



**Environmental
Protection**

Carter H. Strickland, Jr.
Commissioner

Vincent Sapienza
Deputy Commissioner
Bureau of Wastewater
Treatment
vsapienza@dep.nyc.gov

96-05 Horace Harding
Expressway
Corona, NY 11368
T: (718) 595-4906
F: (718) 595-6950

March 26, 2012

Nigel Crawford, Project Manager
New York State Department of Environmental Conservation Region 2
47-40 21st Street
Long Island City, NY 11101

RE: 2011 Annual Site Management Report and IC/EC Certification
Re-Submittal
Pelham Bay Landfill, Bronx, New York
Parcel Block 4335, Lot 1, NYSDEC Site No. 203001

Dear Mr. Crawford:

Attached is the submittal of the 2011 Annual Site Management Report, (prepared by Stratis Contracting Corp.) and the Institutional Control/Engineering Control (IC/EC) Certifications for the Pelham Bay Landfill, Bronx New York

Please contact me at (718) 595-4925 or Rupak Raha at (718) 595-6210 if you have any questions or need additional information.

Sincerely,

Walter Goyzueta, P.E.
Chief, Division of Residual Operations

c: Carlo San Giovanni, Project Manager, ARCADIS of New York, Inc.
Paul Jeris, President, Stratis Contracting Corp.
Jane O'Connell (NYSDEC)
Rupak Raha, NYCDEP



Enclosure 2
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Periodic Review Report Notice
Institutional and Engineering Controls Certification Form



	Site Details	Box 1
Site No. 203001		
Site Name Pelham Bay Landfill		
Site Address: 3410 Bruckner Boulevard	Zip Code: 10474	
City/Town: New York City	See Attachment A for Corrections	
County: Bronx		
Site Acreage: 94.5		
Reporting Period: to February 22, 2012		
		YES NO
1. Is the information above correct?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If NO, include handwritten above or on a separate sheet.		
2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period? Copies Attached	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.		
5. Is the site currently undergoing development?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Box 2
		YES NO
6. Is the current site use consistent with the use(s) listed below? Closed Landfill	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Are all ICs/ECs in place and functioning as designed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.		
A Corrective Measures Work Plan must be submitted along with this form to address these issues.		
Signature of Owner, Remedial Party or Designated Representative		Date

SITE NO. 203001

Box 3

Description of Institutional Controls

<u>Parcel</u>	<u>Owner</u>	<u>Institutional Control</u>
4335-1	NYC Dept. of Parks and Recreation	Ground Water Use Restriction Monitoring Plan O&M Plan Site Management Plan
4335-1	NYC Dept. of Parks and Recreation	

Box 4

Description of Engineering Controls

<u>Parcel</u>	<u>Engineering Control</u>	See Attachment A for Corrections
4335-1	Cover System Fencing/Access Control Groundwater Containment Leachate Collection Subsurface Barriers	

Engineering Control Details for Site No. 203001

Parcel: 4335-1

The Site Management Plan (SMP) governs all site activity. This includes activities related to protecting the integrity of the Part 360 landfill cap and the proper operation of the landfill gas collection and treatment system, the leachate collection and treatment system, the groundwater management system and the site security system. Use of groundwater underlying the site is prohibited and an annual report prepared by a licensed Professional Engineer is required.

Periodic Review Report (PRR) Certification Statements

1. I certify by checking "YES" below that:

- a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;
- b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and complete.

YES NO

2. If this site has an IC/EC Plan (or equivalent as required in the Decision Document), for each Institutional or Engineering control listed in Boxes 3 and/or 4, I certify by checking "YES" below that all of the following statements are true:

- (a) the Institutional Control and/or Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;
- (b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;
- (c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;
- (d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and
- (e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES NO

IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

Signature of Owner, Remedial Party or Designated Representative

Date

IC CERTIFICATIONS
SITE NO. 203001

Box 6

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 1, 2, and 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I WALTER GOYZUETA at 96-05 HORACE HARDING EXPWAY
print name print business address CORONA, NY 11368

am certifying as NYCDEP (Owner or Remedial Party)

for the Site named in the Site Details Section of this form.

Walter Goyzqueta
Signature of Owner, Remedial Party, or Designated Representative
Rendering Certification

3-26-2012
Date

David Caballero
David Caballero
ARCADIS U.S., Inc.

Paul Jeris, President
Paul Jeris
Stratis Contracting Corp.
President

IC/EC CERTIFICATIONS

Box 7

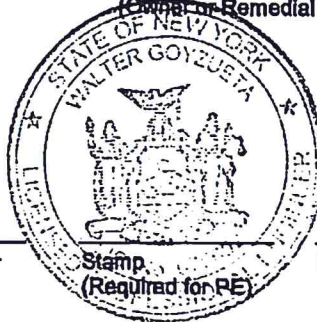
Professional Engineer Signature

I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I WALTER GOYZUETA at 96-05 HORACE HARDING EXP. CORONA NY
print name print business address 11368

am certifying as a Professional Engineer for the NYC DEP
(Owner or Remedial Party)

Walter Goyzuela
Signature of Professional Engineer, for the Owner or Remedial Party, Rendering Certification



3/26/2012
Date

David Caballero
David Caballero
ARCADIS U.S., Inc.

Paul Jeris, President
Paul Jeris
Straffs Contracting Corp.
President

Attachment A
New York State Department of Environmental Conservation
Site Management Periodic Review Report Notice
Institutional and Engineering Controls Certification Form
Corrections and Supporting Documentation

Box 1

Site Name: Pelham Bay Landfill

Site Address: 301 Shore Road Zip Code: 10474

Reporting Period: September 9, 2009 through December 31, 2011

Question 4:

A NYCDEP Industrial Wastewater Discharge Permit has been issue for this site and is included as Attachment A-1.

Work permits for this site have been issued by the New York City Department of Small Business Services and the New York City Department of Buildings and are included as Attachment A-2.

