

COVERPAGE

In accordance with the provisions of the Village of Brownville, "Local Law Chapter-63, Governing Sewer Use";

NEENAH Paper Inc.
101 Bridge St.
Brownville, NY 13615

is hereby authorized to discharge industrial wastewater from the above identified facility and through the outfall identified herein into the Village of Brownville sewer system in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the permittee of its obligation to comply with any or all applicable pretreatment regulations, standards, requirements, or laws that may become effective during the term of this permit.

Noncompliance with any term or condition of this permit shall constitute a violation of the Village of Brownville Local Law Chapter-63, Governing Sewer Use.

This permit shall become effective on October 1, 2019 and shall expire at midnight on September 30, 2022.

If the permittee wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit in accordance with the requirements of Local Law Chapter-63, Governing Sewer Use (Article 10 – "Permit Re-issuance"), a minimum of 180 days prior to the expiration date.

By: Paul O'Brien
Sewage Commissioner, Village of Brownville

Issued this day of 10/1/2019

PART 1 – EFFLUENT LIMITATIONS

A. During the period of October 1, 2019 – September 30, 2022 permittee is authorized to discharge wastewater to the Village of Brownville Wastewater Treatment Facility from the outfall listed below.

Description of out fall:

<u>Outfall</u>	<u>Description</u>
01	Located at the Village wastewater treatment Facility industrial waste pump station.
001-1(industry)	Discharges to the 001 industrial waste pump station shall be self-monitored by the industry at industry's in-house flow monitoring station 001-1 (see attached Process Schematic, Figure 2-2)

B*. During the period of October 1, 2019 – September 30, 2022, the discharge from 001 (or 001-1 self-monitoring station) shall not exceed the following effluent limitations'. Effluent consists of pulp and paper mill wastes and must comply with EPA pretreatment as specified under the standard classification of Subpart Y Non-integrated-Filter and Non-Woven Papers Subcategory 40 CFR 430 and other EPA general pretreatment requirements.

<u>Parameter (Influent)</u>	<u>24-Hour Mass and Flow Limits</u>	<u>24-Hour Concentration Limits mg/l</u>
Flow	100,000 gpd (daily avg.)	100,000 gpd (maximum daily 24 Hour flows shall not exceed 1.5 times daily average)
BOD ₅	192 lbs./day (not to exceed in any 24-hour period)	600-mg/l (not to exceed in any 24 hour period)
TSS	333 lbs./day (not to exceed in any 24-hour period)	400 mg/l (not to exceed in any 24 hour period)
pH	Range	5.0-10.0
Temperature	104 deg. F (40 deg. C)	Refer to page 16, paragraph 13 (a)/Local Law No.2, Sec. 902 (9)
Metals and EPA Priority	shall not exceed recognized regulatory control standards limits nor limits established in the Village's Local Law Chapter-63, Governing Sewer Use.	

B. All discharges shall comply with all other applicable laws, regulations, standards, and requirements contained in Village Local Law Chapter-63 Governing Sewer Use and any applicable State and Federal pretreatment laws, regulations, standards (including 40 CFR 430.256, Subpart Y-Non-integrated Paperboard), and requirements including any such laws, regulations, standards, or requirements that may become effective during the term of this permit. Fibermark-DSI is a non-integrated pulp and paper mill that manufactures latex-saturated and coated non-woven specialty paper products. The mill is classified by Standard Industrial Code 2621 Paper Mills.

Each occurrence of exceeding the above (part I-8) single limits shall constitute a permit violation.

PART 2 - MONITORING REQUIREMENTS

A. From the period beginning on the effective date of the permit until permit expiration date and for as long as Industrial wastes are discharged to the Village Wastewater Treatment Facility, the permittee shall monitor outfall 001-1, industry self-monitoring, (samples shall be collected at the industry's in-house flow monitoring weir box station) for the following parameters, at the indicated frequency.

