NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

# State Pollutant Discharge Elimination System (SPDES) DISCHARGE PERMIT

| | | | | | |
|---|---|---|---|---|---|
| SIC Code: | 4952 | NAICS Code: | 221320 | SPDES Number: | NY0026204 |
| Discharge Class (CL): | 05 | | | DEC Number: | 2-6101-00025/00001 |
| Toxic Class (TX): | T | | | Effective Date (EDP): | 07/01/2022 |
| Major-Sub Drainage Basin: | 17 - 02 | | | Expiration Date (ExDP): | 06/30/2027 |
| Water Index Number: | E.R. (0.3-10.1) | Item No.: | 1702-0011 | Modification Dates (EDPM): | |
| Compact Area: | IEC | | | | |

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

| PERMITTEE NAME AND ADDRESS | | | | | |
|---|---|---|---|---|---|
| Name: | NYC Dept. of Environmental Protection | Attention: | Pamela Elardo, P.E. | | |
| Street: | 96-05 Horace Harding Expressway, 2nd Floor | | | | |
| City: | Corona | State: | NY | Zip Code: | 11368 |
| Email: | PElardo@dep.nyc.gov | Phone: | (718) 595-6972 | | |

is authorized to discharge from the facility described below:

| FACILITY NAME, ADDRESS, AND PRIMARY OUTFALL | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Name: | Newtown Creek Wastewater Resource Recovery Facility | | | | | | | | | | | | | |
| Address / Location: | 301 Greenpoint Ave | | | | | | | | | County: | Kings | | | |
| City: | Brooklyn | | | | | State: | NY | | | Zip Code: | 11222 | | | |
| Facility Location: | | Latitude: | 40 | ° | 44 | ' | 0.7 | " N | & Longitude: | 73 | ° | 56 | ' | 54 " W |
| Primary Outfall No.: | 001 | Latitude: | 40 | ° | 43 | ' | 54 | " N | & Longitude: | 73 | ° | 57 | ' | 55 " W |
| Outfall Description: | Treated Sanitary | | Receiving Water: | | Lower East River | | | | | Class: | I | | | |

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

This permit and the authorization to discharge shall expire on midnight of the expiration date shown above and the permittee shall not discharge after the expiration date unless this permit has been renewed or extended pursuant to law. To be authorized to discharge beyond the expiration date, the permittee shall apply for permit renewal not less than 180 days prior to the expiration date shown above.

DISTRIBUTION:
CO BWP - Permit Coordinator
CO BWC - SCIS
RWE
RPA
EPA Region II
NYSEFC

| | | | |
|---|---|---|---|
| Chief Permit Administrator: | Scott E. Sheeley | | |
| Address: | 625 Broadway Albany, NY 12233-1750 | | |
| Signature: | Scott E. Sheeley | Date: | 06/08/2022 |

# Contents

# SUMMARY OF WRRF OUTFALLS

| OUTFALL ID | OUTFALL LOCATION | LATITUDE | | | LONGITUDE | | | OUTFALL SIZE | RECEIVING WATER | CONTRIBUTORS | BOOM | NET | TELEMETRY |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | DEG | MIN | SEC | DEG | MIN | SEC | | | | | | |
| NCB-001 | NEWTOWN CREEK WRRF | 40 | 43 | 54 | 73 | 58 | 56 | 144" DIA | EAST RIVER | WRRF | | | |
| NCB-002* | NEWTOWN CREEK WRRF | 40 | 44 | 4 | 73 | 57 | 48 | 3BL 7' X 8' | WHALE CREEK | WRRF OVERFLOW | | | |

* Outfall NCB-002 discharges treated effluent, only during periods of wet-weather when the capacity of Outfall NCB-001 is exceeded. Effluent quality of discharges from NCB -002 is identical to the effluent quality from NCB -001. Compliance monitoring for NCB-001, including flow, is conducted at a location prior to the conveyance of flow to the outfall structures of NCB -001 and NCB -002, thus additional effluent monitoring or limitation for NCB -002 is not necessary.

# COMBINED SEWER OVERFLOW (CSO) OUTFALLS

| OUTFALL ID | OUTFALL LOCATION | LATITUDE | | | LONGITUDE | | | OUTFALL SIZE | RECEIVING WATER | CONTRIBUTORS | BOOM | NET | TELEMETRY |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | DEG | MIN | SEC | DEG | MIN | SEC | | | | | | |
| NCB-003 | GREENPOINT AVE (REG # B-11) | 40 | 43 | 46 | 73 | 58 | 40 | 24" DIA | EAST RIVER | REG #B-11 | | | |
| NCB-004 | QUAY ST (REG # B-10) | 40 | 43 | 33 | 73 | 58 | 42 | 66" DIA | EAST RIVER | REG #B-10 | | | |
| NCB-006 | NORTH 12TH ST (REG # B-9) | 40 | 43 | 31 | 73 | 58 | 43 | 13' X 13' | EAST RIVER | REG #B-9 | YES* | | YES |
| NCB-007 | NORTH 5TH ST (REG # B-8) | 40 | 43 | 12 | 73 | 58 | 52 | 36" DIA | EAST RIVER | REG #B-8 | | | |
| NCB-008 | METROPOLITAN AVE (REG # B-7) | 40 | 43 | 6 | 73 | 58 | 58 | 60" DIA | EAST RIVER | REG #B-7 | | | |
| NCB-010 | GRAND ST (REG # B-6A) | 40 | 42 | 59 | 73 | 58 | 2 | 12" DIA | EAST RIVER | REG #B-6A | | | |
| NCB-012 | SOUTH 5TH ST (REG # B-6) | 40 | 42 | 46 | 73 | 58 | 6 | 144" DIA | EAST RIVER | REG #B-6 | | | YES |
| NCB-013 | DIVISION AVE (REG # B-5) | 40 | 42 | 25 | 73 | 58 | 9 | 10' X 8' | WALLABOUT CHANNEL | REG #B-5 | YES* | | YES |
| NCB-014 | KENT AVE (REG # B-4) | 40 | 42 | 22 | 73 | 58 | 9 | DBL 13' 6" X 11' 6" | WALLABOUT CHANNEL | REG #B-3, B-4 | YES* | | YES (ON B-4) |
| NCB-015 | JOHNSON AVE (REG # B-1) | 40 | 42 | 31 | 73 | 56 | 49 | 16' X 10' | ENGLISH KILLS | REG #B-1 | YES | | YES |
| NCB-019 | METROPOLITAN AVE (REG B-2) | 40 | 42 | 51 | 73 | 55 | 26 | 36" DIA | NEWTOWN CREEK | REG #B-2 | YES | | |
| NCB-021 | MCGUINESS BOULEVARD | 40 | 44 | 20 | 73 | 57 | 10 | 36" DIA | NEWTOWN CREEK | CSO NEXT TO B-17 | | | |
| NCB-022 | MCGUINESS BOULEVARD (REG # B-17) | 40 | 44 | 20 | 73 | 57 | 11 | 6' 3" X 4' 6" | NEWTOWN CREEK | REG #B-17 | | | |
| NCB-024 | DUPONT ST (REG # B-15) | 40 | 44 | 8 | 73 | 58 | 40 | 18" DIA | EAST RIVER | REG #B-15 | | | |
| NCB-025 | FREEMAN ST (REG # B-14) | 40 | 44 | 2 | 73 | 58 | 44 | 24" DIA | EAST RIVER | REG #B-14 | | | |
| NCB-026 | GREEN ST (REG # B-13) | 40 | 43 | 59 | 73 | 58 | 44 | 2' X 2' 6" | EAST RIVER | REG #B-13 | | | |
| NCB-027 | HURON ST (REG # B-12) | 40 | 43 | 57 | 73 | 58 | 43 | 84" DIA | EAST RIVER | REG #B-12 | | | |
| NCB-082 | SOUTH 8TH ST (REG # B-6) | 40 | 42 | 36 | 73 | 58 | 11 | 36" DIA | WALLABOUT CHANNEL | REG #B-5A | | | |
| NCB-083 | METROPOLITAN AVE / SCOTT AVE | 40 | 42 | 51 | 73 | 55 | 27 | 11' X 10' | NEWTOWN CREEK | DB OC | | | |

| OUTFALL ID | OUTFALL LOCATION | LATITUDE | | | LONGITUDE | | | OUTFALL SIZE | RECEIVING WATER | CONTRIBUTORS | BOOM | NET | TELEMETRY |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | DEG | MIN | SEC | DEG | MIN | SEC | | | | | | |
| NCB-084 | COMMERCIAL ST (REG # B-16) | 40 | 44 | 13 | 73 | 57 | 35 | 24" DIA | NEWTOWN CREEK | REG #B-16 | | | |

## CSO OUTFALLS (continued)

| OUTFALL ID | OUTFALL LOCATION | LATITUDE | | | LONGITUDE | | | OUTFALL SIZE | RECEIVING WATER | CONTRIBUTORS | BOOM | NET | TELEMETRY |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | DEG | MIN | SEC | DEG | MIN | SEC | | | | | | |
| NCM-005 | N/O E 63RD ST (REG # M-51) | 40 | 45 | 40 | 73 | 57 | 21 | 24" DIA | EAST RIVER | REG #M-51 | | | |
| NCM-011 | E 48TH ST (REG # M-47A) | 40 | 45 | 6 | 73 | 58 | 53 | 4' X 2' 8" EGG | EAST RIVER | REG #M-47A | | | |
| NCM-016 | E 46TH ST (REG # M-46) | 40 | 45 | 1 | 73 | 58 | 57 | 4' X 4' FT | EAST RIVER | REG #M-46 | | | |
| NCM-017 | E 42ND ST (REG # M-45A) | 40 | 44 | 53 | 73 | 58 | 4 | 4' X 2' 8" | EAST RIVER | REG #M-45A | | | |
| NCM-018 | E 41ST ST (REG # M-45) | 40 | 44 | 50 | 73 | 58 | 6 | 4' X 2' 8" FT | EAST RIVER | REG #M-45 | | | |
| NCM-020 | E HOUSTON ST (REG # M-31) | 40 | 43 | 7 | 73 | 58 | 25 | 6' X 4' 6" FT | EAST RIVER | REG #M-31 | | | |
| NCM-028 | DELANCY ST (REG # M-28) | 40 | 42 | 54 | 73 | 59 | 30 | 4' X 4' FT | EAST RIVER | REG #M-28 | | | |
| NCM-030 | E 71ST ST (REG # M-51C) | 40 | 45 | 55 | 73 | 57 | 6 | 3' X 2' EGG | EAST RIVER | REG #M-51C | | | |
| NCM-031 | E 70TH ST (REG # M-51B) | 40 | 45 | 52 | 73 | 57 | 8 | 3' X 2' EGG | EAST RIVER | REG #M-51A, M-15B | | | |
| NCM-032 | E 61ST ST (REG # M-50) | 40 | 45 | 34 | 73 | 57 | 27 | DBL 6' 6" X 5' | EAST RIVER | REG #M-50 | | | YES |
| NCM-033 | E 57TH ST (REG # M-49) | 40 | 45 | 25 | 73 | 58 | 35 | 4' X 2' 4" FT | EAST RIVER | REG #M-49 | | | |
| NCM-034 | E 54TH ST (REG # M-48) | 40 | 45 | 18 | 73 | 58 | 41 | 5' X 4' FT | EAST RIVER | REG #M-48 | | | |
| NCM-035 | E 53RD ST (REG # M-48A) | 40 | 45 | 17 | 73 | 58 | 44 | 4' X 2' 4" FT | EAST RIVER | REG #M-48A | | | |
| NCM-036 | E 49TH ST (REG # M-47) | 40 | 45 | 8 | 73 | 58 | 51 | 54" DIA | EAST RIVER | REG #M-47 | | | YES |
| NCM-037 | E 41ST ST (REG # M-44) | 40 | 44 | 50 | 73 | 58 | 6 | 9' X 7' FT | EAST RIVER | REG #M-44 | | | YES |
| NCM-038 | E 38TH ST (REG # M-43B) | 40 | 44 | 44 | 73 | 58 | 12 | 5' X 4' FT | EAST RIVER | REG #M-43B | | | |
| NCM-038A | E 38TH ST (REG # M-43B) | 40 | 44 | 44 | 73 | 58 | 12 | 5' X 4' FT | EAST RIVER | REG #M-43B | | | |
| NCM-039 | E 37TH ST (REG # M-43A) | 40 | 44 | 42 | 73 | 58 | 13 | 5' 6" X 2' 8" FT | EAST RIVER | REG #M-43A | | | |
| NCM-040 | E 36TH ST (REG # M-43) | 40 | 44 | 40 | 73 | 58 | 15 | 5' 6" X 2' 8" FT | EAST RIVER | REG #M-43 | | | |
| NCM-041 | E 33RD ST (REG # M-42) | 40 | 44 | 33 | 73 | 58 | 18 | DBL 8' X 6' | EAST RIVER | REG #M-42 | | | YES |
| NCM-042 | BROOME ST (REG # M-27) | 40 | 42 | 49 | 73 | 59 | 32 | 4' X 4' FT | EAST RIVER | REG #M-27 | | | |
| NCM-043 | E 30TH ST (REG # M-41) | 40 | 44 | 24 | 73 | 58 | 20 | 4' X 2' 4" FT | EAST RIVER | REG #M-41 | | | |
| NCM-044 | E 29TH ST (REG # M-41A) | 40 | 44 | 22 | 73 | 58 | 21 | 5' 6" X 4' FT | EAST RIVER | REG #M-41A | | | |
| NCM-045 | E 26TH ST (REG # M-40) | 40 | 44 | 13 | 73 | 58 | 21 | DBL 6' 6" X 6' | EAST RIVER | REG #M-40 | | | YES |
| NCM-046 | E 24TH ST (REG # M-39) | 40 | 44 | 7 | 73 | 58 | 22 | 48" DIA | EAST RIVER | REG #M-39, M-39A | | | |
| NCM-047 | E 23RD ST (REG # M-38B) | 40 | 44 | 7 | 73 | 58 | 28 | 5' X 4' FT | EAST RIVER | REG #M-38B | | | |

| OUTFALL ID | OUTFALL LOCATION | LATITUDE | | | LONGITUDE | | | OUTFALL SIZE | RECEIVING WATER | CONTRIBUTORS | BOOM | NET | TELEMETRY |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | DEG | MIN | SEC | DEG | MIN | SEC | | | | | | |
| NCM-048 | E 21ST ST (REG # M-38) | 40 | 43 | 59 | 73 | 58 | 25 | 54" DIA | EAST RIVER | REG #M-38 | | | |
| NCM-049 | E 18TH ST (REG # M-37) | 40 | 43 | 53 | 73 | 58 | 25 | 6' X 8' FT | EAST RIVER | REG #M-37 | | | YES |
| NCM-051 | OLD SLIP ( REG # M-12) | 40 | 42 | 11 | 74 | 0 | 28 | 48" DIA | EAST RIVER | REG #M-12 | | | |

