

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
State Pollutant Discharge Elimination System (SPDES)

DISCHARGE PERMIT
Special Conditions (Part I)

OCT 22 1991

Industrial Code: 4959
 Discharge Class (CL): 10
 Toxic Class (TX): T
 Major Drainage Basin: 13
 Sub Drainage Basin: 06
 Water Index Number: _____
 Compact Area: _____

SPDES Number: NY - 0218855
 DEC Number: 3-5124-18/8-0
 Effective Date (EDP): 06/01/89
 Expiration Date (ExDP): 06/01/94
 Modification Date(s): OCTOBER 21, 1991
 Attachment(s): General Conditions (Part II) Date: 11 / 90

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. Section 1251 et. seq.) (hereafter referred to as "the Act").

PERMITTEE NAME AND ADDRESSAttention: David SutherlandName: The VirTis Company Inc.Street: Route 208City: GardinerState: NYZip Code: 12525

is authorized to discharge from the facility described below:

FACILITY NAME AND ADDRESSName: The VirTis Company Inc.Location (C,T,V): Gardiner (T)County: UlsterFacility Address: Route 208City: GardinerState: NYZip Code: 12525

NYTM - E: _____

NYTM - N: _____

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From Outfall No.: 001 at Latitude: 41° 39' 33" & Longitude: 74° 08' 24"into receiving waters known as: GroundwaterClass: GA

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

002 Groundwater GA

in accordance with the effluent limitations, monitoring requirements and other conditions set forth in Special Conditions (Part I) and General Conditions (Part II) of this permit.

DISCHARGE MONITORING REPORT (DMR) MAILING ADDRESSMailing Name: The VirTis Company Inc.Street: Route 208City: GardinerState: NYZip Code: 12525Responsible Official or Agent: David SutherlandPhone: (914) 255-5000

This permit and the authorization to discharge shall expire on midnight of the expiration date shown 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 a permit renewal no less than 180 days prior to the expiration date shown above.

DISTRIBUTION:

J. Marcogliese/E. Zicca

J. Sansalone

R. Hannaford, BWFD (3505)

Ulster County DOH

L. Livingston, EPA-NY

S. Bassell, P.E. of LMS ENGINEERING

| | | |
|--|-----------------------|-----|
| Permit Administrator: <u>Michael D. Merriman</u> | | WRS |
| Address: <u>21 South Putt Corners Rd, New Paltz, NY 12561</u> | | |
| Signature: <u>Michael D. Merriman</u> | Date: <u>10/21/91</u> | |

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTSDuring the period beginning June 1, 1989and lasting until June 1, 1994

the discharges from the permitted facility shall be limited and monitored by the permittee as specified below:

| Outfall Number & Effluent Parameter | Discharge Limitations | | Units | Minimum Monitoring Requirements | |
|--|-----------------------|------------|-------|------------------------------------|----------------|
| | Daily Avg. | Daily Max. | | Measurement Frequency | Sample Type |
| <u>001 Sanitary</u> | | | | | |
| No Monitoring Required. | | | | | |
| <u>002 Groundwater Remediation</u> | | | | | |
| Flow | NA | Monitor | gpd | Continuous | Recorded |
| Chlorodibromomethane | NA | 50 | µg/l | Monthly | Grab |
| 1,1-Dichloroethane | NA | 5 | µg/l | Monthly | Grab |
| 1,2-Dichloroethane | NA | 5 | µg/l | Monthly | Grab |
| 1,1-Dichloroethylene | NA | 5 | µg/l | Monthly | Grab |
| Tetrachloroethylene | NA | 5 | µg/l | Monthly | Grab |
| Trans-1,2-Dichloroethylene | NA | 5 | µg/l | Monthly | Grab |
| 1,1,1-Trichloroethane | NA | 5 | µg/l | Monthly | Grab |
| Trichloroethylene | NA | 5 | µg/l | Monthly | Grab |
| pH (Range) | 6.5 -8.5 | | SU | Monthly | Grab |

Definition of Daily Average and Daily Maximum

The daily average discharge is the total discharge by weight or in other appropriate units as specified herein, during a calendar month divided by the number of days in the month that the production or commercial facility was operating. Where less than daily sampling is required by this permit, the daily average discharge shall be determined by the summation of all the measured daily discharges in appropriate units as specified herein divided by the number of days during the calendar month when the measurements were made.

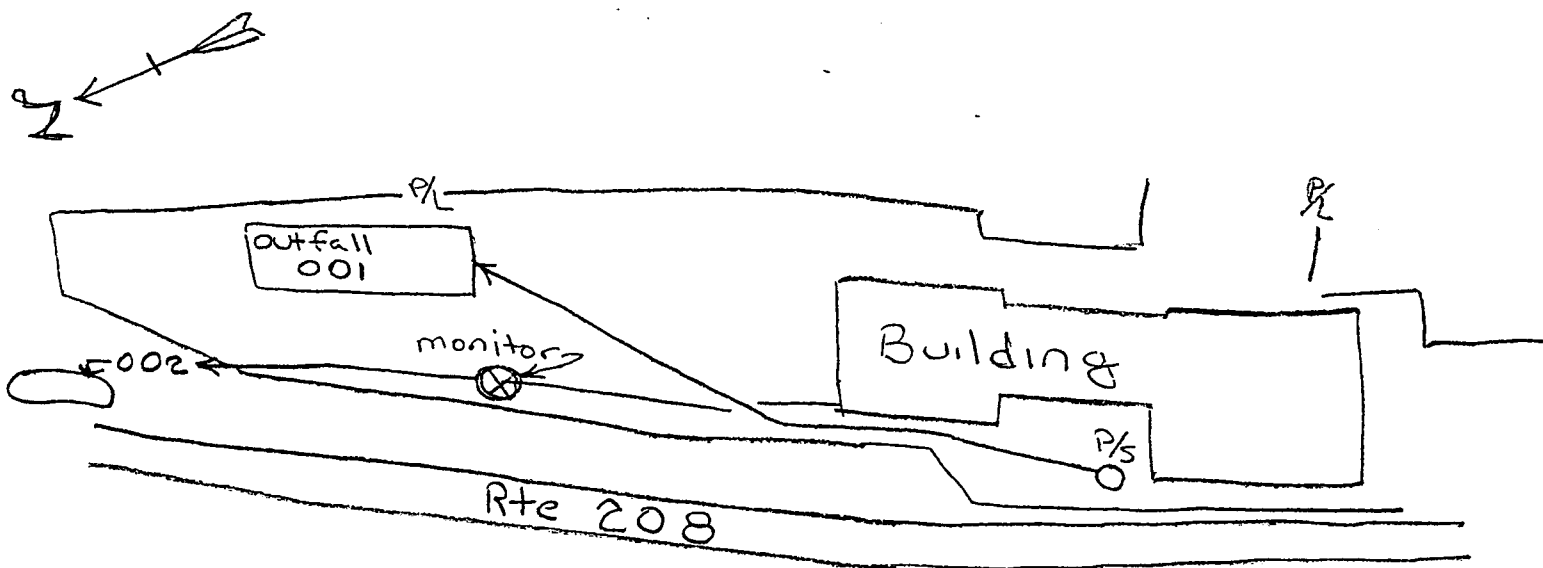
The daily maximum discharge means the total discharge by weight or in other appropriate units as specified herein, during any calendar day.

Monitoring Locations

Permittee shall take samples and measurements to meet the monitoring requirements at the location(s) indicated below:

(Show locations of outfalls with sketch or flow diagram as appropriate).

monitor following the air stripper but prior to discharge to the unsaturated zone of groundwater





APPLICATION FOR PERMIT TRANSFER

(In Accordance with Uniform Procedures, Part 621.13)

Please read ALL instructions on back before completing this application. Please TYPE or PRINT clearly in ink.

PART 1—TRANSFeree (NEW OWNER/OPERATOR/LESSEE) COMPLETES:

1. LIST PERMIT NUMBER(S) AND THEIR EFFECTIVE AND EXPIRATION DATES.

SPDES Permit #NY02108855 First issued 6/1/89 Expires 6/1/99

APR 10 1997

2. NAME OF TRANSFeree

Virtis Company Division of SP Industries Inc.

If other than an individual, provide Taxpayer ID
Number 22-3479662

STREET

815 Route 208

TELEPHONE NUMBER

(914) 255-5000

CITY

Gardiner

STATE

NY

ZIP CODE

12525

3. TRANSFeree IS A/AN:

☒ Owner☐ Operator☐ Lessee

4. NAME OF FACILITY/PROJECT

The Virits Company

STREET

815 Route 208

CITY

Gardiner

STATE

NY

ZIP CODE

12525

COUNTY

Ulster

TOWN

Gardiner

5. HAS WORK BEGUN ON THE PROJECT?

☒ Yes☐ No

If no, proposed starting date: _____

Approximate completion date: _____

If there will be any modifications to the current operation, the transferee must attach a statement specifying the details.