<u>Sample Parameter Units</u>	<u>Measurement Location</u>	<u>Frequency</u>	<u>Sample Type</u>	<u>Allowable Average Daily Concentration Limit - mg/l</u>
Flow (gpd)	See note ¹	Continuous	Meter ² Continuous	See Page 2
BOD	See note ¹	Bi-monthly	24 hr. Composite ³	See Page 2
TSS	See note ¹	Bi-monthly	24 hr. Composite ³	See Page 2
pH	See note ¹	Continuous	Grab	5.0-10.0
Temperature	See note ⁶	Daily	Grab	104 deg. F
<u>Metals:</u>				
Arsenic	See note ¹	Semi-annual	24 hr. Composite ³	0.10
Aluminum	See note ¹	Semi-annual	24 hr. Composite ³	Monitor
Barium	See note ¹	Semi-annual	24 hr. Composite ³	1.00
Cadmium	See note ¹	Semi-annual	24 hr. Composite ³	0.50
Chromium (total)	See note ¹	Semi-annual	24 hr. Composite ³	1.00
Copper	See note ¹	Semi-annual	24 hr. Composite ³	0.85
Cyanide (total)	See note ¹	Semi-annual	Grab	0.40
Iron	See note ¹	Semi-annual	24 hr. Composite ³	5.0
Lead	See note ¹	Semi-annual	24 hr. Composite ³	0.50
Manganese	See note ¹	Semi-annual	24 hr. Composite ³	0.60
Mercury	See note ¹	Semi-annual	24 hr. Composite ³	2.00 (ug/l)
Nickel	See note ¹	Semi-annual	24 hr. Composite ³	1.00
Phenol (T)**	See note ¹	Semi-annual	Grab	4.00
Silver	See note ¹	Semi-annual	24 hr. Composite ³	0.10
Zinc	See note ¹	Semi-annual	24 hr. Composite ³	1.00

Note: Industry may request non-detectable metals be removed from parameter monitoring list upon verification by two sets of test results demonstrating that respective metals are non-detectable.

All monitoring reports (i.e., monthly, semi-annual, etc.) must be accompanied by certification statements and in accordance with signatory requirements, as specified under 40 CFR 403.12 (b)(6), and 403.12 (1). The wording for certification statements shall be as set forth in 403.6 (a)(2)(ii).

When non-chlorophenolic biocides and slimicides are used, the permittee shall certify to the non-use of chlorophenolics followed by the above noted certification statement. The specific dates of non-use of chlorophenolics must be identified in the certification statement.

***Permittee must send statement Semi-annually stating it does not use Chlorophenolic containing Biocides.

1. At industry's flow meter chamber, effluent side of V-notch weir.
2. Daily flows are to be recorded from the permittee's flow meter.
3. Definitions of sample types (see standard conditions). Automated (with refrigeration) 24 hour, flow proportioned sampling shall be conducted for composite samples on normal production days.
4. If the permittee certifies semi-annually that it does not use chlorophenolic biocides it will not be necessary to conduct semi-annual sampling on these parameters.
- 5a. Semi-Annual samples are to analyzed one (1) consecutive normal production day with a minimum of 4 samples during this 24 hour period.
- 5b. Grab samples (cyanide(t) and phenols(t) will be collected on one (1) consecutive normal production day with a minimum of 4 samples during this 24 hour period.
6. pH will be monitored and recorded continuously on the permittee's pH meter, located at V-notch weir station. Temperature may be measured by the permittee at the P.O.T.W. receiving pump station. Temperature requirements are specified under local Law Chapter 63 Section 82 (9).

B. All handling and preservation of collected samples and laboratory analyses of samples shall be performed in accordance with 40 CFR part 136 and amendments thereto unless specified otherwise in the monitoring conditions of this permit.

PART 3 - REPORTING REQUIREMENTS

A. Monitoring Reports/Analysis of Wastewater

Monitoring results obtained shall be summarized and reported on an Industrial User Monitoring Report Form once per month. The reports are due 30 days following previous month. The report shall indicate the nature and concentration of all pollutants in the effluent for which sampling and analyses were performed during the calendar month preceding the submission of each report including measured minimum, maximum and average daily flows.

The following shall be provided by the permittee:

- a. Results of analysis required by this permit shall be forwarded to the Village of Brownville to the attention of the Sewage Commissioner, 216 Brown Blvd., Brownville, New York 13615 and shall be comprised of all monitored parameters required at the frequency specified for the calendar months so reported.
- b. The permittee shall retain and preserve for no less than (3) three years any records, books, documents, memoranda, reports, correspondence and any and all summaries thereof relating to monitoring, sampling and chemical/biological analysis made by, or in behalf of, the permittee in connection with its discharge. Said files shall be made available to authorized representatives of the Village and/or the NYSDEC upon request.
- c. All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the Village shall be retained and preserved by the permittee until all enforcement activities have concluded and all periods of limitations with respect to any and all appeals have expired.
- d. For each measurement of sample taken pursuant to the requirements of this permit, the permittee shall record the following information (as a minimum).
 1. The exact place, date, and time of sampling; type and method of sample preservation.
 2. The dates the analysis were performed.
 3. The name of person(s) and laboratory name who performed the sampling and analysis.
 4. The analytical techniques or methods used.
 5. The results of all required analysis.
 6. Chain of custody information.
- e. All reports required by this permit shall be signed by a principal executive officer of the permittee or his designee.