## CSO OUTFALLS (continued)

| OUTFALL ID | OUTFALL LOCATION | LATITUDE | | | LONGITUDE | | | OUTFALL SIZE | RECEIVING WATER | CONTRIBUTORS | BOOM | NET | TELEMETRY |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | DEG | MIN | SEC | DEG | MIN | SEC | | | | | | |
| NCM-052 | E 14TH ST (REG # M-36) | 40 | 43 | 36 | 73 | 58 | 18 | DBL 6' X 7' | EAST RIVER | REG #M-36 | | | YES |
| NCM-053 | E 11TH ST (REG # M-35) | 40 | 43 | 28 | 73 | 58 | 20 | 5' X 8' 9" FT | EAST RIVER | REG #M-35 | | | |
| NCM-054 | E 8TH ST (REG # M-34) | 40 | 43 | 21 | 73 | 58 | 21 | 6' 6" X 5' FT | EAST RIVER | REG #M-34 | | | |
| NCM-055 | E 6TH ST (REG # M-33) | 40 | 43 | 17 | 73 | 58 | 22 | 5' 6" X 4' FT | EAST RIVER | REG #M-33 | | | |
| NCM-056 | E 3RD ST (REG # M-32) | 40 | 43 | 8 | 73 | 58 | 25 | 6' 6" X 6' FT | EAST RIVER | REG #M-32 | | | |
| NCM-057 | STANTON ST (REG # M-30) | 40 | 43 | 2 | 73 | 58 | 27 | 5' 6" X 5' FT | EAST RIVER | REG #M-30 | | | |
| NCM-058 | IRVINGTON ST (REG # M-29) | 40 | 42 | 57 | 73 | 58 | 28 | 5' 6" X 5' FT | EAST RIVER | REG #M-29 | | | |
| NCM-059 | 50' S/O GRAND ST (REG # M-26) | 40 | 42 | 45 | 73 | 59 | 34 | 6' X 3' FT | EAST RIVER | REG #M-26 | | | |
| NCM-060 | S/O CORLEARS HOOK PARK (REG # M-25) | 40 | 42 | 38 | 73 | 59 | 41 | 5' X 4' FT | EAST RIVER | REG #M-25 | | | |
| NCM-061 | JACKSON ST (REG # M-23) | 40 | 42 | 37 | 73 | 59 | 50 | 4' X 3' EGG | EAST RIVER | REG #M-23 | | | |
| NCM-062 | GOVERNEUR SLIP E (REG # M-22) | 40 | 42 | 35 | 73 | 59 | 59 | 48" DIA | EAST RIVER | REG #M-22 | | | |
| NCM-063 | JEFFERSON ST (NORTH SIDE) (REG # M-21) | 40 | 42 | 33 | 73 | 59 | 18 | 48" DIA | EAST RIVER | REG #M-21 | | | YES |
| NCM-064 | MARKET SLIP (REG # M -20) | 40 | 42 | 33 | 73 | 60 | 38 | 54" DIA | EAST RIVER | REG #M-20 | | | |
| NCM-065 | S/O CATHERINE ST (REG # M-18) | 40 | 42 | 32 | 73 | 60 | 47 | 4' 6" X 4' FT | EAST RIVER | REG #M-18 | | | |
| NCM-066 | ROBERT F WAGNER PLACE (REG # M -17) | 40 | 42 | 29 | 73 | 60 | 56 | 48" DIA | EAST RIVER | REG #M-17 | | | |
| NCM-067 | MAIDEN LANE (REG # M -13A) | 40 | 42 | 18 | 74 | 0 | 16 | 6' X 6' FT | EAST RIVER | REG #M-13 | | | |
| NCM-068 | COENTIES SLIP (REG # M -11) | 40 | 42 | 7 | 74 | 1 | 34 | 4' 6" X 3' 8" | EAST RIVER | REG #M-11 | | | |
| NCM-069 | BROAD ST (REG # M-10) | 40 | 42 | 5 | 74 | 1 | 40 | 5' X 4' FT | EAST RIVER | REG #M-10 | | | YES |
| NCM-070 | BATTERY PLACE (S/O PIER - A) (REG # M-9) | 40 | 42 | 15 | 74 | 1 | 3 | 84" DIA | HUDSON RIVER | REG #M-9 | | | |
| NCM-071 | RECTOR ST (REG # M-6, M-7) | 40 | 42 | 35 | 74 | 1 | 6 | 96" DIA | HUDSON RIVER | REG #M-6, M-7 | | | |
| NCM-072 | VESEY ST (REG # M-5) | 40 | 42 | 54 | 74 | 1 | 3 | 96" DIA | HUDSON RIVER | REG #M-5 | | | |
| NCM-073 | DUANE ST (REG # M-4) | 40 | 43 | 7 | 74 | 1 | 0 | 54" DIA | HUDSON RIVER | REG #M-4 | | | |
| NCM-074 | VESTRY ST (REG # M-3) | 40 | 43 | 23 | 74 | 1 | 44 | 5' X 3' 8" | HUDSON RIVER | REG #M-3 | | | |
| NCM-075 | N/O WATTS ST (REG # M-2) | 40 | 43 | 29 | 74 | 1 | 43 | 66" DIA | HUDSON RIVER | REG #M-2 | | | YES |
| NCM-076 | CLARKSON ST (REG # 1) | 40 | 43 | 48 | 74 | 1 | 51 | 12' X 6' 3" FT | HUDSON RIVER | REG #M-1 | | | YES |

| OUTFALL ID | OUTFALL LOCATION | LATITUDE | | | LONGITUDE | | | OUTFALL SIZE | RECEIVING WATER | CONTRIBUTORS | BOOM | NET | TELEMETRY |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | DEG | MIN | SEC | DEG | MIN | SEC | | | | | | |
| NCM-078 | N/O DOVER ST (REG # M -16) | 40 | 42 | 28 | 73 | 60 | 58 | 12' X 6' | EAST RIVER | REG #M-16 | | | YES |
| NCM-080 | N/O VANDAM ST (REG # TG-2) | 40 | 43 | 38 | 74 | 1 | 41 | 48" DIA | HUDSON RIVER | REG #TG-2 | | | |
| NCM-081 | S/O CHARLES ST (REG # TG-1) | 40 | 44 | 0 | 74 | 1 | 39 | 5' X 4' | HUDSON RIVER | REG #TG-1 | | | |
| NCM-087 | E 22ND ST (REG # M-38A) | 40 | 44 | 4 | 73 | 58 | 27 | 5' X 3' 6" FT | EAST RIVER | REG #M-38A | | | |

## CSO OUTFALLS (continued)

| OUTFALL ID | OUTFALL LOCATION | LATITUDE | | | LONGITUDE | | | OUTFALL SIZE | RECEIVING WATER | CONTRIBUTORS | BOOM | NET | TELEMETRY |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | DEG | MIN | SEC | DEG | MIN | SEC | | | | | | |
| NCQ-029 | 43RD ST (REG # Q-2) | 40 | 43 | 36 | 73 | 56 | 38 | 66" DIA | NEWTOWN CREEK | REG #Q-2 | | | |
| NCQ-077 | 49TH ST (REG # Q-1) | 40 | 43 | 25 | 73 | 55 | 13 | DBL 11' X 7' | MASPETH CREEK | REG #Q-1 | YES | | |

* This outfall is subject to the conditions of the Interim Open-Water Skimming Pilot Program. The permittee will remove the boom at this outfall, for the term of the permit (unless otherwise notified by the Department), and implement the skimming procedures, as detailed by the Department's acceptance letter, dated February 18, 2021. The permittee shall deploy staff and skimmer vessel(s) to inspect the outfalls, record and collect any debris observed in an area of at least a quarter mile radius around the outfall, including any shorelines. In dry weather, the permittee shall deploy the vessel(s) at least once per week. In wet weather, the permittee shall deploy the vessel(s) within 24 hours of a reported CSO event, weather permitting. The permittee shall report on progress and results of this Pilot Program in the CSO BMP Annual Report. By the end of the permit term, the permittee shall make recommendations for long-term floatables control at this outfall.

# DEFINITIONS FOR PERMIT LIMITS, LEVELS AND MONITORING TERMS

| TERM | DEFINITION |
|---|---|
| 7-Day Geo Mean | The highest allowable geometric mean of daily discharges over a calendar week. |
| 7-Day Average | The average of all daily discharges for each 7-days in the monitoring period. The sample measurement is the highest of the 7-day averages calculated for the monitoring period. |
| 12-Month Rolling Average (12 MRA) | The current monthly value of a parameter, plus the sum of the monthly values over the previous 11 months for that parameter, divided by 12. |
| 30-Day Geometric Mean | The highest allowable geometric mean of daily discharges over a calendar month, calculated as the antilog of: the sum of the log of each of the daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. |
| Action Level | Action level means a monitoring requirement characterized by a numerical value that, when exceeded, triggers additional permittee actions and department review to determine if numerical effluent limitations should be imposed. |
| Compliance Level / Minimum Level | A compliance level is an effluent limitation. A compliance level is given when the water quality evaluation specifies a Water Quality Based Effluent Limit (WQBEL) below the Minimum Level. The compliance level shall be set at the Minimum Level (ML) for the most sensitive analytical method as given in 40 CFR Part 136, or otherwise accepted by the Department. |
| Daily Discharge | The discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for the purposes of sampling. For pollutants expressed in units of mass, the 'daily discharge' is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the 'daily discharge' is calculated as the average measurement of the pollutant over the day. |
| Daily Maximum | The highest allowable Daily Discharge. |
| Daily Minimum | The lowest allowable Daily Discharge. |
| Effective Date of Permit (EDP or EDPM) | The date this permit is in effect. |
| Effluent Limitations | Effluent limitation means any restriction on quantities, quality, rates and concentrations of chemical, physical, biological, and other constituents of effluents that are discharged into waters of the state. |
| Expiration Date of Permit (ExDP) | The date this permit is no longer in effect. |
| Instantaneous Maximum | The maximum level that may not be exceeded at any instant in time. |
| Instantaneous Minimum | The minimum level that must be maintained at all instants in time. |
| Monthly Average | The highest allowable average of daily discharges over a calendar month, calculated as the sum of each of the daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. |
| Outfall | The terminus of a sewer system, or the point of emergence of any waterborne sewage, industrial waste or other wastes or the effluent therefrom, into the waters of the State. |
| Range | The minimum and maximum instantaneous measurements for the reporting period must remain between the two values shown. |
| Receiving Water | The classified waters of the state to which the listed outfall discharges. |
| Sample Frequency / Sample Type / Units | See NYSDEC's "DMR Manual for Completing the Discharge Monitoring Report for the SPDES" for information on sample frequency, type and units. |

# WRRF PERMIT LIMITS, LEVELS AND MONITORING

| OUTFALL | LIMITATIONS APPLY | RECEIVING WATER | EFFECTIVE | EXPIRING |
|---|---|---|---|---|
| 001 | All Year (unless otherwise specified) | Lower East River | 07/01/2022 | 06/30/2027 |

| PARAMETER | EFFLUENT LIMITATION | | | | | MONITORING REQUIREMENTS | | | | FN |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | Location | | |
| | Type | Limit | Units | Limit | Units | Sample Frequency | Sample Type | Inf.[8] | Eff. | |
| Flow | 12 MRA | 310 | MGD | | | Continuous | Recorder | | X | |
| Flow | Monthly Average | Monitor | MGD | | | Continuous | Recorder | | X | |
| Flow | Daily Maximum | Monitor | MGD | | | Continuous | Recorder | | X | |
| pH | Range | 6.0 – 9.0 | SU | | | 6 / day | Grab | | X | |
| Temperature | Daily Maximum | Monitor | ºC | | | 6 / day | Grab | | X | |
| Dissolved Oxygen | Daily Minimum | Monitor | mg/L | | | Daily | Grab | | X | |
| $CBOD_5$ | Monthly Average | 25 | mg/L | 65,000 | lbs/d | Daily | 24-hr. Comp. | X | X | 1 |
| $CBOD_5$ | 7-Day Average | 40 | mg/L | 100,000 | lbs/d | Daily | 24-hr. Comp. | X | X | |
| $CBOD_5$ | Daily Maximum | Monitor | mg/L | Monitor | lbs/d | Daily | 24-hr. Comp. | X | X | |
| $BOD_5$ | 6-consecutive hour Average | 50 | mg/L | | | | | | | 3 |
| Total Suspended Solids (TSS) | Monthly Average | 30 | mg/L | 78,000 | lbs/d | Daily | 24-hr. Comp. | X | X | 1 |
| Total Suspended Solids (TSS) | 7-Day Average | 45 | mg/L | 120,000 | lbs/d | Daily | 24-hr. Comp. | X | X | |
| Total Suspended Solids (TSS) | Daily Maximum | 50 | mg/L | Monitor | lbs/d | Daily | 24-hr. Comp. | X | X | 2 |
| Total Suspended Solids (TSS) | 6-consecutive hour Average | 50 | mg/L | | | | | | | 3 |
| Ammonia (as N) | Monthly Average | 34 | mg/L | Monitor | lbs/d | Daily | 24-hr. Comp. | X | X | |
| Nitrogen, TKN (as N) | Monthly Average | Monitor | mg/L | Monitor | lbs/d | Daily | 24-hr. Comp. | X | X | |
| Nitrate ($NO_3$) as N | Monthly Average | Monitor | mg/L | Monitor | lbs/d | Daily | 24-hr. Comp. | X | X | |
| Nitrite ($NO_2$) as N | Monthly Average | Monitor | mg/L | Monitor | lbs/d | Daily | 24-hr. Comp. | X | X | |
| Total Phosphorus (as P) | Monthly Average | Monitor | mg/L | Monitor | lbs/d | 2 / Month | 24-hr. Comp. | X | X | |
| Total Phosphorus (as P) | Daily Maximum | Monitor | mg/L | Monitor | lbs/d | 2 / Month | 24-hr. Comp. | X | X | |
| Soluble Orthophosphate (as P) | Monthly Average | Monitor | mg/L | Monitor | lbs/d | 2 / Month | 24-hr. Comp. | X | X | |
| Soluble Orthophosphate (as P) | Daily Maximum | Monitor | mg/L | Monitor | lbs/d | 2 / Month | 24-hr. Comp. | X | X | |
| Mercury | 12 MRA | 12 | ng/L | | | 1 / Month | Grab | | X | |
| Mercury | Daily Maximum | 50 | ng/L | | | 1 / Month | Grab | | X | |
| Chlorides | Monthly Average | Monitor | mg/L | Monitor | lbs/d | 2 / Month | 24-hr. Comp. | X | | |
| Arsenic, Total | Daily Maximum | Monitor | µg/L | Monitor | lbs/d | Quarterly | 24-hr. Comp. | | X | 6 |
| Cadmium Total | Daily Maximum | Monitor | µg/L | Monitor | lbs/d | Quarterly | 24-hr. Comp. | | X | 6 |
| Chromium, Total | Daily Maximum | Monitor | µg/L | Monitor | lbs/d | Quarterly | 24-hr. Comp. | | X | 6 |
| Lead, Total | Daily Maximum | Monitor | µg/L | Monitor | lbs/d | Quarterly | 24-hr. Comp. | | X | 6 |

| PARAMETER | EFFLUENT LIMITATION | | | | | MONITORING REQUIREMENTS | | | | FN |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | Location | | |
| | Type | Limit | Units | Limit | Units | Sample Frequency | Sample Type | Inf.[8] | Eff. | |
| Nickel, Total | Daily Maximum | Monitor | µg/L | Monitor | lbs/d | Quarterly | 24-hr. Comp. | | X | 6 |
| Silver, Total | Daily Maximum | Monitor | µg/L | Monitor | lbs/d | Quarterly | 24-hr. Comp. | | X | 6 |
| Zinc, Total | Daily Maximum | Monitor | µg/L | Monitor | lbs/d | Quarterly | 24-hr. Comp. | | X | 6 |
| Cyanide, Free | Daily Maximum | 14 | µg/L | Monitor | lbs/d | Monthly | 24-hr. Comp. | | X | 5,8 |
| Chloroform | Daily Maximum | Monitor | µg/L | Monitor | lbs/d | Quarterly | 24-hr. Comp. | | X | 5,6 |
| Tetrachloroethylene | Daily Maximum | Monitor | µg/L | Monitor | lbs/d | Quarterly | 24-hr. Comp. | | X | 5,6 |
| Toluene | Daily Maximum | Monitor | µg/L | Monitor | lbs/d | Quarterly | 24-hr. Comp. | | X | 5,6 |
| PCBs, Total | Daily Maximum | 0.0010 | ng/L | | | | | | | |
| Aroclor 1016 | Daily Maximum | 200 | ng/L | Monitor | lbs/d | Quarterly | 24-hr. Comp. | | X | 6 |
| Aroclor 1221 | Daily Maximum | 200 | ng/L | Monitor | lbs/d | Quarterly | 24-hr. Comp. | | X | 6 |
| Aroclor 1232 | Daily Maximum | 200 | ng/L | Monitor | lbs/d | Quarterly | 24-hr. Comp. | | X | 6 |
| Aroclor 1242 | Daily Maximum | 200 | ng/L | Monitor | lbs/d | Quarterly | 24-hr. Comp. | | X | 6 |
| Aroclor 1248 | Daily Maximum | 200 | ng/L | Monitor | lbs/d | Quarterly | 24-hr. Comp. | | X | 6 |
| Aroclor 1254 | Daily Maximum | 200 | ng/L | Monitor | lbs/d | Quarterly | 24-hr. Comp. | | X | 6 |
| Aroclor 1260 | Daily Maximum | 200 | ng/L | Monitor | lbs/d | Quarterly | 24-hr. Comp. | | X | 6 |
| Priority Pollutant Scan | Daily Maximum | Monitor | ng/L | | | 1 / Year | See Footnote | X | X | 4 |
| ACTION LEVEL PARAMETERS | Type | Action Level | Units | Action Level | Units | Sample Frequency | Sample Type | Inf. | Eff. | FN |
| Copper, Total | Daily Maximum | Monitor | µg/L | 75 | lbs/d | Quarterly | 24-hr. Comp. | | X | 6 |
| EFFLUENT DISINFECTION Required All Year | | Limit | Units | Limit | Units | Sample Frequency | Sample Type | Inf. | Eff. | FN |
| Coliform, Fecal | 30-Day Geometric Mean | 200 | No./ 100 mL | | | Daily | Grab | | X | |
| Coliform, Fecal | 7-Day Geometric Mean | 400 | No./ 100 mL | | | Daily | Grab | | X | |
| Coliform, Fecal | 6-hour Geometric Mean | 800 | No./ 100 mL | | | | | | | 3 |
| Coliform, Fecal | Instantaneous Maximum | 2400 | No./ 100 mL | | | | | | | 3 |
| Enterococcus | 30-Day Geometric Mean | 35 | No./ 100 mL | | | 3 / Week | Grab | | X | 8 |
| Enterococcus | Daily Maximum | Monitor | No./ 100 mL | | | 3 / Week | Grab | | X | |
| Chlorine, Total Residual | Daily Maximum | 0.23 | mg/L | | | 6 / Day | Grab | | X | |
| WHOLE EFFLUENT TOXICITY TESTING | | Limit | Units | Action Level | Units | Sample Frequency | Sample Type | Inf. | Eff. | FN |
| WET - Acute Invertebrate | See footnote | | | 4.1 | TUa | Quarterly | See footnote | | X | 9 |
| WET - Acute Vertebrate | See footnote | | | 4.1 | TUa | Quarterly | See footnote | | X | 9 |
| WET - Chronic Invertebrate | See footnote | | | 35 | TUc | Quarterly | See footnote | | X | 9 |
| WET - Chronic Vertebrate | See footnote | | | 35 | TUc | Quarterly | See footnote | | X | 9 |

# WRRF FOOTNOTES:

1. Effluent shall not exceed 15 % and 15 % of influent values for CBOD5 & TSS respectively. During periods of wet weather which causes plant flows over the permitted flow for a calendar day, the $CBOD_5$ and TSS influent and effluent results for that day shall not be used to Calculate 30-day arithmetic mean percent removal limitations. However, all concentrations shall be used in the calculation of the arithmetic mean value for concentration limitations. All other effluent limitations remain in full effect.