6. CERTIFICATION: This certifies that the transferee is the current owner/operator/lessee of the named facility, has a copy of the permit, understands and will comply with all conditions in the referenced permit. Facility operations/project scope/discharges/emissions will remain the same. Further, I hereby affirm that under penalty of perjury that information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Signature and Title

S. H. Burt, Jr. President

Date 12/30/96

PART 2—TRANSFEROR (FORMER OWNER/OPERATOR/LESSEE) COMPLETES:

1. NAME OF TRANSFEROR

The Virtis Company

If other than an individual, provide Taxpayer ID
Number 59-2921820

STREET

815 Route 208

TELEPHONE NUMBER

(914) 255-5000

CITY

Gardiner

STATE

NY

ZIP CODE

12525

2. NAME OF FACILITY/PROJECT, IF DIFFERENT FROM NAME IN PART 1:

3. CERTIFICATION: This certifies that the facility referenced in Part 1 of this form will be/was transferred to the party identified as the new transferee

(owner/operator/lessee) on 12/19/96 (date).

Signature and Title

S. H. Burt, Jr. President

Date 12/30/96

PART 3—PERMIT TRANSFER VALIDATION SECTION—DEPARTMENT OF ENVIRONMENTAL CONSERVATION COMPLETES:

☒ Transfer of permit approved. Transferee subject to conditions of permit, without exception.☐ Transfer of permit approved, with the following modifications:☐ See attached revised permit page(s)

The following numbers pertain to your permit & should be referenced on all correspondence addressed to this department

cc: R. Hannaford

Permit # 3-5124-00018/00008

J. Marcogliese/E. Zucca

Program ID# NY02108855

J. Sansalone

Owner ID# 1150749

Ulster Co. Health Dept

NYC DEP

☐ New application required. Please complete the enclosed permit application and return it to the undersigned Regional Permit Administrator, Division of Regulatory Affairs, at the appropriate office of the Department (see map on reverse).

Signature

William E. Steinkamp

Regional Permit Administrator

WILLIAM E. STEINKAMP

Date 4/10/97

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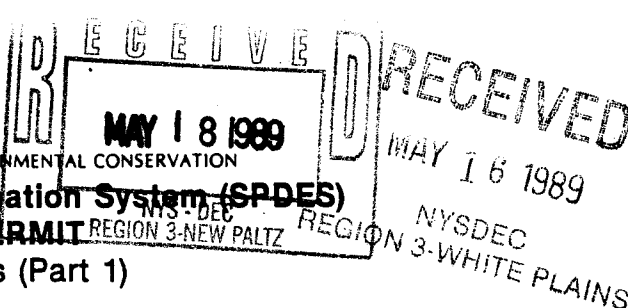
John Sansal

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

State Pollutant Discharge Elimination System (SPDES)

DISCHARGE PERMIT

Special Conditions (Part 1)



Industrial Code 3479
 Discharge Class (CL) 1
 Toxic Class (TX) T
 Major D.B. 13
 Sub D.B. 06
 Water Index Number _____

Facility ID Number: **NY-** 0218855
 UPA Tracking Number: 3-5124-18/3-0
 Effective Date (EDP): June 1, 1989
 Expiration Date (ExDP): June 1, 1994
 Modification Date(s): _____
 Attachment(s): General Conditions (Part II, 2/85), Attachment A
Order on Consent dated February 2, 1989

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

Attn: David Sutherland

Permittee Name: The VirTis Company Inc.

Street: Route 208

City: Gardiner State: New York Zip Code: 12525

is authorized to discharge from the facility described below:

Facility Name: The VirTis Company Inc.

Location (C,T,V): Gardiner (T) County: Ulster

Mailing Address (Street): Route 208

Mailing Address (City) Gardiner State: New York Zip Code: 12525

from Outfall No. 001 at: Latitude 41° 39' 33" & Longitude 74° 08' 24"

into receiving waters known as: Groundwater Class GA

and: (list other Outfalls, Receiving Waters & Water Classification)

in accordance with the effluent limitations, monitoring requirements and other conditions set forth in this permit.

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 as prescribed by Sections 17-0803 and 17-0804 of the Environmental Conservation Law and Parts 621, 752, and 755 of the Departments' rules and regulations.

| | | |
|---|------------------------------------|--|
| PERMIT ADMINISTRATOR Deputy Margaret E. Duke | DATE ISSUED <u>May 10, 1989</u> | ADDRESS 21 South Putt Corners Rd. New Paltz, NY 12561-1696 |
|---|------------------------------------|--|

Distribution: C. Manfredi/J. Marcogliese
 J. Sansalone
 R. Hannaford BWFD
 UCHD
 S. Bassell

Margaret E. Duke
 SIGNATURE



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FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTSDuring the Period Beginning June 1, 1989and lasting until June 1, 1994

the discharges from the permitted facility shall be limited and monitored by the permittee as specified below:

| Outfall Number & Effluent Parameter | Discharge Limitations | | Units | Minimum Monitoring Requirements | | |
|--|-----------------------|------------|-------|------------------------------------|----------------|------------|
| | Daily Avg. | Daily Max. | | Measurement Frequency | Sample Type | |
| <u>001 Process, Sanitary and Cooling Water</u> | | | | | | |
| Flow | NA | Monitor | gpd | Monthly | Total | Each Batch |
| Aluminum - Total | NA | 2 | mg/l | Monthly | | Grab |
| Iron - Total | NA | .6 | mg/l | Monthly | | Grab |
| Oil & Grease | NA | 15 | mg/l | Monthly | | Grab |
| Phenol - Total | NA | 2 | ug/l | Monthly | | Grab |
| 1,1,1-Trichloroethane | NA | 50 | ug/l | Monthly | | Grab |
| Trichloroethylene | NA | 10 | ug/l | Monthly | | Grab |
| Chromium - Total | NA | 1 | mg/l | Quarterly | | Grab |
| Copper - Total | NA | 1 | mg/l | Quarterly | | Grab |
| Lead - Total | NA | .05 | mg/l | Quarterly | | Grab |
| Zinc - Total | NA | 5 | mg/l | Quarterly | | Grab |
| 1,1-Dichloroethane | NA | 50 | ug/l | Quarterly | | Grab |
| 1,1-Dichloroethylene | NA | .7 | ug/l | Quarterly | | Grab |
| Tetrachloroethylene | NA | .7 | ug/l | Quarterly | | Grab |
| Toluene | NA | 50 | ug/l | Quarterly | | Grab |
| Trans-1,2-Dichloroethylene | NA | 50 | ug/l | Quarterly | | Grab |
| pH (Range) | 6.5 - 8.5 | | SU | Quarterly | | Grab |



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ACTION LEVEL REQUIREMENTS

The parameters listed below have been reported present in the discharge but at levels that currently do not require water-quality or technology-based limits. Action levels have been established which if exceeded will result in re-consideration of Water Quality and Technology based limits.