Box 4

The Engineering Controls for the site include:

- Cover System
- Landfill Gas Collection and Treatment System
- Fencing/Access Control
- Leachate Management System
- Groundwater Management System (Slurry wall and upgradient collector trench)

Attachment A-1

Entered in Database PPS
Database checked Kell
Backed up on Z Kell

(PPS)

August 24, 2007

NEW YORK CITY DEPARTMENT OF
ENVIRONMENTAL PROTECTION,
BUREAU OF WASTEWATER TREATMENT,
PELHAM BAY LANDFILL
96-05 HORACE HARDING EXPRESSWAY
2ND FLOOR,
CORONA, NY 11368

Re: Issuance of Industrial
Wastewater Discharge
Permit No. 07-P3179-3

Attention: Mr. Walter Goyzueta

Enclosed is your Industrial Wastewater Discharge Permit No.07-P3179-3, authorizing the discharge of industrial wastewater from your facility located at 301 SHORE ROAD, BRONX, NY 10465 into the New York City sewerage system. This control mechanism is effective as of August 27, 2007, and expires at midnight on August 26, 2012. In order to continue discharging after the expiration date of this Permit, an application must be filed for a new Permit at least 120 days prior to the expiration date. **This Permit shall supersede Permit No. 07-P3179-2 issued to you on April 30, 2007. Please note that your self-monitoring report due dates have not been changed in your new Permit. Your first self-monitoring report pursuant to this Permit is due on September 30, 2007.**

Your Permit contains applicable Federal Categorical Standards and New York City Sewer Use Limits, as well as self-monitoring, reporting and record keeping requirements. Failure to comply with all terms and conditions contained in the Permit and the New York City Sewer Use Regulations (available upon request) may result in issuance of Notices of Violation currently carrying civil penalties of up to \$10,000 per violation per day and/or other enforcement proceedings.

Substantial changes have been made to the New York City Industrial Wastewater Discharge Permit. It is therefore vital that you read through your Permit carefully and become aware of the new requirements. Please make special note of the extensive changes in discharge limitations and monitoring requirements.

In order to facilitate your periodic self-monitoring and reporting, a standardized four-page Industrial Self-Monitoring Report Form and an Analytical Report Form are

enclosed. Additional forms are always available upon request. When completing the forms, your Permit should be referred to for specific monitoring and reporting requirements.

The SMR must be submitted to:

**Frances Leung, P.E., Chief
IPP Inspection and Permit Section
Bureau of Wastewater Treatment
New York City Department of Environmental Protection
96-05 Horace Harding Expressway
Corona, New York 11368**

Please contact Ms. Kene Umeasor at (718) 595-4712, if you have any questions regarding this Permit.

Sincerely,



Frances Leung, P.E., Chief
IPP Inspection and Permit Section

enc: Industrial Wastewater Discharge Permit
Industrial User Self-Monitoring Report Form
Analytical Report Form

cc: ✓ Umeasor
Neptune
Rupak Raha, Biosolids Management Section
File P-3179

**NEW YORK CITY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
INDUSTRIAL WASTEWATER DISCHARGE PERMIT**

Permit No.: 07-P3179-3
Effective Date: August 27, 2007
Expiration Date: August 26, 2012

In accordance with the provision of Title 24, Chapter 5, Section 23-523 (c) (1) of the New York City Administrative Code (NYCAC)

Industrial User Name: NEW YORK CITY DEPARTMENT OF
ENVIRONMENTAL PROTECTION,
BUREAU OF WASTEWATER TREATMENT,
PELHAM BAY LANDFILL

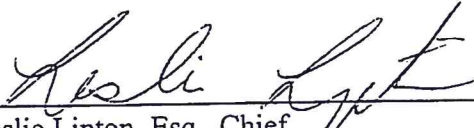
Facility Address: 301 SHORE ROAD,
BRONX, NEW YORK 10465

Mailing Address: 96-05 HORACE HARDING EXPRESSWAY, 2ND FLOOR
CORONA, NEW YORK 11368

is hereby authorized to discharge industrial wastewater from the above identified facility into the New York City sewerage system in accordance with the discharge limitations, monitoring requirements, and other conditions set forth in this Permit.

All discharges authorized herein shall be consistent with the terms and conditions of this Permit. The discharge of any pollutant not identified in this Permit, or any pollutant identified in this Permit more frequently than or at levels in excess of that authorized, shall constitute a violation of the Permit.

The Industrial User shall not discharge any process or regulated wastewater after the date of expiration. If the Industrial User wishes to continue to discharge after this expiration date, an application for reissuance of this Permit must be filed a minimum of 120 days prior to its expiration date.

By: 

Leslie Lipton, Esq., Chief
Division of Pollution Control and Monitoring
Bureau of Wastewater Treatment

Issued this 24 day of August, 2007

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PART I - SPECIFIC CONDITIONS

SECTION A. DISCHARGE LIMITATIONS

1. Discharge Points

The Industrial User is authorized to discharge leachate from the Pelham Bay Landfill, subject to the conditions in this Permit, through the discharge point(s) listed below to the New York City sewerage system.

DISCHARGE POINT	DESCRIPTION
M1	72" below the ground in a 27" diameter manhole, situated 194" from Pelham Parkway South and 1,281" from the intersection of Pelham Parkway South (between Colonial Avenue and St. Paul Avenue) and the entrance ramp to Bronx and Pelham Parkway.

2. Sewer Use Limits

The discharge from point M1 shall not exceed the New York City Sewer Use Limits, including but not limited to:

**SEWER USE LIMITS
(15 R.C.N.Y. ch.19)**

POLLUTANT	PERMISSIBLE MAXIMUM CONCENTRATION FOR ANY GIVEN TIME (MG/L)	DAILY AVERAGE MAXIMUM CONCENTRATION (MG/L)
pH	5.0-11.0 Standard Units	---
Cadmium	2.0	0.69
Chromium (Hexavalent)	5.0	---
Copper	5.0	---
Lead	2.0	---
Mercury	0.05	---
Nickel	3.0	---
Zinc	5.0	---
Cyanide (Amenable to Chlorination)	0.2	---
Non-Polar Material	50.0	---

The discharge of leachate with temperature above 150 degrees Fahrenheit and/or closed-cup flash point below 140 degrees Fahrenheit (using the test methods specified in 40 C. F. R. 261.21) at any time is prohibited.

The following limits shall also apply:

Pollutant	Permissible Maximum Concentration for any Given Time
Total Suspended Solids (TSS)	350 ppm
Methyl-Tert-Butyl-Ether (MTBE)	50 ppb
Tetrachloroethylene (Perc)	20 ppb
Total PCB*	1 ppb

Pollutant	Daily Limit (ppb)	Monthly Limit (ppb)
Benzene	134	57
Ethylbenzene	380	142
Naphthalene	47	19
Toluene	74	28
Xylenes (Total)	74	28

* Total PCBs shall equal the sum of all concentrations of the 7 PCB compounds listed on pages I-4 and I-5 of this Permit.