2. During periods of wet weather, which results in an instantaneous plant effluent flow that is equal to or greater than twice the permitted flow, the TSS Daily Maximum limit of 50 mg/l shall not apply for the day of measured flow nor for the succeeding day. TSS concentration data from these days shall be excluded from the daily maximum concentration calculation for the DMR.

3. This is an Interstate Environmental Commission (IEC) requirement. The permittee is not required to perform this sampling but is required to meet the permit limit at all times. USEPA, NYSDEC or IEC may perform the sampling.

4. The annual priority pollutant scan shall be conducted in accordance with the Special Conditions: Priority Pollutant Scan page of this permit.

5. Samples shall be collected as a series of 3 grab samples, with one grab sample collected every 3 hours and composited by the analytical laboratory.

6. Quarterly samples shall be collected in calendar quarters (Q1 – January 1$^{st}$ to March 31$^{st}$; Q2 – April 1$^{st}$ to June 30$^{th}$; Q3 – July 1$^{st}$ to September 30$^{th}$; Q4 – October 1$^{st}$ to December 31$^{st}$). Quarterly results shall be reported on the DMR for the first month following the quarter (Q1 – April DMR; Q2 – July DMR; Q3 – October DMR; Q4 – January DMR).

7. The influent sample shall be comprised as a flow-weighted composite between samples collected at the Manhattan and Brooklyn/Queens pump stations.

8. This is a final effluent limitation. Interim requirements are included in the Schedule of Compliance of this permit.

**WRRF Footnotes Continued on Next Page**

# WRRF FOOTNOTES (continued):

9. **Whole Effluent Toxicity (WET) Testing:**
Testing Requirements – Chronic WET testing is required, but report both the acute and chronic results. Testing shall be performed in accordance with 40 CFR Part 136 and TOGS 1.3.2 unless prior written approval has been obtained from the Department. The test species shall be Mysidopsis bahia (mysid shrimp - invertebrate) and Cyprinodon variegatus (sheepshead minnow - vertebrate). Artificial salt water should be used for dilution. All tests conducted should be static-renewal (two 24-hr composite samples with one renewal for Acute tests and three 24-hr composite samples with two renewals for Chronic tests). The appropriate dilution series should be used to generate a definitive test endpoint, otherwise an immediate rerun of the test may be required. WET testing shall be coordinated with the monitoring of chemical and physical parameters limited by this permit so that the resulting analyses are also representative of the sample used for WET testing. The ratio of critical receiving water flow to discharge flow (i.e. dilution ratio) is 13.6:1 for acute, and 35:1 for chronic. Discharges which are disinfected using chlorine should be dechlorinated prior to WET testing or samples shall be taken immediately prior to the chlorination system.

Monitoring Period - WET testing shall be performed quarterly (calendar quarters) during calendar years ending in 1 and 6.

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

The complete test report including all bench sheets, statistical analyses, reference toxicity data, daily average flow at the time of sampling and other appropriate supporting documentation, shall be submitted within 60 days following the end of each test period with your WET DMR and to the WET@dec.ny.gov email address. A summary page of the test results for the invertebrate and vertebrate species indicating TUa, 48-hr LC50 for Acute tests and/or TUc, NOEC, IC25, and most sensitive endpoints for Chronic tests, should also be included at the beginning of the test report.

WET Testing Action Level Exceedances - If an action level is exceeded then the Department may require the permittee to conduct additional WET testing including Acute and/or Chronic tests. Additionally, the permittee may be required to perform a Toxicity Identification/Reduction Evaluation (TI/RE) in accordance with Department guidance. Enforceable WET limits may also apply. The permittee shall be notified in writing by their Regional DEC office of additional requirements. The written notification shall include the reason(s) why such testing, TI/RE and/or limits are required.

# Long Island Sound TMDL - Nitrogen WQBELs and Monitoring

| OUTFALL | LIMITATIONS APPLY | RECEIVING WATER | EFFECTIVE | EXPIRING |
|---|---|---|---|---|
| 001 | All Year (unless otherwise specified) | East River | 07/01/2022 | 06/30/2027 |

| PARAMETER | EFFLUENT LIMITATION | | | | | MONITORING REQUIREMENTS | | | | FN |
|---|---|---|---|---|---|---|---|---|---|---|
| | Type | Limit | Units | Limit | Units | Sample Frequency | Sample Type | Location Inf. | Location Eff. | |
| Total Nitrogen (LISS Zone 8 + 9 Aggregate, including CSOs) | 12 MRA | | | 46,468 | lbs/d | 1 / Month | Calculated | | X | 1, 4, 5, 6 |
| Total Nitrogen (LISS Zone 8 + 9 Aggregate, WRRFs only) | 12 MRA Action Level | | | 44,325 | lbs/d | 1 / Month | Calculated | | X | 1, 4, 5, 7 |
| Total Nitrogen (LISS Zone 8 + 9 Aggregate, for CSOs only) | Annual Average | | | Monitor | lbs/d | 1 / Year | Calculated | | X | 1, 4, 5, 6 |
| Total Nitrogen (LISS Zone 8 WRRF Aggregate) | 12 MRA | | | Monitor | lbs/d | 1 / Month | Calculated | | X | 2, 5 |
| Total Nitrogen (LISS Zone 8 WRRF Aggregate) | Monthly Average | | | Monitor | lbs/d | 1 / Month | Calculated | | X | 2, 5 |
| Total Nitrogen (LISS Zone 9 WRRF Aggregate) | 12 MRA | | | Monitor | lbs/d | 1 / Month | Calculated | | X | 3, 5 |
| Total Nitrogen (LISS Zone 9 WRRF Aggregate) | Monthly Average | | | Monitor | lbs/d | 1 / Month | Calculated | | X | 3, 5 |
| Total Nitrogen from WRRF | 12 MRA | Monitor | mg/L | Monitor | lbs/d | 1 / Month | Calculated | | X | 5 |
| Total Nitrogen from WRRF | Monthly Average | Monitor | mg/L | Monitor | lbs/d | Daily | Calculated | X | X | 5 |

**See LONG ISLAND SOUND TMDL FOOTNOTES on page 10.**

# LONG ISLAND SOUND TMDL FOOTNOTES:

1. Total Nitrogen is limited in accordance with the Total Maximum Daily Load (TMDL) for Dissolved Oxygen (Hypoxia) in the Long Island Sound. If the TMDL is modified and approved by EPA, the Department may reopen the permit to modify the nitrogen effluent limits in this permit to reflect the wasteload allocations (WLAs) in the revised TMDL or the permittee may request such modification.

   The final Nitrogen effluent limits are also included in the First Amended Nitrogen Consent Judgment, Index No. 04-402174, ordered February 1, 2006 and are incorporated herein. These Zone 8 + 9 aggregate loadings shall only be reported on the DMR for the Wards Island WRRF. The 12MRA Total Nitrogen LISS Zone 8 + 9 Aggregate (including CSOs) shall be calculated monthly as the sum of the current month's 12MRA Action Level Total Nitrogen LISS Zone 8 + 9 Aggregate (WRRFs only) and the current month's Annual Average Total Nitrogen LISS Zone 8 + 9 Aggregate (for CSOs only).

2. The LISS Zone 8 Aggregate is defined as the sum of effluent discharges from Bowery Bay, Hunts Point, Tallman Island and Wards Island WRRFs. Zone 8 Aggregate loadings shall only be reported on the DMR for the Wards Island WRRF (SPDES NY0026131).

3. The LISS Zone 9 Aggregate is defined as the sum of the effluent discharges from Newtown Creek and Red Hook WRRFs. Zone 9 Aggregate loadings shall only be reported on the DMR for the Newtown Creek WRRF (SPDES NY0026204).

4. The LISS Zone 8 + 9 Aggregate is defined as the sum of the Zone 8 Aggregate and one-fourth of the Zone 9 Aggregate. Zone 8 + 9 Aggregate loadings shall only be reported on the DMR for the Wards Island WRRF (SPDES NY0026131).

5. Total Nitrogen = Total Kjeldahl Nitrogen (TKN) + Nitrite ($NO_2$) + Nitrate ($NO_3$).

6. The Annual Average Total Nitrogen LISS Zone 8 + 9 Aggregate (for CSOs only) shall continue to be calculated once per year using the approved method in Calculation of Total Nitrogen Loading from CSOs, HydroQual, September 29, 2004. Calculation of the LISS Zone 8 + 9 Aggregate (for CSOs only) shall be the sum of the LISS Zone 8 monthly average CSO loadings plus one-fourth of the Zone 9 monthly average CSO loadings. This value shall represent the Total Nitrogen loading from CSOs for the previous calendar year and shall be reported on the June DMR and submitted in the CSO BMP Annual Report each year. The Annual Average Total Nitrogen LISS Zone 8 + 9 Aggregate (for CSOs only) for the previous year shall be added to the 12MRA Action Level Total Nitrogen LISS Zone 8 + 9 Aggregate (WRRFs only) for each of the next 12-months to calculate and report the 12MRA Total Nitrogen LISS Zone 8 + 9 Aggregate, including CSOs.

7. The action level is for WRRF Total Nitrogen Loadings only, derived from the LIS TMDL Zone 8 + 9 Total Aggregate (including CSOs) WLA of 46,468 lbs/day. The action level was calculated from the Total Aggregate WLA, less an estimated CSO contribution of 1495 lbs/day and an additional 650 lbs/day. The 12MRA Action Level Total Nitrogen LISS Zone 8 + 9 Aggregate (WRRFs only) shall be reported monthly and summed with the current month's Annual Average Total Nitrogen LISS Zone 8 + 9 Aggregate (for CSOs only) in the calculation of the 12MRA Total Nitrogen LISS Zone 8 + 9 Aggregate (including CSOs). The department may reopen the permit, based on new information provided by the permittee, to revise the action level.

# BEST MANAGEMENT PRACTICES FOR COMBINED SEWER OVERFLOWS

The permittee shall continue to implement the following Best Management Practices (BMPs). These BMPs are designed to implement operation & maintenance procedures, utilize the existing treatment facility and collection system to the maximum extent practicable, and implement sewer design, replacement and drainage planning, to maximize pollutant capture and minimize water quality impacts from combined sewer overflows. The BMPs are equivalent to the "Nine Minimum Control Measures" required under the USEPA National Combined Sewer Overflow policy. The 2014 CSO BMP Order on Consent (NYSDEC File No. R2-20140203-112) required specific additional BMPs from the Order be included as an enforceable part of this SPDES permit. These additional BMPs have been consolidated into the BMPs below.

1. CSO Maintenance/Inspection Program (OMIP) –
    a) The permittee shall continue to implement a written maintenance and inspection program for all CSOs listed, beginning on page 3 of this permit. This program shall include all regulators tributary to these CSOs and shall be conducted during periods of both dry and wet weather. This is to ensure that no discharge or leakage occurs during dry weather and that the maximum amount of wet weather flow is conveyed to the WRRF for treatment. This program shall consist of inspections with required repair, cleaning and maintenance performed as needed to prevent dry weather overflow and leakage and ensure maximum wet weather flow is conveyed in accordance with CSO BMP #3. Inspection reports shall be completed indicating visual inspection, any observed flow, incidence of rain or snowmelt, condition of equipment and work required. OMIP inspection reports shall be available for NYSDEC review no later than 9am on the day following the inspection and shall be available for NYSDEC review at the associated WRRF no later than 30 days following the inspection.
    b) The permittee shall also include in the OMIP:
        i. A plan to maintain CSO tidegates to prevent infiltration of seawater into the collection system such that the WRRF influent concentration of chlorides does not exceed a twelve-month rolling average of 400 mg/L. The OMIP shall specify corrective actions to be taken within twelve months of an influent chloride exceedance of 400 mg/L.
        ii. A plan and schedule for:
            1. Physical Condition Assessments of interceptor sewers every five years, with a minimum of twenty percent of the interceptor sewers assessed in each year of the five-year period. The assessment of the interceptors shall include an objective ranking and numerical scoring of physical assets. For interceptor sewers determined by permittee to be in need of repair or upgrade, a schedule for such projects shall be provided in each CSO BMP Annual Report. The current five-year assessment, repair and upgrade cycle commenced on January 1, 2018 and shall be completed by December 31, 2022. The next five-year assessment, repair and upgrade cycle shall commence on January 1, 2023 and be completed by December 31, 2028.
            2. A regular program of re-inspection and cleaning of the interceptors based on the inspections and the need to maximize storage capacity of the interceptors in accordance with BMP #2.

2. Maximum Use of Collection System for Storage - The permittee shall optimize the collection system by operating and maintaining it to minimize the discharge of pollutants from CSOs. The sewage collection system, regulating devices and head works upstream of the throttling gates shall be capable of delivering, and must be designed and operated to deliver, at a minimum, the wet weather flow identified in CSO BMP #3. It is intended that the maximum amount of in-system storage capacity be used (without causing service backups) to minimize CSOs and convey the maximum amount of combined sewage to the treatment plant. The permittee shall utilize the InfoWorks model and hydraulic capacity of the system to evaluate potential improvements to convey the maximum amount of combined sewage to the treatment plant. The permittee should also implement a continuous program of flushing or cleaning to prevent deposition of solids and the adjustment of regulators and weirs to maximize storage.

# BMPs for CSOs (continued)

a. No Combined Sewer Overflow (CSO) discharges shall occur from any approved key regulator[1] outside the period of a critical wet weather event[2] as a result of either: (1) inadequate or improper operation or maintenance of the WRRF, (2) inadequate or improper maintenance of the sewage collection system and regulators, (3) improper throttling/un-throttling of flow to the WRRF, (4) critical WRRF equipment out of service for prolonged periods, (5) negligence, (6) the system not being operated as designed, (7) or any combination thereof.