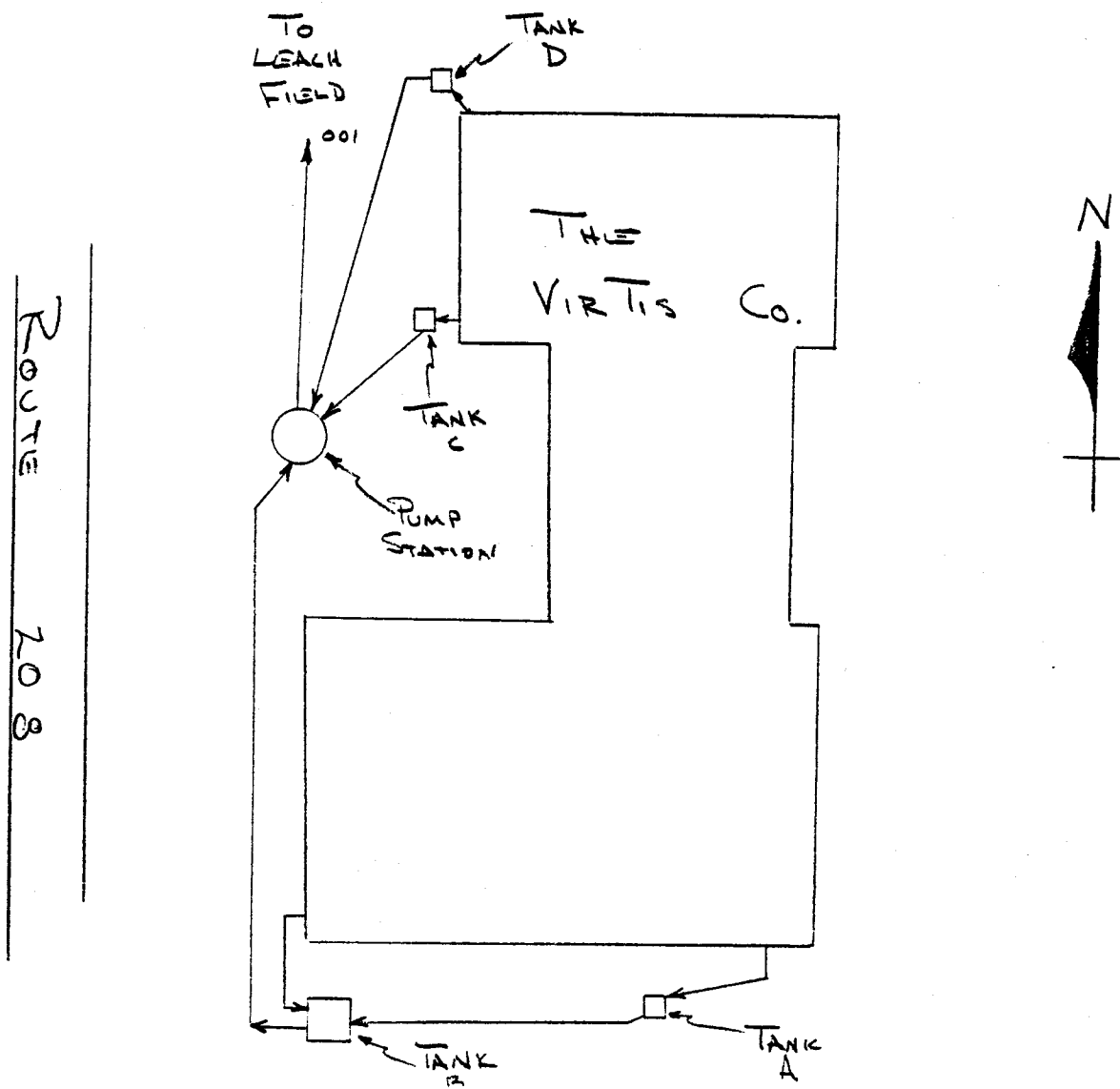
Routine action level monitoring results, if not provided for on the Discharge Monitoring Report (DMR) form, shall be appended to the DMR for the period during which the sampling was conducted.

If any of the action levels is exceeded, the permittee shall undertake a short-term, high-intensity monitoring program for this parameter. Samples identical to those required for routine monitoring purposes shall be taken on each of at least three operating days and analyzed. Results shall be expressed in terms of both concentration and mass, and shall be submitted no later than the end of the third month following the month when the action level was first exceeded. Results may be appended to a DMR or transmitted under separate cover to the same addresses. If levels higher than the action levels are confirmed, the result shall constitute a revised application and the permit shall be reopened for consideration of revised action levels or effluent limits.

The permittee is not authorized to discharge any of the listed parameters at levels which may cause or contribute to a violation of water quality standards.

Minimum Monitoring Requirements

| Outfall Number and Effluent Parameter | Action Level | Units | Measurement Frequency | Sample Type |
|---------------------------------------|--------------|-------|-----------------------|-------------|
|---------------------------------------|--------------|-------|-----------------------|-------------|





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SCHEDULE OF COMPLIANCE FOR EFFLUENT LIMITATIONS

(a) Permittee shall achieve compliance with the effluent limitations specified in this permit for the permitted discharge(s) in accordance with the following schedule:

| Action Code | Outfall Number(s) | Compliance Action | Due Date |
|----------------|----------------------|---|----------|
| 001 | | Refer to Attachment A, Order on Consent, dated February 2, 1989, File No. R-3-1518-8805, and any subsequent amendments. | |

(b) The permittee shall submit to the Department of Environmental Conservation the required document(s) where a specific action is required in (a) above to be taken by a certain date, and a written notice of compliance or noncompliance with each of the above schedule dates, postmarked no later than 14 days following each elapsed date. Each notice of noncompliance shall include the following information:

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



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MONITORING, RECORDING AND REPORTING

a) The permittee shall also refer to the General Conditions (Part II) of this permit for additional information concerning monitoring and reporting requirements and conditions.

b) The monitoring information required by this permit shall be:

☐ Summarized, signed and retained for a period of three years from the date of sampling for subsequent inspection by the Department or its designated agent.

☒ Summarized and reported by submitting completed and signed Discharge Monitoring Report forms once every 1 month(s) to the locations specified below. Blank forms available at department offices listed below.

The first report will be due no later than July 28, 1989

Thereafter, reports shall be submitted no later than the 28th of the following month(s): Each Month

Department of Environmental Conservation
Regional Water Engineer

Department of Environmental Conservation
Division of Water
50 Wolf Road,
Albany, New York 12233

☐ (Applicable only if checked)

_____, Chief

Permit Administration Branch
Planning & Management Division
USEPA Region II, 26 Federal Plaza
New York, New York 10278

- c) If so directed, Monthly Wastewater Treatment Plant Operator's Reports should be submitted to the Regional Engineer and County Health Department or County Environmental Control Agency specified above.
- d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.
- e) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR 136 or as specified in the permit, the results of this monitoring shall be included in the calculations and recording of the data on the Discharge Monitoring Reports.
- f) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.
- g) Unless otherwise specified, all information recorded on the Discharge Monitoring Report shall be based upon measurements and sampling carried out during the most recently completed reporting period.
- h) On or after April 1, 1984, any laboratory test or sample analysis required by this permit for which the State Commissioner of Health issues certificates of approval pursuant to section five hundred two 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 sent to the Laboratory Certification/Quality Assurance Group, New York State Health Department Center for Laboratories and Research, Division of Environmental Sciences, The Nelson A. Rockefeller Empire State Plaza, Albany, New York 12201.



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ATTACHMENT A

NEW YORK STATE: DEPARTMENT OF ENVIRONMENTAL CONSERVATION

In the Matter of Alleged
Violations of the Environmental
Conservation Law ("ECL"), Article 17
Part 751.1 of Title 6 of the Official
Compilation of Codes, Rules and
Regulations of the State of New York
by:

ORDER ON
CONSENT

FILE NO.
R3-1518-8805

VIRTIS COMPANY, INC.,

Respondent

WHEREAS:

1. New York State Department of Environmental Conservation ("DEC") has management responsibility for the issuance of all SPDES permits, which permits are required for the regulation of discharges into the waters of the State pursuant to Title 8 of Article 17 of the Environmental Conservation Law ("ECL") and the rules and regulations promulgated pursuant thereto.

2. Respondent, Virtis Company, Inc., owns and operates a manufacturing facility located on Route 208 in the Town of Gardiner, Ulster County, New York.

3. The DEC alleges that prior to and since November, 1987 Respondent has discharged industrial wastes to the groundwater without a valid SPDES permit.

4. The DEC alleges that prior to and since November of 1987 Respondent discharged to groundwater industrial wastes at levels that exceeded the limitations for groundwater discharges for 1,1,1-trichloroethane and oil and grease.

5. Section 17-0511 of the Environmental Conservation Law ("ECL") provides that:

"The use of existing or new outlets as point sources, which discharge sewage, industrial waste or other wastes into waters of this State is prohibited unless such use is in compliance with all standards, criteria, limitations, rules and regulations promulgated or applied by the Department pursuant to this Article."

6. Subsection (1)(b) of Section 17-0701 of the ECL provides, in pertinent part, that:

"1. It shall be unlawful for any person, until a written SPDES permit therefor has been granted by the Commissioner, or by his designated representative, and unless such permit remains in full force and effect to:

b. . . use a disposal system for the discharge of sewage, industrial waste or other wastes, or the effluent therefrom, into the waters of the State. ."

7. Section 17-0803 of the ECL and Section 751.1 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York ("6NYCRR") provides that:

It shall be unlawful to discharge pollutants to the waters of the State in a manner other than as prescribed by a SPDES permit issued pursuant to Article 17 of the ECL and the rules and regulations promulgated pursuant thereto.

8. The DEC alleges that the activities described in Paragraph 3 and 4 above constitute violations of Respondent's SPDES permit and Section 17-0511, 17-0701(1)(b), and 17-0803 of the ECL and Part 751.1 of 6 NYCRR.