SECTION B. MONITORING REQUIREMENTS

1. Sampling

The Industrial User shall monitor the specified discharge points for the pollutants listed below. All sampling shall take place on days representative of normal operations. Sampling shall be conducted in accordance with 40 C.F.R. § 403.12(g)(3) which states, in pertinent part, that grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds. For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the [Department]. Where time-proportional composite sampling or grab sampling is authorized by the [Department], the samples must be representative of the discharge. Where the Industrial User batch discharges, the company must state how it will take representative samples

POLLUTANT	SAMPLE LOCATION	FREQUENCY	SAMPLE TYPE
VOLATILE ORGANICS (VOC)			
Benzene	M1	Once a month	4 grab samples, taken at least 1 hour apart for 1 day. Each grab sample must be individually preserved and sent to a certified laboratory. The laboratory may then composite the grab samples.
Ethylbenzene	M1	" "	" "
Methyl-Tert-Butyl-Ether (MTBE)	M1	" "	" "
Tetrachloroethylene (Perc)	M1	" "	" "
Toluene	M1	" "	" "
Xylenes	M1	" "	" "
Carbon tetrachloride	M1	" "	" "
Chloroform	M1	" "	" "
1,1,1-trichloroethane	M1	" "	" "
SEMI-VOLATILE ORGANICS			
Naphthalene	M1	Once a month	A one-day composite sample.
1,4-dichlorobenzene	M1	" "	" "
Phenol	M1	" "	" "
1,2,4-trichlorobenzene	M1	" "	" "
PCB-1016 ³ (Arochlor 1016)	M1	" "	" "
PCB-1242 ³ (Arochlor 1242)	M1	" "	" "
PCB-1254 ³ (Arochlor 1254)	M1	" "	" "
PCB-1221 ³ (Arochlor 1221)	M1	" "	" "

POLLUTANT	SAMPLE LOCATION	FREQUENCY	SAMPLE TYPE
PCB-1232 ³ (Arochlor 1232)	M1	Once a month	A one-day composite sample.
PCB-1248 ³ (Arochlor 1248)	M1	" "	" "
PCB-1260 ³ (Arochlor 1260)	M1	" "	" "
OTHER TOXIC ORGANICS OF CONCERN ¹			
1) Volatile Organics (VOC)	M1	Once a month	4 grab samples, taken at least 1 hour apart for 1 day. Each grab sample must be individually preserved and sent to a certified laboratory. The laboratory may then composite the grab samples. See Part II, Sect. C (1).
2) Semi-Volatile Organics	M1	" "	A one-day composite sample. See Part II, Sect. C (1).
OTHER POLLUTANTS, PH, AND FLOW			
Cadmium	M1	Once a month	A one-day composite sample.
Chromium (Total)	M1	" "	" "
Chromium (Hexavalent) ²	M1	" "	" "
Copper	M1	" "	" "
Lead	M1	" "	" "
Mercury	M1	" "	" "
Molybdenum	M1	" "	" "
Nickel	M1	" "	" "
Silver	M1	" "	" "
Zinc	M1	" "	" "
Carbonaceous Biochemical Oxygen Demand (CBOD)	M1	" "	" "
Total Nitrogen	M1	" "	" "
Chloride	M1	" "	" "

POLLUTANT	SAMPLE LOCATION	FREQUENCY	SAMPLE TYPE
Cyanide (Total)	M1	" "	4 grab samples, taken at least 1 hour apart for 1 day. Each grab sample must be individually preserved and sent to a certified laboratory. The laboratory should then composite the 4 grab samples.
Cyanide (Amenable) ⁴	M1	" "	" "
Total Suspended Solids (TSS)	M1	" "	4 grab samples, taken at least 1 hour apart for 1 day. Each grab sample must be individually preserved and sent to a certified laboratory.
Non- Polar Material	M1	" "	" "
pH	M1	" "	Either by 4 in situ measurements or by 4 grab samples, each taken at least 1 hour apart.

FOOTNOTES TO MONITORING REQUIREMENTS

- Monitoring for Other Toxic Organics of Concern (OTOC) may not be required. See Part II, Sect. C(1). OTOC are comprised of two subcategories, volatile organic compounds (VOCs) and semi-volatile organic compounds. There are different sampling methods for each subcategory (See Part 1, Sect. B. Monitoring Requirements). These compounds include:

- | | | |
|-----|---------------------------------------|-------------------------------------|
| | (1) acenaphthene | (15) 2-chloronaphthalene |
| VOC | (2) acrolein | (16) 2,4,6-trichlorophenol |
| VOC | (3) acrylonitrile | (17) parachlorometa cresol |
| | (4) benzidine | (18) 2-chlorophenol |
| VOC | (5) chlorobenzene | (19) 1,2-dichlorobenzene |
| | (6) hexachlorobenzene | (20) 1,3-dichlorobenzene |
| VOC | (7) 1,2-dichloroethane | (21) 3,3-dichlorobenzidine |
| | (8) hexachloroethane | VOC (22) 1,1-dichloroethylene |
| VOC | (9) 1,1-dichloroethane | VOC (23) 1,2-trans-dichloroethylene |
| VOC | (10) 1,1,2-trichloroethane | (24) 2,4-dichlorophenol |
| VOC | (11) 1,1,2,2-tetrachloroethane | VOC (25) 1,2-dichloropropane |
| VOC | (12) chloroethane | VOC (26) 1,3-dichloropropylene |
| | (13) bis (2-chloroethyl) ether | (1,3-dichloropropene) |
| VOC | (14) 2-chloroethylvinyl ether (mixed) | (27) 2,4-dimethylphenol |