- f. A copy of the recorded flow chart encompassing the span of each sample period shall be attached to each report.
- g. Discharge limitations in Part I are derived from the categorical standards 40 CFR 430, and the Village's Local Law Chapter - 63, Governing Sewer Use, and general pretreatment requirements.
- h. The permittee shall notify the Village Sewage Commissioner prior to the introduction of new wastewater or pollutants or any substantial change in the volume or characteristics of the wastewater being introduced into the Village's sewage facilities. Formal written notification shall be required at least 90 days in advance of such introduction, in accordance with Part 5, Section D(I) of the I.U.P.
- i. The permittee is required to submit to the Village Sewage Commissioner, monthly reports on the results of its sampling of the pollutants specified in Part I of this permit that require daily, monthly, and continuous monitoring, including flow, BOD., T.S.S., pH and in addition to these; the results of the metals and organics. Reports shall be received no later than 28 days following the period reported. A New York State Department of Health Certified Laboratory shall perform analyses of samples.
- j. The permittee is required to submit to the Village Sewage Commissioner semi-annual periodic compliance reports by July 1st and January 1st, each year. These reports shall contain the sampling results from monthly and semi-annual monitoring, along with a comparison of the pollutant concentrations discharged within the numerical limitations from Part I as well as the other requirements of 40 CFR 403.12(e).
- k. The permittee shall continue to operate and maintain the pretreated process wastewater monitoring and sampling station, consisting of:
 - 1. Recording flow rate indicator. A qualified professional shall annually certify (the flow monitoring equipment for accuracy. A copy of the annual certification statement shall be forwarded to the Sewage Commissioner within 30 days of the date of issuance.)
 - 2. Non-resettable flow totalizer, daily readings to be read and recorded in logbook.
 - 3. Automated 24-hour flow proportional composite sampler.
 - 4. Recording pH meter.

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

C. Automatic Resampling

If the results of the permittee's wastewater analysis indicate that a violation of this permit has occurred, the permittee must:

1. Inform the Village of Brownville of the violation within 24 hours; and
2. Repeat the sampling and pollutant analysis and submit, in writing, the results of this second analysis within 30 days of the first violation.
3. The sampling shall be in addition to and shall not relieve the permittee of any sampling requirements for the month in which the results were received.

D. Accidental or Slug Discharge Report

1. The permittee shall notify the Village of Brownville Sewage Commissioner immediately upon the occurrence of an accidental discharge of substances prohibited by Village Local Law Chapter - 63, Governing Sewer Use or any slug loads or spills that may enter the POTW. During normal business hours (8:00 a.m. to 3:00 p.m.) the Village of Brownville Sewage Commissioner should be notified by telephone at 782-7650. At all other times, the Village of Brownville Sewage Commissioner should be notified by telephone at either 782-7916 after 3 p.m. Monday - Friday or weekends and holidays. The initial notification shall include:

- a) location of discharge,
- b) date and time thereof,
- c) type of waste,
- d) including concentration and volume,
- e) corrective actions taken, and
- f) end the name of the individual reporting the information.

The permittee's notification of accidental releases in accordance with this section does not relieve it of other reporting requirements that arise under local, State, or Federal laws.

Within five days following an accidental or slug discharge, the permittee shall submit to the Village of Brownville Sewage Commissioner a detailed written report. The report shall specify:

- a. Description and cause of the upset, slug load or accidental discharge, the cause thereof, and the impact on the permittee's compliance status. The description should also include location of discharge, type, concentration and volume of waste.
- b. Duration of noncompliance, including exact dates and times of non-compliance and, if the noncompliance is continuing, the time by which compliance is reasonably expected to occur.
- c. All steps taken or to be taken to reduce, eliminate, and/or prevent recurrence of such an upset, slug load, accidental discharge, or other conditions of noncompliance.

2. Any abnormal condition or upset experienced by the permittee of its treatment, that places it in a temporary state of non-compliance with wastewater discharge limitations contained in this permit or other limitations specified in Village Local Law Chapter - 63, Governing Sewer Use shall be reported to the Village of Brownville Sewage Commissioner by telephone (at the numbers listed in 1 above) within 24 hours of the first awareness of the commencement of the abnormal condition or upset. A detailed report shall be filed within five days (5) and shall be in accordance with the requirements of 1 a, b, and c above.

3. Data submitted by the permittee shall be the basis for the computation of the Industrial sewer use service charge, insofar as the Village of Brownville's independent sampling agrees favorably with the submitted data. Industry User Charges shall be computed in accordance with the Contract between the Village and the Permittee.