9. Section 71-1929 of the ECL provides for a civil penalty of up to \$10,000 per day for a violation of any provision of Titles 1 through 11 of Article 17 of the ECL, or the rules, regulations, orders or determinations of the Commissioner promulgated thereto or the terms of a permit issued thereunder. Injunctive relief is also available.

10. For purposes of resolving this matter without resulting in litigation, without admitting any of the allegations contained herein, Respondent waives its right to notice and hearing in the manner provided by law and consents to the issuing and entering of this Order and agrees to be bound by the terms, provisions and conditions contained therein.

NOW, having considered this matter and being duly advised, it is ORDERED that:

I. In respect of the aforesaid violations, a civil penalty in the amount of \$12,000 is hereby assessed against Respondent, which amount shall be payable as follows: \$2,000 shall be paid by Respondent to the Department within 10 days of receipt by Respondent's of an executed copy of this Order to the Department; \$10,000 of which shall be suspended upon condition that Respondent remain in compliance with each term, provision and condition of this Order. The suspended penalty shall become



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payable within 15 days after receipt by Respondent of a notice of noncompliance if the default has not been corrected by the date of receipt of the notice.

II. Respondent agrees to comply with the attached Schedule of Compliance, incorporated herein and made a part hereof.

III. All violations alleged by the Department herein to have been committed by Respondent shall constitute continuing violations. However, the Department shall not institute an action or proceeding for penalties or other relief pursuant to law on account of any of such violations for as long as Respondent adheres to and fully complies with the terms, provisions and conditions of this Order and compliance with the terms, provisions and conditions of this Order shall be in full satisfaction of any relief (including penalties) that could be sought by the Department pursuant to Law on account of the violations alleged herein.

IV. Respondent shall not be in default of compliance with this Order if Respondent is unable to comply with any provision of this Order because of the action of a national or local government body or court, an act of God, war, strike, riot or catastrophe or other circumstances beyond the control of Respondent as to any of which the negligence or willful misconduct on the part of Respondent was not the proximate cause. Respondent shall apply in writing to the Department immediately upon obtaining knowledge of such event and request an appropriate modification to this Order.

V. If, for any reason, Respondent desires that any provision of this Order be changed, Respondent shall make timely written application therefor to the Department setting forth reasonable grounds for the relief sought, together with any supporting documentation tending to establish such grounds. Such request shall be made as soon as reasonably possible after Respondent learns of the grounds for such relief. No change or modification to this Order shall be made or be effective except as may be specifically set forth in writing by the Department. The Department will not unreasonably deny such requests.

VI. All reports and submissions herein required shall be made to the Region 3 headquarters, New York State Department of Environmental Conservation, 202 Mamaroneck Avenue, White Plains, New York 10601, Attn: Regional Water Engineer. All notices to Respondent hereunder shall be to the Virtis, Company, Inc.: Route 208, Gardiner, New York 12525, Attn: S. Gerald Bart.

VII. For the purpose of insuring compliance with this Order, duly authorized representatives of this Department shall be permitted access to the site in question during reasonable business hours, in order to inspect and/or require such tests as may be deemed necessary to determine the status of Respondent's compliance herewith.



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VIII. The terms of this Order shall not be construed to prohibit the Commissioner or his duly authorized representative from exercising any summary abatement powers, either at common law or as granted pursuant to statute or regulation.

IX. Respondent shall indemnify and hold the Department, the State of New York, and their representatives and employees harmless for all claims, suits, actions, damages and costs of every name and description arising out of or resulting from the negligence of Respondent, its directors, officers, employees, servants, agents, successors or assigns in the fulfillment of the provisions hereof.

X. The failure of Respondent to comply fully and in timely fashion with any provision of this Order shall constitute a default and a failure to perform an obligation under this Order and under the ECL.

XI. The provisions of this Order shall be deemed to bind Respondent, successors and assigns. Respondent shall be responsible for ensuring that its officers, directors, agents, employees and all persons, firms and corporations acting under or for it comply with the terms and conditions of this Order.

XII. The terms and conditions of this Order shall not create any presumptions of law or findings of fact which shall inure to or be for the benefit of any party and shall not be deemed to be an admission of any kind on the part of Respondent, its officers or employees.

DATED: New Paltz, New York
February 2, 1989

THOMAS C. JORLING
Commissioner
New York State Department of
Environmental Conservation

BY:


PAUL D. KELLER
Regional Director
Region 3

TO: Virtis Company, Inc.



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SCHEDULE OF COMPLIANCE

1. Within four months after the issuance of the SPDES permit, Respondent shall submit a final Engineering Report, plans and specifications for a waste disposal system capable of compliance with the SPDES permit #NY021855. The Engineering Report shall include a proposed construction schedule; the approved schedule shall be deemed part of this Order.
2. Within 30 days after receipt of the Department's approval on the waste disposal system report, Respondent shall commence construction of the waste disposal system.
3. Respondent shall complete construction of the waste disposal system and commence its operation in accordance with the approved schedule.
4. Respondent shall attain compliance with the terms and conditions of its SPDES permit in accordance with the approved schedule.



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CONSENT BY RESPONDENT

Respondent hereby consents to the issuing and entering of this Order, waives its rights to notice and hearing herein and agrees to be bound by the provisions, terms and conditions container herein.

By: S.G. Bart Jr
Title: President
Date: 3 January 1989

STATE OF NY)
COUNTY OF ULSTER) SS.:

On this 3RD day of JANUARY, 1989, before me personally came S.G. BART, JR, to me known, who being by me duly sworn did depose and say that he resides in GARDINER, NY, that he is PRESIDENT of, the Corporation described in and which executed the foregoing instrument, and that he signed his name as authorized by said Corporation.

Stephen H. Brichter
NOTARY PUBLIC

STEPHEN H. BRICHTER
NOTARY PUBLIC, STATE OF NEW YORK
COUNTY OF ORANGE
COMMISSION EXPIRES MARCH 30, 19

#0413700 10/31/89



11

APPLICATION FOR PERMIT TRANSFER

(In Accordance with Uniform Procedures, Part 621.13)

Please read ALL instructions on back before completing this application. Please TYPE or PRINT clearly in ink.

PART 1—TRANSFEEE (NEW OWNER/OPERATOR/LESSEE) COMPLETES:

1. LIST PERMIT NUMBER(S) AND THEIR EFFECTIVE AND EXPIRATION DATES

SPDES Permit #NY02108855 First issued 6/1/89 Expires 6/1/99

APR 10 1997

2. NAME OF TRANSFEEE

Virtis Company Division of SP Industries Inc.

If other than an individual, provide Taxpayer ID
Number 22-3479662

STREET

815 Route 208

TELEPHONE NUMBER

(914) 255-5000

CITY

Gardiner

STATE

NY

ZIP CODE

12525

3. TRANSFEEE IS A/AN:

☒ Owner☐ Operator☐ Lessee

4. NAME OF FACILITY/PROJECT

The Virits Company

STREET

815 Route 208

CITY

Gardiner

STATE

NY

ZIP CODE

12525

COUNTY

Ulster

TOWN

Gardiner

5. HAS WORK BEGUN ON THE PROJECT?

☒ Yes☐ No

If no, proposed starting date: _____

Approximate completion date: _____

If there will be any modifications to the current operation, the transferee must attach a statement specifying the details.

6. CERTIFICATION: This certifies that the transferee is the current owner/operator/lessee of the named facility, has a copy of the permit, understands and will comply with all conditions in the referenced permit. Facility operations/project scope/discharges/emissions will remain the same. Further, I hereby affirm that under penalty of perjury that information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Signature and Title

S. J. Burt, Jr. President

Date

12/30/96

PART 2—TRANSFEROR (FORMER OWNER/OPERATOR/LESSEE) COMPLETES:

1. NAME OF TRANSFEROR

The Virtis Company

If other than an individual, provide Taxpayer ID
Number 59-2921820

STREET

815 Route 208

TELEPHONE NUMBER

(914) 255-5000

CITY

Gardiner

STATE

NY

ZIP CODE

12525

2. NAME OF FACILITY/PROJECT, IF DIFFERENT FROM NAME IN PART 1:

3. CERTIFICATION: This certifies that the facility referenced in Part 1 of this form will be/was transferred to the party identified as the new transferee

(owner/operator/lessee) on 12/19/96 (date).