	(28) 2,4-dinitrotoluene		(benzo(ghi)perylene)
	(29) 2,6-dinitrotoluene	(68)	fluorene
	(30) 1,2-diphenylhydrazine	(69)	phenanthrene
	(31) fluoranthene	(70)	1,2,5,6-dibenzanthracene (dibenzo(a,h)anthracene)
	(32) 4-chlorophenyl phenyl ether	(71)	indeno (1,2,3-cd) pyrene (2,3-o-phenylene pyrene)
	(33) 4-bromophenyl phenyl ether	(72)	pyrene
	(34) bis (2-chloroisopropyl) ether	VOC (73)	trichloroethylene
VOC	(35) bis (2-chloroethoxy) methane	VOC (74)	vinyl chloride (chloroethylene)
VOC	(36) methylene chloride (dichloromethane)	(75)	aldrin
VOC	(37) methyl chloride (chloromethane)	(76)	dieldrin
VOC	(38) methyl bromide (bromomethane)	(77)	chlordan (technical mixture and metabolites)
VOC	(39) bromoform (tribromomethane)	(78)	4,4-DDT
VOC	(40) dichlorobromomethane	(79)	4,4-DDE (p,p-DDX)
VOC	(41) chlorodibromomethane	(80)	4,4-DDD (p,p-TDE)
	(42) hexachlorobutadiene	(81)	alpha-endosulfan
	(43) hexachlorocyclopentadiene	(82)	beta-endosulfan
	(44) isophorone	(83)	endosulfan sulfate
	(45) nitrobenzene	(84)	endrin
	(46) 2-nitrophenol	(85)	endrin aldehyde
	(47) 4-nitrophenol	(86)	heptachlor
	(48) 2,4-dinitrophenol	(87)	heptachlor epoxide (BHC-hexachlorocyclohexane)
	(49) 4,6-dinitro-o-cresol	(88)	alpha-BHC
	(50) n-nitrosodimethylamine	(89)	beta-BHC
	(51) n-nitrosodiphenylamine	(90)	gamma-BHC
	(52) n-nitrosodi-n-propylamine	(91)	delta-BHC (PCB-polychlorinated biphenyls)
	(53) pentachlorophenol	(92)	toxaphene
	(54) bis (2-ethylhexyl) phthalate	(93)	2,3,7,8-tetrachlorodibenzo- p-dioxin (TCDD)
	(55) butyl benzyl phthalate	(94)	azinophos-methyl
	(56) di-n-butyl phthalate	(95)	chlorpyrifos
	(57) di-n-octyl phthalate	(96)	demeton
	(58) diethyl phthalate	VOC (97)	dichloropropene
	(59) dimethyl phthalate	(98)	halomethanes
	(60) 1,2-benzanthracene (benzo(a)anthracene)	(99)	manganese (inorganic element)
	(61) benzo(a)pyrene (3,4-benzopyrene)	(100)	methoxychlor
	(62) 3,4-benzofluoranthene (benzo(b)fluoranthene)	(101)	pentachlorinated ethane
	(63) 1,12-benzofluoranthene (benzo(k)fluoranthene)	(102)	2,3,4,6-tetrachlorophenol
	(64) chrysene		
	(65) acenaphthylene		
	(66) anthracene		
	(67) 1,12-benzoperylene		

2. If the Chromium (Total) level at discharge point M1, is less than or equal to 5.0 mg/L, then analyzing for Chromium (Hexavalent) at that point is not required. The Chromium (Total) level can be submitted in lieu of analyzing for Chromium (Hexavalent).
3. The analysis of PCB compounds must be done by EPA Method 608, with a method detection level less than or equal to 65 ppt.
4. If the Cyanide (Total) level at discharge point M1, is less than or equal to 0.2 mg/L, then analyzing for Cyanide (Amenable) at that point is not required. The Cyanide (Total) level can be submitted in lieu of analyzing for Cyanide (Amenable).

2. Additional Monitoring Requirements

See Part II, Sect. C for additional monitoring requirements.

SECTION C. REPORTING REQUIREMENTS

1. Periodic Reports Concerning Continued Compliance

The Industrial User shall implement a self-monitoring program, as required in Part I, Sect. B of this Permit. Reports are due on a quarterly basis as follows:

<u>Monitoring Period</u>	<u>Report Due Date</u>
June 1 to August 31	September 30
September 1 to November 30	December 31
December 1 to February 28	March 31
March 1 to May 31	June 30

Reports must be received by the Department on or before the due dates specified above.

2. Additional Reporting Requirements

See Part II, Sect. D for additional reporting requirements.

3. Submission of Reports and Notices

The self-monitoring report and all other reports and notices required by this Permit shall be submitted to the Department at the following address, unless otherwise indicated:

Frances Leung, P.E., Chief
IPP Inspection and Permit Section
Bureau of Wastewater Treatment
New York City Department of Environmental Protection
96-05 Horace Harding Expressway
Corona, New York 11368

It is recommended that you send all reports and notices by certified mail in the event that you are required to prove that such reports or notices were submitted in a timely manner.

4. Reporting Format

- a. Periodic reports shall be submitted on the Department's Industrial User **Self-Monitoring Report Form**.
- b. Analytical results submitted to the Department for any reason, including but not limited to self-monitoring reports, split sampling, and pursuant to Commissioner's Orders, shall be reported by the certified laboratory performing the analysis in a format consistent with the Department's **Analytical Report Form**. The sampling points referenced on the Analytical Report Form must be identified exactly as they are in the Industrial User's Permit.
- c. Copies of the Self-Monitoring Report Form and the Analytical Report Form are enclosed with this Permit. Additional copies are also available from the Department upon request.

SECTION D. SPECIAL CONDITIONS

1. The Industrial User must maintain a logbook on daily volume of discharge (in gallons per day). A copy of the logbook entries for the monitoring period must be submitted in each self-monitoring report.
2. The Industrial User shall not discharge any process wastewater to the public sewer during wet weather.

PART II - GENERAL CONDITIONS

SECTION A. DEFINITIONS AND STANDARD CONDITIONS

1. Definitions

- a. Biochemical Oxygen Demand - The laboratory determination of the quantity of oxygen utilized in the biochemical oxidation of organic matter in a given time and at a specified temperature. It is expressed in parts per million (ppm) or (mg/L) of oxygen used in a period of five days at 20 degrees Celsius.
- b. Bypass - The intentional diversion of wastes from any portion of a treatment facility.
- c. Commissioner - The Commissioner of the New York City Department of Environmental Protection.
- d. Composite Sample - A sample composed of two or more discrete samples. The aggregate sample will reflect the average water quality covering the compositing or sample period.
- e. Cooling Water -
 - i. Uncontaminated - Water used only for cooling purposes that has no direct contact with any raw material, intermediate or final product and that does not contain a level of contaminants higher than that of the intake water.
 - ii. Contaminated - Water used only for cooling purposes that may become contaminated either through the use of water treatment chemicals used for corrosion inhibitors or biocides or by direct contact with process materials and/or wastewater.
- f. Daily Maximum - The maximum allowable discharge of a pollutant during a 24-hour period. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass of the pollutant discharged over the course of the day. Where daily maximum limitations are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.
- g. Department - The New York City Department of Environmental Protection.
- h. Grab Sample - A sample which is taken from a wastestream on a one-time basis with no regard to the flow of the wastestream and without consideration of time. A single grab sample should be taken over a period of time not to exceed 15 minutes.
- i. Indirect Discharge - The introduction of pollutants into a POTW from any non-domestic source regulated under section 307(b), (c), or (d) of the Clean Water Act.