E. All reports required by this permit shall be submitted to the Village of Brownville at the following address:
Village of Brownville

Attn: Sewage Commissioner

216 Brown Blvd.

Brownville, New York 13615

F. Quality Assurance Program

1. At a frequency deemed necessary, the Village shall conduct independent sampling of the permittee wastewater discharges. Data generated by the analysis of this sampling shall be as a comparison with the data submitted by the permittee on its monthly reports. All samples collected by the Village shall, at the request of the permittee be "split" with the permittee at the Village Sewage Treatment Facility.

2. Data submitted by the permittee shall be the basis for the computation of the Industrial Sewer Use Surcharge insofar as the Village's independent sampling agrees favorably with the submitted data. "Village sampling shall not relieve the permittee from its required sampling, but shall be in addition to it".

3.a The permittee agrees, upon prior notification by the Village, to "split" with the Village the 24-hour flow weighted composite sample collected according to its permittee requirements in Part I of this permit. The sample shall be released to the Village in the same manner as it is released to its testing agency for analysis, which includes proper handling and preservation procedures performed by the permittee.

b. The permittee agrees that up to four (4) times per year the Village may request "split" 24-hour flow weighted composite samples on an unannounced basis.

c. The permittee agrees to submit a monthly schedule to the Village which indicates what specific calendar dates the 24-hour flow weighted samples will be extracted.

- d. Permittee agrees that 24-hour flow weighted composite sampling shall be executed only on actual production days.

G. Interim Period

The Intent of this paragraph is to cover those periods when this permit is in effect and the flow monitoring station is not fully operational for whatever reason. During these periods, it is neither practical nor possible to base the calculation of surcharges upon actual flow and/or loading parameter. Therefore, it is agreed that the surcharge shall be based upon best available data as determined by the Village.

PART 4 – SPECIAL CONDITIONS

SECTION 1 – COMPLIANCE SCHEDULE

A. The permittee shall accomplish the following tasks in the designated time period:

	<u>Event</u>	<u>Due Date</u>
1.	a. Submit Annual Certification Statements (see Part 2, Sub-part A, Items 4 and 5, page 1 of this permit). b. Submit <u>Equipment Calibration</u> Certification	January 31
2.	Submit Industry self-monitoring performance reports to Village.	By no later than the 28 th day of the following month, every month
3.	Submit to Village, Annual FROSI Report (Use DEC Standard form). Submit Baseline Monitoring Reports Per EPA categorical pretreatment standards.	October 15 th each yr.
4.	Submit semi-annual Industry monitoring report to Village	July 1, January 1
5.	Submit Industrial User Permit Renewal Application 180 Days prior to permit expiration date.	April 3, 2022

B. Compliance Schedule Reporting

No later than 14 days following each date in the above schedule, the permittee shall submit to the Village of Brownville a report including, at a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with the increment of progress, the reasons for delay, and the steps being taken to return the project to the schedule established.

PART 5 - STANDARD CONDITIONS FOR PERMIT

SECTION A - GENERAL CONDITIONS AND DEFINITIONS

1. 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.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

This permit may be modified for good causes including, but not limited to, the following:

- a. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements.
- b. Material or substantial alterations or additions to the discharger's operation processes, or discharge volume or character which were not considered in drafting the effective permit.
- c. A change in any condition in either the industrial user or the Village of Brownville Wastewater Treatment Facility 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 Control Authority's collection and treatment systems, Village of Brownville Wastewater Treatment Facility personnel or the receiving waters.
- e. Violation of any terms or conditions of the permit.
- f. Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required reporting.
- g. Revision of or a grant of variance from such categorical standards pursuant to 40 CFR 403.13; or 430.
- h. To correct typographical or other errors in the permit.

- i. To reflect transfer of ownership of operation.
- j. Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws, or rules and regulations.
- k. The terms and conditions of this permit may be subject to modification by the village at Anytime as limitations or requirements as identified in the Village's Law Chapter -63, Governing Sewer Use is modified or other just cause exists.
- l. This permit may also be modified to incorporate special conditions resulting from the issuance of a special order, as might be ordered by EPA, NYSDEC, or Village.
- m. Any permit modifications, which result in new conditions in the permit, shall include a reasonable time schedule for compliance if necessary.

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

5. Permit Termination

This permit may be terminated for the following reasons:

- a. Falsifying self-monitoring reports.
- b. Tampering with monitoring equipment.
- c. Refusing to allow timely access to the facility premises and records.
- d. Repeated or flagrant failure to meet effluent limitations.
- e. Failure to pay fines.
- f. Failure to pay sewer charges.
- g. Failure to meet compliance schedules.

Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate, may result in punishment under the criminal laws of the Village, as well as being subjected to civil penalties and relief.

