

VILLAGE OF BATH

INDUSTRIAL USER PERMIT

In accordance with the Village of Bath Sewer Use Law,

Permittee:

Steuben County - Leachate Treatment Facility
3 East Pulteney Square
Bath, New York 14810

is hereby authorized to discharge industrial wastewater from the above identified facility and through the outfall identified herein into the Village of Bath sewer system in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the Steuben County Leachate Treatment Facility of its obligation to comply with any or all applicable pretreatment regulations, standards or requirements under local, State, and Federal laws, including any such regulations, standards, requirement, or laws that may become effective during the term of this permit.

Noncompliance with any term or condition of this permit shall constitute a violation of the Village of Bath Sewer Use Law.

This permit shall become effective on June 15, 2009, and shall expire at midnight on June 15, 2010.

By

Matthew C. Benesh
Director of Municipal Utilities

Permit No. 402
Issued this 15th day of June, 2009

Permit No. BEGWS - 402

PART I EFFLUENT LIMITATIONS

- A. During the period of June 15, 2009 through June 15, 2010, the Steuben County Leachate Treatment Facility is authorized to discharge treated wastewater to the Village of Bath sewer system from the outfall listed below.

Description of outfall:

Outfall	Description
001	Discharge of 108,000 GPD max. of treated leachate from the Effluent Equalization Tank

- B. During the period of June 15, 2009, through June 15, 2010, the discharge from Outfall 001 shall not exceed the following effluent limitations. Effluent from this outfall consists of treated wastewater.

Effluent Limits - Outfall 001

<u>Parameter</u>	<u>Daily Maximum</u>
Flow	108,000 gpd
Flow (annual avg.)	88,000 gpd
pH	6.0 to 9.0 SU
BOD	300 mg/l
TSS	300 mg/l
NH3	50 mg/l
Oil & Grease	100 mg/l
Phenol	Monitor mg/l
Cyanide	Monitor mg/l
Arsenic	Monitor mg/l
Copper	Monitor mg/l
Cadmium	Monitor mg/l
Chromium	Monitor mg/l
Nickel	Monitor mg/l
Lead	Monitor mg/l
Molybdenum	Monitor mg/l
Mercury	Monitor mg/l
Selenium	Monitor mg/l
Zinc	Monitor mg/l
Volatiles (Method 8240)	Monitor mg/l
Semi-volatiles (Method 8270)	Monitor mg/l
Pesticides (Method 8080)	Monitor mg/l

- C. The Steuben County Leachate Treatment Facility shall not discharge wastewater containing any of the following substances from this outfall:
1. Any solids, liquids, or gases which, by reason of their nature or quantity, are or may be sufficient, either alone or by interaction with other substances, to cause a fire or an explosion or be injurious, in any way, to the Village of Bath Wastewater Treatment Plant, or to the operation of the Village of Bath Wastewater Treatment Plant. At no time shall two successive readings on a flame type explosion hazard meter, at the point of discharge into the system (or at any other point in the system) be more than 25% nor any single reading be more than 40% of the lower explosive limit (LEL) of the meter. Unless explicitly allowable by a written permit, prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, zylene, ethers, alcohols, carbides, hydrides, and sulfides, and any other substance which the Village, the DEC, or the EPA has determined to be a fire hazard, or hazard to the Village of Bath Wastewater Treatment Plant.
 2. Solid or viscous substances which may cause obstruction to the flow in a sewer or otherwise interfere with the operation of the Village of Bath Wastewater Treatment Facilities. Unless explicitly allowable by a written permit, such substances include, but are not limited to, grease, garbage with particles greater than one-half (1/2) inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar asphalt residues, residues from refining or processing fuel or lubricating oil, mud, or glass grinding or polishing wastes.
 3. Any wastewater having a pH less than 6.0 or greater than 10.0, unless the Village of Bath Wastewater Treatment Plant was specifically designed to manage such wastewater, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or Village of Bath Wastewater Treatment Plant personnel.
 4. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants (including heat), to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the Village of Bath Wastewater Treatment Plant, or to exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(A) of the Act.
 5. Any noxious or malodorous solids, liquids, or gases which either singly or by interaction with other wastes are sufficient to create a public nuisance or a hazard to life or are sufficient to prevent entry into the sewers for their maintenance or repair.