- j. Industrial User - A source of Indirect Discharge.
- k. Instantaneous Maximum Concentration - The maximum concentration allowed in any single grab sample.
- l. Interference - A discharge that alone or in conjunction with a discharge or discharges from other sources both:
 - i. Inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and
 - ii. Causes a violation of any requirement of the POTW's SPDES Permit (including an increase in the magnitude or duration of a violation) or prevents the use or disposal of sewage sludge in compliance with the following statutory provisions and regulations or Permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA) and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act and the Marine Protection, Research and Sanctuaries Act.
- m. Maximum Monthly Average - The maximum allowable value for the monthly average.
- n. Monthly Average - The average of all samples taken during one calendar month. Thus, if only one sample is taken during a calendar month, the monthly average for that month will be based on only that one sample.
- o. Pass Through - A discharge that exits the POTW into waters of the United States in quantities or concentrations that, alone or in conjunction with a discharge or discharges from other sources, cause a violation of any requirement of the POTW's SPDES Permit (including an increase in the magnitude or duration of a violation).
- p. Publicly Owned Treatment Works (POTW) - A treatment works as defined by Section 212 of the Clean Water Act that is owned by the State or municipality. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW treatment plant.
- q. Resource Conservation and Recovery Act (RCRA) - A Federal statute regulating the management of hazardous waste from its generation through ultimate disposal. The Act contains requirements

for waste generators, transporters and owners and operators of treatment, storage and disposal facilities.

- r. Sewer Use Regulations - Rules of the City of New York relating to the "Use of the Public Sewers." 15 R.C.N.Y. ch. 19.
- s. Shall - mandatory.
- t. Slug Discharge - Any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits or permit conditions.
- u. Toxic Organics - Either the organic compounds listed in the definition of Total Toxic Organics (TTO) in Part I, Sect. A(2), and the Other Toxic Organics of Concern (OTOC) listed in Part I, Sect. B(1); or the Toxic Organics of Concern listed in Part I, Sect. B(1).
- v. Upset - An exceptional incident in which there is unintentional and temporary noncompliance with technology based Permit effluent limitations because of factors beyond the reasonable control of the Industrial User, excluding such factors as operational error, improperly designed or inadequate treatment facilities or improper operation and maintenance or lack thereof.

2. Severability

The provisions of this Permit are severable, and if any provision of this Permit or the application of any provision of this Permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this Permit, shall not be affected thereby.

3. Duty to Comply

The Industrial User must comply with the provisions of the New York City Administrative Code (NYCAC) and the Sewer Use Regulations promulgated pursuant thereto, and all conditions of this Permit. Failure to comply with these requirements may be grounds for administrative action, or enforcement proceedings including civil and/or criminal penalties, injunctive relief and summary abatements.

4. Duty to Mitigate

The Industrial User shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Permit, including, but not limited to, such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. Permit Action

This Permit may be modified, revoked and reissued, or terminated for good cause, including, but not limited to, the following:

- a. Incorporation of any new or revised Federal, State, or local pretreatment standards or requirements;
- b. Material or substantial alterations or additions to the discharger's operations that were not covered in the effective Permit;
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- d. Information indicating that the Permitted discharge poses a threat to the New York City collection and treatment systems, POTW personnel or the receiving waters;
- e. Violation of any terms or conditions of this Permit;
- f. Obtaining this Permit by misrepresentation or failure to disclose fully all relevant facts;
- g. Upon request of the Industrial User, provided such request does not create a violation of any existing applicable requirements, standards, laws, or rules and regulations; or
- h. Correction of typographical or other errors in the Permit.

The filing of a request by the Industrial User for a Permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any Permit condition.

6. Property Rights

The issuance of this Permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private or public property or any invasion of personal rights, nor any violation of Federal, State or local laws or regulations.

7. Limitation on Permit Transfer

This wastewater discharge Permit is issued to the named Industrial User for the specific operation(s) described herein. It is not assignable to any other named individual or entity or transferable to any other location without the prior written approval of the Department. Any change in the name of the Industrial User shall be considered to be such an assignment. The sale of 50% or more of the stock of the Industrial User, if the Industrial User is a corporation, or the change of any partners, general or limited, if the Industrial User is a partnership, or the change in ownership, if the Industrial User

is a sole proprietorship, shall also be considered an assignment. In the event of such a sale, the Industrial User must inform the purchaser of all responsibilities and obligations under this Permit.

8. Duty to Reapply

If the Industrial User wishes to continue an activity regulated by this Permit after the expiration date of this Permit the Industrial User must apply for and obtain a new Permit. The application must be submitted at least 120 days before the expiration date of this Permit.

9. Dilution

The Industrial User shall not increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this Permit.

The Industrial User shall post a Dilution Notice in a conspicuous manner. The Dilution Notice shall state that the New York City Department of Environmental Protection is to be notified of the illegal dilution of any wastewater discharges or any illegal discharges by calling 311, New York City's General Information Number. You must ask for and record your complaint number for proof of compliance with your notification requirements. The Dilution Notice shall include the following definition of illegal dilution: Illegal dilution is an increase in the use of process water, or any other attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a Pretreatment Standard or Requirement.