6. Permit Appeals

The permittee may petition to appeal the terms of this permit within thirty (30) days of the notice.

This petition must be in writing; failure to submit a petition for review shall be deemed to be a waiver of the appeal. In its petition, the permittee must indicate the permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to be placed in the permit.

The Village Board shall not stay the effectiveness of this permit pending a reconsideration. If, after considering the petition and any arguments put forth by the Sewage Commissioner, the Board determines that reconsideration is proper, it shall remand the permit back to the Sewage Commissioner for reissuance. Those permit provisions being reconsidered by the Sewage Commissioner shall be stayed pending reissuance.

The Village Board's decision not to reconsider a final permit shall be considered final administrative action for purposes of judicial review. The permittee seeking judicial review of the Board's final action must do so by filing a complaint with the Supreme Court for Jefferson County within four months.

7. 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 property or any invasion of personal rights, nor any violation of Federal, State, or local laws or regulations.

8. Limitation on Permit Transfer

Permits may be reassigned or transferred to a new owner and/or operator with prior approval of the Sewage Commissioner and Village Board, which approval shall not be unreasonably withheld:

- a. The permittee must give at least thirty (30) days advance notice to the Sewage Commissioner.
- b. The notice must include a written certification by the new owner which:
 - i. States that the new owner has no immediate intent to change the facility's operations and processes, which will adversely affect the operation of the facility in a material way.
 - ii. Identifies the specific date on which the transfer is to occur.
 - iii. Acknowledges full responsibility for complying with the existing permit.

9. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must submit an application for a new permit at least 180 days before the expiration date of this permit.

10. Continuation of Expired Permits

An expired permit will continue to be effective and enforceable until the permit is reissued if:

- a. The permittee has submitted a complete permit application at least one hundred-eighty 180 days prior to the expiration date of the user's existing permit.

b. The failure to reissue the permit, prior to expiration of the previous permit, is not due to any act or failure to act on the part of the permittee.

11. Dilution

The permittee shall not increase the use of potable or process water or, in any way, attempt to dilute an effluent as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

12. Definitions (All definitions listed in Village Local Law Chapter - 63, Governing Sewer Use apply in addition to those described below).

a. Daily Maximum - The maximum allowable discharge of pollutant during a calendar day. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass 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.

b. Composite Sample - A sample that is collected over time, formed either by continuous sampling or by mixing discrete samples. The sample may be composed either as a time composite sample: composed of discrete sample aliquots collected in one container at constant time intervals providing representative sample irrespective of stream flow; or as a flow proportional composite sample: collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increases while maintaining a constant time interval between the aliquots.

c. Grab Sample - An individual sample collected in less than 15 minutes, without regard for flow or time.

d. Instantaneous Maximum Concentration - The maximum concentration allowed in any single grab sample.

e. Cooling Water -

1. Uncontaminated: Water used for cooling purposes only which has no direct contact with any raw material, intermediate, or final product and which does not contain a level of contamination's detectably higher than that of the intake water.
2. Contaminated: Water used for cooling purposes only which 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. Monthly Average - The arithmetic mean of the values for effluent samples collected during a calendar month or specified 30 day period (as opposed to a rolling 30 day window).

g. Weekly Average - The arithmetic mean of the values for effluent samples collected over a period of seven consecutive days.

- h. Bi-Monthly - Once every other week.
- i. Upset - Means 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 permittee, excluding such factors as operational error, improperly designed or inadequate treatment facilities, or improper operation and preventative maintenance or lack thereof.
- j. Bypass - Means the intentional diversion of wastes from any portion of a treatment facility.
- k. Meter - Flow readings are to be taken from the permittee's flow meter totalizer on a daily basis and recorded in a log such that the totalizer reading is taken in a consistent time basis.
- l. Monthly Average Limit - The maximum allowable value for the average of all observations obtained during one calendar month. Should there be only one sample collected, that sample shall be the average for that month.
- m. Sample Collection - All sample collection, handling and preservation shall be performed in accordance with 40 CFR Part 136 and amendments thereto, unless specified otherwise. In the monitoring conditions of this permit.
- n. Self-Monitoring - Sampling and analysis performed by the permittee to ensure compliance with permit or other regulatory requirements.
- o. Semi-Annual - samples are to be analyzed once every six (6) months and shall be conducted simultaneously with other permit parameters. The samples shall consist of four (4) composite samples collected on four (4) consecutive days on normal production days.
- p. Slug Load - Any pollutant (including Biochemical Oxygen Demand) released in a discharge at a flow rate or concentration, which will cause pass through process interference, or may be detrimental to human life or the environment. (As further defined in the Village Local Law Chapter - 63, Governing Sewer Use).