3. Maximize Flow to WRRF - Factors cited in BMP #2 above shall also be considered in maximizing flow to the WRRF. Maximum delivery to the WRRF is particularly critical in treatment of "first-flush" flows. For the entire duration of each wet weather event, the treatment plant shall be physically capable of receiving and treating: a minimum of 700 MGD through the plant headworks; and a minimum of 700 MGD through the secondary treatment and disinfection works during wet weather. The actual process control set points may be established by the WWOP required in BMP #4. The collection system and associated regulating devices shall be optimized to the extent practicable to minimize the release of combined sewer overflows.
    a. All critical equipment out-of-service for necessary repair or maintenance must be returned to service as quickly as reasonably possible. If critical equipment is anticipated to be, or is out-of- service for necessary repair or maintenance for more than 48 hours or under a NYSDEC approved schedule, NYCDEP must notify NYSDEC Region 2 verbally and in writing of such event and the anticipated time such equipment will be returned to service. NYCDEP must also notify NYSDEC Region 2 both verbally and in writing if during such an outage NYCDEP will be unable to temporarily and safely return the equipment to normal service without the potential for reasonable damage to the equipment. Upon receipt of such notice, and on a case-by-case basis, NYSDEC may adjust the flow required to be passed through the WRRF in consideration of the recommendations contained within an approved Wet Weather Operating Plan ("WWOP") as set forth in Subparagraph 4(b) below. NYSDEC will not unreasonably refuse to adjust the flow requirement. If NYSDEC adjusts the flow, the adjustment shall be deemed retroactive to the start date and time of the event.
    b. NYCDEP shall report all temporary throttling events, prior to achieving the minimum WRRF flows, even if they are the result of routine equipment outages for less than 48 hours. NYCDEP shall also report, as a reportable bypass, such events if they occur because screening equipment becomes "blinded" or equipment is removed from service during a wet weather event. NYSDEC will accept a revised bypass report, in the event that NYCDEP subsequently reports that all impacted equipment has been returned to service within 48 hours of the initial report.

4. Wet Weather Operating Plan (WWOP) - The permittee shall maximize treatment during wet weather events, based on the critical equipment assessed to calibrate the peak hydraulic loadings. This shall be accomplished by having a WWOP containing procedures and operational guidance to WRRF staff for operating unit processes, including any regional CSO treatment/retention facilities listed in this permit, WRRF to treat the maximum flows, while not appreciably diminishing effluent quality or destabilizing treatment upon return to dry weather operation. The WWOP shall establish process control procedures and set points to maintain the stability and efficiency of the Biological Nitrogen Removal (BNR) process, if required, for the host WRRF. The WWOP shall be written in accordance with the NYSDEC publication, Wet Weather Operating Practices for POTWs with Combined Sewers.
    a. The WWOP shall also incorporate the throttling protocol and guidance developed during the 2014 CSO BMP Order Pilot Study and all subsequent updates. WRRF influent flow throttling operations shall not be initiated until the influent flow at the WRRF is at or above the wet weather flow requirement in the applicable SPDES permit (as may be adjusted in accordance with 3 above). Cessation of such flow throttling shall be initiated on or before the influent flow to the WRRF drops below the wet weather flow requirement and shall proceed at the maximum rate until complete.

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[1] The current list of key regulators shall be provided annually to NYSDEC in the CSO BMP Annual Report.

[2] A "*wet weather event"* is any precipitation, snow melt, runoff or storm surge event which causes the influent flow at the WRRF to exceed normal dry weather flows. A "*critical wet weather event"* is a wet weather event which causes the influent flow at the WRRF to exceed the wet weather flow identified in the associated SPDES permit. The period of a critical wet weather event shall be defined, for these purposes, to begin when an instantaneous influent flow rate equivalent to the SPDES wet weather flow occurs at the WRRF and end when the instantaneous influent flow rate drops below the SPDES wet weather flow limit.

# BMPs for CSOs (continued)

b. The flow rate recommendations incorporated into an approved WWOP that apply when specific equipment is out of service are guidelines that should be followed by the personnel operating the WRRF. However, the recommendations contained within a WWOP do not automatically modify or reduce the requirement to maintain the minimum wet weather flow requirements in the applicable SPDES permit, nor does having a treatment unit out of service automatically modify or reduce such flow requirements.

c. The permittee shall submit an updated WWOP to NYSDEC in accordance with the Schedule of Additional Submittals in this permit. **A revised WWOP must also be submitted whenever the POTW and/or sewer collection system is substantially replaced or modified in a manner that may impact wet weather operations.**

5. Prohibition of Dry Weather Overflow - Dry weather overflows from the combined sewer system are prohibited. The occurrence of any dry weather overflow shall be promptly abated and reported to the NYSDEC Region 2 Office in accordance with 6 NYCRR Part 750-2.7.

6. Industrial Pretreatment - The approved Industrial Pretreatment Program shall consider the impacts of discharges of toxic pollutants from unregulated, relocated, or new SIUs tributary to CSOs that were not identified in the report entitled, "CSO Abatement in the City of New York: Report on Meeting the Nine Minimum CSO Control Standards." The approved Industrial Pretreatment Program shall consider CSOs in the calculation of local limits for indirect discharges. Discharge of persistent toxics upstream of CSOs will be in accordance with guidance under **NYSDEC Division of Water Technical and Operational Guidance Series (TOGS) 1.3.8 New Discharges to POTWs**. For industrial operations characterized by use of batch discharge, consideration shall be given to the feasibility of a schedule of discharge during conditions of no CSO. For industrial discharges characterized by continuous discharge, consideration must be given to the collection system capacity to maximize delivery of waste to the treatment plant. Non-contact cooling water should be excluded from the combined system to the maximum extent practicable. Direct discharges of cooling water must apply for a SPDES permit.

   To the maximum extent practicable, consideration shall be given to maximize the capture of industrial waste containing toxic pollutants and this wastewater should be given priority over residential/commercial service areas for capture and treatment by the POTW. These factors shall be considered in the location and siting of new industrial users with preference to service by areas not tributary to CSOs or having sufficient capacity to deliver all industrial wastewater during all conditions to the POTW. These provisions apply to both new and existing industrial users.

7. Control of Floatable and Settleable Solids - The discharge of floating solids, oil and grease, or solids of sewage origin which cause deposition in the receiving waters, is a violation of the NYS Narrative Water Quality Standards contained in Part 703. As such, the permittee shall implement the following best management practices in order to eliminate or minimize the discharge of these substances:

   a. **Catch Basin Repair and Maintenance -** The permittee shall inspect each catch basin in the tributary collection system a minimum of once every 36 months. Catch basins will be cleaned as required based on these inspections and in accordance with the permittee's criteria for catch basin cleaning. The permittee shall replace missing or damaged catch basin hoods within 90 days after the date of inspection for basins known to be hooded upon completion of the catch basin hooding program. For all future basins found by inspection to require extensive repairs before a hood can be installed, the permittee shall repair and install a hood within 24 months.

   b. **Booming, Skimming and Netting -** The permittee shall operate and maintain the floatable containment boom (or floatable containment netting or open-water skimming program) as applicable for the CSO outfalls listed in this permit. The in-water containment boom shall be inspected within 48 hours of a confirmed CSO event and, if necessary, cleared of floating debris. The permittee shall visually inspect floatable containment netting on a weekly basis and shall replace damaged or full netting bags as necessary.

   c. **Institutional, Regulatory, and Public Education -** The permittee shall continue to implement the City-Wide Floatables Plan.

   The permittee may submit an application to the department for an alternative implementation schedule for Items 7.a. and 7.b. for combined sewer areas that are tributary to a permanent land based CSO abatement and treatment facility designed for the control of floatables and permitted by the department. The permittee shall include a basic floatables control summary in the CSO BMP Annual Report under BMP #15 (checklist items at a minimum) and may defer more detailed reporting of floatables control efforts to the MS4 Annual Report.

# BMPs for CSOs (continued)

8. Combined Sewer System Replacement - Replacement of combined sewers shall not be designed or constructed without an approved drainage plan signed by the NYC Department of Health and Mental Hygiene. When replacement of a combined sewer is necessary it shall be replaced by separate sanitary and storm sewers to the greatest extent possible. These separate sanitary and storm sewers shall be designed and constructed simultaneously but without interconnections to maximum extent practicable. When combined sewers are replaced, the design should contain cross sections which provide sewage velocities which prevent deposition of organic solids during low flow conditions to the maximum extent practicable.

9. Combined Sewer/Extension - Combined sewer/extension, when allowed should be accomplished using separate sewers. These sanitary and storm sewer extensions shall be designed and constructed simultaneously but without interconnections. No new source of stormwater shall be connected to any separate sanitary sewer in the collection system.

   If separate sewers are to be extended from combined sewers, the permittee shall demonstrate the ability of the sewerage system to convey, and the treatment plant to adequately treat, the increased dry-weather flows. Upon written notification by the Regional Water Engineer, the permittee shall assess the effects of the increased flow of sanitary sewage or industrial waste, on the frequency, flow and pollutant loading of CSOs, including the impacts on water quality and best usage(s) of the receiving water. This assessment should use techniques such as collection system and water quality modeling contained in the 1999 Water Environment Federation Manual of Practice FD-17 entitled, Prevention and Control of Sewer System Overflows, 2nd edition.

10. Sewer Connection & Extension Prohibitions - If, there are documented, recurrent instances of sewage backing up into house(s) or discharges of raw sewage onto the ground surface from surcharging manholes, the permittee shall, upon letter notification from NYSDEC, prohibit further connections that would exacerbate the surcharging/back-up problems. Wastewater connections to the combined sewer system downstream of the last regulator or diversion chamber are prohibited.

11. Septage and Hauled Waste - The discharge or release of septage or hauled waste upstream of a CSO is prohibited.

12. Control of Runoff – All sewer certifications for new development shall be consistent with NYCDEP rules and regulations and shall require on-site detention or retention to not exceed the capacity of the existing sewers fronting the property. Only allowable flow will be permitted to discharge into the combined or storm sewer system.

13. Public Notification –
    a. The permittee shall maintain identification signs at all CSO outfalls owned and operated by the permittee, as listed in this permit. The permittee shall place the signs at or near the CSO outfalls and ensure that the signs are easily readable by the public. The signs shall have **minimum** dimensions and appearance as specified in the Discharge Notification Requirements page of this permit.
    b. The permittee shall report all known or suspected CSO discharge events in accordance with 6 NYCRR Part 750-2.7(b).

14. Characterization and Monitoring - The permittee shall characterize the combined sewer system, determine the frequency of overflows, and identify CSO impacts in accordance with Combined Sewer Overflows, Guidance for Nine Minimum Controls, EPA, 1995, Chapter 10. These are minimum requirements, more extensive characterization and monitoring efforts which may be required as part of the Long-Term Control Plan.
    a. NYCDEP shall assess available data for the purpose of verification and further calibration of the InfoWorks and hydraulic model developed under NYCDEP's CSO LTCPs. Data from specific monitoring systems, including key regulator monitoring systems, associated with CSO LTCP recommended projects, may be used in the CSO Post Construction Compliance Monitoring Plans to compare performance of the CSO LTCP recommended projects versus the landside model projections. NYCDEP shall, within 90 days of request by NYSDEC, provide all data from regulators and other combined sewer system structures with monitoring equipment installed.

# BMPs for CSOs (continued)

b. Based on observations, lessons learned, the availability of additional information or the development of new detection devices, NYSDEC may require NYCDEP to install additional feasible and effective monitoring equipment at key regulators if the existing monitoring equipment is unable to provide an accurate indication of CSO discharges, or add to the list of key regulators and install monitoring equipment at those additional regulators if it determines either: that additional monitoring locations are necessary to verify that the system has been maximized or to calibrate the hydraulic model; or that monitoring does not exist for a significant volume of the overall CSO discharge.

15. Annual Report - The permittee shall submit a Combined Sewer Overflows (CSO) BMP Annual Report, which summarizes the implementation of the above BMPs and the Long-Term Control Plans. The CSO BMP Annual Report shall be submitted by May 1st of each year to the Regional Water Engineer and to the Bureau of Water Compliance. A singular report, covering all 14 NYCDEP WRRFs, is satisfactory and will be codified under the Wards Island WRRF (NY0026131). The CSO BMP Annual Report form is available from NYSDEC on-line at https://www.dec.ny.gov/chemical/48985.html. The complete documentation shall be stored at a central location and be made available to NYSDEC upon request.
    a. The permittee shall summarize, in the CSO BMP Annual Report, all known or suspected CSO discharges from key regulators outside the period of a critical wet weather event. The summary shall provide an itemized list of such CSO discharges, the approximate start time and end time for each discharge, the corresponding WRRF flow rate, the start time and end time of the critical wet weather event, and an engineering analysis of the cause(s) for each discharge and an analysis of options to reduce or eliminate similar future events.

# COMBINED SEWER OVERFLOW LONG TERM CONTROL PLAN

NYCDEP was required to develop and submit 11 Long-Term Control Plans (LTCP) for each of the Watershed/Waterbody Plans developed under Order on Consent CO2-20110512-25 ("the CSO Order"). The table below identifies each of the LTCPs developed and the approval dates:

| LTCP Name | LTCP Approval Date |
|---|---|
| **Alley Creek** | 3/7/2017 |
| **Bronx River** | 3/7/2017 |
| **Flushing Bay** | 3/7/2017 |
| **Flushing Creek** | 3/7/2017 |
| **Gowanus Canal** | 3/29/2017 |
| **Hutchinson River** | 3/7/2017 |
| **Paerdegat Basin*** | 2/1/2007 |
| **Westchester Creek** | 8/1/2018 |
| **Coney Island Creek** | 4/4/2018 |
| **Newtown Creek** | 6/27/2018 |
| **Jamaica Bay** | Under NYSDEC Review (Submitted 7/2/2018) |
| **Citywide/Open Waters** | Under NYSDEC Review (Submitted 10/1/2020) |
| * The Paerdegat Basin LTCP was superseded by the Jamaica Bay and Tributaries LTCP submitted in 2018. | |

The CSO Order, which is attached hereto (see NYSDEC website https://www.dec.ny.gov/chemical/77733.html), contains milestones and schedules governing the development, submission, and implementation of LTCPs. Operation of all combined sewer overflows in this permit shall comply with applicable water quality standards including: settleable solids, pathogens, bacteria, and floatables. Any existing violations of these standards are addressed by compliance with the terms of Consent Order CO2-20110512-25. The terms of that Consent Order set forth the shortest reasonable time to attain compliance with applicable limitations, applicable water quality standards, or other applicable requirements for these or other parameters. This provision does not preclude DEP from seeking a variance from a Water Quality Based Effluent Limit (6 NYCRR 702.17) or a Water Quality Standard revision (40 CFR 131.10(g)) or preclude DEP from operating CSOs in accordance with a lawfully issued variance (6 NYCRR 702.17) or in compliance with a lawfully revised Water Quality Standard (40 CFR 131.10(g)). Modifications to the CSO Order Consent will be publicly noticed for review and comment in accordance with Uniform Procedures Regulations, 6 NYCRR Part 621. The LTCPs, approval letters, and other pertinent CSO information is available on the NYCDEP website: https://www1.nyc.gov/site/dep/water/nyc-waterways.page.

# STORMWATER POLLUTION PREVENTION REQUIREMENTS

General: Stormwater discharges from POTWs with design flows at or above 1 MGD shall be covered under the SPDES permit. The permittee is required to implement Best Management Practices (BMPs) to prevent releases of significant amounts of pollutants through plant site stormwater runoff; spillage and leaks; sludge or waste disposal; and other stormwater discharges including, but not limited to, drainage from raw material storage. The permittee shall implement the following requirements, consistent with Part II of the Multi-Sector General Permit (GP-0-17-004) and the additional BMPs listed in Sector T.

The permittee is required to maintain and implement a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall be documented in narrative form and shall include the BMPs below and plot plans, drawings, or maps necessary to clearly delimitate the direction of stormwater flow and identify the conveyance, such as ditch, swale, storm sewer or sheet flow, and receiving water body. Other documents already prepared for the facility such as a Safety Manual or a Spill Prevention, Control, and Countermeasure (SPCC) plan may be used as part of the SWPPP and may be incorporated by reference. A copy of the current SWPPP must be maintained at the facility and shall be available to authorized Department representatives upon request.

The SWPPP shall be reviewed annually and shall be modified whenever: (a) changes at the facility materially increase the potential for releases of pollutants; (b) actual releases indicate the SWPPP is inadequate; or (c) a letter from the Department identifies inadequacies in the SWPPP. The permittee shall certify in writing, as an attachment to the December Discharge Monitoring Report (DMR), that the annual review has been completed.