6. Oils and grease - Any commercial, institutional, or industrial wastes containing floatable fats, waxes, grease, or oils, or which become floatable when the wastes cool to the temperature prevailing in the wastewater at the Village of Bath Waste Water Treatment Plant, during the winter season; also any commercial, institutional, or industrial wastes containing more than 100 mg/l of emulsified oil or grease; also any substances which will cause the sewage to become substantially more viscous, at any seasonal sewage temperature in the Village of Bath Wastewater Treatment Plant.
 7. Any substance which will cause interference or pass through.
 8. Any wastewater with objectionable color which is not removed in the treatment process, such as, but not limited to, dye wastes, and vegetable tanning solutions.
 9. Any solid, liquid, vapor, or gas having a temperature higher than 65 degrees C (150 degrees F); however, such materials shall not cause the Village of Bath Wastewater Treatment Plant influent temperature to be greater than 40 degrees C (104 degrees F). The Village of Bath Wastewater Treatment Plant reserves the right, in certain instances, to prohibit wastes at temperatures lower than 65 degrees C.
 10. Unusual flow rate or concentration of wastes, constituting slugs, except by the Industrial Sewer User Permit.
 11. Any wastewater containing any radioactive wastes except as approved by the Village of Bath Wastewater Treatment Plant, and in compliance with applicable State and Federal regulations.
 12. Any wastewater which causes a hazard to human life or which creates a public nuisance, either by itself or in combination, in any way, with other wastes.
- D. All discharges shall comply with all other applicable laws, regulations, standards, and requirements contained in the Village of Bath Sewer Use Law and any applicable State and Federal pretreatment laws, regulations, standards, and requirements including any such laws, regulations, standards, or requirements that may become effective during the term of this permit.

PART 2 MONITORING REQUIREMENTS

- A. During the effective dates of the permit, the Steuben County Leachate Treatment Facility shall monitor Outfall 001 for the following parameters, at the indicated frequency:

<u>Sample Parameter (units)</u>	<u>Measurement Location</u>	<u>Frequency</u>	<u>Sample Type</u>
Flow (gpd)	See note 1	Continuous	meter 2
pH (SU)	See note 1	monthly	grab
BOD (mg/l)	See note 1	monthly	8 hr. composite
TSS (mg/l)	See note 1	monthly	8 hr. composite
NH3 (mg/l)	See note 1	monthly	8 hr. composite
Phenol (mg/l)	See note 1	monthly	8 hr. composite
Cyanide (mg/l)	See note 1	monthly	8 hr. composite
Arsenic	See note 1	monthly	8 hr. composite
Cadmium	See note 1	monthly	8 hr. composite
Chromium	See note 1	monthly	8 hr. composite
Copper (mg/l)	See note 1	monthly	8 hr. composite
Nickel (mg/l)	See note 1	monthly	8 hr. composite
Molybdenum (mg/l)	See note 1	monthly	8 hr. composite
Mercury	See note 1	monthly	8 hr. composite
Lead (mg/l)	See note 1	monthly	8 hr. composite
Selenium (mg/l)	See note 1	monthly	8 hr. composite
Zinc (mg/l)	See note 1	monthly	8 hr. composite
Volatiles (mg/l)	See note 1	monthly	8 hr. composite
Semi-volatiles (mg/l)	See note 1	monthly	8 hr. composite
Pesticides (mg/l)	See note 1	monthly	8 hr. composite

1. The sampling location shall be the Effluent Equalization Tank.
 2. Daily flows are to be recorded by the Steuben County Leachate Treatment Facility with a flowmeter or other appropriate method.
- B. All handling and preservation of collected samples and laboratory analysis of samples shall be performed in accordance with 40 CFR Part 136 and amendments thereto unless specified otherwise in the monitoring conditions of this permit.
- C. In the event of a dispute over the results of the wastewater sampling, monitoring, and analysis, the Village of Bath Wastewater Treatment Plant or Steuben County Leachate Treatment Facility may request that sampling, monitoring, and analysis be obtained by a mutually satisfactory third party, and that the results obtained by the third party will be used to enforce the provisions of this permit. In the event that the independent third party shows the sampling, monitoring, and analysis of either the Village of Bath Wastewater Treatment Plant or Steuben County Leachate Treatment Facility to be in error, the party in error shall pay the costs associated with the independent third party.