Signature and Title

S. J. Burt, Jr. President

Date

12/30/96

PART 3—PERMIT TRANSFER VALIDATION SECTION—DEPARTMENT OF ENVIRONMENTAL CONSERVATION COMPLETES:

☒ Transfer of permit approved. Transferee subject to conditions of permit, without exception.☐ Transfer of permit approved, with the following modifications:☐ See attached revised permit page(s)

The following numbers pertain to your permit & should be referenced on all correspondence addressed to this department

cc: R. Hannaford

Permit # 3 5124-00018/00008

J. Marcogliese/E 2.00a

Program ID # NY 02108855

J. Sansalone

Owner ID # 1150749

Ulster Co. Health Dept

☐ New application required. Please complete the enclosed permit application and return it to the undersigned Regional Permit Administrator, Division of Regulatory Affairs, at the appropriate office of the Department (see map on reverse).

Signature

W. E. Steine

Regional Permit Administrator

WILLIAM E. STEINE

Date

4/10/97



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
State Pollutant Discharge Elimination System (SPDES)

DISCHARGE PERMIT
Special Conditions (Part I)

OCT 22 1991

Industrial Code: 4959
 Discharge Class (CL): 10
 Toxic Class (TX): T
 Major Drainage Basin: 13
 Sub Drainage Basin: 06
 Water Index Number: _____
 Compact Area: _____

SPDES Number: NY - 0218855
 DEC Number: 3-5124-18/8-0
 Effective Date (EDP): 06/01/89
 Expiration Date (ExDP): 06/01/94
 Modification Date(s): OCTOBER 21, 1991
 Attachment(s): General Conditions (Part II) Date: 11 / 90

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. Section 1251 et. seq.) (hereafter referred to as "the Act").

PERMITTEE NAME AND ADDRESSAttention: David SutherlandName: The VirTis Company Inc.Street: Route 208City: GardinerState: NY Zip Code: 12525

is authorized to discharge from the facility described below:

FACILITY NAME AND ADDRESSName: The VirTis Company Inc.Location (C,T,V): Gardiner (T)County: UlsterFacility Address: Route 208City: GardinerState: NY Zip Code: 12525NYTM - E: _____ NYTM - N: 4From Outfall No.: 001 at Latitude: 41° 39' 33" & Longitude: 74° 08' 24"into receiving waters known as: Groundwater Class: GA

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

002 Groundwater GA

in accordance with the effluent limitations, monitoring requirements and other conditions set forth in Special Conditions (Part I) and General Conditions (Part II) of this permit.

DISCHARGE MONITORING REPORT (DMR) MAILING ADDRESSMailing Name: The VirTis Company Inc.Street: Route 208City: GardinerState: NY Zip Code: 12525Responsible Official or Agent: David Sutherland Phone: (914) 255-5000

This permit and the authorization to discharge shall expire on midnight of the expiration date shown 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 a permit renewal no less than 180 days prior to the expiration date shown above.

DISTRIBUTION:

J. Marcogliese/E. Zicca

J. Sansalone

R. Hannaford, BWFD (3505)

Ulster County DOH

L. Livingston, EPA-NY

S. Bassell, P.E. OF LMS ENGINEERING

| | | |
|--|-----------------------|-----|
| Permit Administrator: <u>Michael D. Merriman</u> | | WRS |
| Address: <u>21 South Putt Corners Rd, New Paltz, NY 12561</u> | | |
| Signature: <u>Michael D. Merriman</u> | Date: <u>10/21/91</u> | |

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning June 1, 1989and lasting until June 1, 1994

the discharges from the permitted facility shall be limited and monitored by the permittee as specified below:

| Outfall Number & Effluent Parameter | Discharge Limitations | | Units | Minimum Monitoring Requirements | |
|--|-----------------------|------------|-------|------------------------------------|----------------|
| | Daily Avg. | Daily Max. | | Measurement Frequency | Sample Type |
| <u>001 Sanitary</u> | | | | | |
| No Monitoring Required. | | | | | |
| <u>002 Groundwater Remediation</u> | | | | | |
| Flow | NA | Monitor | gpd | Continuous | Recorded |
| Chlorodibromomethane | NA | 50 | µg/l | Monthly | Grab |
| 1,1-Dichloroethane | NA | 5 | µg/l | Monthly | Grab |
| 1,2-Dichloroethane | NA | 5 | µg/l | Monthly | Grab |
| 1,1-Dichloroethylene | NA | 5 | µg/l | Monthly | Grab |
| Tetrachloroethylene | NA | 5 | µg/l | Monthly | Grab |
| Trans-1,2-Dichloroethylene | NA | 5 | µg/l | Monthly | Grab |
| 1,1,1-Trichloroethane | NA | 5 | µg/l | Monthly | Grab |
| Trichloroethylene | NA | 5 | µg/l | Monthly | Grab |
| pH (Range) | 6.5 -8.5 | | SU | Monthly | Grab |

Definition of Daily Average and Daily Maximum

The daily average discharge is the total discharge by weight or in other appropriate units as specified herein, during a calendar month divided by the number of days in the month that the production or commercial facility was operating. Where less than daily sampling is required by this permit, the daily average discharge shall be determined by the summation of all the measured daily discharges in appropriate units as specified herein divided by the number of days during the calendar month when the measurements were made.

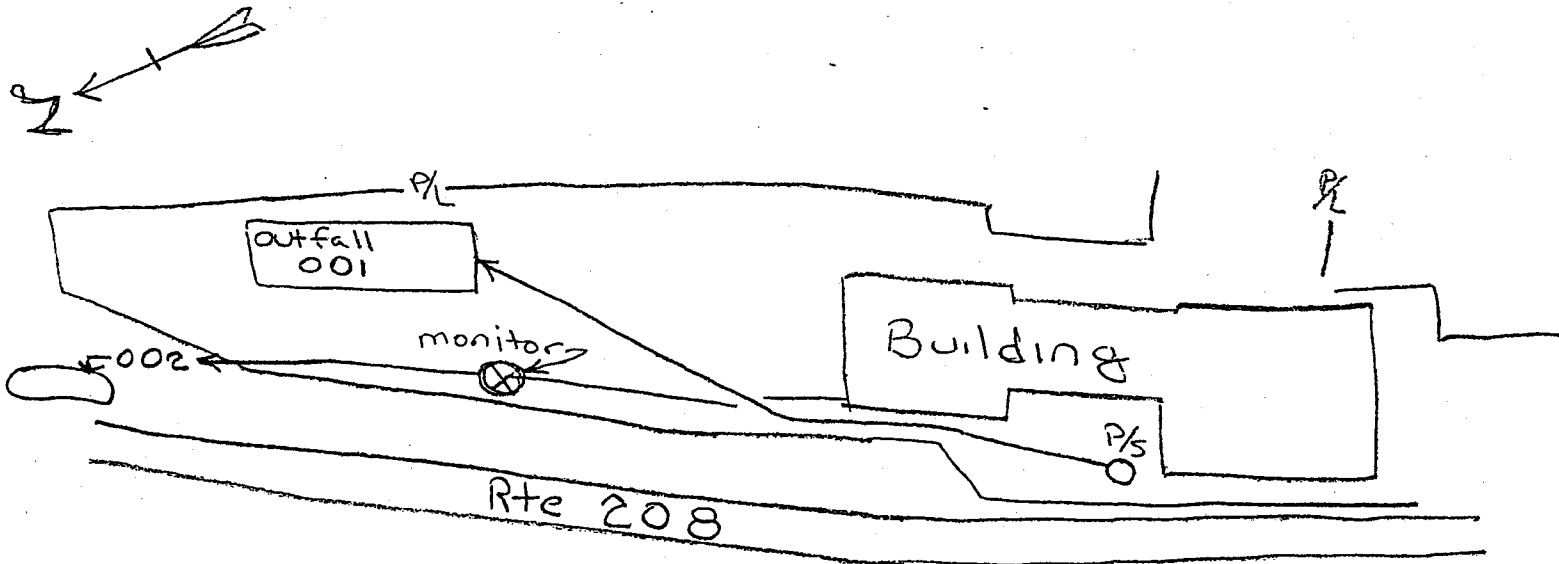
The daily maximum discharge means the total discharge by weight or in other appropriate units as specified herein, during any calendar day.

