



Department of  
Environmental  
Conservation

# State Pollutant Discharge Elimination System (SPDES) DISCHARGE PERMIT

SIC Code:	<b>4952</b>	NAICS Code:	<b>221320</b>	SPDES Number:	<b>NY0021431</b>
Discharge Class (CL):	<b>05</b>	DEC Number:	<b>8-4624-00006/00001</b>		
Toxic Class (TX):	<b>T</b>	Effective Date (EDP):	<b>10/01/2020</b>		
Major-Sub Drainage Basin:	<b>05 - 02</b>	Expiration Date (ExDP):	<b>09/30/2025</b>		
Water Index Number:	<b>PA-3-58</b>	Item No.:	<b>811-148</b>	Modification Dates (EDPM):	
Compact Area:	<b>SRBC</b>				

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.)

PERMITTEE NAME AND ADDRESS					
Name:	<b>Village of Bath</b>			Attention:	<b>Director of Municipal Utilities</b>
Street:	<b>7 South Avenue, PO Box 310</b>				
City:	<b>Bath</b>	State:	<b>NY</b>	Zip Code:	<b>14810-0310</b>
Email:	<b>ebonacci@begws.com</b>			Phone:	<b>607-776-2173</b>

is authorized to discharge from the facility described below:

FACILITY NAME, ADDRESS, AND PRIMARY OUTFALL									
Name:	<b>Village of Bath Wastewater Treatment Plant</b>								
Address / Location:	<b>144 East Morris Street</b>				County:	<b>Steuben</b>			
City:	<b>Bath</b>	State:	<b>NY</b>	Zip Code:	<b>14810-0310</b>				
Facility Location:	Latitude:	<b>42 °</b>	<b>19 '</b>	<b>50 " N</b>	& Longitude:	<b>77 °</b>	<b>18 '</b>	<b>30 " W</b>	
Primary Outfall No.:	<b>001</b>	Latitude:	<b>42 °</b>	<b>19 '</b>	<b>32 " N</b>	& Longitude:	<b>77 °</b>	<b>18 '</b>	<b>40 " W</b>
Outfall Description:	<b>Treated Sanitary</b>		Receiving Water:	<b>Cohocton River</b>			Class:	<b>C(T)</b>	

in accordance with: effluent limitations; monitoring and reporting requirements; other provisions and conditions set forth in this permit; and 6 NYCRR Part 750-1 and 750-2.

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  
CO BWC - SCIS  
RWE  
RPA  
EPA Region II  
NYSEFC

Chief Permit Administrator:	<b>Scott E. Sheeley</b>	
Address:	Division of Environmental Permits 625 Broadway, 4 <sup>th</sup> Floor Albany, NY 12233-1750	
Signature:		Date: Sept. 10, 2020

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## DEFINITIONS FOR PERMIT LIMITS, LEVELS AND MONITORING TERMS

TERM	DEFINITION
7-Day Geo Mean	The highest allowable geometric mean of daily discharges over a calendar week.
7-Day Average	The average of all daily discharges for each 7-days in the monitoring period. The sample measurement is the highest of the 7-day averages calculated for the monitoring period.
12-Month Rolling Average (12 MRA)	The current monthly value of a parameter, plus the sum of the monthly values over the previous 11 months for that parameter, divided by 12.
30-Day Geometric 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.
Action Level	Action level means a monitoring requirement characterized by a numerical value that, when exceeded, triggers additional permittee actions and department review to determine if numerical effluent limitations should be imposed.
Compliance Level / Minimum Level	A compliance level is an effluent limitation. A compliance level is given when the water quality evaluation specifies a Water Quality Based Effluent Limit (WQBEL) below the Minimum Level. The compliance level shall be set at the Minimum Level (ML) for the most sensitive analytical method as given in 40 CFR Part 136, or otherwise accepted by the Department.
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 Maximum	The highest allowable Daily Discharge.
Daily Minimum	The lowest allowable Daily Discharge.
Effective Date of Permit (EDP or EDPM)	The date this permit is in effect.
Effluent Limitations	Effluent limitation means any restriction on quantities, quality, rates and concentrations of chemical, physical, biological, and other constituents of effluents that are discharged into waters of the state.
Expiration Date of Permit (ExDP)	The date this permit is no longer in effect.
Instantaneous Maximum	The maximum level that may not be exceeded at any instant in time.
Instantaneous Minimum	The minimum level that must be maintained at all instants in time.
Monthly Average	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.
Outfall	The terminus of a sewer system, or the point of emergence of any waterborne sewage, industrial waste or other wastes or the effluent therefrom, into the waters of the State.
Range	The minimum and maximum instantaneous measurements for the reporting period must remain between the two values shown.
Receiving Water	The classified waters of the state to which the listed outfall discharges.
Sample Frequency / Sample Type / Units	See NYSDEC's "DMR Manual for Completing the Discharge Monitoring Report for the SPDES" for information on sample frequency, type and units.

## PERMIT LIMITS, LEVELS AND MONITORING – EXISTING FACILITY

OUTFALL	LIMITATIONS APPLY	RECEIVING WATER	EFFECTIVE	EXPIRING
001	Year Round (unless otherwise specified)	Cohocton River	10/01/2020	Construction Completion OR 09/30/2025 <sup>1</sup>

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
Flow	Monthly Average	1.0	MGD			Continuous	Recorder	X		
Flow	Daily Maximum	Monitor	MGD			Continuous	Recorder	X		
pH	Range	6.5-8.5	SU			2/Day	Grab	X	X	
Dissolved Oxygen	Daily Minimum	Monitor	mg/L			1/Week	Grab		X	
CBOD <sub>5</sub>	Monthly Average	25	mg/L	210	lbs/d	1/Week	24-hr. Comp.	X	X	2
CBOD <sub>5</sub>	7-Day Average	40	mg/L	340	lbs/d	1/Week	24-hr. Comp.	X	X	
Total Suspended Solids (TSS)	Monthly Average	30	mg/L	250	lbs/d	1/Week	24-hr. Comp.	X	X	2
Total Suspended Solids (TSS)	7-Day Average	45	mg/L	380	lbs/d	1/Week	24-hr. Comp.	X	X	
Settleable Solids	Daily Maximum	0.3	mL/L			2/Day	Grab	X	X	
Total Dissolved Solids	Daily Maximum	Monitor	mg/L			1/Quarter	24-hr. Comp.		X	
Ammonia (as N) June 1 <sup>st</sup> – October 31 <sup>st</sup>	Monthly Average	1.4	mg/L	12	lbs/d	1/Week	24-hr. Comp.	X	X	6
Ammonia (as N) November 1 <sup>st</sup> – May 31 <sup>st</sup>	Monthly Average	4.5	mg/L	38	lbs/d	1/Week	24-hr. Comp.	X	X	6
Total Kjeldahl Nitrogen (TKN) (as N)	Monthly Average	Monitor	mg/L	Monitor	lbs/d	1/Week	24-hr. Comp.	X	X	
Nitrate (NO <sub>3</sub> ) (as N)	Monthly Average	Monitor	mg/L	Monitor	lbs/d	1/Week	24-hr. Comp.	X	X	
Nitrite (NO <sub>2</sub> ) (as N)	Monthly Average	Monitor	mg/L	Monitor	lbs/d	1/Week	24-hr. Comp.	X	X	
Total Nitrogen (as N)	Monthly Average	Monitor	mg/L	Monitor	lbs/d	1/Month	Calculated	X	X	3
Total Nitrogen (as N)	Monthly Load	Monitor	lbs/mon			1/Month	Calculated	X	X	4
Total Nitrogen (as N)	12 Month Rolling Load	61,000	lbs/yr			1/Month	Calculated	X	X	5
Total Phosphorus (as P)	Monthly Average	1.0	mg/L	Monitor	lbs/d	1/Week	24-hr. Comp.	X	X	6
Total Phosphorus (as P)	Monthly Load	Monitor	lbs/mon			1/Month	Calculated		X	4
Total Phosphorus (as P)	12 Month Rolling Load	1520	lbs/yr			1/Month	Calculated		X	5, 6
Mercury	Daily Maximum	50	ng/L			1/Quarter	Grab		X	12
Mercury	12 Month Rolling Average	20	ng/L			1/Quarter	Grab		X	12
Biennial Pollutant Scan	Daily Maximum					1/Two Years	24-hr. Comp.		X	13