10. General Prohibitive Standards

The Industrial User shall comply with all of the general prohibitive discharge standards in the General Pretreatment Regulations, 40 C.F.R. pt. 403 and the Department's Sewer Use Regulations. Except as expressly allowed by this Permit, if the Industrial User discharges or causes to be discharged, including any run, leak, or escape into any public sewer, pipe, channel, pumping station, catch basins or any other sewer appurtenances, or waterway connecting with any public sewer, or into any private sewer connected with a public sewer any of the following described materials, substances or wastes, shall be strictly liable without regard to fault:

- a. Construction materials, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, paunch manure, coffee grounds, fur, wax, or any solids or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewerage system;
- b. Snow and ice at unauthorized locations;
- c. Steam or wastewater above 150 degrees Fahrenheit;

- d. Flammable or explosive liquids, solids or gases, including, but not limited to, gasoline, benzene and naphtha;
- e. Oil sludges, waste oil, motor oil, diesel and other fuels, dielectric fluid, brake fluid, transmission fluid, hydraulic fluid, or other similar substances;
- f. Non-polar material in concentrations greater than 50 mg/L for any given time;
- g. Coal tar, its derivatives and waste;
- h. Paints and related paint waste products from any source that tend to clog or otherwise interfere with the operation of the sewerage system;
- i. Wastewater having a pH lower than 5.0 or higher than 11.0 or having any other corrosive property likely to cause damage to structures or equipment of the sewerage system or create a hazard to personnel;
- j. Toxic substances in such quantities that the person knows or has reason to know may when discharged from a single source or in combination with other sources: (i) interfere with any sewage treatment process, including sludge digestion, (ii) limit the City's options for operating its sewerage system or disposing of the sewage sludge, grit or scum generated at water pollution control plants, (iii) be detrimental to the health of human beings, animals, or aquatic life, (iv) create any adverse effect in the receiving water, or (v) violate Federal or State laws or regulations or the requirements of a discharge Permit of a sewage treatment plant issued pursuant to Section 402 of the Federal Water Pollution Control Act, commonly referred to as the Clean Water Act, as amended, or any other Permit issued pursuant to Federal or State law;
- k. Toxic substances in such quantities that, when discharged from a single source or in combination with other sources: (i) violate any Federal or State laws, regulations, rules or standards governing such discharge, or (ii) violate the toxic discharge limits to be set by the Commissioner contained in a list to be maintained by the Commissioner and which may be published from time to time in the City Record;
- l. Any liquids or wastes containing pollutants of such quality and/or quantity that become burdensome in the operation and maintenance of a sewage treatment plant;
- m. Any noxious or malodorous gas or substance capable of creating a public nuisance;
- n. Any wastewater or substance, that in the opinion of the Commissioner, will result in a violation of any applicable Federal, State or local water quality standard concerning discoloration or other undesirable physical changes in the appearance of the receiving waters;
- o. Radioactive material either directly or indirectly into the sewerage system, unless all restrictions, prohibitions, and requirements of Article 175 of the New York City Health Code are fully complied with;

- p. Any still bottom or sludge residues resulting from dry cleaning processes, including dirt, lint, soils, perchloroethylene, tetrachloroethylene, solvents and any other deposits or residues extracted as a result of any dry cleaning processes;
- q. Filters or filter media used in dry cleaning processes.

11. Compliance with Applicable Pretreatment Standards and Requirements

The Industrial User shall comply at all times with any and all applicable local, State and Federal pretreatment standards and requirements, including any such standards or requirements that may become effective during the term of this Permit.

12. Confidentiality

As provided in Section 19-09 of the Sewer Use Regulations, any information submitted to the Department, except for discharge and effluent data, may be claimed by the discharger to be confidential. Any such claim must be asserted at the time of submission of the information, and should contain a stamped legend or any other suitable form of notice on each page containing such information, employing language such as trade secret, proprietary or confidential business information. If no claim is asserted at the time of submission, the information may be made available to the public without further notice. If a claim is asserted, it will be treated in accordance with Section 19-09.

Effluent data shall be available to the public without restriction.

13. Duty to Provide Information

The Industrial User shall furnish to the Department within a reasonable time, any information that the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit, or to determine compliance with this Permit. The Industrial User shall also furnish to the Department, upon request, copies of records required to be kept by this Permit.

14. Annual Publication

A list of all Industrial Users who, at any time during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment requirements shall be annually published by the Department in a newspaper of general circulation that provides meaningful public notice within the city of New York. The Industrial User is hereby apprised that noncompliance with the provisions of this Permit may result in an enforcement action and publication of its name in an appropriate newspaper in accordance with Section 19-10(g) of the Sewer Use Regulations.

15. Civil and Criminal Liability

Nothing in this Permit shall be construed to relieve the Industrial User from civil and/or criminal penalties for noncompliance under Section 24-524(f) of the NYCAC.

16. Penalties for Violations of Permit Conditions

Section 24-524(f) of NYCAC provides that any person who fails to comply with any of the provisions of Sections 24-504 through 24-524 of the Code, the Sewer Use Regulations, Order of the Commissioner or Environmental Control Board or a Permit condition shall be liable for a civil penalty of up to \$10,000.00 for each violation. In the case of a continuing violation, each day's continuance shall be a separate and distinct offense. In addition to civil penalties, any person who knowingly violates or fails to comply with any of the above-cited provisions shall be guilty of a misdemeanor and subject to a fine of up to \$10,000.00 and/or to imprisonment not exceeding thirty days. The Industrial User may also be subject to sanctions under State and/or Federal law.

SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROL SYSTEMS

1. Proper Operation and Maintenance

The Industrial User shall at all times properly operate and maintain all facilities and systems for treatment, monitoring and control (and related appurtenances) that are installed or used by the Industrial User to achieve compliance with the conditions of this Permit. Proper operation and maintenance includes, but is not limited to, effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the Permit.

2. Duty to Halt or Reduce Activity

Upon reduction of efficiency of operation or loss or failure of all or part of the pretreatment facility, the Industrial User shall, to the extent necessary to maintain compliance with its Permit, control production or all discharges or both until operation of the pretreatment facility is restored or an alternative method of pretreatment is provided. This requirement applies, for example, when the primary source of power of the pretreatment facility fails or is reduced. It shall not be a defense for an Industrial User in an enforcement action to state that it would have been necessary to halt or reduce the Permitted activity in order to maintain compliance with the conditions of this Permit.

3. Bypass of Pretreatment Facilities

- a. Bypass is prohibited unless

- i. it is unavoidable to prevent loss of life, personal injury, or severe property damage, no feasible alternatives exist, and the Industrial User submits notification as required by subparagraph (b) of this paragraph; or
 - ii. it is for essential maintenance to assure efficient operation, it does not cause pretreatment standards or requirements to be violated, and the Industrial User submits notification as required by subparagraph (b) of this paragraph.
- b. Notification of bypass:
 - i. Anticipated bypass - If the Industrial User knows in advance of the need for a bypass, it shall submit prior written notice, at least ten days before the date of the bypass, to the Department.
 - ii. Unanticipated bypass - The Industrial User shall immediately notify the Department by calling 311, New York City's General Information Number, and shall submit a written notice to the Department within 5 days after the bypass. This report shall specify:
 - (1) a description of the bypass, its cause and duration;
 - (2) whether the bypass has been corrected; and
 - (3) the steps being taken or to be taken to reduce, eliminate and prevent a recurrence of the bypass.