Monitoring Locations

Permittee shall take samples and measurements to meet the monitoring requirements at the location(s) indicated below:

(Show locations of outfalls with sketch or flow diagram as appropriate).

monitor following the air stripper but prior to discharge to the unsaturated zone of groundwater





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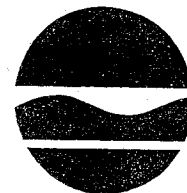
New York State Department of Environmental Conservation

Division of Environmental Permits, 4th Floor

625 Broadway, Albany, New York 12233-1750

Phone: (518) 402-9167 • FAX: (518) 402-9168

Website: www.dec.ny.gov



Alexander B. Grannis
Commissioner

MAR 27 2009

FACILITY INFORMATION

S G Bart, Jr.
Virtis Co. Division of SP Industries, Inc.
815 Route 208
Gardiner, NY 12525

NAME: Virtis Co., Inc.
LOCATION: Gardiner (T)
COUNTY: Ulster
SPDES NO: NY 021 8855
DEC ID NO.: 3-5124-00018/00008

Dear SPDES Permittee:

Enclosed please find a validated NOTICE/RENEWAL APPLICATION/PERMIT form renewing your State Pollutant Discharge Elimination System (SPDES) permit for the referenced facility. This validated form, together with the previously issued permit (see issuance date of this permit in Part 3 of the NOTICE/RENEWAL APPLICATION/PERMIT form), and any subsequent permit modifications constitute authorization to discharge wastewater in accordance with all terms, conditions and limitations specified therein.

The instructions and other information that you received with the NOTICE/RENEWAL APPLICATION/PERMIT package fully described procedures for renewal and modification of your SPDES permit under the Environmental Benefit Permit Strategy (EBPS). As a reminder, SPDES permits are renewed at a central location in Albany in order to make the process more efficient. All other concerns with your permit such as applications for permit modifications, permit transfers to a new owner, name changes, and other questions should be directed to the Regional Permit Administrator at the following address:

Margaret Duke
NYSDEC - Region 3
21 South Putt Corners Road
New Paltz, NY 12561-1696
(845)256-3054

If you have already filed an application for modification of your permit, it will be processed separately through our regional office. If you have questions concerning this permit renewal, please contact Lindy Sue Czubernat at (518) 402-9165.

Sincerely,

William R. Alvane

Chief Permit Administrator

Enclosure
cc: RPA
RWE
BWP

State Pollutant Discharge Elimination System (SPDES)

NOTICE / RENEWAL APPLICATION / PERMIT



Please read **ALL** instructions on the back before completing this application form. Please **TYPE** or **PRINT** clearly in ink.

PART 1 - NOTICE

08/28/2008

Permittee Contact Name, Title, Address

Facility and SPDES Permit Information

VIRTIS CO DIV OF SP INDUSTRIES INC
S G BART JR
815 ROUTE 208
GARDINER NY 12525

Name: VIRTIS CO. INC.
Ind. Code: 9511 County: ULSTER
DEC No.: 3-5124-00018/00008
SPDES No.: NY 021 8855
Expiration Date: 06/01/2009
Application Due By: 12/03/2008

Are these name(s) & address(es) correct? if not, please write corrections above.

The State Pollutant Discharge Elimination System Permit for the facility referenced above expires on the date indicated. You are required by law to file a complete renewal application at least **180 days prior to expiration of your current permit**. Note the "Application Due By" date above.

CAUTION: This short application form and attached questionnaire are the only forms acceptable for permit renewal. Sign Part 2 below and mail only this form and the completed questionnaire using the enclosed envelope. *Effective April 1, 1994 the Department no longer assesses SPDES application fees.*

If there are changes to your discharge, or to operations affecting the discharge, then in addition to this renewal application, you must also submit a separate permit modification application to the Regional Permit Administrator for the DEC region in which the facility is located, as required by your current permit. See the reverse side of this page for instructions on filing a modification request.

PART 2 - RENEWAL APPLICATION

CERTIFICATION: I hereby affirm that under penalty of perjury that the information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Name of person signing application (see instructions on back)

Title

Signature

Date

PART 3 - PERMIT (Below this line - Official Use Only)

Effective Date: 6/1/09

Expiration Date: 5/31/14

William R. Adriance

Address:

NYSDEC - Division of Environmental Permits
Bureau of Environmental Analysis
625 Broadway, Albany, NY 12233-1750

Permit Administrator

Signature

Date

MAR 27 2009

This permit together with the previous valid permit for this facility issued 6/1/04 and subsequent modifications constitute authorization to discharge wastewater in accordance with all terms, conditions and limitations specified in the previously issued valid permit, modifications thereof or issued as part of this permit, including any special or general conditions attached hereto. Nothing in this permit shall be deemed to waive the Department's authority to initiate a modification of this permit on the grounds specified in 6NYCRR §621.14, 6NYCRR §754.4 or 6NYCRR §757.1 existing at the time this permit is issued or which arise thereafter.

Attachments: General Conditions dated 1/

RECEIVED
NYSDEC
ENVIRONMENTAL PERMITS
JAN 26 PM 2:12



DEC Number: 3-5124-00018 00008
SPDES Number: NY 021 8855

THIS PAGE MUST BE COMPLETED AND RETURNED WITH YOUR COMPLETED APPLICATION

1. Has the SPDES permit for your facility been modified in the past 5 years ☐ YES ☒ NO

2. Dischargers who use, manufacture, store, handle or discharge toxic or hazardous pollutants are subject to Industrial Best Management Practices (BMP) plan requirements for toxic or hazardous substances. A BMP plan prevents or minimizes the potential for release of pollutants to receiving waters from such ancillary industrial activities, including material storage areas; plant site runoff; in-plant transfer; process and material storage areas; loading and unloading operations, and sludge and waste disposal areas.

Does your facility conduct ancillary activities as described above, which are not covered by BMP requirements in your current permit? ☐ YES ☒ NO

Please indicate which of the following best describes the situation at your facility:

- ☒ None of the concerns on the "Self Evaluation List" seem to apply to my facility at this time and I will not be applying for a modification of the SPDES permit in the foreseeable future.
- ☐ Yes, some of the items on the "Self Evaluation List" have led me to believe that the permit for this facility needs to be modified. I already have a complete modification application pending with the Department.
- ☐ Yes, some of the items on the "Self Evaluation List" have led me to believe that the SPDES permit for this facility may need to be Modified. I have requested the appropriate forms by phone OR I have completed and attached the "Request For SPDES Application Forms" (included in this renewal package) to allow me to submit a permittee-initiated Modification application. See The "Request For SPDES Application Forms" page for a toll free 800 number.
- ☐ The items on the "Self Evaluation List" have left me unable to conclude whether my permit needs to be modified at this time. I am reporting the following general concerns about my permit:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Regional Water Engineer
Regional Permit Administrator
Central Office (BWP)



SPDES PRIORITY EVALUATION FACT SHEET

Printed: 02/10/2009 8:16am

Facility Detail - 3512400018 - THE VIRTIS CO

Printed: 02/10/2009 8:17am

DEC ID 3-5124-00018 Sub Office ☐ Verified ☐ Locked ☐ Create Date 04/01/1986
 Name THE VIRTIS CO Update Date 10/03/2007

Locational Information

Street /
Directions 815 ST RTE 208

City GARDINERState NY Zip 12525Country USA

☒ This facility is within an area of interest to the Environmental Justice program

Municipality Information

Name GARDINER SWIS Code 5124 Type TOWN County ULSTER Primary ☒

Legally Responsible Information

| Primary | Public ID | Name | Begin Date | End Date | LRP Type |
|-------------------------------------|----------------|--|-------------------|-------------------|----------|
| <input checked="" type="checkbox"/> | <u>1150749</u> | <u>VIRTIS CO DIVISION OF SP INDUSTRIES</u> | <u>01/15/1997</u> | <u>00/00/0000</u> | |

Program Identifiers

| Type | Program ID | SPDES Primary Ind | End Date |
|--|-------------------|-------------------------------------|----------|
| <u>DIVISION of Air Resources ID (NYSDEC)</u> | <u>5124000185</u> | | |
| <u>State Pollutant Discharge Elimination System ID (USEPA)</u> | <u>NY0218855</u> | <input checked="" type="checkbox"/> | |

EBPS Ranking Detail - [Update Scores]

Factor 14 Longevity Score, Class 01, 07, 09, and 10: Enter the year when last Long Form Application with comprehensive effluent sampling was submitted.

| ENV Rating | Mult | Score | Permit Last Modified | DOW EBPS Signed By | Date Added | Date Removed |
|------------|----------|-----------|----------------------|-------------------------|-------------------|-------------------|
| <u>16</u> | <u>3</u> | <u>48</u> | <u>11/06/2003</u> | <u>JAMES HARRINGTON</u> | <u>11/12/1992</u> | <u>00/00/0000</u> |

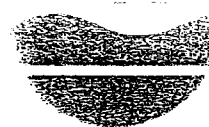
Ranking Reason

Factor 4B Permit needs to be modified to add industrial BMP, PMP, or storm water requirements of secondary importance (e.g. regulatory requirement not associated with the discharge of toxics)

| ENV Rating | Mult | Score | Permit Last Modified | DOW EBPS Signed By | Date Added | Date Removed |
|------------|----------|----------|----------------------|-------------------------|-------------------|-------------------|
| <u>2</u> | <u>1</u> | <u>2</u> | <u>11/06/2003</u> | <u>JAMES HARRINGTON</u> | <u>11/12/1992</u> | <u>00/00/0000</u> |

CURRENT EBPS SCORE 50





BT

Alexander B. Granis
Commissioner

MEMORANDUM and Tracking Log for
Administrative Renewals

I: PRIOR TO PUBLIC NOTICE:

TO: Section Chief, DOW, Wastewater Permits - Check Correct Section
☒ South (Reg. 1, 2, 3) ☐ Central (Reg. 4, 5, 6) ☐ West (Reg. 7, 8, 9)

FROM: Administrative Renewal Coordinator, Division Environmental of Permits

SUBJECT: Facility Name: Virtis Co., Inc. SPDES No. NY 021 8855

DATE: 2/5/09 DEP No.: 3-5124-00018/00008

Attached is the Administrative Renewal Application for the subject facility. Please review the below checked off items and provide your recommendations regarding whether the administrative renewal should proceed.