Facility Review: The permittee shall review all facility components or systems that may be exposed to precipitation/surface runoff where materials or pollutants are used, manufactured, stored or handled to evaluate the potential for the release of pollutants. The review should include but is not limited to:

- grit
- screenings
- other solids handling areas, storage or disposal areas
- septage or hauled waste receiving stations
- storage areas for process chemicals, petroleum products, solvents, fertilizers, herbicides and pesticides
- in-plant transfer, process, and material handling areas
- stormwater, erosion, and sediment control measures
- sludge drying beds
- dried sludge piles
- compost piles
- material storage areas
- process emergency control systems
- loading and unloading operations

In performing such an evaluation, the permittee shall consider such factors as the probability of equipment failure or improper operation, cross-contamination of stormwater by process materials, settlement of facility air emissions, the effects of natural phenomena such as freezing temperatures and precipitation, fires, and the facility's history of spills and leaks. The relative toxicity of the pollutant shall be considered in determining the significance of potential releases.

Best Management Practices: Permittee shall identify Best Management Practices (BMPs) that have been established to prevent or minimize any identified potential releases. Where BMPs are inadequate or absent, appropriate BMPs shall be established. In selecting appropriate BMPs, the permittee shall consider good industry practices and, where appropriate, structural measures such as secondary containment and erosion/sediment control devices and practices. At a minimum, the permittee is required to implement the following BMPs:

1. Minimize Exposure - The permittee must minimize the exposure of manufacturing, processing, and material storage areas to rain, snow, snowmelt, and runoff to minimize pollutant discharges. This includes areas used for loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations.
2. Good Housekeeping - The permittee must keep clean all exposed areas that are potential sources of pollutants.
3. Maintenance - The permittee must maintain all industrial equipment/systems and control measures in effective operating condition.
4. Spill Prevention and Response Procedures - The permittee must minimize the potential for leaks, spills, and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur in order to minimize pollutant discharges.

# STORMWATER POLLUTION PREVENTION REQUIREMENTS (continued)

5. Erosion and Sediment Controls - The permittee must stabilize exposed areas and control runoff using structural and/or non-structural control measures to minimize onsite erosion and sedimentation. Erosion and Sediment Controls must be in accordance with the New York State Standards & Specification for Erosion & Sediment Control (2016). Note: This permit does not authorize stormwater associated with construction activities as defined in 40 CFR 122.26. Consult with the NYSDEC Regional Water Engineer.
6. Management of Runoff - The permittee must divert, infiltrate, reuse, contain, or otherwise reduce stormwater runoff, to minimize pollutants in the discharges.
7. Salt Storage Piles or Piles Containing Salt - The permittee must enclose or cover storage piles of salt, or piles containing salt, used for deicing, maintenance of paved surfaces, or for other commercial or industrial purposes.
8. Employee Training - The permittee must train all employees who work in areas where industrial materials or activities are exposed to stormwater.
9. Non-Stormwater Discharges - The permittee must eliminate non-stormwater discharges not authorized by a SPDES permit.
10. Waste, Garbage, and Floatable Debris - The permittee must ensure that waste, garbage, and floatable debris are not discharged to surface waters of the state by keeping exposed areas free of such materials or by intercepting them before they are discharged.
11. Dust Generation and Vehicle Tracking of Industrial Materials - The permittee must minimize generation of dust and off-site tracking of raw, final, or waste materials in order to minimize the pollutant discharges.
12. Secondary Containment - The permittee must ensure that compliance is maintained with all applicable regulations including, but not limited to, those involving releases, registration, handling and storage of petroleum, chemical bulk and hazardous waste storage facilities (6 NYCRR 596-599, 613 and 370-373).

# MERCURY MINIMIZATION PROGRAM (Type I)

1. General - The permittee must update, implement, and maintain a mercury minimization program (MMP), containing the elements set forth below, to reduce mercury effluent levels with the goal of achieving the WQBEL of 0.7 ng/L.

2. MMP Elements - The MMP must be a written document and must include any necessary drawings or maps of the facility and/or collection system. Other related documents already prepared for the facility may be used as part of the MMP and may be incorporated by reference. At a minimum, the MMP must include the following elements as described in detail below:

   a. Monitoring - Monitoring at outfall, influent and other locations tributary to compliance points may be performed using either USEPA Method 1631 or another sufficiently sensitive method, as approved under 40 CFR Part 136[3]. Monitoring of raw materials, equipment, treatment residuals, and other non-wastewater/non-stormwater substances may be performed using other methods as appropriate. Monitoring must be coordinated so that the results can be effectively compared between locations.

      Minimum required monitoring is as follows:

      i. Sewage Treatment Plant Influent & Effluent – The permittee must collect samples at each of these locations in accordance with the minimum frequency specified on the pages of the SPDES permit that contain the mercury effluent limitations.
      ii. *Key Locations*[4] and *Potential Mercury Sources* [5]– The permittee must sample *key locations*, chosen to identify *potential mercury sources*, at least semi-annually. Sampling of discharges from dental facilities in compliance with 6 NYCRR 374.4 is not required.
      iii. Hauled Wastes – The permittee must establish procedures for the acceptance of hauled waste to ensure the hauled waste is not a potential mercury source. Acceptance of loads which may exceed 500 ng/L,[6] must be in accordance with the permittee's Scavenger Wastes Program.
      iv. Decreased Monitoring Requirements - Facilities with EEQ at or below 12 ng/L are eligible for the following:
         1) Reduced requirements, through a permittee-initiated permit modification
            a) Conduct influent monitoring, sampling quarterly, in lieu of monitoring within the collection system, such as at *key locations*; and
            b) Conduct effluent compliance sampling quarterly.
         2) If a facility with reduced requirements reports discharges above 12 ng/L for two of four consecutive effluent samples, the Department may undertake a Department-initiated modification to remove the allowance of reduced requirements.
         3) Under the decreased permit requirements, the facility must continue to conduct an annual status report, as applicable in accordance with 2.c of this MMP, to determine if any waste streams have changed.
      v. Additional monitoring must be completed as required elsewhere in this permit (e.g., locations tributary to compliance points).

   b. Control Strategy - The control strategy must contain the following minimum elements:
      i. Pretreatment/Sewer Use Law - The permittee must review pretreatment program requirements and the Sewer Use Law (SUL) to ensure it is up-to-date and enforceable with applicable permit requirements and will support efforts to achieve a dissolved mercury concentration of 0.70 ng/L in the effluent.
      ii. Monitoring and Inventory/Inspections -
         1) Monitoring shall be performed as described in 2.a above. As mercury sources are found, the permittee must enforce its sewer use law to track down and minimize these sources.
         2) The permittee must maintain an inventory of each dental facility and other potential mercury source and inspect users of its system as necessary to support the MMP.

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[3] Outfall monitoring must be conducted using the methods specified in Table 8 of *DOW 1.3.10.*

[4] Defined as a location within the collection/wastewater system (e.g. including but not limited to a specific manhole/access point, tributary sewer/wastewater connection, or user discharge point) identified by the permittee as a potential mercury source. The permittee may adjust key locations based upon sampling and/or best professional judgement.

[5] A potential mercury source is identified by the permittee that may reasonably be expected to have total mercury contained in the discharge. Some potential mercury sources include switches, fluorescent lightbulbs, cleaners, degreasers, thermometers, batteries, hauled wastes, universities, hospitals, laboratories, landfills, Brownfield sites, or raw material storage.

[6] A level of 0.2 mg/L (200,000 ng/L) or more is considered hazardous per 40 CFR Part 261.11. 500 ng/L is used here to alert the permittee that there is an unusual concentration of mercury and that it will need to be managed appropriately.

# MERCURY MINIMIZATION PROGRAM Type I (continued)

a) Dental Facilities - The permittee must inspect each dental facility at least once every five years to verify compliance with the wastewater treatment operation, maintenance, and notification elements of 6 NYCRR 374.4. Alternatively, the permittee may develop and implement an outreach program,[7] which informs users of their responsibilities, and collect the "Amalgam Waste Compliance Report for Dental Dischargers"[8] form, as needed, to satisfy the inspection requirements. The permittee must conduct the outreach program at least once every five years and ensure the "Amalgam Waste Compliance Report for Dental Dischargers" are submitted by new users, as necessary. The outreach program could be supported by a subset of site inspections.

b) Other *potential mercury sources* - The permittee must inspect other *potential mercury sources* once every five years. Alternatively, the permittee may develop and implement an outreach program which informs users of their responsibilities as *potential mercury sources.* The permittee must conduct the outreach program at least once every five years. The outreach program should be supported by a subset of site inspections.

iii. Systems with CSO & Type II SSO Outfalls – Permittees must prioritize *potential mercury sources* upstream of CSOs and Type II SSOs for mercury reduction activities and/or controlled-release discharge.

iv. Equipment and Materials – Equipment and materials (e.g., thermometers, thermostats) used by the permittee, which may contain mercury, must be evaluated by the permittee. As equipment and materials containing mercury are updated/replaced, the permittee must use mercury-free alternatives, if possible.

v. Bulk Chemical Evaluation – For chemicals, used at a rate which exceeds 1,000 gallons/year or 10,000 pounds/year, the permittee must obtain a manufacturer's certificate of analysis, a chemical analysis performed by a certified laboratory, and/or a notarized affidavit which describes the substances' mercury concentration and the detection limit achieved. If possible, the permittee must only use bulk chemicals utilized in the wastewater treatment process which contain <10 ppb mercury.

c. Annual Status Report - An annual status report must be completed, and submitted in accordance with the Schedule of Additional Submittals, summarizing:

i. All MMP monitoring results for the previous year;

ii. A list of known and *potential mercury sources*

1) If the permittee meets the criteria for MMP Type IV, the permittee must notify the Department for a permittee-initiated modification;

iii. All actions undertaken, pursuant to the control strategy, during the previous year;

iv. Actions planned, pursuant to the control strategy, for the upcoming year; and

v. Progress towards achieving a dissolved mercury concentration of 0.70 ng/L in the effluent (e.g., summarizing reductions in effluent concentrations as a result of the control strategy implementation and/or installation/modification of a treatment system).

3. MMP Modification - The MMP must be modified whenever:

a. Changes at the facility, or within the collection system, increase the potential for mercury discharges;

b. Effluent discharges exceed the current permit limitation(s); or

c. A letter from the Department identifies inadequacies in the MMP.

The permittee must maintain a file with all MMP documentation. The file must be available for review by Department representatives and copies must be provided upon request in accordance with 6 NYCRR 750-2.1(i) and 750-2.5(c)(4). The Department may use information in the annual status reports, as applicable in accordance with 2.c of this MMP, to determine if the permit limitations and MMP Type is appropriate for the facility.

[7] For example, the outreach program could include education about sources of mercury and what to do if a mercury source is found.

[8] The form, "Amalgam Waste Compliance Report for Dental Dischargers," can be found here: https://www.dec.ny.gov/docs/water_pdf/dentalform.pdf

# PCB MINIMIZATION PROGRAM - POTWs

1. **General** - The permittee shall continue to implement and maintain a Polychlorinated Biphenyl Minimization Program (PCBMP) for those outfalls which have effluent limits for PCBs (including Aroclors). The PCBMP is required because the 200 nanograms/liter (ng/L) permit limit per PCB Aroclor exceeds the water quality-based effluent limit (WQBEL) of 0.001 ng/L for Total PCBs. The goal of the PCBMP is to reduce PCB effluent levels in pursuit of the WQBEL. The basis for the 200 ng/L per Aroclor limit is the EPA Method 608 analytical Minimum Level for Aroclors.

2. **PCBMP Elements** - The PCBMP shall be documented in narrative form and shall include any necessary drawings or maps. Other related documents already prepared for the facility may be used as part of the PCBMP and may be incorporated by reference. As a minimum, the PMP plan shall include an on-going program consisting of: periodic monitoring; an acceptable control strategy which will become enforceable under this permit; and, submission of annual status reports.

   A. Monitoring - The permittee shall conduct periodic monitoring designed to quantify and, over time, track the reduction of PCBs. Wastewater treatment plant influents and effluents, and other outfalls shall be monitored using a congener specific analysis method* at a minimum frequency of quarterly. Key locations in the wastewater and/or stormwater collection systems, and known or potential PCB sources, including raw materials as appropriate, shall be monitored using a congener specific analysis method* at a minimum frequency of semi-annually. Additional monitoring must be completed as may be required elsewhere in this permit or upon Department request.

   SPDES permit limit compliance monitoring shall be performed at the frequency specified on the permit limits page(s) using Method 608. Results from congener analysis required under this PCBMP shall not be used for determining compliance with the 200 ng/L Aroclor permit limits. Additional monitoring must be completed as may be required elsewhere in this permit or upon Department request. Monitoring shall be coordinated so that the results can be effectively: compared between locations; compared between analytical methods; used to identify PCB sources; and, used to gauge the effectiveness of PCB reduction and control efforts.

   * The permittee shall use a congener specific analysis method to measure and quantify Total PCBs at the locations noted above. The congener specific analysis method shall be approved by the New York State Department of Health under its Environmental Laboratory Approval Program and shall be sufficiently sensitive. As of 2019, the only method meeting these requirements is EPA Method 1668C. It is recognized that in the future this method may be supplanted by more sensitive ELAP-approved methods in which case the newer sufficiently sensitive method(s) shall be utilized. “Total PCBs” shall be calculated as the sum of all detections at or above the Minimum Level. A separate sum of “Estimated PCBs” detected at or above the Method Detection Limit and below the Minimum Level shall also be determined.

   The permittee may request, and the Department may optionally approve, alternate methods for congener specific PCB analyses provided the alternate method is demonstrated to be equivalent or superior to one of the above methods.

   B. Control Strategy - An acceptable control strategy is required for reducing PCB discharges via cost-effective measures, including but not limited to source identification and more stringent control of industrial users and hauled wastes. The control strategy will become enforceable under this permit and shall contain the following minimum elements:

      i. Pretreatment/Local Limits – The permittee shall evaluate and revise current requirements in pursuit of the goal.
      ii. Periodic Inspection - The permittee must inspect users as necessary to support the PCBMP.
      iii. Systems with CSO & Type II SSO Outfalls – Priority shall be given to controlling PCB sources upstream of CSOs and Type II SSOs through PCB reduction activities and/or controlled-release discharge. Effective control is necessary to avoid the need for the Department to establish PCB permit limits at these outfalls.
      iv. Records - A file shall be maintained containing all PCBMP documentation which shall be available for review by DEC representatives.

   C. Annual Status Report - An annual status report shall be developed, and submitted in accordance with the Schedule of Additional Submittals, summarizing: (a) all PCBMP monitoring results for the previous year; (b) a list of known and potential PCB sources; (c) all action undertaken pursuant to the strategy during the previous year; (d) actions planned for the upcoming year; and, (e) progress toward the goal. A file shall be maintained containing all PCBMP documentation which shall be available for review by NYSDEC representatives. Copies shall be provided upon request.

3. **PCBMP Modification** - The PCBMP shall be reviewed, and if necessary modified, whenever: (a) changes at the facility or within the collection system(s) increase the potential for PCB discharges; (b) new information is discovered concerning the source, nature, or extent of any PCB source(s) and/or discharges from the facility; (c) actual discharges contain detectable Aroclors as measured with EPA Method 608. The PCBMP shall be modified whenever a letter from the Department identifies inadequacies in the PCBMP or pursuant to a permit modification.

# SPECIAL CONDITIONS: ANNUAL PRIORITY POLLUTANT SCAN

1. General – The permittee shall conduct an annual priority pollutant scan (PPS) for both the influent and effluent of the WRRF. The PPS shall consist of analysis for all parameters listed in 40 CFR 122 Appendix D (Tables II & III), Mirex and Methoxychlor. Analysis for 2,3,7,8-TCDD is not required. The sample type shall be 24-hr Composite. For volatile organics shall be a 6-hour composite of 3 grab samples.

2. Additional Monitoring – Upon receipt of the annual priority pollutant scan results, the permittee shall commence a 3-day high intensity monitoring program (HIMP) for those bioaccumulative chemicals of concern (BCCs)[1] that are present at detectable levels[2] in the influent of the WRRF.

3. Pollutant Minimization Plan – If the HIMP results in detectable levels of a BCC in at least 2 of the 4 samples (PPS + 3 HIMP samples), the permittee shall develop and submit an approvable pollutant minimization plan (PMP) to NYSDEC for that parameter. The PMP shall be submitted to NYSDEC within 24 months following receipt of at least 2 detectable BCC sample results.

    a. The PMP shall contain a pollutant mass balance and source track down using the USEPA Guidance Manual on the Development of Local Discharge Limitations Under the Pretreatment Program as a guideline. The PMP shall include an analysis of potential significant sources (at least 5% of the estimated headworks loading) of the pollutant including industrial and non-industrial sources, non-active hazardous waste sites, storm water runoff, and wet and dry atmospheric deposition.
    b. If the PMP identifies controllable sources of the pollutant, it shall include a schedule to reduce the amount of the pollutant to the maximum extent practicable. It is recommended that the PMP examine voluntary source reductions (domestic and non-domestic sources), product substitutions, and other pollutant minimization programs to reduce the pollutant loading to the system, including but not limited to the following examples: household hazardous waste collection, dental and photo processing BMPs, sewer user notification of consequences of disposing toxic substances to the sewer system, and other pollution prevention methods. The PMP schedule to reduce the amount of BCC in the influent of the treatment plant is subject to review and approval by NYSDEC. Following NYSDEC approval, the PMP schedule will become enforceable under the SPDES permit.