PART 3 REPORTING REQUIREMENTS

A. Monitoring Reports

Monitoring results obtained shall be summarized and reported to the Village of Bath Wastewater Treatment Plant monthly, on a NYSDEC Fast Report on Significant Industries Form. **The reports are due on the 15th of each month. A summary of the year's data is due January 30th of each year.**

B. Additional Sampling Results

If the Steuben County Leachate Treatment Facility monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 CFR Part 136 or amendments thereto, or otherwise approved by EPA or as specified in this permit, the results of such monitoring shall be included in any calculations of actual daily maximum or monthly average pollutant discharge and results shall be reported in the reports submitted to the Village of Bath Wastewater Treatment Plant. Such increased monitoring frequency shall also be indicated in the reports.

C. Automatic Resampling

If the results of the Steuben County Leachate Treatment Facility's wastewater analysis indicates that a violation of this permit has occurred, the Steuben County Leachate Treatment Facility must:

1. Inform the Village of Bath Wastewater Treatment Plant of the violation within 24 hours, and
2. Repeat the sampling and pollutant analysis and submit, in writing, the results of this second analysis within 30 days of the first violation.

D. Accidental Discharge Report

1. The Steuben County Leachate Treatment Facility shall notify the Village of Bath Wastewater Treatment Plant immediately upon the occurrence of an accidental discharge of substances prohibited by the Village of Bath Wastewater Treatment Plant Sewer Use Law, or any slug loads or spills that may enter the public sewer. During normal business hours the Village of Bath Wastewater Treatment Plant should be notified by telephone at (607) 776-3072 or (607) 776-3031. At all other times, the Village of Bath Wastewater Treatment Plant should be notified by telephone at (607) 776-3121 after 3:30 p.m. Monday-Friday or weekends and holidays. The notification shall include location of discharge, date and time thereof, type of waste, including concentration and volume, and corrective actions taken. The Steuben County Leachate Treatment Facility's notification of accidental releases in accordance with this section does not relieve it of other reporting requirements that arise under local, State or Federal Laws.

Within five days following an accidental discharge, the Steuben County Leachate Treatment Facility shall submit to the Village of Bath Wastewater Treatment Plant a detailed written report. The report shall specify.

- a. Description and cause of the upset, slug load or accidental discharge, the cause thereof, and the impact on the Steuben County Leachate Treatment Facility's compliance status. The description should also include location of discharge, type, concentration and volume of waste.
 - b. Duration of noncompliance, including exact dates and times of noncompliance and, if the noncompliance is continuing, the time by which compliance is reasonably expected to occur.
 - c. All steps taken or to be taken to reduce, eliminate, and/or prevent recurrence of such an upset, slug load, accidental discharge, or other conditions of noncompliance.
- E. All reports required by this permit shall be submitted to the Village of Bath Wastewater Treatment Plant at the following address:

Bath Electric, Gas & Water Systems
Mr. Matthew C. Benesh
P. O. Box 310
Bath, NY 14810

PART 4 SPECIAL CONDITIONS

A. Reopener Clause

This permit may be reopened and modified to incorporate any new or revised requirements developed by the Village of Bath Wastewater Treatment Plant as are necessary to ensure the Village of Bath Wastewater Treatment Plant compliance with applicable sludge management requirements promulgated by EPA (40 CFR 503), or other applicable regulations.

PART 5 PERMIT FEES

This Permit shall be renewable annually upon payment of the annual permit fee of \$100. The Village of Bath Wastewater Treatment Plant and the Steuben County Leachate Treatment Facility agree that the terms and conditions of this Permit may be reviewed after a demonstrated change of circumstances or conditions is presented by either party.

PART 6 FEE FOR SERVICE

The fee for discharge of wastewaters from the Steuben County Leachate Treatment Facility into the Village of Bath Wastewater Treatment Plant sewer system shall be per separate contract.