Continued on next page

**PERMIT LIMITS, LEVELS AND MONITORING – EXISTING FACILITY (continued)**

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
Nickel	Daily Maximum	0.23	mg/L	1.9	lbs/d	1/Month	24-hr. Comp.		X	6
Cyanide	Daily Maximum	13	ug/L	0.11	lbs/d	1/Month	Grab		X	6, 12
Total Phenols	Daily Maximum	13	ug/L	0.11	lbs/d	1/Month	Grab		X	6, 7, 12
Chlorinated Phenols	Daily Maximum	5.0	ug/L	0.04	lbs/d	1/Month	Grab		X	6, 8, 11, 12
Copper	Daily Maximum	40	ug/L	0.33	lbs/d	1/Month	24-hr. Comp.		X	6
Lead	Daily Maximum	28	ug/L	0.23	lbs/d	1/Month	24-hr. Comp.		X	6
Zinc	Daily Maximum	0.35	mg/L	2.9	lbs/d	1/Month	24-hr. Comp.		X	6
<b>ACTION LEVEL PARAMETERS</b>	Type	Action Level	Units	Action Level	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
Temperature	Daily Maximum	21	°C			2/Day	Grab	X	X	10

<b>WHOLE EFFLUENT TOXICITY (WET) TESTING</b>		Limit	Units	Action Level	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
WET - Acute Invertebrate	See footnote			0.5	TUa	Quarterly	See footnote		X	14
WET - Acute Vertebrate	See footnote			0.5	TUa	Quarterly	See footnote		X	14
WET - Chronic Invertebrate	See footnote			2.5	TUc	Quarterly	See footnote		X	14
WET - Chronic Vertebrate	See footnote			2.5	TUc	Quarterly	See footnote		X	14

<b>EFFLUENT DISINFECTION</b> May 1st - October 31st		Limit	Units	Limit	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
Coliform, Fecal	30-Day Geometric Mean	200	No./100 mL			1/Week	Grab		X	6
Coliform, Fecal	7-Day Geometric Mean	400	No./100 mL			1/Week	Grab		X	6
Chlorine, Total Residual	Daily Maximum	0.03	mg/L			2/Day	Grab		X	6, 9, 11

**SEE FOOTNOTES ON PAGE 6**

## FOOTNOTES FOR EXISTING FACILITY:

1. The existing facility limitations will be effective until 09/30/2025 or DEC acceptance of the construction completion certification of the proposed project, whichever comes first.
2. Effluent shall not exceed 15% and 15% of influent concentration values for CBOD<sub>5</sub> & TSS respectively.
3. Total Nitrogen (as N) = [Total Kjeldahl Nitrogen (TKN), as N] + [Nitrite (NO<sub>2</sub>), as N] + [Nitrate (NO<sub>3</sub>), as N].
4. Total nitrogen and total phosphorus monthly load (lbs/mon) shall be calculated as the monthly average load (lbs/d) multiplied by the number of days in the month.
5. Total nitrogen and total phosphorus 12-month rolling load (lbs/yr) is calculated as the current month load (lbs/mon) added to the month loads from the previous eleven months.
6. This is a final effluent limitation. See Schedule of Compliance for interim effluent limitation.
7. Total phenols shall be determined by colorimetric or spectrophotometric analysis using the most sufficiently sensitive method approved under 40 CFR Part 136 for total recoverable phenols.
8. Total chlorinated phenols shall be determined by chromatographic analysis using the most sufficiently sensitive method approved under 40 CFR Part 136. The numerical summation of all positive and estimated results for phenolic compounds shall be reported on the DMR.
9. Reporting for Total Residual Chlorine (TRC) is not applicable for facilities that do not use chlorine for disinfection, do not use chlorine elsewhere in the treatment process, and have no reasonable potential to discharge chlorine in their effluent.
10. Temperature Action Level – Monitoring Program  
If the discharge temperature measured at the effluent sampling location exceeds the Action Level of 21°C the permittee may choose to confirm the effluent measurement within 2 hours at a location closer to the actual outfall, but outside the influence of the receiving waterbody. If the temperature is confirmed, or if the permittee chooses not to confirm the measurement, the permittee shall, within one week, undertake the following sampling program. Temperature shall be measured at the following three locations, as described in the temperature sampling plan, all within one hour, on the same day, once in the morning and once in the afternoon:
  1. Effluent sample as close as practical to the outfall without interference from the receiving water
  2. Downstream receiving water sample
  3. Upstream receiving water sampleThe permittee is exempt from this temperature monitoring program whenever conditions at or near the monitoring locations are unsafe due to weather. Results shall be appended to the corresponding Discharge Monitoring Report (DMR) and emailed in spreadsheet format to [spdes.temperaturedata@dec.ny.gov](mailto:spdes.temperaturedata@dec.ny.gov).
11. This is a Compliance Level. The calculated WQBEL for chlorinated phenols is 2.5 ug/L. The calculated WQBEL for TRC is 0.013 mg/L.
12. At least 4 individual manual grab samples must be collected over the course of 24 hours and composited in the laboratory and analyzed as a single sample or analyzed separately and the concentrations averaged. Where effluent flows do not vary more than 10 percent over the course of composite sample collection, composite samples may be composed of equal size grab samples taken at equal time intervals. Where effluent flows vary more than 10 percent over the course of sample collection, composite samples must be flow-proportioned.
13. Biennial Pollutant Scan: The permittee shall implement an ongoing monitoring program and perform effluent sampling every two (2) years for all pollutants identified in the NY-2A Application, Table B, C, and D. Sampling data shall be collected and maintained by the permittee. Monitoring results shall not be submitted on the DMR. Data shall be submitted with the next submission of the NY-2A form.

