



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

First3.09

Industrial Code:	9999	SPDES Number:	NY0244741
Discharge Class (CL):	01	DEC Number:	7-5099-00009/00001
Toxic Class (TX):	N	Effective Date (EDP):	03/07/2016
Major Drainage Basin:	07	Expiration Date (ExDP):	04/30/2018
Sub Drainage Basin:	05	Modification Dates:(EDPM)	05/01/2013, 11/27/2015
Water Index Number:	Ont. 12-66-P296		
Compact Area:	IJC		

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

PERMITTEE NAME AND ADDRESS

Name: **Cornell University**
Street: **300 Day Hall**
City: **Ithaca**

Attention: **Patrick McNally**
State: **NY** Zip Code: **14853**

is authorized to discharge from the facility described below:

FACILITY NAME AND ADDRESS

Name: **Cornell University Lake Source Cooling Facility**

Location (C,T,V): **Ithaca** County: **Tompkins**

Facility Address: **983 East Shore Drive**

City: **Ithaca** State: **NY** Zip Code: **14850**

NYTM -E: NYTM - N:

From Outfall No.: **001** at Latitude: **42 ° 28 ' 15 "** & Longitude: **76 ° 30 ' 10 "**

into receiving waters known as: **Southern Basin of Cayuga Lake** Class: **A**

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

in accordance with: effluent limitations; monitoring and reporting requirements; other provisions and conditions set forth in this permit; and 6 NYCRR Part 750-1.2(a) and 750-2.

DISCHARGE MONITORING REPORT (DMR) MAILING ADDRESS

Mailing Name: **Cornell University**
Street: **395 Pine Tree Road, Suite 210**
City: **Ithaca**
Responsible Official or Agent:

State: **NY** Zip Code: **14850**
Joshua LaPenna Phone: **(607) 255-4774**

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
RWE/RPA
EPA Region II - Michelle Josilo
NYSEFC
IJC
NYSDOH District Office

Deputy Regional Permit Administrator: Joc Dlugolenski	
Address: Division of Environmental Permits 1285 Fisher Ave. Cortland, NY 13045	
Signature: <i>J. Dlugolenski</i>	Date: 03/07/2016

PERMIT LIMITS, LEVELS AND MONITORING DEFINITIONS

OUTFALL	WASTEWATER TYPE		RECEIVING WATER	EFFECTIVE	EXPIRING	
	This cell describes the type of wastewater authorized for discharge. Examples include process or sanitary wastewater, storm water, non-contact cooling water.		This cell lists classified waters of the state to which the listed outfall discharges.	The date this page starts in effect. (e.g. EDP or EDPM)	The date this page is no longer in effect. (e.g. ExDP)	
PARAMETER		MINIMUM	MAXIMUM	UNITS	SAMPLE FREQ.	SAMPLE TYPE
e.g. pH, TRC, Temperature, D.O.		The minimum level that must be maintained at all instants in time.	The maximum level that may not be exceeded at any instant in time.	SU, °F, mg/l, etc.		
PARA-METER	EFFLUENT LIMIT	PRACTICAL QUANTITATION LIMIT (PQL)	ACTION LEVEL	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE
	Limit types are defined below in Note 1. The effluent limit is developed based on the more stringent of technology-based limits, required under the Clean Water Act, or New York State water quality standards. The limit has been derived based on existing assumptions and rules. These assumptions include receiving water hardness, pH and temperature; rates of this and other discharges to the receiving stream; etc. If assumptions or rules change the limit may, after due process and modification of this permit, change.	For the purposes of compliance assessment, the permittee shall use the approved EPA analytical method with the lowest possible detection limit as promulgated under 40CFR Part 136 for the determination of the concentrations of parameters present in the sample unless otherwise specified. If a sample result is below the detection limit of the most sensitive method, compliance with the permit limit for that parameter was achieved. Monitoring results that are lower than this level must be reported, but shall not be used to determine compliance with the calculated limit. This PQL can be neither lowered nor raised without a modification of this permit.	Action Levels are monitoring requirements, as defined below in Note 2 which trigger additional monitoring and permit review when exceeded.	This can include units of flow, pH, mass, temperature, or concentration. Examples include µg/l, lbs/d, etc.	Examples include Daily, 3/week, weekly, 2/month, monthly, quarterly, 2/yr and yearly. All monitoring periods (quarterly, semiannual, annual, etc) are based upon the calendar year unless otherwise specified in this Permit.	Examples include grab, 24 hour composite and 3 grab samples collected over a 6 hour period.