PART 7 ENFORCEMENT AND PENALTIES

- A. Enforcement shall be per the Village of Bath Wastewater Treatment Plant Sewer Use Law and this Permit.
- B. Penalties for the exceedance of the limits set forth in this Permit, shall be based on the costs incurred by the Village of Bath Wastewater Treatment Plant due to such violations. This shall include all costs (administrative, engineering, legal, hauling, disposal and other) associated with the following:
 - 1. Penalties levied on the Village of Bath Wastewater Treatment Plant by the NYSDEC, USEPA, or other governmental agency.
 - 2. The difference between the cost of sludge disposal by landfilling and landspreading (avoided cost).
 - 3. Any and all additional costs incurred by the Village of Bath Wastewater Treatment Plant due to noncompliance with the conditions of this permit.

Village Of Bath

UTILIZATION AGREEMENT

THIS AGREEMENT, made this 15th day of June, 2009, by and between the **Village of Bath Board of Trustees**, hereinafter called the “**Village**” and **Steuben County**, hereinafter called the “**User**”.

WHEREAS the **Village** is the owner and operator of a sewage treatment works and collection system, and;

WHEREAS the **User** is a significant contributor to the system in terms of flow and content, and;

WHEREAS the **Village** and the **User** wish to establish a monthly charge for normal sewage and the surcharge for abnormal sewage.

NOW, THEREFORE in consideration of the mutual covenants and agreements hereinafter contained, the parties agree with each other as follows:

INDUSTRIAL USER PERMIT REQUIRED

The **User** shall apply for and obtain an Industrial User Permit for the period of time covered by this Agreement. Each and every regulation, limitation and requirement of the Industrial User Permit shall be incorporated herein as though fully set forth in this Agreement.

COSTS

The **User** agrees and promises to pay to the **Village** through billings provided by Bath Electric, Gas and Water Systems, the **Village**’s duly authorized agent, certain costs established by the **Village**. **User** agrees to pay monthly charge and the surcharge for abnormal sewage as set forth on Exhibit A attached hereto.

USES

- 1.) The County shall construct, own and operate at its own cost a Leachate Treatment Facility (LTF) for the pretreatment of landfill leachate located on Turnpike Road, Town of Bath.
- 2.) Only leachate from the Bath, Lindley, Hakes C & D, and Edwards Allen Landfills will be treated at the LTF and accepted by the Village of Bath unless prior written approval is obtained.
- 3.) The County will employ qualified, trained personnel who will, at all times, operate the LTF within the limits of the Industrial User Permit and conform to requests from the Village of Bath as to the scheduling and quantity of LTF effluent discharges.
- 4.) Effluent Limitations and Sampling Requirements are set forth in the Industrial User Permit and shall be strictly adhered to. All required tests shall be performed at the County's expense with results forwarded to the Village of on a timely basis. The County shall perform these tests more often if requested by the Village.
- 5.) The monthly cost to the County to introduce pretreated leachate into the Village of Bath collection system shall be \$6600.00 with applicable surcharge due and payable to the Village on the 20th of each month. Should flows from this LTF Facility at Turnpike Road to the Village of Bath WWTP discontinue for any one week interval, that portion of the \$6600.00 monthly charge will not be charged.

MONITORING

User agrees to monitor its discharge into **Village's** collection system and to promptly provide the **Village** with the reports obtained by or on behalf of the **User**. The frequency and type of monitoring required of the user are included in the Industrial User Permit, Exhibit B. The terms, conditions and requirements of the Permit are incorporated as though specifically set forth herein.

LOCAL, STATE AND FEDERAL REGULATIONS

Nothing in this Agreement shall limit or alter the applicability of the Village of Bath Sewer Use Law or State and Federal pretreatment laws, regulations, standards and requirements not in existence. This contract shall be deemed to be amended to the extent that any such regulations may be amended during its life.

The term of this agreement shall expire June 15, 2010.

Signed at Bath, New York the day and year first above written.

David G. Wallace, Mayor
Village Of Bath Board of Trustees

Vincent Spagnoletti, Commissioner
Steuben County Department of Public Works

Steven P. Orcutt, Assistant Commissioner
Steuben County Department of Public Works