4. Reporting – The results of each analysis shall be reported to NYSDEC, in spreadsheet format, by March 31st each year. The monitoring results for this requirement shall be submitted in spreadsheet format to the Regional Water Engineer by March 31st of the following year. The report shall include: All monitoring results, date of sample collection, WRRF flow for the day the sample was collected, analytical laboratory utilized and ELAP certification number, date analyzed, analytical method used, method detection limit and reporting level for each analysis, and any laboratory flags or qualifiers. A singular report, covering all 14 NYCDEP WRRFs, is satisfactory and will be codified under the Wards Island WRRF (NY0026131).

[1] Chlordane, DDD (aka TDE), DDE, DDT, Dieldrin, hexachlorobenzene, hexachlorobutadiene, hexachlorocyclohexane (BHC), alpha-BHC, beta-BHC, gamma-BHC, delta-BHC, mirex (dechlorane), PCBs, and toxaphene.

[2] Detectable levels are defined, for the purpose of this schedule, as the Limit of Quantitation (LOQ) using EPA Method 608 except for the following parameters: Hexachlorobenzene and Hexachlorobutadiene using Method 612 for and Mirex using SM6630C. Permittee shall perform an annual verification of the Method Detection Limits and Limit of Quantitation for the listed Bioaccumulative Chemicals of Concern.

# UNTREATED DISCHARGES

1. Reporting – All bypasses, treatment reductions, process upsets and chlorination interruptions shall be reported to NYSDEC in accordance with ECL 17-0826-a and 6 NYCRR Part 750-2.7. Upon notification of any planned or unplanned bypasses, as described above, NYSDEC reserves the right to require continuous chlorination.
2. Abatement Procedures – For all dry weather discharges, in any drainage basin, DEP shall be required to report the discharge in accordance with Item 1 above, then take the following actions. A dry weather discharge is defined as a discharge that contains visible sanitary material and/or exceeds a fecal coliform level of 200 FC/100 ml, BOD of 30 mg/L or Suspended Solid level of 30 mg/L.
    a. Phase I Schedule – within 30 days of the discovery of a previously unidentified dry weather discharge, permittee shall provide DEC with a schedule in writing for conducting the necessary investigative work to determine the source of the discharge, and for proposing an abatement program. This is to be known as the "Phase I Schedules".
    b. Phase II Schedule – on or before the end date of the schedule submitted in Phase I, permittee shall submit to DEC in writing an abatement program, with milestone dates, to abate the dry weather discharge.
    c. Unless DEC disapproves of a schedule in writing within 15 days of receipt of the schedule, or unless DEC informs permittee in writing that it will require a specified additional period to complete its review, the schedule shall be deemed approved by DEC.
    d. On or before the scheduled date for completion of each abatement program, permittee shall provide DEC with written certification of the completion of such program, or the current status of each program and the expected completion date.
    e. Within 30 days of discovering an untreated dry-weather discharge from a known permittee-owned sewer system outfall, the permittee shall provide chlorination of untreated discharges in the following manner, unless otherwise authorized by DEC, Region 2:
        i. Year-round chlorination must be provided for discharges:
            1. that exhibit a flow of at least 50,000 gallons per day and are discharged into waters classified as "SA" and all adjacent waterways within 2 miles thereof.
            2. within 500 feet of a New York City-designated bathing beach, regardless of volume, character, or receiving water classification.
        ii. Seasonal chlorination (May 1st through October 31st) must be provided for discharges:
            1. that exhibit a flow of at least 50,000 gallons per day and are discharged into waters classified as "SB" and all adjacent waterways within 2 miles thereof.
            2. that exhibit a flow of at least 0.1 MGD to all other waterways.
    f. Permittee shall be entitled to seek an extension of the Phase I and Phase II schedules. In seeking such an extension, permittee shall state in writing, reasons justifying the extension. DEC shall not unreasonably withhold its approval of any requested extension. In the event the abatement of a dry weather discharge cannot be completed unless permittee obtains relief from the New York City Environmental Control Board, the milestone date for such discharge shall be extended for the period of time the enforcement action is pending, so long as permittee diligently prosecutes such action.

# UNTREATED DISCHARGES (continued)

3. Shoreline Survey – The permittee must conduct a survey of the entire shoreline of the City of New York. The permittee shall survey 50% of the shoreline during a 5-year period, while surveying the remaining 50% in the following 5-year period. A Shoreline Survey Report shall be submitted to NYSDEC by April 1st in years ending in 3 and 8, in accordance with the Schedule of Additional Submittals in this permit. The Report shall identify each outfall, approximate location and coordinates, estimated pipe size & material, receiving water and the discharge type (e.g. SPDES, MS4, Direct Discharge, Storm Drain, Highway Drain, WRRF Storm Drain, Abandoned, etc.). The Report shall also include a comparison of the previous Survey Report to the current Report, identifying any outfalls removed and any new/additional outfalls observed. The permittee shall report any illegal dry weather discharges believed to be observed during the shoreline surveillance. For permittee-owned outfalls, the discharge shall be reported and abated in accordance with Items 1 and 2 above, respectively. For outfalls owned by others, the permittee shall notify the NYSDEC Regional Water Engineer.

4. Sentinel Monitoring Program – Permittee must perform a sentinel monitoring program, at the ambient monitoring stations agreed upon by DEC and permittee, consisting of the following elements:

   a. The permittee shall sample on a quarterly basis for fecal coliform at each of the ambient monitoring stations during dry weather conditions. Sampling can only be conducted after a minimum dry-weather antecedent period of 48 hours.

   b. An exceedance of 200 colonies/100 mL for fecal coliform will require the permittee to commence an investigation. The investigation will consist of a mini-shoreline survey of the adjacent shoreline, to be performed within 7 dry weather working days of receipt of sampling results. The permittee may request an extension of time to perform the investigations, if 10 or more of these exceedances are simultaneously discovered in different sections of New York City. DEC reserves the right to reduce the investigation threshold, when supported by data or changes in regulation.

   c. If an untreated dry weather discharge is identified, permittee must act in accordance with Section 2. above.

   d. The permittee must prepare an annual report for the sentinel monitoring program with details, including but not limited to all findings, analysis, data, sample results, sampling dates, dates of corresponding shoreline surveys, and any proposed changes to the program for the following year. The annual report must be submitted to DEC by June 30th of each succeeding year.

# DISCHARGE NOTIFICATION REQUIREMENTS

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

(b) Subsequent modifications to or renewal of this permit does not reset or revise the deadline set forth in (a) above, unless a new deadline is set explicitly by such permit modification or renewal.

(c) The Discharge Notification Requirements described herein do not apply to outfalls from which the discharge is composed exclusively of storm water, or discharges to ground water.

(d) The sign(s) shall be conspicuous, legible and in as close proximity to the point of discharge as is reasonably possible while ensuring the maximum visibility from the surface water and shore. The signs shall be installed in such a manner to pose minimal hazard to navigation, bathing or other water related activities. If the public has access to the water from the land in the vicinity of the outfall, an identical sign shall be posted to be visible from the direction approaching the surface water.

The signs shall have **minimum** dimensions of eighteen inches by twenty-four inches (18" x 24") and shall have white letters on a green background and contain the following information:

**N.Y.S. PERMITTED DISCHARGE POINT**

**SPDES PERMIT No.: NY_____**

**OUTFALL No. :____**

For information about this permitted discharge contact:

Permittee Name: _____

Permittee Contact: _____

Permittee Phone: (  ) - ### - ####

OR:

NYSDEC Division of Water Regional Office Address:

NYSDEC Division of Water Regional Phone: (  ) - ### -####

(e) Upon request, the permittee shall make available electronic or hard copies of the sampling data to the public. In accordance with the RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS page of your permit, each DMR shall be maintained (either electronically or as a hard copy) on record for a period of five years.

(f) The permittee shall periodically inspect the outfall identification sign(s) in order to ensure they are maintained, are still visible, and contain information that is current and factually correct. Signs that are damaged or incorrect shall be replaced within 3 months of inspection.

(g) If the permittee believes that any outfall which discharges wastewater from the permitted facility meets any of the DNA waiver criteria, notification must be made to the Department's Bureau of Water Compliance. Provided there is no objection by the Department, a sign for the involved outfall(s) are not required. This notification must include the facility's name, address, telephone number, contact, permit number, outfall number(s), and reason why such outfall(s) is waived from the requirements of discharge notification. The Department may evaluate the applicability of a waiver at any time and take appropriate measures to assure that the ECL and associated regulations are complied with.

# INDUSTRIAL PRETREATMENT PROGRAM IMPLEMENTATION REQUIREMENTS

A. DEFINITIONS: Generally, terms used in this Section shall be defined as in the General Pretreatment Regulations (40 CFR Part 403). Specifically, the following definitions apply to terms used in this Section:

1. Categorical Industrial User (CIU): an industrial user of the POTW that is subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N;

2. Local Limits: General Prohibitions, specific prohibitions and specific limits as set forth in 40 CFR 403.5.

3. The Publicly Owned Treatment Works (POTW): as defined by 40 CFR 403.3(q) and that discharges in accordance with this permit.

4. Program Submission(s): requests for approval or modification of the POTW Pretreatment Program submitted in accordance with 40 CFR 403.11 or 403.18 and approved by USEPA by letters dated 1/26/1987, 3/25/1991, 6/19/1992, 12/21/1992, 6/24/1993, 5/31/1996, 6/24/1998, 4/26/2000, 1/18/2011, and 4/5/2013.

5. Significant Industrial User (SIU):
   a) CIUs;
   b) Except as provided in 40 CFR 403.3(v)(3), any other industrial user that discharges an average of 25,000 gallons per day or more of process wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater) to the POTW;
   c) Except as provided in 40 CFR 403.3(v)(3), any other industrial user that contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant;
   d) Any other industrial user that the permittee designates as having a reasonable potential for adversely affecting the POTW's operation or for violating a pretreatment standard or requirement.

6. Substances of Concern: Substances identified by the New York State Department of Environmental Conservation Industrial Chemical Survey as substances of concern.

B. IMPLEMENTATION: The permittee shall implement a POTW Pretreatment Program in accordance 40 CFR Part 403 and as set forth in the permittee's approved Program Submission(s). Modifications to this program shall be made in accordance with 40 CFR 403.18. The permittee may consider modification of the program under the streamlined requirements of 40 CFR Part 403 (November 14, 2005). The modified program must be submitted to USEPA with a copy to NYSDEC for approval before a streamlined program may be implemented. Specific program requirements are as follows:

1. Industrial Survey: To maintain an updated inventory of industrial dischargers to the POTW the permittee shall:
   a) Identify, locate and list all industrial users who might be subject to the industrial pretreatment program from the pretreatment program submission and any other necessary, appropriate and available sources. As part of this update the permittee shall collect a current and complete New York State Industrial Chemical Survey form (or equivalent) from each SIU.
   b) Identify the character and volume of pollutants contributed to the POTW by each industrial user identified in B.1.a above that is classified as a SIU.
   c) Identify, locate and list, from the pretreatment program submission and any other necessary, appropriate and available sources, all SIUs of the POTW.

2. Control Mechanisms: To provide adequate notice to and control of industrial users of the POTW the permittee shall:
   a) Inform by certified letter, hand delivery courier, overnight mail, or other means which will provide written acknowledgment of delivery, all industrial users identified in B.1.a. above of applicable pretreatment standards and requirements including the requirement to comply with the local sewer use law, regulation or ordinance and any applicable requirements under section 204(b) and 405 of the Federal Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act.

# INDUSTRIAL PRETREATMENT PROGRAM IMPLEMENTATION REQUIREMENTS (continued)

b) Control through permit or similar means the contribution to the POTW by each SIU to ensure compliance with applicable pretreatment standards and requirements. Permits shall contain limitations, sampling frequency and type, reporting and self-monitoring requirements as described below, requirements that limitations and conditions be complied with by established deadlines, an expiration date not later than five years from the date of permit issuance, a statement of applicable civil and criminal penalties and the requirement to comply with Local Limits and any other requirements in accordance with 40 CFR 403.8(f)(1).

3. Monitoring and Inspection: To provide adequate, ongoing characterization of non-domestic users of the POTW, the permittee shall:
   a) Receive and analyze self-monitoring reports and other notices. The permittee shall require all SIUs to submit self-monitoring reports at least every six months unless the permittee collects all such information required for the report, including flow data.
   b) The permittee shall adequately inspect each SIU at a minimum frequency of once per year.
   c) The permittee shall collect and analyze samples from each SIU for all priority pollutants that can reasonably be expected to be detectable at levels greater than the levels found in domestic sewage at a minimum frequency of once per year.
   d) Require, through permits, each SIU to collect at least one 24 hour, flow proportioned composite (where feasible) effluent sample every six months and analyze each of those samples for all priority pollutants that can reasonably be expected to be detectable in that discharge at levels greater than the levels found in domestic sewage. The permittee may perform the aforementioned monitoring in lieu of the SIU except that the permittee must also perform the compliance monitoring described in 3.c.

4. Enforcement: To assure adequate, equitable enforcement of the industrial pretreatment program the permittee shall:
   a) Investigate instances of noncompliance with pretreatment standards and requirements, as indicated in self-monitoring reports and notices or indicated by analysis, inspection and surveillance activities. Sample taking and analysis and the collection of other information shall be performed with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions. Enforcement activities shall be conducted in accordance with the permittee's Enforcement Response Plan developed and approved in accordance with 40 CFR Part 403.
   b) Enforce compliance with all national pretreatment standards and requirements in 40 CFR Parts 406 - 471.
   c) Provide public notification of significant non-compliance as required by 40 CFR 403.8(f)(2)(viii).
   d) Pursuant to 40 CFR 403.5(e), when either the Department or the USEPA determines any source contributes pollutants to the POTW in violation of Pretreatment Standards or Requirements the Department or the USEPA shall notify the permittee. Failure by the permittee to commence an appropriate investigation and subsequent enforcement action within 30 days of this notification may result in appropriate enforcement action against the source and permittee.

5. Recordkeeping: The permittee shall maintain and update, as necessary, records identifying the nature, character, and volume of pollutants contributed by SIUs. Records shall be maintained in accordance with 6 NYCRR 750-2.5(c).

6. Staffing: The permittee shall maintain minimum staffing positions committed to implementation of the Industrial Pretreatment Program in accordance with the approved pretreatment program.

C. SLUDGE DISPOSAL PLAN. The permittee shall notify NYSDEC, and USEPA as long as USEPA remains the approval authority, 60 days prior to any major proposed change in the sludge disposal plan. NYSDEC may require additional pretreatment measures or controls to prevent or abate an interference incident relating to sludge use or disposal.

# INDUSTRIAL PRETREATMENT PROGRAM IMPLEMENTATION REQUIREMENTS (continued)

D. REPORTING: The permittee shall provide to the offices listed on the Monitoring, Reporting and Recording page of this permit and to the Chief-Water Compliance Branch, USEPA Region II, 290 Broadway, New York, NY 10007, a periodic report that briefly describes the permittee's program activities over the previous year. This report shall be submitted in accordance with the Schedule of Submittals to the above noted offices within 90 days of the end of the reporting period. The reporting period shall be annual with reporting period(s) ending on December 31st. A singular report, covering all 14 NYCDEP WRRFs, is satisfactory and will be codified under the Wards Island WRRF (NY0026131). The periodic report shall include:

1. Industrial Survey: Updated industrial survey information in accordance with 40 CFR 403.12(e) (including any NYS Industrial Chemical Survey forms updated during the reporting period).

2. Implementation Status: Status of Program Implementation, to include:
   a) Any interference, upset or permit violations experienced at the POTW directly attributable to industrial users.
   b) Listing of SIUs issued permits.
   c) Listing of SIUs inspected and/or monitored during the previous reporting period and summary of results.
   d) Listing of SIUs notified of promulgated pretreatment standards or applicable local standards who are on compliance schedules. The listing should include for each facility the final date of compliance.
   e) Summary of POTW monitoring results not already submitted on Discharge Monitoring Reports and toxic loadings from SIU's organized by parameter.
   f) A summary of additions or deletions to the list of SIUs, with a brief explanation for each deletion.