## FOOTNOTES FOR EXISTING FACILITY (continued):

### 14. **Whole Effluent Toxicity (WET) Testing:**

Testing Requirements – Chronic WET testing is required, but report both the acute and chronic results. 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 should be used to generate a definitive test endpoint, otherwise an immediate rerun of the test may be 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 1.7:1 for acute, and 2.5:1 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 quarterly (calendar quarters) during calendar years ending in 5 and 0.

Reporting - Toxicity Units shall be calculated and reported on the DMR as follows:  $TU_a = (100)/(48\text{-hr LC50})$  [note that Acute data is generated by both Acute and Chronic testing] and  $TU_c = (100)/(7\text{-day NOEC})$  or  $(100)/(7\text{-day IC25})$  when Chronic testing has been performed or  $TU_c = (TU_a) \times (10)$  when only Acute testing has been performed and is used to predict Chronic test results, where the 48-hr LC50, 7-day NOEC and/or IC25 are all expressed in % effluent. This must be done, including the Chronic prediction from the Acute data, for both species unless otherwise directed. For Chronic results, report the most sensitive endpoint (i.e. survival, growth and/or reproduction) corresponding to the lowest 7-day NOEC or IC25 and resulting highest  $TU_c$ . For Acute results, report a  $TU_a$  of 0.3 if there is no statistically significant mortality in 100% effluent as compared to the control. Report a  $TU_a$  of 1.0 if there is statistically significant mortality in 100% effluent as compared to the control, but insufficient mortality to generate a 48-hr LC50. Also, in the absence of a 48-hr LC50, use 1.0  $TU_a$  for the Chronic prediction from the Acute data, and report a  $TU_c$  of 10.0.

The complete test report including all bench sheets, 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 with your WET DMR and to the [WET@dec.ny.gov](mailto:WET@dec.ny.gov) email address. A summary page of the test results for the invertebrate and vertebrate species indicating  $TU_a$ , 48-hr LC50 for Acute tests and/or  $TU_c$ , 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 Identification/Reduction Evaluation (TI/RE) in accordance with Department guidance. Enforceable WET limits may also apply. The permittee shall be notified in writing by their Regional DEC office of additional requirements. The written notification shall include the reason(s) why such testing, TI/RE and/or limits are required.

## PERMIT LIMITS, LEVELS AND MONITORING – PROPOSED FACILITY

OUTFALL	LIMITATIONS APPLY	RECEIVING WATER	EFFECTIVE	EXPIRING
001	Year Round (unless otherwise specified)	Cohocton River	Construction Completion <sup>1</sup>	09/30/2025

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
Flow	Monthly Average	1.3	MGD			Continuous	Recorder	X		
Flow	Daily Maximum	Monitor	MGD			Continuous	Recorder	X		
pH	Range	6.5-8.5	SU			2/Day	Grab	X	X	
Dissolved Oxygen	Daily Minimum	Monitor	mg/L			1/Week	Grab		X	
CBOD <sub>5</sub>	Monthly Average	25	mg/L	270	lbs/d	1/Week	24-hr. Comp.	X	X	2
CBOD <sub>5</sub>	7-Day Average	40	mg/L	430	lbs/d	1/Week	24-hr. Comp.	X	X	
Total Suspended Solids (TSS)	Monthly Average	30	mg/L	330	lbs/d	1/Week	24-hr. Comp.	X	X	2
Total Suspended Solids (TSS)	7-Day Average	45	mg/L	490	lbs/d	1/Week	24-hr. Comp.	X	X	
Settleable Solids	Daily Maximum	0.3	mL/L			2/Day	Grab	X	X	
Total Dissolved Solids	Daily Maximum	Monitor	mg/L			1/Quarter	24-hr. Comp.		X	
Ammonia (as N) June 1 <sup>st</sup> – October 31 <sup>st</sup>	Monthly Average	1.1	mg/L	12	lbs/d	1/Week	24-hr. Comp.	X	X	6
Ammonia (as N) November 1 <sup>st</sup> – May 31 <sup>st</sup>	Monthly Average	3.6	mg/L	39	lbs/d	1/Week	24-hr. Comp.	X	X	6
Total Kjeldahl Nitrogen (TKN) (as N)	Monthly Average	Monitor	mg/L	Monitor	lbs/d	1/Week	24-hr. Comp.	X	X	
Nitrate (NO <sub>3</sub> ) (as N)	Monthly Average	Monitor	mg/L	Monitor	lbs/d	1/Week	24-hr. Comp.	X	X	
Nitrite (NO <sub>2</sub> ) (as N)	Monthly Average	Monitor	mg/L	Monitor	lbs/d	1/Week	24-hr. Comp.	X	X	
Total Nitrogen (as N)	Monthly Average	Monitor	mg/L	Monitor	lbs/d	1/Month	Calculated	X	X	3
Total Nitrogen (as N)	Monthly Load	Monitor	lbs/mon			1/Month	Calculated	X	X	4
Total Nitrogen (as N)	12 Month Rolling Load	61,000	lbs/yr			1/Month	Calculated	X	X	5
Total Phosphorus (as P)	Monthly Average	0.5	mg/L	Monitor	lbs/d	1/Week	24-hr. Comp.	X	X	6
Total Phosphorus (as P)	Monthly Load	Monitor	lbs/mon			1/Month	Calculated		X	4
Total Phosphorus (as P)	12 Month Rolling Load	1520	lbs/yr			1/Month	Calculated		X	5, 6
Mercury	Daily Maximum	50	ng/L			1/Quarter	Grab		X	12
Mercury	12 Month Rolling Average	20	ng/L			1/Quarter	Grab		X	12
Biennial Pollutant Scan	Daily Maximum					1/Two Years	24-hr. Comp.		X	13

Continued on next page

**PERMIT LIMITS, LEVELS AND MONITORING – PROPOSED FACILITY** (continued)

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
Nickel	Daily Maximum	0.18	mg/L	2.0	lbs/d	1/Month	24-hr. Comp.		X	6
Cyanide	Daily Maximum	10	ug/L	0.11	lbs/d	1/Month	Grab		X	6, 12
Total Phenols	Daily Maximum	10	ug/L	0.11	lbs/d	1/Month	Grab		X	6, 7, 12
Chlorinated Phenols	Daily Maximum	5.0	ug/L	0.05	lbs/d	1/Month	Grab		X	8, 11, 12
Copper	Daily Maximum	32	ug/L	0.35	lbs/d	1/Month	24-hr. Comp.		X	6
Lead	Daily Maximum	22	ug/L	0.24	lbs/d	1/Month	24-hr. Comp.		X	6
Zinc	Daily Maximum	0.29	mg/L	3.1	lbs/d	1/Month	24-hr. Comp.		X	6
<b>ACTION LEVEL PARAMETERS</b>	Type	Action Level	Units	Action Level	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
Temperature	Daily Maximum	21	°C			2/Day	Grab	X	X	10