r. **TTQ** - The term 'TTQ' shall mean total toxic organics, which is the summation of all quantifiable values greater than .01 milligrams per liter for the following toxic organics:

1)	Acrolein	18)	1,2 Dichloroethane
2)	Acrylonitrile	19)	1,1 Dichloroethene
3)	Benzene	20)	trans 1,2 Dichloroethene
4)	Bromodichloromethane	21)	1,2 Dichloropropane
5)	Bromoform	22)	Cis 1,3 Dichloropropene
6)	Bromomethane	23)	trans 1,3 Dichloropropene
7)	Carbon tetrachloride	24)	Ethylbenzene
8)	Chlorobenzene	25)	Methylene chloride
9)	Chloroethane	26)	1,1,2,2 Tetrachloroethane
10)	2-Chloroethylvinyl ether	27)	Tetrachloroethene
11)	Chloroform	28)	Toluene
12)	Chloromethane	29)	1,1,1 Trichloroethane
13)	Dibromochloromethane	30)	1,1,2 Trichloroethane
14)	1,2 Dichlorobenzene	31)	Trichloroethene
15)	1,3 Dichlorobenzene	32)	Trichlorofluoromethane
16)	1,4 Dichlorobenzene	33)	Vinyl Chloride
17)	1,1 Dichloroethane	34)	Xyiene-meta, ortho, para

13. General Prohibitive Standards

The permittee shall comply with all the general prohibitive discharge standards in Village Local Law Chapter - 63, Governing Sewer Use. Namely, the industrial user shall not discharge wastewater to the sewer system:

- a. Having a discharge temperature in such quantities that the temperature at the Village Sewage Treatment facilities does not exceed 104 degrees F (40 degrees C). (Refer to Village Local Law Chapter - 63, Governing Sewer Use, Article 9);
- b. Containing more than 100 ppm by weight of fats, oils and grease;
- c. Containing any gasoline, benzene, naptha, fuel oil or other flammable or explosive liquids, solids or gases; and in no case pollutants with a closed cup flashpoint of less than one hundred forty (140) degrees Fahrenheit (60°C), or pollutants which cause an exceedance of 10 percent of the Lower Explosive Limit (LEL) at any point within the POTW.
- d. Containing any garbage that has not been ground by household type or other suitable garbage grinders.
- e. Containing any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar plastics, wood, paunch, manure, or any other solids or viscous substances capable of causing obstructions or other interference's with proper operation of the sewer system.
- f. Having a pH lower than 5.0 or higher than 10.0, or having any other corrosive property capable of causing damage or hazards to structures, equipment or personnel of the sewer system. "Swings in pH can adversely affect biological processes and will not be permitted.

- g. Containing toxic or poisonous substances in sufficient quantity to injure or interfere with any wastewater treatment process, to constitute hazards to humans or animals, or to create any hazard in waters which receive treated effluent from the sewer system treatment plant. Toxic wastes shall include 6, but are not limited to wastes containing cyanide, chromium, cadmium, mercury, copper, and nickel ions.
- h. Containing noxious or malodorous gases or substances capable of creating a public nuisance; including pollutants which result in the presence of toxic gases, vapors, or fumes.
- i. Containing solids of such character and quantity that special and unusual attention is required for their handling.
- j. Containing any substance, which may affect the treatment plant's effluent and cause violation of the NPDES permit requirements.
- k. Containing any substance which would cause the treatment plant to be in noncompliance with sludge use, recycle or disposal criteria pursuant to guidelines or regulations developed under Section 405 of the Federal Act, the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act or other regulations or criteria for sludge management and disposal as required by the State.
- l. Containing color, which is not removed in the treatment processes.
- m. Containing any medical or infectious wastes.
- n. Containing any radioactive wastes or isotopes.
- o. Containing any pollutant, including BOD pollutants, released at a flow rate and/or pollutant concentration, which would cause interference with the treatment plant. interference, as used in the permit, is defined in the Village Local Law Chapter - 63, Governing Sewer Use, and Article 2.
- p. Any pollutant, including oxygen demanding pollutants (BOD etc.) or T.S.S. at flow rate and/or concentration which will cause the pollutant to pass through to the receiving waters or interfere with the Village of Brownville wastewater treatment facility. For the purpose of this section, the terms "pass through" and "interference" have the same definitions as appear in the Village Local Law Chapter - 63, Governing Sewer Use. A NYSDOH Certified Laboratory shall perform BOD and T.S.S. analyses used as based for interference and pass-through.

14. Compliance with Applicable Pretreatment Standards and Requirements

Compliance with this permit does not relieve the permittee from its obligations regarding compliance 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.