Note 1: 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 MAX:** The highest allowable daily discharge. **DAILY MIN:** The lowest allowable daily discharge. **MONTHLY AVG (daily avg):** 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. **RANGE:** The minimum and maximum instantaneous measurements for the reporting period must remain between the two values shown. **7 DAY ARITHMETIC MEAN (7 day average):** The highest allowable average of daily discharges over a calendar week. **12 MRA (twelve month rolling avg):** The average of the most recent twelve month's monthly averages. **30 DAY GEOMETRIC MEAN (30 d geo 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. **7 DAY GEOMETRIC MEAN (7 d geo mean):** The highest allowable geometric mean of daily discharges over a calendar week.

Note 2: ACTION LEVELS: Routine Action Level monitoring results, if not provided for on the Discharge Monitoring Report (DMR) form, shall be appended to the DMR for the period during which the sampling was conducted. If the additional monitoring requirement is triggered as noted below, the permittee shall undertake a short-term, high-intensity monitoring program for the parameter(s). Samples identical to those required for routine monitoring purposes shall be taken on each of at least three consecutive operating and discharging days and analyzed. Results shall be expressed in terms of both concentration and mass, and shall be submitted no later than the end of the third month following the month when the additional monitoring requirement was triggered. Results may be appended to the DMR or transmitted under separate cover to the same address. If levels higher than the Action Levels are confirmed, the permit may be reopened by the Department for consideration of revised Action Levels or effluent limits. The permittee is not authorized to discharge any of the listed parameters at levels which may cause or contribute to a violation of water quality standards. **TYPE I:** The additional monitoring requirement is triggered upon receipt by the permittee of any monitoring results in excess of the stated Action Level. **TYPE II:** The additional monitoring requirement is triggered upon receipt by the permittee of any monitoring results that show the stated action level exceeded for four of six consecutive samples, or for two of six consecutive samples by 20 % or more, or for any one sample by 50 % or more.

PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL No.	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
001	Non-Contact Cooling Water	Cayuga Lake	05/01/2013	04/30/2018

PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FOOTNOTES (FN)
pH	6.5	8.5	SU	Weekly	Grab	

PARAMETER	COMPLIANCE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	TYPE I	TYPE II				
Flow	Monitor	2.0			m ³ /s	Continuous	Instantaneous	
Dissolved Oxygen	Monitor	Monitor			mg/l	Weekly	Grab	
Phosphorus, Total	4.8	Monitor			lb/d	Weekly	Grab	1
Phosphorus, Total	Monitor	Monitor			mg/l	Weekly	Grab	1
Phosphorus, Soluble Reactive	Monitor	Monitor			mg/l	Weekly	Grab	
Temperature (effluent)	Monitor	21.1			°C	Continuous	Instantaneous	

FOOTNOTES:

1. During the period of the Schedule of Compliance on pages 7 and 8 of this Permit, the enforceable effluent limit for Phosphorus, Total from Outfall 001 shall be **6.4 lb/d**. Following the conclusion of the compliance schedule period, the effluent limit of 4.8 lb/day shall become effective unless the final effluent limit is otherwise determined in the approved phosphorus TMDL for Cayuga Lake.

SPECIAL CONDITIONS

1. Discharge Notification Requirements: No discharge sign is required.
2. Data Retention: The permittee shall retain records for a minimum period of 5 years in accordance with 6NYCRR Part 750-1.12(b)(2) and Part 750-2.5(c)(1). These records, which include discharge monitoring reports (DMRs), must be retained at a repository accessible to the public. This repository shall be open to the public, at a minimum, during normal daytime business hours. The repository may be the business office, wastewater treatment plant, village, town, city, or county clerk's office, the local library, or other location approved by the Department.
3. No biocides, algacides or other chemical treatment for biological activity or any other water treatment chemicals may be used without express permission of the Department.
4. No chemical methods for Zebra/Quagga mussel control shall be allowed without express written permission of this Department. Evaluation of mussel control alternatives must include a complete available technology review. Application for chemical control of Zebra/Quagga mussels must be made no less than sixty (60) days prior to the proposed date of treatment.
5. An annual report of scheduled downtime shall be provided to this Department by April 1 for the following twelve months.