<b>WHOLE EFFLUENT TOXICITY (WET) TESTING</b>		Limit	Units	Action Level	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
WET - Acute Invertebrate	See footnote			0.5	TUa	Quarterly	See footnote		X	14
WET - Acute Vertebrate	See footnote			0.5	TUa	Quarterly	See footnote		X	14
WET - Chronic Invertebrate	See footnote			2.0	TUc	Quarterly	See footnote		X	14
WET - Chronic Vertebrate	See footnote			2.0	TUc	Quarterly	See footnote		X	14

<b>EFFLUENT DISINFECTION</b> May 1st - October 31st		Limit	Units	Limit	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
Coliform, Fecal	30-Day Geometric Mean	200	No./100 mL			1/Week	Grab		X	6
Coliform, Fecal	7-Day Geometric Mean	400	No./100 mL			1/Week	Grab		X	6
Chlorine, Total Residual	Daily Maximum	0.03	mg/L			2/Day	Grab		X	6, 9, 11

**SEE FOOTNOTES ON PAGE 10**

## FOOTNOTES FOR PROPOSED FACILITY:

1. The existing facility limitations will be effective until 09/30/2025 or DEC acceptance of the construction completion certification of the proposed project, whichever comes first.
2. Effluent shall not exceed 15% and 15% of influent concentration values for CBOD<sub>5</sub> & TSS respectively.
3. Total Nitrogen (as N) = [Total Kjeldahl Nitrogen (TKN), as N] + [Nitrite (NO<sub>2</sub>), as N] + [Nitrate (NO<sub>3</sub>), as N].
4. Total nitrogen and total phosphorus monthly load (lbs/mon) shall be calculated as the monthly average load (lbs/d) multiplied by the number of days in the month.
5. Total nitrogen and total phosphorus 12-month rolling load (lbs/yr) is calculated as the current month load (lbs/mon) added to the month loads from the previous eleven months.
6. This is a final effluent limitation. See Schedule of Compliance for interim effluent limitation.
7. Total phenols shall be determined by colorimetric or spectrophotometric analysis using the most sufficiently sensitive method approved under 40 CFR Part 136 for total recoverable phenols.
8. Total chlorinated phenols shall be determined by chromatographic analysis using the most sufficiently sensitive method approved under 40 CFR Part 136. The numerical summation of all positive and estimated results for phenolic compounds shall be reported on the DMR.
9. Reporting for Total Residual Chlorine (TRC) is not applicable for facilities that do not use chlorine for disinfection, do not use chlorine elsewhere in the treatment process, and have no reasonable potential to discharge chlorine in their effluent.
10. Temperature Action Level – Monitoring Program  
If the discharge temperature exceeds the Action Level of 21°C (70°F) the permittee shall, within one week, undertake the following sampling program. Temperature shall be measured at the following three locations, as described in the temperature sampling plan, all within one hour, on the same day, once in the morning and once in the afternoon:
  4. Effluent sample as close as practical to the outfall without interference from the receiving water
  5. Downstream receiving water sample
  6. Upstream receiving water sampleThe permittee is exempt from this temperature monitoring program whenever conditions at or near the monitoring locations are unsafe due to weather. Results shall be appended to the corresponding Discharge Monitoring Report (DMR) and emailed in spreadsheet format to [spdes.temperaturedata@dec.ny.gov](mailto:spdes.temperaturedata@dec.ny.gov).
11. This is a Compliance Level. The calculated WQBEL for chlorinated phenols is 2.0 ug/L. The calculated WQBEL for TRC is 0.01 mg/L.
12. At least 4 individual manual grab samples must be collected over the course of 24 hours and composited in the laboratory and analyzed as a single sample or analyzed separately and the concentrations averaged. Where effluent flows do not vary more than 10 percent over the course of composite sample collection, composite samples may be composed of equal size grab samples taken at equal time intervals. Where effluent flows vary more than 10 percent over the course of sample collection, composite samples must be flow-proportioned.
13. Biennial Pollutant Scan: The permittee shall implement an ongoing monitoring program and perform effluent sampling every two (2) years for all pollutants identified in the NY-2A Application, Table A, B, C, and D. Sampling data shall be collected and maintained by the permittee. Monitoring results shall not be submitted on the DMR. Data shall be submitted with the next submission of the NY-2A form.

## FOOTNOTES FOR EXISTING FACILITY (continued):

### 14. Whole Effluent Toxicity (WET) Testing:

Testing Requirements – Chronic WET testing is required, but report both the acute and chronic results. 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 should be used to generate a definitive test endpoint, otherwise an immediate rerun of the test may be 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 1.6:1 for acute, and 2.0:1 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 quarterly (calendar quarters) during calendar years ending in 5 and 0.

Reporting - Toxicity Units shall be calculated and reported on the DMR as follows:  $TU_a = (100)/(48\text{-hr LC50})$  [note that Acute data is generated by both Acute and Chronic testing] and  $TU_c = (100)/(7\text{-day NOEC})$  or  $(100)/(7\text{-day IC25})$  when Chronic testing has been performed or  $TU_c = (TU_a) \times (10)$  when only Acute testing has been performed and is used to predict Chronic test results, where the 48-hr LC50, 7-day NOEC and/or IC25 are all expressed in % effluent. This must be done, including the Chronic prediction from the Acute data, for both species unless otherwise directed. For Chronic results, report the most sensitive endpoint (i.e. survival, growth and/or reproduction) corresponding to the lowest 7-day NOEC or IC25 and resulting highest TUc. For Acute results, report a TUa of 0.3 if there is no statistically significant mortality in 100% effluent as compared to the control. Report a TUa of 1.0 if there is statistically significant mortality in 100% effluent as compared to the control, but insufficient mortality to generate a 48-hr LC50. Also, in the absence of a 48-hr LC50, use 1.0 TUa for the Chronic prediction from the Acute data, and report a TUc of 10.0.

The complete test report including all bench sheets, 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 with your WET DMR and to the [WET@dec.ny.gov](mailto:WET@dec.ny.gov) email address. A summary page of the test results for the invertebrate and vertebrate species indicating TUa, 48-hr LC50 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 Identification/Reduction Evaluation (TI/RE) in accordance with Department guidance. Enforceable WET limits may also apply. The permittee shall be notified in writing by their Regional DEC office of additional requirements. The written notification shall include the reason(s) why such testing, TI/RE and/or limits are required.

## STORMWATER POLLUTION PREVENTION REQUIREMENTS

### NO EXPOSURE CERTIFICATION

The permittee submitted a Conditional Exclusion for No Exposure Form on 2/18/2020, certifying that all industrial activities and materials are completely sheltered from exposure to rain, snow, snowmelt, and/or stormwater runoff. The permittee must maintain a condition of no exposure for the exclusion to remain applicable. If conditions change resulting in the exposure of materials and activities to stormwater, the permittee must notify the Regional Water Engineer. The permittee must recertify a condition of no exposure every five years by completing the "No Exposure Certification Form" found on the NYSDEC website.

## MINI INDUSTRIAL PRETREATMENT PROGRAM

The permittee previously performed the actions described in items 1 through 4 below in order to develop a mini pretreatment program:

1. Industrial Survey

The permittee submitted the results of an industrial survey.