When calling 311, you must ask for and record your complaint number for proof of compliance with your notification requirements.

4. Disposal of Hazardous Wastes

All solids, sludges, resins or residues, filter backwash or other pollutants removed in the course of pretreatment or control of wastewater shall be handled and disposed of in accordance with all New York State hazardous wastes requirements and RCRA requirements including, but not limited to, subtitles C and D thereof.

SECTION C. MONITORING AND RECORDS

1. Toxic Organics

The Industrial User may not use the certifications provided below for any organic pollutants for which sampling is required under the Industrial User's applicable Federal Categorical Standards. The Industrial User must sample and analyze its wastewater for all such organic pollutants.

The Industrial User shall satisfy the following Toxic Organics requirements:

- a. Indicate in each periodic report concerning continued compliance as required by Part I, Sect. C of this Permit which Toxic Organics, if any, were used or stored during the reporting period, and their amounts.
- b. Sample and analyze its wastewater for those Toxic Organics that would reasonably be expected to be present.
- c. In lieu of monitoring for Toxic Organics and upon scribed request, the Department may allow the Industrial User to make one of the following certifications in its periodic self-monitoring reports:
 - i. “Based upon my inquiry of the person or persons directly responsible for managing environmental affairs at my facility, I certify that, to the best of my knowledge and belief, no toxic organics were used or stored at my facility during the reporting period covered by this report. I certify that I am duly authorized by the establishment to make this statement on its behalf, and am fully aware that there are significant civil and criminal sanctions for submitting false information, including the possibility of a fine and/or imprisonment.”

OR

- ii. “Based upon my inquiry of the person or persons directly responsible for managing environmental affairs at my facility, I certify that, to the best of my knowledge and belief, there was no discharge to a public sewer of toxic organics during the reporting period covered by this report. I also certify that the explanations provided concerning the disposal of toxic organics from the facility are true, accurate and complete. I further certify that this facility is implementing a toxic organics management plan to protect against the release of such compounds to a public sewer. I certify that I am duly authorized by the establishment to make this statement on its behalf, and am fully aware that there are significant civil and criminal sanctions for submitting false information, including the possibility of a fine and/or imprisonment.”

If certification (ii) is made, the facility must also submit a Toxic Organics Management Plan (TOMP) for approval by the Department. An acceptable TOMP must contain:

- i. a list of all toxic organic compounds used or stored at your facility; and
- ii. a description of the storage, handling and disposal practices for control of toxic compounds at your facility, including procedures for ensuring that toxic organics do not spill or leak into your wastewater.

2. Sampling and Analysis

- a. Samples and measurements taken as required in this Permit shall be representative of the volume and nature of the monitored discharge. Samples shall be taken at the monitoring points specified in this Permit and, unless otherwise specified, before the effluent joins or

is diluted by any other wastestream, body of water or substance. Monitoring points shall not be changed without prior written approval of the Department.

- b. All handling and preservation of collected samples and laboratory analyses of samples shall be performed in accordance with 40 C.F.R. pt. 136. If 40 C.F.R. pt. 136 does not cover the pollutant in question, the handling, preservation, and analysis must be performed in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater." All analyses shall be performed using a detection limit less than the lowest applicable regulatory discharge limit.
- c. All laboratory analyses must be conducted by a New York State Health Department certified wastewater laboratory. The results must be certified by the laboratory and submitted on the laboratory's letterhead. For each sample, the laboratory report must indicate the date of sampling, time sample was taken, sample location, chain of custody, sampling preservation procedures, analytical techniques used, date of analysis, units of measurement, and the laboratory's sample identification; where the analytical result reported is below the method detection level, the laboratory report must also indicate the method detection level.

3. Flow Measurements

If flow measurements are required by this Permit, the appropriate flow measurement devices and methods consistent with approved scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharge. The devices shall be installed, calibrated and maintained to ensure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes.

4. Inspection and Entry

The Industrial User shall allow duly authorized representatives of the Department to:

- a. Enter upon the Industrial User's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Permit;
- b. Have access to and copy, at reasonable times, any records that must be kept by law or regulation and/or under the conditions of this Permit;
- c. Inspect, videotape, photograph or otherwise record at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit;
- d. Sample or monitor, for the purposes of assuring Permit compliance, any substance or parameters at any location; and

- e. Inspect, videotape, photograph or otherwise record any production, manufacturing, fabricating or storage area where pollutants, regulated or required under this Permit could originate, be stored or be discharged to the public sewer.

The applicant, by accepting any Permit issued, does hereby consent and agree to entry upon the premises as described herein.

5. Retention of Records

- a. The Industrial User shall retain records of all monitoring information, including all calibration and maintenance records and original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Permit, and records of all data used to complete the application for this Permit, for a period of at least three years from the date of the sample, measurement, report or application. This period may be extended by order of the Commissioner at any time.
- b. All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the Department shall be retained and preserved by the Industrial User until all enforcement activities have concluded and all periods of limitations with respect to any and all appeals have expired.

6. Record Contents

Records of sampling information shall include:

- a. The date, exact place, time and methods of sampling or measurement, and sample preservation techniques or procedures;
- b. Who performed the sampling or measurements;
- c. The date(s) analyses were performed;
- d. Laboratory that performed the analyses;
- e. The analytical techniques or methods used;
- f. The results of each analysis;
- g. The chain of custody of each sample;
- h. Method detection level where analytical result reported is non-detect;
- i. Units of measurement for each analytical result; and
- j. Laboratory's sample identification for each sample.

7. Falsifying Information

It is unlawful to make any false statement representation or certification in any application, report, plan or other document required by this Permit or to falsify, tamper with or knowingly render any monitoring device or method inaccurate.

SECTION D. ADDITIONAL REPORTING REQUIREMENTS

1. Additional Monitoring

If the Industrial User monitors any pollutant more frequently than required by this Permit, using test procedures prescribed in 40 C.F.R. pt. 136 or otherwise approved by EPA or specified in this Permit, the results of such monitoring shall be submitted to the Department in its next self-monitoring report.