CAYUGA LAKE WATER QUALITY MODEL PLAN

The permittee shall oversee the development of the lake nutrient model and watershed model for Cayuga Lake. This model shall be suitable for the development of a Total Maximum Daily Load (TMDL) by the Department to address the phosphorus impairment for the southern zone of Cayuga Lake as listed in the most recent 303(d) list. The development of the model shall include, but not be limited to, the following components:

- **Lake-wide sampling and water quality model:** The permittee shall develop a Quality Assurance Project Plan (QAPP) and collect samples along Cayuga Lake as well as at the mouths of selected significant tributaries, analyze the samples and develop the nutrient model of Cayuga. The water quality model shall also include sampling and analysis to enable an assessment of the impacts of plankton of various types and Zebra and Quagga mussels on water quality in Cayuga Lake.
- **Watershed sampling and model development:** The permittee shall gather appropriate watershed data to enhance an existing watershed model, for use as an input to the lake model. This work includes analysis of synoptic samples along selected significant lake tributaries. Work may also include the development of a more sophisticated model if necessary.
- **Model development community outreach:** The permittee shall assist the Department to engage stakeholders as the model is developed and foster their input and feedback.

Schedule of Quality Assurance Program Plan (QAPP) Submittal

The permittee shall submit the following QAPP to the Regional Water Engineer at the address listed on the Recording, Reporting and Monitoring page of this Permit, and to the Bureau of Water Permits, 625 Broadway, Albany NY 12233-3505 for Departmental review and approval:

Outfall	Required Action	Due Date	FN
001	<p><i>Cayuga Lake Water Quality Model Plan</i></p> <p>The permittee shall submit an approvable QAPP to develop the monitoring, data analysis and simulation modeling program for Cayuga Lake and selected significant tributaries in accordance with the Model Plan on Page 5 of this Permit, including an approved implementation schedule for the proposed activities. Upon receipt of Department approval, the permittee shall conduct the proposed plan in accordance with the approved QAPP. The QAPP and approved schedule will become an enforceable condition of this SPDES permit.</p>	11/01/2013	1

1. The above actions are one time requirements. The permittee shall submit the results of the above 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 submittal(s) noted above. The above due dates are independent from the effective date of the permit stated in the letter of "SPDES NOTICE/RENEWAL APPLICATION/PERMIT."

Special Conditions: BIOLOGICAL MONITORING REQUIREMENTS

The permittee shall submit two (2) paper and electronic copy to the Steam Electric Unit Leader, NYSDEC, Bureau of Habitat, 625 Broadway 5th Floor, Albany, NY 12233-4756; One (1) copy of the cover letter to the Division of Water SPDES Compliance Information Section; and one (1) copy of the cover letter to the Regional Water Engineer, unless otherwise noted.

Best Technology Available

1. The facility's intake, consisting of an octagonal 2 mm wedge wire screen, a through slot velocity of less than 0.5 feet per second and a location 250 feet below the surface of Cayuga Lake, has been determined to achieve a minimum 95% reduction in the entrainment and impingement mortality of fish. Therefore, the intake meets the requirements of NYCRR 704.5 and CP-52, and represents best technology available for minimizing adverse environmental impact. The intake design is fully described in drawings 1142LH01-4 by Gryphon International Engineering Services and Makai Ocean Engineering, dated 2/1/99.

Additional Reporting Requirements

2. The permittee must maintain records of all data, reports and analysis pertaining to compliance with 6NYCRR Part 704 and Section 316(b) CWA for a period no less than 10 years from the Effective Date of the Permit.

General Requirement

3. Modification of the facility cooling water intake must not occur without prior Department approval. The permittee must submit written notification, including detailed descriptions and plans, to the NYS DEC Steam Electric Unit; the Director of the Bureau of Water Compliance Program; and both the Regional Permit Administrator and the Regional Water Engineer, Region 7, at least 60 days prior to any proposed change which would result in the alteration of the permitted operation, location, design, construction or capacity of the cooling water intake structure. The permittee must submit with the written notification a demonstration that the change reflects the best technology available for minimizing adverse environmental impacts pursuant to 6 NYCRR Part 704.5, Section 316(b) CWA, and Commissioner Policy #52. As determined by NYS DEC, a permit modification application in accordance with 6 NYCRR Part 621 may be required.