2. Develop Procedures

The permittee submitted documentation of procedures for obtaining and ensuring compliance with applicable standards. Such procedures include requirements and schedules for discharge permits, industrial self-monitoring, compliance monitoring of industries by the permittee, on-going POTW monitoring, and an enforcement program. Such procedures are equivalent to procedures described or referenced in the document entitled Introduction to the National Pretreatment Program, USEPA, June, 2011, ([https://www.epa.gov/npdes/pubs/pretreatment\\_program\\_intro\\_2011.pdf](https://www.epa.gov/npdes/pubs/pretreatment_program_intro_2011.pdf)).

3. Treatment Plant/Industry Monitoring

The permittee submitted the results of industrial and POTW monitoring and a completed Fast Report On Significant Industries forms (FROSI) for all significant industrial users (SIUs).

4. Local Sewer Use Law

The permittee submitted a draft local sewer use law equivalent to the DEC Model Sewer Use Law, NYSDEC, 1994. Local limits for substance capable of causing SPDES permit violations, endangering municipal employees or limiting sludge disposal options were included in the local law. Such limits were developed in accordance with document entitled Local Limits Development Guidance, US EPA, July 2004, EPA 833-R-04-002A ([https://www.epa.gov/npdes/pubs/pretreatment\\_local\\_limits.pdf](https://www.epa.gov/npdes/pubs/pretreatment_local_limits.pdf)). After approval by the Department, dated **September 7, 1993**, the permittee submitted a copy of the enacted Law accompanied by proof of enactment.

Therefore, the permittee shall continue to implement the procedures developed in accordance with 2. above and approved by the Department. At a minimum, the following activities shall continue to be undertaken by the permittee:

1. Issue permits including limitations, monitoring requirements, and reporting requirements to its significant industrial users.
2. Enforce the local limits set forth in the POTW local sewer use law.
3. Carry out inspections and monitoring of significant industrial users to determine compliance with categorical standards and local limits.
4. Undertake enforcement actions in accordance with Department approved procedures.

In accordance with the Schedule of Submittals, the permittee shall submit yearly Fast Report On Significant Industries forms (FROSI) for each SIU to the Department. Every third year, on the same date, the permittee shall submit Industrial Chemical Survey forms completed by all SIUs to the Department. At the same time the permittee shall notify the Department of any proposed significant changes to its implementing procedures or local sewer use law.

## MERCURY MINIMIZATION PROGRAM – High Priority POTWs

1. **General** - The permittee shall develop, implement, and maintain a Mercury Minimization Program (MMP). The MMP is required because the permit limit exceeds the statewide 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 WQBEL. Note – The mercury-related requirements in this permit conform to the mercury Multiple Discharge Variance specified in NYSDEC policy *DOW 1.3.10*.
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. As a minimum, the MMP shall include an on-going program consisting of: periodic monitoring designed to quantify and, over time, track the reduction of mercury; an acceptable control strategy for reducing mercury discharges via cost-effective measures, which may include more stringent control of tributary waste streams; and submission of periodic status reports.
  - A. **Monitoring** - The permittee shall conduct periodic monitoring designed to quantify and, over time, track the reduction of mercury. All permit-related wastewater and stormwater mercury compliance point (outfall) monitoring shall be performed using EPA Method 1631. Use of EPA Method 1669 during sample collection is recommended. Unless otherwise specified, all samples shall be grabs. Monitoring at influent and other locations tributary to compliance points may be performed using either EPA Methods 1631 or 245.7. Monitoring of raw materials, equipment, treatment residuals, and other non-wastewater/non-stormwater substances may be performed using other methods as appropriate. Monitoring shall be coordinated so that the results can be effectively compared between internal locations and final outfalls. Minimum required monitoring is as follows:
    - i. **Sewage Treatment Plant Influent & Effluent, and Type II SSO Outfalls** - Samples at each of these locations shall be collected in accordance with the minimum frequency specified on the mercury permit limits page.
    - ii. **Key Locations in the Collection System & Potential Significant Mercury Sources** - The minimum monitoring frequency at these locations is semi-annual. Monitoring of properly treated dental facilities is not required.
    - iii. **Hauled Wastes** - Hauled wastes which may contain significant mercury levels shall be periodically tested prior to acceptance to ensure compliance with pretreatment requirements and/or to determine mercury load.
    - iv. Additional monitoring shall be completed as 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, including but not limited to more stringent control of industrial users and hauled wastes. The control strategy will become enforceable under this permit and shall contain the following minimum elements:
    - i. **Pretreatment/Local Limits** - The permittee shall evaluate and revise current requirements in pursuit of the goal.
    - ii. **Periodic Inspection** - The permittee shall inspect users as necessary to support the MMP. Each dental facility shall be inspected at least once every five years to verify compliance with the wastewater treatment operation, maintenance, and notification elements of 6 NYCRR Part 374.4. Other mercury sources shall also be inspected once every five years. Alternatively, the permittee may develop an outreach program which informs these users of their responsibilities once every five years and is supported by a subset of site inspections. Monitoring shall be performed as above.
    - iii. **Systems with CSO & Type II SSO Outfalls** - Priority shall be given to controlling mercury sources upstream of CSOs and Type II SSOs through mercury reduction activities and/or controlled-release discharge. Effective control is necessary to avoid the need for the Department to establish mercury permit limits at these outfalls.
    - iv. **Equipment and Materials** - Equipment and materials which may contain mercury shall be evaluated by the permittee and replaced with mercury-free alternatives where environmentally preferable.
    - v. **Bulk Chemical Evaluation** - For chemicals used at a rate which exceeds 1,000 gallons/year or 10,000 pounds/year, the permittee shall obtain a manufacturer's certificate of analysis and/or a notarized affidavit which describes the substances' mercury concentration and the detection limit achieved. The permittee shall only use bulk chemicals which contain <10 ppb mercury, if available.
  - 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) all action undertaken pursuant to the strategy during the previous year; (d) actions planned for the upcoming year; and, (e) progress toward the goal.

The first annual status report is due in accordance with the Schedule of Submittals. A file shall be maintained containing all MMP documentation, including the dental forms required by 6 NYCRR Part 374.4, which shall be available for review by NYSDEC representatives. Copies shall be provided upon request.
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.

## DISCHARGE NOTIFICATION REQUIREMENTS

- (a) The permittee shall install and maintain identification signs at all outfalls to surface waters listed in this permit, unless the Permittee has obtained a waiver in accordance with the Discharge Notification Act (DNA). Such signs shall be installed before initiation of any discharge.
- (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:

<p><b>N.Y.S. PERMITTED DISCHARGE POINT</b></p> <p><b>SPDES PERMIT No.: NY_____</b></p> <p><b>OUTFALL No. : _____</b></p> <p>For information about this permitted discharge contact:</p> <p>Permittee Name: _____</p> <p>Permittee Contact: _____</p> <p>Permittee Phone: (    ) - ### - ####</p> <p>OR:</p> <p>NYSDEC Division of Water Regional Office Address:</p> <p>NYSDEC Division of Water Regional Phone: (    ) - ### - ####</p>
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- (e) Upon request, the permittee shall make available electronic or hard copies of the sampling data to the public. In accordance with the RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS page of your permit, each DMR shall be maintained (either electronically or as a hard copy) on record for a period of five years.
- (f) The permittee shall periodically inspect the outfall identification sign(s) in order to ensure they are maintained, are still visible, and contain information that is current and factually correct. Signs that are damaged or incorrect shall be replaced within 3 months of inspection.
- (g) If the permittee believes that any outfall which discharges wastewater from the permitted facility meets any of the DNA waiver criteria, notification must be made to the Department's Bureau of Water Permits. Provided there is no objection by the Department, a sign for the involved outfall(s) are not required. This notification must include the facility's name, address, telephone number, contact, permit number, outfall number(s), and reason why such outfall(s) is waived from the requirements of discharge notification. The Department may evaluate the applicability of a waiver at any time and take appropriate measures to assure that the ECL and associated regulations are complied with.