☒ Need EBPS Score reviewed and updated as appropriate with copy of score sheet returned (Not for class 02 or 04 permits).

☐ Questionnaire indicates potential need to change permit.

Not SAPA Extended
ASAP

TO: Administrative Renewal Coordinator, Division Environmental of Permits

THROUGH: Section Chief, DOW, Wastewater Permits

FROM: Permit Writer or Reviewer: Name: Bruce Terbush

Permit Writer Signature: Bruce R. Terbush Section Chief Signature: Clayton Webber

DATE: 2-10-09

DOW has reviewed the subject Adm. renewal, have attached the current EBPS score sheet, and recommend the following:

☒ Public Notice the administrative renewal permit.

☐ EBPS scoring for the facility has been amended

☐ No additional action required by DOW

☐ Suspend Administrative renewal and place facility on the No Administrative Renewal List. DEP should send letter to applicant.

☐ Items indicated by permittee need to be addressed by DOW through permit review and possible modification.

☐ This will be handled now through a Dept. Initiated Mod

☐ This will be handled through the EBPS system.

☐ Other: _____

GO TO NEXT PAGE



| Tracked DEC ID 3-5124-00018/00008 Public ID: 1150749 Project Description: SPDES Fast TRack Renewal for # NY 021 8855 | | Batch ID 611370 Processing Office NYSDEC HEADQUARTERS | | DEP Analyst LINDY SUE CZUBERNAT | | Date Received January 26, 2009 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|----------------|--|-----------------|---|--|--|-----------|---------------|-----------------|-------|----------------|----------------|----------------|-------|----------------|----------------|----------------|-------|----------------|----------------|----------------|-------|----------------|----------------|----------------|-------|----------------|----------------|----------------|-------|----------------|----------------|----------------|--|--|
| GP: N SAP: N Pre-Appl: N Emergency: N Special Attn Type: | | DEC ID# 3-5124-00018/00008 | | TI Permit applied for: T P1G Industrial SPDES - Groundwater Discharge | | Ren Mod Appl Type 2 0 REN | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Legally Responsible Party - VIRTIS CO DIVISION OF SP IND 815 RTE 208 GARDINER, NY 12525 | | Facility THE VIRTIS CO 815 ST RTE 208 GARDINER, NY 12525 | | Geographic Location County: ULSTER Municipality: GARDINER NYTM-E 571.637 NYTM-N 4612.331 | | Incomplete/Complete Due February 10, 2009 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Application Contact _____ _____ _____ _____ | | Phone # () _____ FAX # () _____ | | Facility Contact _____ _____ _____ _____ | | Phone # () _____ FAX # () _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SEQR INFORMATION: SEQR Class Type II Action SEQR Determination Not Applicable Coordinated Review Y / N Lead Agency ND Critical Env. Area Y / N Significant Habitat Y / N | | | | | | Incomplete Sent Resubmission Recvd Incomplete/Complete Due Incomplete Sent Resubmission Recvd Incomplete/Complete Due Incomplete Sent Resubmission Recvd Incomplete/Complete Due Complete Sent January 26 2009 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| COMPLETENESS INFO: UPA Status: MINOR SHPA Status 0 CZM Review N APA 809 Jurisdiction Y / N Newspaper Name _____ ENB Date ____/____/____ Newspaper Date ____/____/____ Radio Date ____/____/____ | | | | | | Written Comments Deadline Proof of Publication Recvd Date Hearing Decision Due Hearing Decision Sent Final Decision Due March 12, 2009 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SUSPENSION INFORMATION: Suspension during Pre-completeness: Reason Date Suspended ____/____/____ Date Unsuspended ____/____/____ New Completeness Due Date ____/____/____ Suspension during Post-completeness: Reason Date Suspended ____/____/____ Date Unsuspended ____/____/____ New Final Disposition Due Date ____/____/____ | | | | | | Final Decision Final Decision Sent Effective Date Expiration Date Date Logged off DART | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CIRCULATION / COORDINATION: <table border="1"> <thead> <tr> <th>Distribution List</th> <th>Date Sent</th> <th>Resp Due Date</th> <th>Resp Recvd Date</th> </tr> </thead> <tbody> <tr><td>_____</td><td>____/____/____</td><td>____/____/____</td><td>____/____/____</td></tr> <tr><td>_____</td><td>____/____/____</td><td>____/____/____</td><td>____/____/____</td></tr> <tr><td>_____</td><td>____/____/____</td><td>____/____/____</td><td>____/____/____</td></tr> <tr><td>_____</td><td>____/____/____</td><td>____/____/____</td><td>____/____/____</td></tr> <tr><td>_____</td><td>____/____/____</td><td>____/____/____</td><td>____/____/____</td></tr> <tr><td>_____</td><td>____/____/____</td><td>____/____/____</td><td>____/____/____</td></tr> </tbody> </table> | | | | | | Distribution List | Date Sent | Resp Due Date | Resp Recvd Date | _____ | ____/____/____ | ____/____/____ | ____/____/____ | _____ | ____/____/____ | ____/____/____ | ____/____/____ | _____ | ____/____/____ | ____/____/____ | ____/____/____ | _____ | ____/____/____ | ____/____/____ | ____/____/____ | _____ | ____/____/____ | ____/____/____ | ____/____/____ | _____ | ____/____/____ | ____/____/____ | ____/____/____ | The applicant has submitted information identified as confidential: Y / N | |
| Distribution List | Date Sent | Resp Due Date | Resp Recvd Date | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| _____ | ____/____/____ | ____/____/____ | ____/____/____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| _____ | ____/____/____ | ____/____/____ | ____/____/____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| _____ | ____/____/____ | ____/____/____ | ____/____/____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| _____ | ____/____/____ | ____/____/____ | ____/____/____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| _____ | ____/____/____ | ____/____/____ | ____/____/____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| _____ | ____/____/____ | ____/____/____ | ____/____/____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Region 3

21 South Platt Corners Road, New Paltz, NY 12561-1620

P: (845) 256-3000 | F: (845) 255-3414

www.dec.ny.gov

March 28, 2018

S. G. Bart, Jr.
The Virtis Co.
815 State Route 208
Gardiner, NY 12525

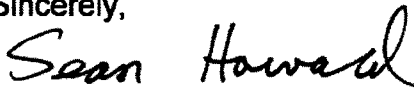
**RE: Comprehensive Compliance Inspection
The Virtis Co.
SPDES Permit: NY0218855
(T) Gardiner, Ulster County**

Dear Mr. Bart:

On February 27, 2018, the Department of Environmental Conservation (DEC) conducted a comprehensive inspection of the above referenced facility to assess compliance with the State Pollutant Discharge Elimination System (SPDES) Permit and Article 17 of the Environmental Conservation Law. A copy of the inspection report is enclosed for your information. Please note the facility received a satisfactory rating.

No major deficiencies were noted during the inspection. Your cooperation in operating and maintaining this facility, complying with your SPDES permit, and the protection of New York's waters is appreciated. Should you have any questions, please contact me at (845) 256-3019.