The Village agrees that it shall not alter this IUP or Village Local Law Chapter - 63, Governing Sewer Use so as to impose more stringent standards than required by EPA, DEC, or sound engineering principles to assure that the Village can consistently meet SPDES mandates.

15. Confidential Information

Except for data determined to be confidential under Municipal Law, all reports required by this permit shall be available for public inspection at the Village offices:

Village of Brownville – Brown Mansion
216 Brown Blvd.
Brownville, New York 13615

SECTION B - OPERATION AND MAINTENANCE OF POLLUTANT CONTROLS

1. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee 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 back-up 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 treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control its production or discharges (or both) until operation of the treatment facility is restored or an alternative method of treatment is provided. This requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced. It shall not be a defense for a permittee in an enforcement action 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 Treatment Facilities

- a. Bypass is prohibited unless it is unavoidable to prevent loss of life, personal injury, or severe property damage and no feasible alternatives exist.
- b. The permittee may allow bypass to occur which does not cause effluent limitations to be exceeded, but only if it is also for essential maintenance to assure efficient operation. Any such bypass may continue only until such time as an alternate DEC SPDES discharge location is formally approved.

c. Notification of bypass:

1. Anticipated bypass. If the permittee 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 Village of Brownville Sewage Commissioner.
2. Unanticipated bypass. The permittee shall immediately notify the Village of Brownville Sewage Commissioner and submit a written notice to the Sewage Commissioner within 5 days. This report shall specify:
 - i. A description of the bypass, and its cause, including its duration;
 - ii. Whether the bypass has been corrected; and
 - iii. The steps being taken or to be taken to reduce, eliminate and prevent a reoccurrence of the bypass.

4. Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed (by the industry) in the course of pretreatment or control of wastewater's shall be the responsibility of the industry and shall be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act. The Village POTW shall not accept industrial pretreatment sludges, except as may be hereafter provided in the Contract and/or Sludge Agreement between the Village and the Permittee.

SECTION C - MONITORING AND RECORDS

Monitoring Locations

The permittee shall take samples and measurements to meet the monitoring requirements at the locations indicated in Part 1.

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All 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. All equipment used for sampling and analysis must be routinely calibrated, inspected and maintained to ensure their accuracy. Monitoring points shall not be changed without notification to and the approval of the Village of Brownville.

2. Flow Measurements

If flow measurement is 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 discharges. 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 percent from true discharge rates throughout the range of expected discharge volumes.

3. Analytical Methods to Demonstrate Continued Compliance

All sampling and analysis required by this permit shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, otherwise approved by EPA, or as specified in this permit. All laboratory sample analysis shall be performed by a NYSDOH certified laboratory.

4. Additional monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures identified in Section C.3, the results of this monitoring shall be included in the permittee's self-monitoring reports.

5. Inspection and Entry

The permittee shall allow the Village of Brownville Sewage Commissioner or an authorized representative, upon the presentation of credentials and identification to:

- a. Enter upon the permittee'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 under the conditions of this permit;
- c. Inspect 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 substances or parameters at any location; and
- e. Inspect any production, manufacturing, fabricating, or storage area where pollutants, regulated under the permit, could originate, be stored, or be discharged to the sewer system.

6. Retention of Records

- a. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original 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 five years from date of the sample, measurement, report or application.

This period may be extended by request of the Village of Brownville 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 Village of Brownville shall be retained and preserved by the permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

7. Record Contents

Records of sampling and analyses shall include:

- a. The date, exact place, time, and methods of sampling or measurements, and sample preservation techniques or procedures;
- b. Who performed the sampling or measurements;
- c. The date(s) analyses were performed;
- d. Who performed the analyses;
- e. The analytical techniques or methods used; and
- f. The results of such analyses.

8. Falsifying Information

Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate, is a crime and may result in the imposition of criminal sanctions and/or civil penalties.

SECTION D - ADDITIONAL REPORTING REQUIREMENTS

1. Planned Changes

The permittee shall give formal written notice to the Village of Brownville Sewage Commissioner 90 days prior to any facility expansion, production increase, or process modifications which results in new or substantially increased (increase of 10% of daily average flow or average production, as documented in previous annual, full-calendar year operation record - any increase above this percentage shall constitute a permit violation) discharges or a change in the nature of the discharge.