## SCHEDULE OF COMPLIANCE

a) The permittee shall comply with the following schedule:

Outfall(s)	Compliance Action	Due Date
001	<u>SCHEDULE OF COMPLIANCE STATUS REPORTS</u> Submit interim status reports on the progress related to meeting the specified final limits.	07/01/2021, and every 9 months thereafter
001	<u>AMMONIA, METALS, CYANIDE &amp; PHENOLS</u> The effluent limitations (concentration and loading) for the existing facility for summer/winter ammonia, nickel, cyanide, copper, lead, total phenols, chlorinated phenols, and zinc will become effective EDP + 12 months.	10/01/2021
001	<u>PHOSPHORUS CONCENTRATION EFFLUENT LIMITATION</u> The total phosphorus monthly average effluent concentration limit for the existing facility of 1.0 mg/L will become effective EDP + 18 months. This requirement will be monitor only until the limit takes effect.	04/01/2022
001	<u>EFFLUENT DISINFECTION - ENGINEERING REPORT</u> The permittee shall submit an approvable engineering report that meets the requirements of the most recent version of the EFC/DEC Engineering Report Outline ( <a href="https://www.dec.ny.gov/permits/6054.html">https://www.dec.ny.gov/permits/6054.html</a> ). The report shall be prepared by a Professional Engineer licensed to practice engineering in New York State and detail the designs that will be used to comply with the final effluent limitations for fecal coliform and total residual chlorine. Approvable is defined as that which can be approved by the Department with only minimal revision. Minimal revision shall mean revised and resubmitted to the Department within thirty days of notification by the Department of the revisions that are necessary. All approvable engineering submissions must include the seal and signature of the professional engineer.	November 1, 2020
	<u>ENGINEERING PLANS / SPECIFICATIONS / SCHEDULE</u> The permittee shall submit approvable Engineering Plans, Specifications, and Construction Schedule for the implementation of effluent disinfection.	May 1, 2021
	<u>BEGIN CONSTRUCTION</u> The permittee shall begin construction of the treatment facilities in accordance with the Department approved schedule.	May 1, 2022
	<u>COMPLETE CONSTRUCTION &amp; COMMENCE OPERATION</u> The permittee shall complete construction and commence operation of the system and comply with the final effluent limitations for fecal coliform and total residual chlorine.	May 1, 2023
001	<u>PHOSPHORUS LOADING LIMITATION</u> The total phosphorus 12-month rolling load of 1520 lbs/yr will become effective January 1, 2025. The interim limit of 1960 lbs/yr will be effective until then.	January 1, 2025
001	<u>STARTUP OF NEW FACILITY</u> The final effluent limits for the proposed facility for ammonia, nickel, cyanide, total phenols, copper, lead, zinc, and the monthly average total phosphorus concentration limit of 0.5 mg/L shall become effective 3 months after construction completion of the proposed facility.	Construction Completion + 3 Months

**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 "SPDES NOTICE/RENEWAL APPLICATION/PERMIT" letter.**

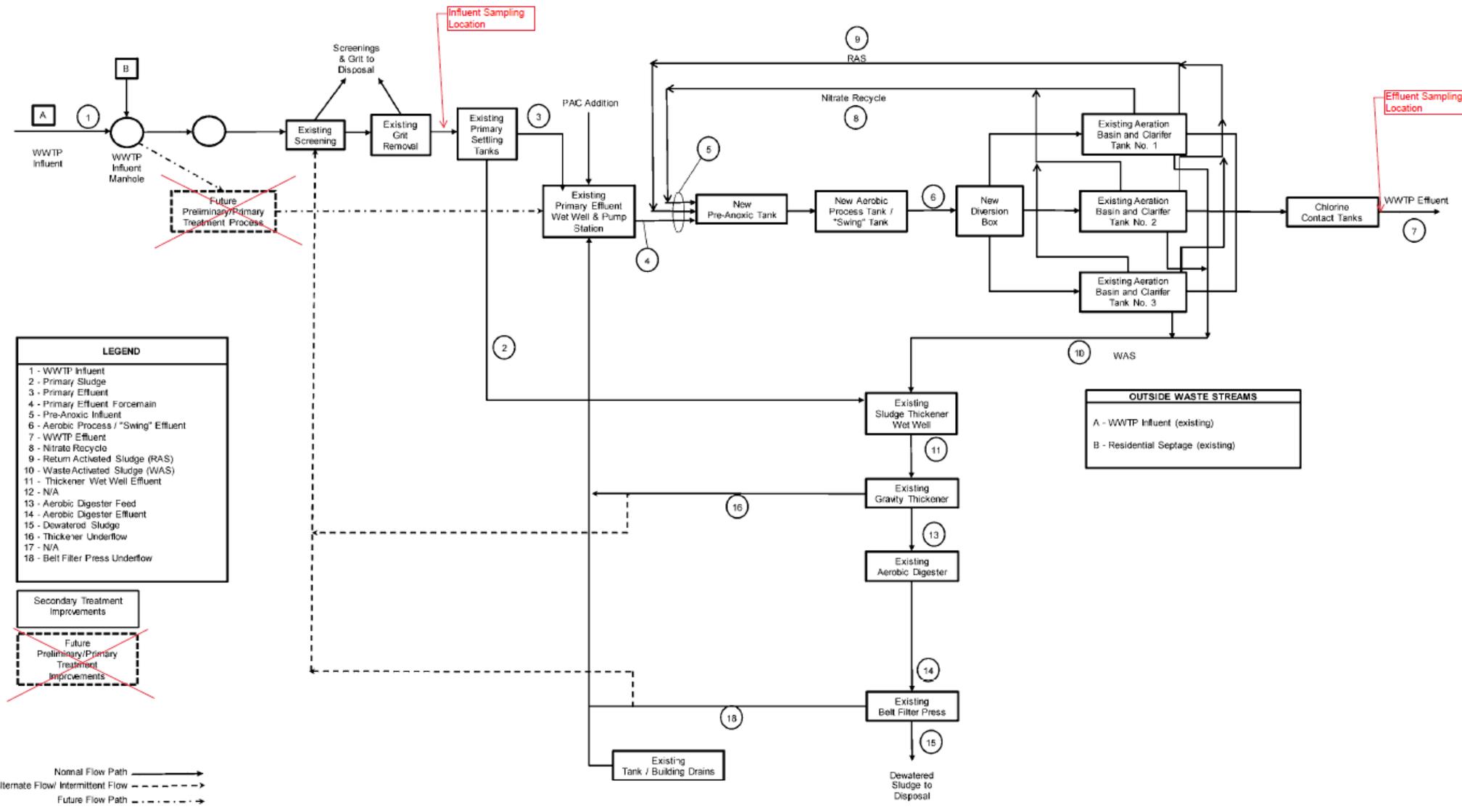
## SCHEDULE OF COMPLIANCE (continued)