Sincerely,



Sean Howard
Assistant Engineer

enc: Inspection Report
ecc: Shohreh Karimipour, P.E., RWE, NYSDEC
Adedayo Adewole, P.E., NYSDEC
File



Department of
Environmental
Conservation



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER

INDUSTRIAL WASTEWATER FACILITY INSPECTION REPORT - COMPREHENSIVE

| Purpose of Inspection Comprehensive Compliance | | DEC Region 3 | Date of Inspection 2/27/2018 |
|---|---|---|---|
| SPDES Number NY0218855 | Facility Name Virtis Company, Inc. | | Location (C,T,V) (T) Gardiner |
| County Ulster | Name of Inspector Sean Howard | | Type of Industry Scientific Equip. Manufac |
| Summary Rating Satisfactory | | | |
| Weather Conditions: 45° F., Clear | | | |
| Rating Codes: S = Satisfactory U = Unsatisfactory M = Marginal NI = Not Inspected NA = Not Applicable | | | |
| Items | Rating | Comments (Note units out of operation/outstanding operation/etc.) | |
| A. General | | | |
| 1. Housekeeping | S | | |
| 2. Records/Permits/Reports | S | | |
| 3. Flow Metering | S | Monitor Influent Well Water | |
| 4. BMP/PPP/SPCC | S | | |
| 5. Preventive Maintenance | S | | |
| B. Laboratory | | | |
| 1. Monitoring Equipment | S | | |
| 2. Sampling | S | | |
| 3. Process Control | S | pH, tank volume, temp checked in holding tanks, pH adjusted as needed | |
| 4. QA/QC | S | | |
| C. Treatment Systems | | | |
| 1. (2) Septic Tanks | S | 2,000 gal. (south) & 1,000 gal. (north) | |
| 2. Absorption Field 1 | S | mowed and maintained, sanitary effluent from building | |
| 3. | | | |
| 4. (2) Holding Tanks - Process Water | S | 3,000 gal. & 8,000 gal. (Pumped Periodically by Earthcare) | |
| 5. Air Stripper (Remediation Shed) | NI | groundwater remediation (Sampling & Oversight by TRC) | |
| 6. Absorption Field 2 | S | Effluent from Air Stripper groundwater remediation | |
| 7. | | | |
| 8. | | | |
| D. Effluent/Receiving | | | |
| 1. Visual observation of outfalls | NI | Subsurface | |
| 2. Receiving Stream | NA | | |
| 3. | | | |
| 4. | | | |
| E. Sludge Handling/Disposal | | | |
| 1. Sludge Processing | S | Septic Tanks pumped every 4 months by Cooper Septic | |
| 2. Dewatering | NA | | |
| 3. Disposal Location (s) | NA | | |

F. Records and Reports

(1) Records and reports maintained as required by permit?

☒ Yes ☐ No ☐ N/A

Details:

(2) Adequate records maintained of:

(a) Sampling date, time, exact location?

☒ Yes ☐ No ☐ N/A

(b) Analytical methods/techniques used?

☒ Yes ☐ No ☐ N/A

(c) Analytical results (e.g. consistent with self-monitoring report data)?

☒ Yes ☐ No ☐ N/A

(3) Monitoring records (e.g. flow, pH, DO, etc.) maintained for a minimum of three years including all original strip chart recordings (e.g. continuous monitoring instrumentation, calibration and maintenance records)?

☒ Yes ☐ No ☐ N/A

(4) On-site lab equipment calibration and maintenance records kept?

☐ Yes ☐ No ☒ N/A

(5) Facility operating records kept, including operating logs for each treatment unit?

☒ Yes ☐ No ☐ N/A**G. Permit Verification**

(1) Inspection observations verify the permit?

☒ Yes ☐ No ☐ N/A

Details:

(2) Correct name and mailing address of permittee?

☒ Yes ☐ No ☐ N/A

(3) Facility is as described in permit?

☒ Yes ☐ No ☐ N/A

(4) Principal product(s) conform with those set forth in the permit application?

☒ Yes ☐ No ☐ N/A

(a) Type of waste streams treated, sources of wastewater:

Sanitary Wastewater, Contaminated Ground Water (VOCs)

(5) Treatment processes are as described in permit application?

☒ Yes ☐ No ☐ N/A

(6) Accurate records of raw water volume maintained?

☒ Yes ☐ No ☐ N/A

(a) Amount of raw water used, source:

Ground water well, approximately 1,000 gal/day

(7) Number and location of discharge points are as described in permit?

☒ Yes ☐ No ☐ N/A

(8) All discharges are permitted?

☒ Yes ☐ No ☐ N/A

(9) Are stormwater outfalls permitted?

☐ Yes ☐ No ☒ N/A

(10) Does permittee have a compliance schedule?

☐ Yes ☒ No ☐ N/A

Details:

(a) Is the permittee conforming to the compliance schedule?

☐ Yes ☐ No ☒ N/A**H. Operation and Maintenance**

(1) Treatment facility properly operated and maintained?

☒ Yes ☐ No ☐ N/A

Details:

(2) Were there any unpermitted bypasses/overflows in the past year?

☐ Yes ☒ No ☐ N/A

(3) Were appropriate agencies notified promptly, when required, of each overflow?

☐ Yes ☐ No ☒ N/A

(4) Adequate alarm system for power or equipment failures available?

☒ Yes ☐ No ☐ N/A

(5) Sludge and solids adequately disposed?

☒ Yes ☐ No ☐ N/A

(6) All treatment units in service?

☒ Yes ☐ No ☐ N/A

(7) Files maintained on spare parts inventory, major equipment specification, and parts and equipment suppliers?

☒ Yes ☐ No ☐ N/A

(8) Instruction files kept for operation and maintenance of each item of major equipment?

☒ Yes ☐ No ☐ N/A

(9) BMP/PPP maintained?

☒ Yes ☐ No ☐ N/A

(10) SPCC plan available?

☒ Yes ☐ No ☐ N/A

(11) Any hydraulic organic overloads experienced?

☐ Yes ☐ No ☒ N/A

I. Self-Monitoring Program**(1) Flow Measurement**

(a) Permittee flow measurement meets the requirements and intent of the permit? ☒ Yes ☐ No ☐ N/A
 Details:

(b) Primary measuring device properly installed?

Type of device: ☐ Weir ☐ Parshall Flume ☐ Magmeter ☐ Venturi Meter ☒ Other (Specify water)

(c) Calibration frequency is adequate? (Date of last calibration _____) ☒ Yes ☐ No ☐ N/A

(d) Primary flow measuring device properly operated and maintained? ☒ Yes ☐ No ☐ N/A

(e) Secondary instruments (totalizers, recorders, etc) properly operated and maintained? ☒ Yes ☐ No ☐ N/A

(2) Sampling

(a) Permittee sampling meets the requirements and intent of the permit? ☒ Yes ☐ No ☐ N/A
 Details:

(b) Does the permittee have a written sampling plan?

☒ Yes ☐ No ☐ N/A

If yes, do they follow their plan?

☒ Yes ☐ No

(c) Are locations adequate for representative samples?

☒ Yes ☐ No ☐ N/A

(d) Parameters and sampling frequency agree with permit?

☒ Yes ☐ No ☐ N/A

(e) Permittee is using method of sample collection required by permit?

☒ Yes ☐ No ☐ N/A

If no, ☐ Grab ☐ Manual Composite ☐ Automatic Composite
 Frequency _____

(f) Sample collection procedures are adequate?

☒ Yes ☐ No ☐ N/A

(1) Samples are refrigerated during compositing?

☐ Yes ☐ No ☒ N/A

(2) Proper preservation techniques are used?

☒ Yes ☐ No ☒ N/A

(3) Flow proportioned samples obtained where required by permit?

☐ Yes ☐ No ☒ N/A

(4) Sample holding times prior to analysis in conformance with 40 CFR 136.3?

☒ Yes ☐ No ☐ N/A

(g) Monitoring and analysis being performed more frequently than required by permit?

☐ Yes ☒ No ☐ N/A

If yes, results are reported in permittee's self-monitoring report?

☐ Yes ☐ No ☒ N/A

(3) Laboratory

(a) Is the permittee laboratory ELAP certified? ☒ Yes ☐ No ☐ N/A

Details: NELAC: NYSDOH 10142

(b) Is a commercial laboratory used?

☒ Yes ☐ No ☐ N/A

Lab Name: EnviroTest Laboratories Inc.

Lab Address: 315 Fullerton Avenue, Newburgh, NY 12550

J. Inspector Comments

1 pump chamber onsite with dual pump and audible/light alarm

| | | |
|--|-------------------------------|-----------------|
| Signature of Inspector: <i>Sean Howard</i> | Title: Assistant Engineer | Date: 2/27/2018 |
| Name of Facility Representative: Tom Franchese | Title: Maintenance Supervisor | Date: 2/27/2018 |

