shall be open to the public, at a minimum, during normal daytime business hours. The repository may be at the business office repository of the permittee or at an off-premises location of its choice (such location shall be the village, town, city or county clerk's office, the local library or other location as approved by the Department ). In accordance with the **RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS** page of your permit, each DMR shall be maintained on record for a period of five years.

(f) The permittee shall periodically inspect the outfall identification signs in order to ensure that they are maintained, are still visible and contain information that is current and factually correct.