INTERIM EFFLUENT LIMITS FOR PARAMETERS SUBJECT TO THIS SCHEDULE OF COMPLIANCE							
Outfall	Parameter(s) Affected	Interim Effluent Limit			Limits Apply	Notes	Interim Limits Expire
		Type	Limit	Units			
001	Nickel, Cyanide, Total Phenols, Chlorinated Phenols Copper, Lead, Zinc (Existing Facility)	Daily Maximum	Monitor	mg/L	Year Round	1	10/01/2021
001	Summer/Winter Ammonia	Monthly Average	3.0 Summer 6.9 Winter	mg/L	Year Round	1	10/01/2021
001	Total Phosphorus (Existing Facility)	Monthly Average	Monitor	mg/L	Year Round	1	04/01/2022
001	Total Phosphorus	12 Month Rolling Load	1960	lbs/yr	Year Round	1, 2	December 31, 2024
001	Ammonia, Nickel, Cyanide, Total Phenols, Copper, Lead, Zinc, Total Phosphorus (Proposed Facility)	1	Monitor	mg/L	1		Construction Completion + 3 Months
<b>Notes:</b>	<ol style="list-style-type: none"> <li>1. See permit limits table for sample type and frequency.</li> <li>2. See permit footnotes for the calculation of 12 month rolling load.</li> </ol>						

- 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. Any details which tend to explain or mitigate an instance of 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 the NYSDEC Regional Water Engineer and to the Bureau of Water Permits.

# MONITORING LOCATIONS – EXISTING FACILITY

The permittee shall take samples and measurements, to comply with the monitoring requirements specified in this permit, at the location(s) specified below:



## GENERAL REQUIREMENTS

- A. The regulations in 6 NYCRR Part 750 are hereby incorporated by reference and the conditions are enforceable requirements under this permit. The permittee shall comply with all requirements set forth in this permit and with all the applicable requirements of 6 NYCRR Part 750 incorporated into this permit by reference, including but not limited to the regulations in paragraphs B through I as follows:
- B. General Conditions
1. Duty to comply 6 NYCRR 750-2.1(e) & 2.4
  2. Duty to reapply 6 NYCRR 750-1.16(a)
  3. Need to halt or reduce activity not a defense 6 NYCRR 750-2.1(g)
  4. Duty to mitigate 6 NYCRR 750-2.7(f)
  5. Permit actions 6 NYCRR 750-1.1(c), 1.18, 1.20 & 2.1(h)
  6. Property rights 6 NYCRR 750-2.2(b)
  7. Duty to provide information 6 NYCRR 750-2.1(i)
  8. Inspection and entry 6 NYCRR 750-2.1(a) & 2.3
- C. Operation and Maintenance
1. Proper Operation & Maintenance 6 NYCRR 750-2.8
  2. Bypass 6 NYCRR 750-1.2(a)(17), 2.8(b) & 2.7
  3. Upset 6 NYCRR 750-1.2(a)(94) & 2.8(c)
- D. Monitoring and Records
1. Monitoring and records 6 NYCRR 750-2.5(a)(2), 2.5(a)(6), 2.5(c)(1), 2.5(c)(2), & 2.5(d)
  2. Signatory requirements 6 NYCRR 750-1.8 & 2.5(b)
- E. Reporting Requirements
1. Reporting requirements 6 NYCRR 750-2.5, 2.7 & 1.17
  2. Anticipated noncompliance 6 NYCRR 750-2.7(a)
  3. Transfers 6 NYCRR 750-1.17
  4. Monitoring reports 6 NYCRR 750-2.5(e)
  5. Compliance schedules 6 NYCRR 750-1.14(d)
  6. 24-hour reporting 6 NYCRR 750-2.7(c) & (d)
  7. Other noncompliance 6 NYCRR 750-2.7(e)
  8. Other information 6 NYCRR 750-2.1(f)
  9. Additional conditions applicable to a POTW 6 NYCRR 750-2.9
- F. Planned Changes
1. The permittee shall give notice to the Department as soon as possible of planned physical alterations or additions to the permitted facility when:
    - a. The alteration or addition to the permitted facility may meet any of the criteria for determining whether facility is a new source in 40 CFR §122.29(b); or
    - b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject either to effluent limitations in the permit, or to notification requirements under 40 CFR §122.42(a)(1); or
    - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

In addition to the Department, the permittee shall submit a copy of this notice to the United States Environmental Protection Agency at the following address: U.S. EPA Region 2, Clean Water Regulatory Branch, 290 Broadway, 24th Floor, New York, NY 10007-1866.

## GENERAL REQUIREMENTS (continued)

### 2. Notification Requirement for POTWs

All POTWs shall provide adequate notice to the Department and the USEPA of the following:

- a. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 or 306 of CWA if it were directly discharging those pollutants; or
- b. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
- c. For the purposes of this paragraph, adequate notice shall include information on:
  - i. the quality and quantity of effluent introduced into the POTW, and
  - ii. any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

POTWs shall submit a copy of this notice to the United States Environmental Protection Agency, at the following address:

U.S. EPA Region 2, Clean Water Regulatory Branch, 290 Broadway, 24th Floor, New York, NY 10007-1866

### G. Sludge Management

The permittee shall comply with all applicable requirements of 6 NYCRR Part 360.

### H. SPDES Permit Program Fee

The permittee shall pay to the Department an annual SPDES permit program fee within 30 days of the date of the first invoice, unless otherwise directed by the Department, and shall comply with all applicable requirements of ECL 72-0602 and 6 NYCRR Parts 480, 481 and 485. Note that if there is inconsistency between the fees specified in ECL 72-0602 and 6 NYCRR Part 485, the ECL 72-0602 fees govern.

### I. Water Treatment Chemicals (WTCs)

New or increased use and discharge of a WTC requires prior Department review and authorization. At a minimum, the permittee must notify the Department in writing of its intent to change WTC use by submitting a completed *WTC Notification Form* for each proposed WTC. The Department will review that submittal and determine if a SPDES permit modification is necessary or whether WTC review and authorization may proceed outside of the formal permit administrative process. The majority of WTC authorizations do not require SPDES permit modification. In any event, use and discharge of a WTC shall not proceed without prior authorization from the Department. Examples of WTCs include biocides, coagulants, conditioners, corrosion inhibitors, defoamers, deposit control agents, flocculants, scale inhibitors, sequestrants, and settling aids.