Prior to the initiation of any increased loading or changes in the nature, concentration, and characteristics of the discharge waste stream the industry is required to obtain both Village Board and NYSDEC approvals. Both the Village and NYSDEC shall be adequately notified of the following industry wastewater changes:

- a. any new introduction of pollutants into the POTW (Village of Brownville Treatment Facilities) from an indirect discharger which would be subject to sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants; and
- b. any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit

- c. for purposes of this paragraph, adequate notice shall include information on:
 - i. the quality and quantity of effluent introduced into the POTW; and
 - ii. any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
2. Anticipated Noncompliance

The permittee shall give advance notice to the Village of Brownville Sewage Commissioner of any planned changes in the permitted facility or activity, which may result in noncompliance with permit requirements.

3. Automatic Resampling

If the results of the permittees' wastewater analysis indicates a violation has occurred, the permittee must notify the Village of Brownville Sewage Commissioner within 24 hours of becoming aware of the violation and repeat the sampling and pollutant analysis and submit, in writing, the results of this repeat analysis within 30 days after becoming aware of the violation.

4. Duty to Provide Information

The permittee shall furnish to the Village of Brownville Sewage Commissioner, within 30 days any information which the Village of Brownville may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also, upon request, furnish to the Village of Brownville Sewage Commissioner within 30 days, two copies of any records required to be kept by this permit.

5. Signatory Requirements

All applications, reports, or information submitted to the Village of Brownville must contain the following certification statement and be signed as required in Sections (a), (b), (c) or (d) below:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

- a. By 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. A 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 operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b. By a general partner or proprietor if the Industrial User submitting the reports is a partnership or sole proprietorship respectively.
- c. The principal executive officer or director having responsibility for the overall operation of the discharging facility if the Industrial User submitting the reports is a Federal, State, or local governmental entity, or their agents.
- d. By a duly authorized representative of the individual designated in paragraph (a), (b), or (c) of this section if:
 - i. The authorization is made in writing by the individual described in paragraph (a), (b), or (c);
 - 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, operator, superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and
 - iii. The written authorization is submitted to the Village of Brownville Sewage Commissioner.
- e. If an authorization under paragraph (d) of this section 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 for the company, a new authorization satisfying the requirements of paragraph (d) of this section must be submitted to the Village of Brownville Sewage Commissioner prior to or together with any reports to be signed by an authorized representative.

6. Operating Upsets

Any permittee that experiences an upset in operations that places the permittee in a temporary state of noncompliance with the provisions of either this permit or with Village Local Law #2, Governing Sewer Use shall inform the Village of Brownville Sewage Commissioner within 24 hours of becoming aware of the upset at daytime 782-7650 or 782-7916 after 3:00 p.m. Monday - Friday or weekends and holidays.

A written follow-up report of the upset shall be filed by the permittee with the Village of Brownville Sewage Commissioner within five days. The report shall specify:

- a. Description of the upset, the cause(s) thereof and the upset's impact on the permittee's compliance status;
- b. Duration of noncompliance, including exact dates and times of noncompliance, and if not corrected, the anticipated time the noncompliance is expected to continue; and

c. All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset.

The report must also demonstrate that the treatment facility was being operated in a prudent and workmanlike manner.

A documented and verified operating upset shall be an affirmative defense to any enforcement action brought against the permittee for violations attributable to the upset event.

7. Annual Publication

A list of all industrial users, which were subject to enforcement proceedings during the twelve (12) previous months, shall be annually published by the Village of Brownville in the largest daily newspaper within its service area. Accordingly, the permittee is apprised that noncompliance with this permit may lead to an enforcement action and may result in publication of its name in an appropriate newspaper in accordance with this section.

8. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil and/or criminal penalties for noncompliance under Village Local Law Chapter - 63, Governing Sewer Use or State or Federal laws or regulations.

9. Penalties for Violations of Permit Conditions

The Village Local Law Chapter - 63, Governing Sewer Use provides that any person who violates a permit condition is subject to a civil penalty of up to \$1,000 per day of such violation. Any person who willfully or with criminal negligence violates permit conditions is subject to criminal penalties of a fine of up to \$3,000 per day of violation, or by imprisonment for not more than three (3) years, or both. The permittee may also be subject to sanctions under State and/or Federal law. Reference is made to Village Local Law Chapter - 63, Governing Sewer Use, Article 11, Section 1112 "Criminal Penalties".

10. Recovery of Costs Incurred

In addition to civil and criminal liability, the permittee violating any of the provisions of this permit or Village Local Law Chapter - 63, Governing Sewer Use or causing damage to or otherwise inhibiting the Village of Brownville wastewater collection, treatment and disposal system shall be liable to the Village of Brownville for any expense, loss, or damage caused by such violation or discharge. The Village of Brownville shall bill the permittee for the costs incurred by the Village of Brownville for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a separate violation of Village Local Law Chapter - 63, Governing Sewer Use.