2. Automatic Resampling

If the results of the Industrial User's wastewater discharge sampling indicates a violation, the Industrial User shall:

- a. notify the Department within 24 hours of becoming aware of the violation; and
- b. repeat the sampling and analysis and submit the results of the second analysis to the Department within 30 days after becoming aware of the violation.

3. Split Sampling Results

If the Industrial User requests and analyzes a split sample(s) during a Department sampling event, the results of such analysis shall be submitted to the Department within 45 days of the date the Industrial User received the sample(s) from the Department.

4. Accidental Discharge Notification

In the event of an accidental discharge in violation of any provision of the Sewer Use Regulations, the Industrial User shall immediately notify the Department, at any hour, by calling 311, New York City's General Information Number. You must ask for and record your complaint number for proof of compliance with your notification requirements.

Within five days following an accidental discharge, the Industrial User shall submit to the Department a detailed written report. The report shall specify:

- a. the description of the accidental discharge, the cause thereof, and the impact on the Industrial User's compliance status, including the location of discharge, type, concentration and volume of waste;
- b. the duration of noncompliance, including exact dates and time of noncompliance, and if the noncompliance continues, the time by which compliance is reasonably expected to occur; and
- c. all steps taken to reduce, eliminate and prevent recurrence of such an upset, slug, accidental discharge, or other conditions of noncompliance.

5. Operating Upsets

Any Industrial User that experiences an upset in operations that places the Industrial User in a temporary state of noncompliance with the provisions of either this Permit or the Sewer Use Regulations, shall inform the Department immediately after becoming aware of the upset by calling 311, New York City's General Information Number. You must ask for and record your complaint number for proof of compliance with your notification requirements.

A written follow-up report thereof shall be filed by the Industrial User with the Department within five (5) days. The report shall specify:

- a. the description of the upset or slug discharge, the cause(s) thereof and the upset's or slug discharge's impact on the Industrial User's compliance status;
- b. the duration of noncompliance, including exact dates and times of noncompliance, and if the noncompliance continues, the time by which compliance is reasonably expected to occur; and
- c. all steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset, slug discharge or other conditions of noncompliance.

6. Planned Changes

The Industrial User shall give written notice to the Department 90 days prior to any change in the Industrial User's name or address, or any facility expansion, production increase, or process modification that results in new or substantially increased discharges or a change in the nature of the discharge. The Industrial User shall also provide written notice 90 days prior to discontinuing any regulated process. The Industrial User shall notify the Department immediately of any changes at its facility affecting its potential for a slug discharge.

7. Anticipated Noncompliance

The Industrial User shall give a minimum of ten days advance notice to the Department of any planned changes in the Permitted facility or activity that may result in noncompliance with this Permit.

8. Signatory Requirements

All applications, reports or information submitted to the Department shall contain the following certification:

“I certify under penalty of law that I have personally examined and am familiar with the information contained in this document and all attachments therein. Furthermore, based on my inquiry of those persons immediately responsible for obtaining the information contained in this document, I believe that this information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.”

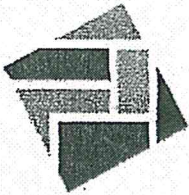
This certification shall be signed by:

- a. a responsible corporate officer if the Industrial User submitting the reports is a corporation. For the purpose of this paragraph, a responsible corporate officer means:
 - i. president, secretary, treasurer or vice-president of the corporation in charge of a principal business function or any other person who performs similar policy or decision making functions for the corporation, or
 - ii. the manager of one or more manufacturing, production or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b. a general partner or proprietor if the Industrial User submitting the report is a partnership or sole proprietorship, respectively.
- c. a duly authorized representative of the individual designated in paragraph (a) or (b) of this section if:
 - i. The authorization is made in writing by the individual described in paragraph (a) or (b);

- ii. The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the industrial discharge originates, such as the position of plant manager, or a position of equivalent responsibility, or a position having overall responsibility for environmental matters for the company; and
- iii. The written authorization is submitted to the Department.

If an authorization under this paragraph is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for the environmental matters of the company, a new authorization satisfying the requirement of this paragraph must be submitted to the Department prior to or together with any reports to be signed by an authorized representative.

Attachment A-2



New York City Department
Of Small Business Services

WORK PERMIT

PERMIT NO. 20070134 APPROVED 08/09/07 ISSUED 07/23/10 EXPIRES 07/01/11

DESCRIPTION OF WORK To Legalize Existing Landfill Gas Collection and Flare System.

LOCATION 301 Shore Road BOROUGH BRONX

ZONING DISTRICT _____ USE GROUP _____ OCCUPANCY _____

restal R.A.

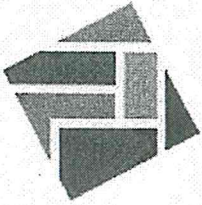
Director of Waterfront Permits

Robert W. Walsh

Robert W. Walsh, COMMISSIONER

This work permit must be conspicuously displayed at all times on the exterior of the premises during construction or demolition. Any improper display of this work permit is an offense and is punishable by fine or imprisonment. Applicant shall notify the Small Business Services, Dockmaster Unit (212) 618-8930, at least 72 hours prior to the commencement of work.

Emergency Telephone (212) 566-4628



New York City Department
Of Small Business Services

WORK PERMIT

PERMIT NO. 20070134 APPROVED 08/09/07 ISSUED 03/27/12 EXPIRES 06/01/12

DESCRIPTION OF WORK To Legalize Existing Landfill Gas Collection and Flare System.

LOCATION 301 Shore Road

BOROUGH BRONX

ZONING DISTRICT _____

USE GROUP _____

OCCUPANCY _____

Robert W. Walsh
R.A.

Director of Waterfront Permits

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Emergency Telephone (212) 566-4628

THIS PERMIT MUST BE CONSPICUOUSLY DISPLAYED ON THE JOB SITE



Buildings



Electrical Work Permit Department of Buildings

Application Number: Y156639

Address: 3410 BRUCKNER BLVD, GROUND,

BRONX, NY 10465

Description of Work:

6 - GENERAL WIRING



Issued: 07/21/2011

Expires: 07/21/2014

Contractor Address:

A. ELECTRIC

54-14 74TH STREET
ELMHURST, NY 11373

For detailed information regarding this permit, please log on to BISWeb at www.nyc.gov/buildings

Emergency Telephone Day or Night: 311

Borough Commissioner: *[Signature]*

Commissioner of Buildings: *[Signature]*

Tampering with or knowingly making a false entry in or falsely altering this permit is a crime that is punishable by a fine, imprisonment or both.