1. WTC use shall not exceed the rate explicitly authorized by this permit or otherwise authorized in writing by the Department.
2. The permittee shall maintain a logbook of all WTC use, noting for each WTC the date, time, exact location, and amount of each dosage, and, the name of the individual applying or measuring the chemical. The logbook must also document that adequate process controls are in place to ensure that excessive levels of WTCs are not used.
3. The permittee shall submit a completed WTC Annual Report Form each year that they use and discharge WTCs. This form shall be submitted in electronic format and attached to either the December DMR or the annual monitoring report required below. The *WTC Notification Form and WTC Annual Report Form* are available from the Department's website at: <http://www.dec.ny.gov/permits/93245.html>

## RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS

A. The monitoring information required by this permit shall be retained for a period of at least five years from the date of the sampling for subsequent inspection by the Department or its designated agent.

B. Discharge Monitoring Reports (DMRs): Completed DMR forms shall be submitted for each 1 month reporting period in accordance with the DMR Manual available on Department's website.

DMRs must be submitted electronically using the electronic reporting tool (NetDMR) specified by NYSDEC. Instructions on the use of NetDMR can be found at <https://www.dec.ny.gov/chemical/103774.html>. **Hardcopy paper DMRs will only be received at the address listed below for the Bureau of Water Permits, if a waiver from the electronic submittal requirements has been granted by DEC to the facility.**

Attach the monthly "Wastewater Facility Operation Report" (form 92-15-7) and any required DMR attachments electronically to the DMR or with the hardcopy submittal.

The first monitoring period begins on the effective date of this permit, and, unless otherwise required, the reports are due no later than the 28th day of the month following the end of each monitoring period.

C. The monitoring information required by this permit shall be summarized and reported to the RWE and Bureau of Water Permits at the following addresses:

Department of Environmental Conservation  
Division of Water, Bureau of Water Permits  
625 Broadway, Albany, New York 12233-3505 Phone: (518) 402-8111

Department of Environmental Conservation  
Regional Water Engineer, Region 8  
6274 E. Avon-Lima Road, Avon, New York, 14414-9519 Phone: (585) 226-5450

D. Bypass and Sewage Pollutant Right to Know Reporting: In accordance with the Sewage Pollutant Right to Know Act (ECL § 17-0826-a), Publicly Owned Treatment Works (POTWs) are required to notify DEC and Department of Health within two hours of discovery of an untreated or partially treated sewage discharge and to notify the public and adjoining municipalities within four hours of discovery. Information regarding reporting and other requirements of this program may be found on the Department's website. In addition, POTWs are required to provide a five-day incident report and supplemental information to the DEC in accordance with Part 750-2.7(d) by utilizing the Division of Water Report of Noncompliance Event form unless waived by DEC on a case-by-case basis.

E. Schedule of Additional Submittals:

The permittee shall submit as a hardcopy the following information to the Regional Water Engineer and to the Bureau of Water Permits, unless otherwise instructed:

SCHEDULE OF ADDITIONAL SUBMITTALS		
Outfall(s)	Required Action	Due Date
001	<u>WATER TREATMENT CHEMICAL (WTC) ANNUAL REPORT FORM</u> The permittee shall submit a completed WTC Annual Report Form each year that Water Treatment Chemicals are used. The form shall be attached to the December DMR.	Each December DMR
001	<u>TEMPERATURE SAMPLING PLAN</u> Permittee shall submit a temperature sampling plan containing the details of the proposed sampling locations should the temperature action level be triggered. See footnote 10 of the permit limits table.	04/01/2021
001	<u>WHOLE EFFLUENT TOXICITY (WET) TESTING</u> WET testing shall be performed on according to footnote 11. The toxicity test report including all information requested of this permit shall be attached to your WET DMRs and sent to the <a href="mailto:WET@dec.ny.gov">WET@dec.ny.gov</a> email address.	Within 60 days following the end of each monitoring period

<b>SCHEDULE OF ADDITIONAL SUBMITTALS</b>		
<b>Outfall(s)</b>	<b>Required Action</b>	<b>Due Date</b>
001	<p><u>STORMWATER NO EXPOSURE CERTIFICATION</u> Permittee must recertify every five years a condition of no exposure to stormwater in order to continue to qualify for the no exposure exclusion. The No Exposure Certification Form can be found on the NYSDEC website.</p>	10/01/2025, and every 5 years thereafter
	<p><u>MERCURY MINIMIZATION PLAN – High Priority POTWs</u> The permittee shall submit an annual mercury minimization program status report. The report shall follow the guidelines of this permit, summarizing: (a) all MMP monitoring results for the previous year; (b) a list of known and potential mercury sources; (c) all action undertaken pursuant to the strategy during the previous year; (d) actions planned for the upcoming year; and, (e) progress toward the goal.</p> <p>A file shall be maintained containing all MMP documentation, including the dental forms required by 6 NYCRR Part 374.4, which shall be available for review by NYSDEC representatives. Copies shall be provided upon request.</p>	12/1/2020, annually thereafter
	<p><u>MINI PRETREATMENT PROGRAM - FROSI</u> Submit completed Fast Report On Significant Industries forms (FROSI) for each SIU to the Department, or notification letter that no new significant industrial users have been added.</p>	September 28 <sup>th</sup> of each year
	<p><u>MINI PRETREATMENT PROGRAM – Industrial Chemical Survey (ICS) Forms</u> Submit Industrial Chemical Survey forms completed by all SIUs to the Department. Notify the Department of any proposed significant changes to its implementing procedures or local sewer use law.</p>	September 28 <sup>th</sup> 2020 and every three years thereafter
001	<p><u>BIENNIAL POLLUTANT SCAN</u> <u>The permittee shall implement an ongoing monitoring program and perform effluent sampling every two years as specified in Footnote 13 of the permit limits table.</u></p>	10/01/2022, and every 2 years thereafter

**Unless noted otherwise, the above actions are one-time requirements. The permittee shall submit the results of the above actions to the satisfaction of the Department. When this permit is administratively renewed by NYSDEC letter entitled “SPDES NOTICE/RENEWAL APPLICATION/PERMIT”, the permittee is not required to repeat the above submittal(s), unless noted otherwise. The above due dates are independent from the effective date of the permit stated in the letter of “SPDES NOTICE/RENEWAL APPLICATION/PERMIT.”**

- F. Monitoring and analysis shall be conducted using sufficiently sensitive test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.
- G. More frequent monitoring of the discharge(s), monitoring point(s), or waters of the State than required by the permit, where analysis is performed by a certified laboratory or where such analysis is not required to be performed by a certified laboratory, shall be included in the calculations and recording of the data on the corresponding DMRs.
- H. Calculations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.
- I. Unless otherwise specified, all information recorded on the DMRs shall be based upon measurements and sampling carried out during the most recently completed reporting period.
- J. Any laboratory test or sample analysis required by this permit for which the State Commissioner of Health issues certificates of approval pursuant to section 502 of the Public Health Law shall be conducted by a laboratory which has been issued a certificate of approval. Inquiries regarding laboratory certification should be directed to the New York State Department of Health, Environmental Laboratory Accreditation Program.