3. Enforcement Status: Status of enforcement activities to include:
   a) Listing of SIUs in significant non-compliance (as defined by 40 CFR 403.8(f)(2)(viii) with federal or local pretreatment standards at end of the reporting period.
   b) Summary of enforcement activities taken against non-complying SIUs. The permittee shall provide a copy of the public notice of significant violators as specified in 40 CFR 403.8(f)(2)(viii).

E. ADDITIONAL PRETREATMENT CONDITIONS:
1. Notification of Material Change: Facility shall notify the NYSDEC prior to the addition of any SIUs or CIUs which may materially change the nature of the discharge from the POTW or increase the discharge of one or more substances authorized in this permit or discharge a substance not currently authorized in this permit (6 NYCRR Part 750-2.9(a)(1)). The noticed act is prohibited until the Department determines whether a permit modification is necessary pursuant to 750-2.9(a)(2).

# SPECIAL CONDITIONS: ASSET MANAGEMENT & RELIABILITY

1. The permittee shall continue to maintain and implement an Asset Management Program for Vertical Assets (AMP) covering the permittee's WRRFs, pump stations, and CSO control facilities (collectively "the AMP Treatment System"). The goal of the AMP is to prolong asset life and aid in rehabilitation, repair and replacement decisions of capital assets, while meeting consumer demands, improving financial planning and improving economic development opportunities. The permittee shall update the AMP to incorporate the minimum components provided in published NYSDEC Guidance Documents.

    a. The permittee shall submit an AMP Update Workplan, for NYSDEC review and comment, in accordance with the Schedule of Additional Submittals. The AMP Update Workplan must include several important factors that are essential to the elements required for successful update and implementation of the AMP. These factors include: how the Asset Inventory will be developed, how an asset is defined, procedures used to estimate installation date when unknown, process for developing useful life expectancies for each asset type, a preliminary schedule for completing an updated Vertical Asset inventory, plans for maintaining and updating the asset inventories as equipment and locations change, and an initial definition for the Level of Service. While the AMP Update Workplan is being developed, progress shall be reported in the Draft AMP Annual Report.

    b. The AMP shall include specific information, as outlined in the NYSDEC Guidance Document[9], providing an approach and timeline for development of key asset management elements, including the following:

        i. Asset Inventory

        ii. Levels of Service (LOS)

        iii. Asset Risk

        iv. Capital Planning – The permittee shall develop capital improvement projects, on a review cycle determined by the permittee for the rehabilitation and replacement of the AMP Treatment System consistent with the methodology in the AMP Guideline Documents, which documents consist of: (i) Business Case Guidelines; (ii) BWT Vertical Asset Criticality Guide; (iii) BWT Vertical Asset Performance Condition Assessment Guide, and; (iv) BWT Vertical Asset Physical Condition Assessment Guide. This list of capital projects developed, including their AMP Risk Score, shall be referred to as the "AMP for Vertical Assets Capital Project List."

        v. Reliability Centered Maintenance Program Development

    c. The permittee shall use the AMP to develop and implement maintenance strategies designed to optimize asset value and to continue developing appropriate capital improvement projects based on optimized replacement cycles using periodic assessments of (i) the physical condition; (ii) the performance, iii) remaining asset expected service life; and; (iv) relative criticality of the capital assets in the AMP Treatment System, in accordance with the NYSDEC Guidance Document and written guidance documents issued by DEP ("AMP Guideline Documents").

2. AMP Annual Report – The permittee shall provide a draft AMP Annual Report to NYSDEC, no later than September 30 of each year. The draft AMP Annual Report shall be subject to the review and comment by NYSDEC. A singular report, covering all 14 NYCDEP WRRFs, is satisfactory and will be codified under the Wards Island WRRF (NY0026131).

[9] NYSDEC. "Asset Management Guide for Publicly Owned Treatment Works." December 2021.

# SPECIAL CONDITIONS: AMP & RELIABILITY (continued)

a. The draft AMP Annual Report shall, at a minimum, include:

   i. the AMP Vertical Assets Capital Projects which were completed over the past fiscal year;
   ii. the current AMP Vertical Assets Capital Project List, including any new AMP Vertical Assets Capital Projects;
   iii. any changes to the schedule for AMP Vertical Assets Capital Projects previously included on the prior year's AMP Capital Improvement Program (CIP);
   iv. the threshold AMP project score used to determine the projects included in the CIP;
   v. explanation of any deletions or substitutions of AMP Vertical Assets Capital Projects included in the CIP from the previous year. The permittee shall evaluate any projects deleted or substituted from the AMP Vertical Assets Capital Project List in each successive year's AMP Vertical Assets Capital Project List.
   vi. a summary of the permittee's AMP Treatment System Job Order Contracts ("JOC") program for projects over $1 million, including the JOC budget, a list of the completed JOC projects for the prior fiscal year, and a list of proposed JOC projects for the coming year.

b. The permittee shall not be required to undertake the individual AMP Vertical Assets Capital Projects and no element of such projects shall be incorporated into this permit, or create an enforceable right on behalf of NYSDEC, unless such project is otherwise independently required under another section of this permit. Nothing set forth herein affects any obligations of the permittee pursuant to any other permit, order, or other legally binding obligation.

3. Wet-Weather Reliability & Engineering Operations –

   a. Inventory – The permittee shall submit an updated detailed inventory and description of Wet-Weather Critical Equipment. Wet-Weather Critical Equipment shall include all wastewater treatment equipment required to achieve a minimum of primary treatment and disinfection for all flows up to two times the permitted design dry-weather flow. The inventory shall, at a minimum, include equipment and conduits at the WRRF, and emergency power equipment at each site. All inventory entries must at a minimum include date of installation and a general description including capacity, rating and size, as relevant.

   b. Emergency Power Testing – The permittee shall implement the testing of emergency power on a load equal to that needed to achieve a minimum of primary treatment and disinfection at the WRRF on an annual basis. The test results, accompanied with a copy of an up-to-date wet-weather critical equipment inventory, shall be provided as an attachment to the May Discharge Monitoring Report.

# SCHEDULE OF COMPLIANCE

a) The permittee shall comply with the following schedule:

| Outfall(s) | Compliance Action | Due Date |
|---|---|---|
| 001 | Phase I: Enhanced Free Cyanide Sampling Program | |
| | The permittee shall submit an updated literature review of work on species sensitive to free cyanide in receiving water with recommendations on refinement of the water quality standard. | 01/01/2023 |
| | The permittee shall submit an approvable free cyanide sampling program workplan and a quality assurance project plan (QAPP). The purpose of the sampling program is (1) to assess the sample preservation and holding requirements, (2) to assess the proposed free cyanide limit compliance at the 14 WRRFs, and (3) identify WRRF's with potential exceedances for further analysis. The sampling program shall include a combination of ambient water quality sampling, coupled with influent and effluent at WRRFs with potential exceedances, over a period of 3 years. | 07/01/2024 |
| | Commence Phase I sampling as per the approved Enhanced Free Cyanide Sampling Program workplan. | DEC Approval of the Workplan + 3 Months |
| | The permittee shall submit a Phase I Annual Report. The Report shall present all data analysis including charts and figures that depict results obtained during sampling and an update on progress on tasks described in the Free Cyanide Workplan over the previous calendar year. | April 30th Annually |
| | The permittee shall submit an approvable technical memorandum summarizing the findings of the additional wastewater and ambient testing and analysis described in the Phase I Workplan, and include recommendations on the protocols to be used for the Free Cyanide Management Study (Phase II). | Completion of Phase I Study + 6 Months |
| 001 | Phase II: Free Cyanide Management Study | |
| | Upon direction from DEC, the permittee shall submit an approvable Management Study workplan for a treatability study to assess how environmental conditions and the treatment processes (e.g., disinfection, ammonia oxidation, etc.) affects the generation, fate and transport of Free Cyanide along the treatment processes of DEP's WRRFs. The sampling program shall require influent and effluent sampling of all affected WRRFs, along with intensive in-plant sampling within each of the WRRFs, and will be executed over a period of 5 years. The intensive in-plant sampling protocol would be applied to one WRRF at a time. The sampling program will be (14 WRRFs x 4months/12 months = 4.7 years) 5 years in duration. | DEC Approval of Phase I Technical Memorandum + 6 Months |
| | Commence Phase II sampling as per the approved Free Cyanide Management Study workplan. | DEC approval of the Phase II Workplan + 3 Months |
| | The permittee shall submit a Phase II Annual Report. The report shall present all data analysis including charts and figures that depict results obtained during sampling and analysis and an update on progress on tasks described in the free cyanide workplan over the previous calendar year. | April 30th Annually |

| Outfall(s) | Compliance Action | Due Date |
|---|---|---|
| | The permittee shall submit a draft management study report for Free Cyanide, which includes discussion on observed impact of environmental conditions and treatment process on effluent concentrations, influent source trackdown investigations, treatment process interferences, mixing zone definitions and any operational and/or control modifications that can be made to optimally manage free cyanide effluent concentrations. | Completion of Phase II Study + 6 Months |
| 001 | BACTERIAL ASSESSMENT STUDY (BAS)<br>The permittee shall conduct a three-year BAS to determine the applicable monitoring requirements or effluent limitations for enterococcus bacteria consistent with the applicable standards adopted by the state under 6 NYCRR 703.4 (Enterococcus standards). The BAS must evaluate the WRRF effluent Enterococcus performance and compliance with the Enterococcus standards in the ambient receiving water, considering locations at the edge of both the acute and chronic mixing zone boundary for WRRF discharge. Sampling events shall be under normal dry-weather operating conditions (i.e. no measurable rainfall in the 48 hours preceding). | |
| | BAS WORKPLAN<br>The permittee shall submit an approvable BAS Workplan that includes both a sampling plan and a quality assurance project plan (QAPP) for the BAS. The BAS Workplan must identify the sampling parameters, sampling location(s), frequency, and procedure for evaluating compliance with the Enterococcus standards, and will include an evaluation of microbial source tracking. Ambient sampling need not be conducted for receiving waters where other WRRF receiving waters can be acceptably demonstrated as a representative discharge site. | 07/01/2023 |
| | SCHEDULE OF COMPLIANCE STATUS REPORTS<br>Submit interim status reports on the progress related to the BAS. A singular report covering each of the WRRFs is acceptable. | NYSDEC approval of BAS Workplan + 6 months, and every 6 months thereafter, until Completion of the BAS |
| | BAS COMMENCEMENT<br>The permittee shall commence the three-year BAS in accordance with the approved BAS Workplan and QAPP. | BAS Workplan + 60 days |
| | BAS REPORT<br>The permittee shall submit an approvable BAS report that includes the results of the BAS and an assessment of attainment of the Enterococcus standard in the receiving water at the sampling locations. | Completion of the BAS + 6 Months |
| | Upon review and approval of BAS report, DEC will notify the permittee in writing whether the Enterococcus standard is met based upon the reported sampling and microbial source tracking data. In the same notification:<br>a) If the Enterococcus standard is met, DEC will also provide the applicable monitoring requirements or effluent limitations. DEC will propose a modification of the permit to include the applicable monitoring requirements or effluent limitations.<br>b) If the Enterococcus standard is not met, DEC will also provide the applicable effluent limitations. DEC will propose a modification of the | Receipt of the BAS + 6 Months |

| Outfall(s) | Compliance Action | Due Date |
|---|---|---|
| | permit to include the applicable effluent limitations. The permittee will also conduct an Engineering Analysis, as outlined below, of potential alternatives necessary to comply with the applicable effluent limitations. | |
| | ENGINEERING ANALYSIS<br>The Engineering Analysis must evaluate potential alternatives necessary to comply with the applicable effluent limitations. The Engineering Analysis shall also identify the recommended alternative(s) and provide a schedule for implementation of the recommended alternative(s). The permittee shall submit this information in an approvable report to NYSDEC. Upon approval of the report for the Engineering Analysis, all schedules for implementation, design, and construction shall become enforceable under this permit. | NYSDEC Notification +48 Months |
| | If treatment system upgrades are determined to be necessary, the permittee shall also:<br>a) include a schedule for development of Basis of Design Reports at each of the WRRFs;<br>b) submit an approvable Basis of Design Report for each of the WRRFs where treatment system upgrades are necessary. The Basis of Design Report will provide the schedule for development of approvable final plans and specifications, as well as a schedule of construction, for the facilities described in each of the Basis of Design Reports; and<br>c) construct the facilities described in the approved report, plans and specifications and achieve compliance with the applicable effluent limitations. | In accordance with the approved schedule |

**The above compliance actions are one-time requirements. The permittee shall comply with the above compliance actions to the Department's satisfaction once. When this permit is administratively renewed by NYSDEC letter entitled "SPDES NOTICE/RENEWAL APPLICATION/PERMIT," the permittee is not required to repeat the submission(s) noted above. The above due dates are independent from the effective date of the permit stated in the "SPDES NOTICE/RENEWAL APPLICATION/PERMIT" letter.**

**INTERIM EFFLUENT LIMITS FOR PARAMETERS SUBJECT TO THIS SCHEDULE OF COMPLIANCE**

| Outfall | Parameter(s) Affected | Interim Effluent Limit | | | Limits Apply | Notes | Interim Limits Expire |
|---|---|---|---|---|---|---|---|
| | | Type | Limit | Units | | | |
| 001 | Free Cyanide | Daily Max | Monitor | µg/L | Year Round | 1 | TBD |
| 001 | Enterococcus | 30-day GM | Monitor | No./100mL | Year Round | 2 | TBD |
| **Notes:** | 1. Sample Frequency shall be Monthly, or as specified on the WRRF PERMIT LIMITS, LEVELS AND MONITORING pages of this permit (if more frequent). Samples shall be collected as a series of 3 grab samples, with one grab sample collected every 3 hours and composited by the analytical laboratory.<br>2. Sample Frequency shall be as specified on the WRRF PERMIT LIMITS, LEVELS AND MONITORING pages of this permit. Samples shall be collected as Grabs. | | | | | | |

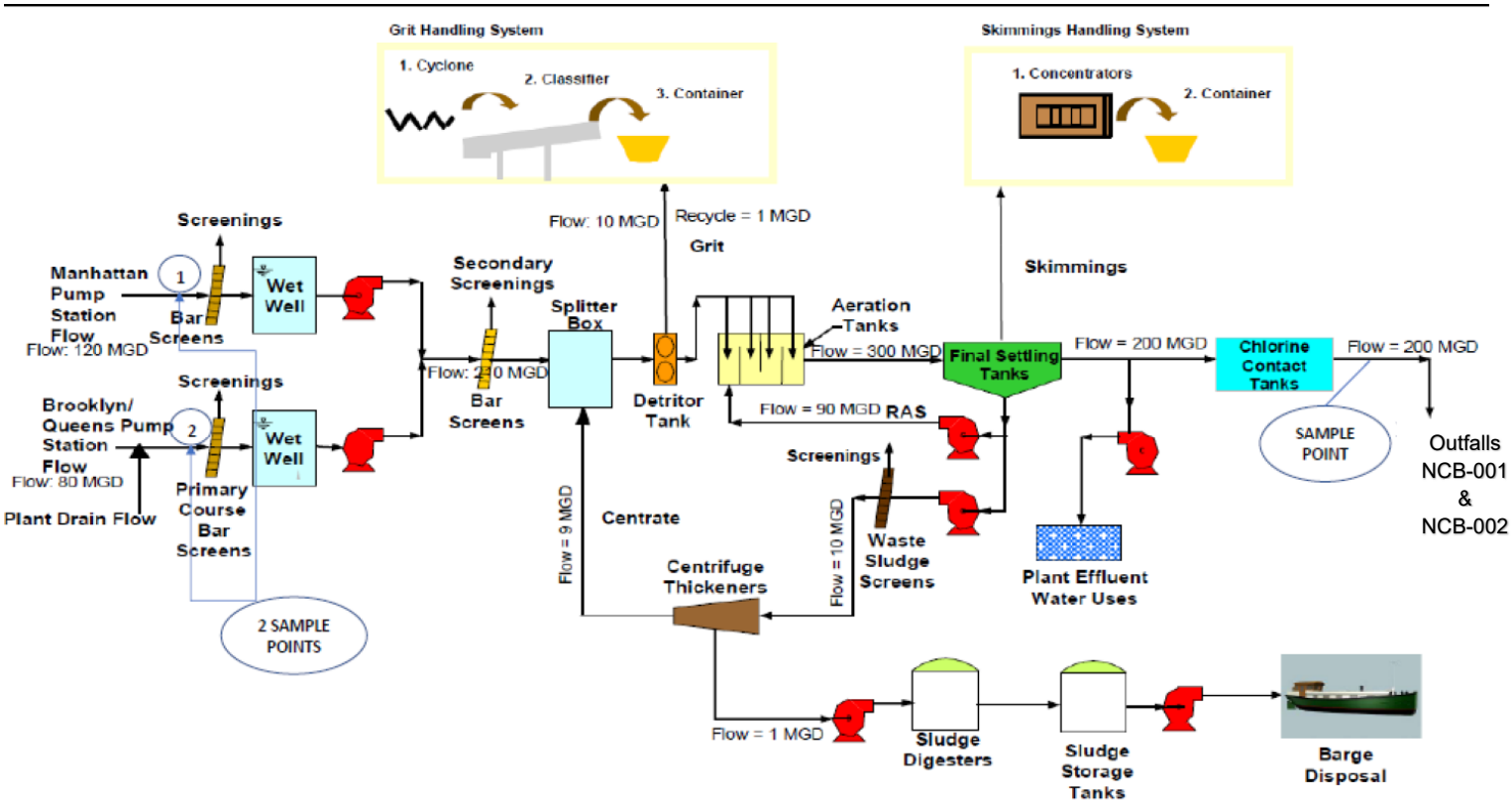
b) The permittee shall submit a written notice of compliance or non-compliance with each of the above schedule dates no later than 14 days following each elapsed date, unless conditions require more immediate notice as prescribed in 6 NYCRR Part 750-1.2(a) and 750-2. All such compliance or non-compliance notification shall be sent to the locations listed under the section of this permit entitled RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS. Each notice of non-compliance shall include the following information:
   1. A short description of the non-compliance;
   2. A description of any actions taken or proposed by the permittee to comply with the elapsed schedule requirements without further delay and to limit environmental impact associated with the non-compliance;
   3. Any details which tend to explain or mitigate an instance of non-compliance; and
   4. An estimate of the date the permittee will comply with the elapsed schedule requirement and an assessment of the probability that the permittee will meet the next scheduled requirement on time.

c) The permittee shall submit copies of any document required by the above schedule of compliance to the NYSDEC Regional Water Engineer and to the Bureau of Water Compliance.

# MONITORING LOCATIONS

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

Influent: Samples shall be collected ahead of the bar screens at both the Manhattan and Brooklyn/Queens Pump Stations.
Effluent: Samples shall be collected following the chlorine contact tanks.



# GENERAL REQUIREMENTS

A. The regulations in 6 NYCRR Part 750 are hereby incorporated by reference and the conditions are enforceable requirements under this permit. The permittee shall comply with all requirements set forth in this permit and with all the applicable requirements of 6 NYCRR Part 750 incorporated into this permit by reference, including but not limited to the regulations in paragraphs B through I as follows:

B. General Conditions

| | | |
|---|---|---|
| 1. | Duty to comply | 6 NYCRR 750-2.1(e) & 2.4 |
| 2. | Duty to reapply | 6 NYCRR 750-1.16(a) |
| 3. | Need to halt or reduce activity not a defense | 6 NYCRR 750-2.1(g) |
| 4. | Duty to mitigate | 6 NYCRR 750-2.7(f) |
| 5. | Permit actions | 6 NYCRR 750-1.1(c), 1.18, 1.20 & 2.1(h) |
| 6. | Property rights | 6 NYCRR 750-2.2(b) |
| 7. | Duty to provide information | 6 NYCRR 750-2.1(i) |
| 8. | Inspection and entry | 6 NYCRR 750-2.1(a) & 2.3 |

C. Operation and Maintenance

| | | |
|---|---|---|
| 1. | Proper Operation & Maintenance | 6 NYCRR 750-2.8 |
| 2. | Bypass | 6 NYCRR 750-1.2(a)(17), 2.8(b) & 2.7 |
| 3. | Upset | 6 NYCRR 750-1.2(a)(94) & 2.8(c) |

D. Monitoring and Records

| | | |
|---|---|---|
| 1. | Monitoring and records | 6 NYCRR 750-2.5(a)(2), 2.5(a)(6), 2.5(c)(1), 2.5(c)(2), & 2.5(d) |
| 2. | Signatory requirements | 6 NYCRR 750-1.8 & 2.5(b) |

E. Reporting Requirements

| | | |
|---|---|---|
| 1. | Reporting requirements | 6 NYCRR 750-2.5, 2.7 & 1.17 |
| 2. | Anticipated noncompliance | 6 NYCRR 750-2.7(a) |
| 3. | Transfers | 6 NYCRR 750-1.17 |
| 4. | Monitoring reports | 6 NYCRR 750-2.5(e) |
| 5. | Compliance schedules | 6 NYCRR 750-1.14(d) |
| 6. | 24-hour reporting | 6 NYCRR 750-2.7(c) & (d) |
| 7. | Other noncompliance | 6 NYCRR 750-2.7(e) |
| 8. | Other information | 6 NYCRR 750-2.1(f) |
| 9. | Additional conditions applicable to a POTW | 6 NYCRR 750-2.9 |

F. Planned Changes

1. The permittee shall give notice to the Department as soon as possible of planned physical alterations or additions to the permitted facility when:

   a. The alteration or addition to the permitted facility may meet any of the criteria for determining whether facility is a new source in 40 CFR §122.29(b); or
   b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject either to effluent limitations in the permit, or to notification requirements under 40 CFR §122.42(a)(1); or
   c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

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

# GENERAL REQUIREMENTS (continued)

2. Notification Requirement for POTWs
   All POTWs shall provide adequate notice to the Department and the USEPA of the following:

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

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

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

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

I. Water Treatment Chemicals (WTCs)
   New or increased use and discharge of a WTC requires prior Department review and authorization. At a minimum, the permittee must notify the Department in writing of its intent to change WTC use by submitting a completed *WTC Notification Form* for each proposed WTC. The Department will review that submittal and determine if a SPDES permit modification is necessary or whether WTC review and authorization may proceed outside of the formal permit administrative process. The majority of WTC authorizations do not require SPDES permit modification. In any event, use and discharge of a WTC shall not proceed without prior authorization from the Department. Examples of WTCs include biocides, coagulants, conditioners, corrosion inhibitors, defoamers, deposit control agents, flocculants, scale inhibitors, sequestrants, and settling aids.
   1. WTC use shall not exceed the rate explicitly authorized by this permit or otherwise authorized in writing by the Department.
   2. The permittee shall maintain a logbook of all WTC use, noting for each WTC the date, time, exact location, and amount of each dosage, and, the name of the individual applying or measuring the chemical. The logbook must also document that adequate process controls are in place to ensure that excessive levels of WTCs are not used.
   3. The permittee shall submit a completed WTC Annual Report Form each year that they use and discharge WTCs. This form shall be submitted in electronic format and attached to either the December DMR or the annual monitoring report required below. The *WTC Notification Form and WTC Annual Report Form* are available from the Department's website at: http://www.dec.ny.gov/permits/93245.html.

J. Reopener
   This permit may be modified, revoked, or suspended, as provided pursuant to 6 NYCRR 750-1.18 and 6 NYCRR 750-1.20, including for the following reasons:
   1. To include new or revised conditions developed to comply with any state of federal law or regulation that are adopted or promulgated subsequent to the effective date of this permit.
   2. To include new or revised conditions if new information, not available at the time of permit issuance, indicates that controls imposed under the permit have failed to ensure the attainment of applicable water quality requirements.

# RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS

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

B. Discharge Monitoring Reports (DMRs): Completed DMR forms shall be submitted for each 1 month reporting period in accordance with the DMR Manual available on Department's website. The first monitoring period begins on the effective date of this permit, and, unless otherwise required, the reports are due no later than the 28th day of the month following the end of each monitoring period.

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

A monthly "Wastewater Facility Operation Report" (form 92-15-7) shall be submitted within 60 days following the end of the reporting period and appended to the DMR.

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

Department of Environmental Conservation
Division of Water, Bureau of Water Compliance
625 Broadway, Albany, New York 12233-3506 Phone: (518) 402-8177

Department of Environmental Conservation
Regional Water Engineer, Region 2
One Hunters Point Plaza, Long Island City, New York, 11101-5407 Phone: (718) 482-4933

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

E. Schedule of Additional Submittals:

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

| SCHEDULE OF ADDITIONAL SUBMITTALS | | |
|---|---|---|
| **Outfall(s)** | **Required Action** | **Due Date** |
| All | WATER TREATMENT CHEMICAL (WTC) ANNUAL REPORT FORM<br>The permittee shall submit a completed WTC Annual Report Form each year that Water Treatment Chemicals are used. The form shall be attached to the December DMR. | January 28th<br>Annually |

| SCHEDULE OF ADDITIONAL SUBMITTALS | | |
|---|---|---|
| **Outfall(s)** | **Required Action** | **Due Date** |
| 001 | BACTERIAL OPERATING DATA<br>The permittee shall provide the raw tabular Enterococcus & Fecal Coliform data for the WRRF effluent, collected in accordance with the SPDES permit. The first submission shall be due November 1, 2022 and include the results of effluent sampling data collected since 07/01/2022. Future data submissions shall include the results of effluent sampling collected during the previous calendar quarter. | 11/1/2022, then Quarterly thereafter (2/1, 5/1, 8/1, 11/1) until 07/01/2024 |
| 001 | WHOLE EFFLUENT TOXICITY (WET) TESTING<br>WET testing shall be performed on a Chronic testing, but report both the acute and chronic results, quarterly in years ending in 1 and 6. The toxicity test report including all information requested of this permit shall be attached to your WET DMRs and sent to the WET@dec.ny.gov email address. | Within 60 days following the end of each monitoring period |
| All | WET WEATHER OPERATIONS PLAN (WWOP)<br>The permittee shall submit an updated Wet Weather Operation Plan (WWOP). The WWOP shall outline the optimum operational procedures to transition from dry weather operation mode to wet weather operation mode, and back to dry weather operation mode. These procedures shall be used to optimize the treatment of the maximum volume of wet weather flows possible at the treatment plant during wet weather events, while minimizing discharges through the permitted CSOs and meeting the effluent limitations in this permit. | 01/01/2023 |
| All | COMBINED SEWER OVERFLOW (CSO) ANNUAL REPORT<br>The permittee shall submit a Combined Sewer Overflows (CSO) Annual Report, which summarizes the implementation of BMPs and the Long-Term Control Plan (if applicable). The CSO Annual Report is available from DEC on-line at https://www.dec.ny.gov/docs/water_pdf/csobmp.pdf. | May 1st Annually |
| All | STORMWATER POLLUTION PREVENTION – ANNUAL REVIEW CERTIFICATION<br>The permittee shall annually certify that the SWPPP has been reviewed and modified as necessary, in accordance with the Stormwater Pollution Prevention Requirements of this permit. This certification shall be attached to the December DMR. | Attach to December DMR |
| All | MERCURY MINIMIZATION PROGRAM – TYPE I<br>The permittee shall submit an annual MMP status report. The report shall follow the guidelines of this permit, summarizing:<br>(a) all MMP monitoring results for the previous year;<br>(b) a list of known and potential mercury sources;<br>(c) all action undertaken pursuant to the strategy during the previous year;<br>(d) actions planned for the upcoming year; and,<br>(e) progress toward the goal.<br><br>A file shall be maintained containing all MMP documentation, including the dental forms required by 6 NYCRR Part 374.4, which shall be available for review by NYSDEC representatives. Copies shall be provided upon request. | April 30th Annually |

| SCHEDULE OF ADDITIONAL SUBMITTALS | | |
|---|---|---|
| **Outfall(s)** | **Required Action** | **Due Date** |
| All | PCB MINIMIZATION PROGRAM – STATUS REPORT<br>The permittee shall submit an annual PCB minimization program status report. The report shall follow the guidelines of this permit, summarizing:<br>(a) all PCBMP monitoring results for the previous year;<br>(b) a list of known and potential PCB sources;<br>(c) all action undertaken pursuant to the strategy during the previous year;<br>(d) actions planned for the upcoming year; and,<br>(e) progress toward the goal.<br><br>A file shall be maintained containing all PCBMP documentation which shall be available for review by NYSDEC representatives. Copies shall be provided upon request. | April 30th Annually |
| 001 | ANNUAL PRIORITY POLLUTANT SCAN – ANNUAL REPORT<br>The permittee shall submit an annual report, in spreadsheet format, which includes the monitoring results for each analysis required (including any additional BCC high-intensity monitoring conducted) and the flow for the day the sample was collected. | March 31st Annually |
| All | UNTREATED DISCHARGES – SHORELINE SURVEY<br>The permittee shall complete a Shoreline Survey of at least 50% of the shoreline of the City of New York, as identified in consultation with NYSDEC, and submit a report to NYSDEC which identifies and characterizes all outfalls, in accordance with the Untreated Discharges section, Item 3, of this permit.<br><br>The permittee shall complete a Shoreline Survey of the remaining 50% of the New York City shoreline, and submit a report based on the results of these surveys. | April 1st, Years Ending in 3<br><br>April 1st, Years Ending in 8 |
| All | UNTREATED DISCHARGES – SENTINEL MONITORING ANNUAL REPORT<br>The permittee shall submit an annual report, including but not limited to all findings, analysis, data, sample results, sampling dates, dates of corresponding shoreline surveys, and proposed changes to base line numbers (if necessary). | June 30th Annually |
| All | INDUSTRIAL PRETREATMENT PROGRAM<br>The permittee shall submit an annual report that briefly describes the permittee's program activities over the previous year (year ending December 31st). The report shall follow the guidelines contained in this permit and be submitted to the Regional Water Engineer and the Bureau of Water Compliance as well as the USEPA Region II office. | March 31st Annually |
| All | AMP & RELIABILITY – ASSET MANAGEMENT PROGRAM UPDATE<br>The permittee shall submit an AMP Update Workplan, as required Special Conditions: Asset Management Program section, Item 1 of this permit. | 07/01/2023 |
| All | AMP & RELIABILITY – DRAFT AMP ANNUAL REPORT<br>The permittee shall submit a draft annual report with updates as required in the Special Conditions: Asset Management Program section, Item 2 of this permit. | September 30th Annually |
| All, Except MS4s | AMP & RELIABILITY – CRITICAL EQUIPMENT INVENTORY UPDATE<br>The permittee shall submit an updated inventory and description of all wet-weather critical equipment, in accordance with the Special Conditions: Asset Management & Reliability section, Item 3.a. of this permit. | 10/01/2022 |

| SCHEDULE OF ADDITIONAL SUBMITTALS | | |
|---|---|---|
| **Outfall(s)** | **Required Action** | **Due Date** |
| All, Except MS4s | AMP & RELIABILITY – EMERGENCY POWER TESTING<br>The permittee shall submit an annual report, which includes the test results from testing of the emergency power in accordance with the Special Conditions: Asset Management & Reliability section, Item 3.b. of this permit. | Attach to May DMR |
| All | OUTFALL IDENTIFICATION LISTING – ANNUAL UPDATE<br>The permittee shall submit an updated Outfall List report that contains all permittee owned outfall locations, dimensions, type (sanitary, combined, MS4, pump station overflows, and stormwater), latitude and longitude in degrees, minutes and seconds, reference to the nearest street location, receiving water, contributing regulators and pump stations and whether telemetry, booming or netting are installed. The report shall be submitted as a spreadsheet. Upon receipt of the report, the Department may reopen the permit to make any necessary changes to the outfall lists in the permit. | April 1st Annually |

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

F. Monitoring and analysis shall be conducted using sufficiently sensitive test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

G. More frequent monitoring of the discharge(s), monitoring point(s), or waters of the State than required by the permit, where analysis is performed by a certified laboratory or where such analysis is not required to be performed by a certified laboratory, shall be included in the calculations and recording of the data on the corresponding DMRs.

H. Calculations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

I. Unless otherwise specified, all information recorded on the DMRs shall be based upon measurements and sampling carried out during the most recently completed reporting period.

J. Any laboratory test or sample analysis required by this permit for which the State Commissioner of Health issues certificates of approval pursuant to section 502 of the Public Health Law shall be conducted by a laboratory which has been issued a certificate of approval. Inquiries regarding laboratory certification should be directed to the New York State Department of Health, Environmental Laboratory Accreditation Program.