SCHEDULE OF SUBMITTALS – OUTFALL REDESIGN

The permittee shall comply with the following schedule. The permittee shall submit the required information to the Region 7 Regional Water Engineer at the address listed on the Recording, Reporting and Monitoring page of this Permit, and to the Bureau of Water Permits, 625 Broadway, Albany NY 12233-3505:

Outfall	Required Action	Due Date	FN
001	The permittee shall develop and submit an approvable plan for an Outfall Redesign Study to evaluate potential alternative sites for relocating the discharge from Outfall 001 to a location within the Class AA segment of Cayuga Lake (as depicted by transect A-A= on the Monitoring Locations map, and defined in 6 NYCRR Part 898.4, Table I, Item 227). The requirement of this Study shall be to evaluate the current mixing zone of the discharge, identify one or more discharge locations, in waters of sufficient depth to ensure that the discharge plume remains below the photic zone, and to determine that the discharge will not contribute to an impairment of the designated uses of the Lake.	02/01/2014	
001	The permittee shall commence the approved Outfall Redesign Study	Effective Date of Approval (EDA)	
001	The permittee shall submit Outfall Redesign Study status reports to the addresses above.	EDA + 8 months EDA + 16 months EDA + 24 months	
001	The permittee shall submit an approvable report summarizing the results of the Outfall Redesign Study. This report shall identify the recommended location for the outfall, based upon the results of the Study, and include a proposed schedule for implementation. The implementation schedule shall include submittal dates for preliminary and final design reports and a proposed schedule for construction. This report shall be submitted to the addresses listed above.	EDA + 30 months	
001	In the event that an outfall relocation is determined by the permittee to be the most practical approach to ensure that the discharge will not contribute to an impairment (as determined by the Department) of the designated uses of the receiving water, and to comply with the final phosphorus effluent limit or the Cayuga Lake TMDL as listed on the following page, the permittee shall submit preliminary and final design reports and complete construction of the approved redesigned outfall in accordance with the approved implementation schedule in the Outfall Redesign Study.	In accordance with the approved schedule	
The above actions are one time requirements. The permittee shall submit the results of the above 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 submittal(s) noted above. The above due dates are independent from the effective date of the permit stated in the letter of "SPDES NOTICE/RENEWAL APPLICATION/PERMIT."			

SCHEDULE OF COMPLIANCE – BEST MANAGEMENT PRACTICES AND FINAL EFFLUENT LIMIT

a) The permittee shall comply with the following schedule:

Outfall Number	Compliance Action	Due Date	FN
001	<p>Best Management Practices - Optimization Program:</p> <p>The permittee shall submit a program that, to the degree practical, will maximize the efficiency of the Lake Source Cooling system while minimizing the volume of water used. The program shall review all major campus facilities over the five-year permit cycle, including components or systems, to identify areas of cost-effective optimization, and shall implement identified practices. The program may include the implementation of practices such as minimization of the use of campus chilled cooling water in noncritical buildings during times of limited or no occupancy, optimization of building temperatures to reduce cooling needs, optimization of heat transfer equipment, and the use of automated valves and other equipment to minimize campus chilled water use. The program shall continuously seek to identify areas of greater efficiency in the use of campus chilled cooling water so that that additional use of the Lake Source Cooling system may proceed while increases in the volume of water taken from Cayuga Lake are minimized to the degree practical.</p> <p>The permittee shall submit an annual report summarizing any ongoing or additional practices identified and implemented and identify new buildings which use the Lake Source Cooling plant that have been placed online.</p>	<p>02/01/2014</p> <p>February 1 of each year following the initial submittal.</p>	
001	The permittee shall comply with the final effluent limit of Phosphorus, Total of 4.8 lb/d. or such phosphorus allocation as assigned by the TMDL.	02/01/2018	1
<p>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 letter of "SPDES NOTICE/RENEWAL APPLICATION/PERMIT."</p>			

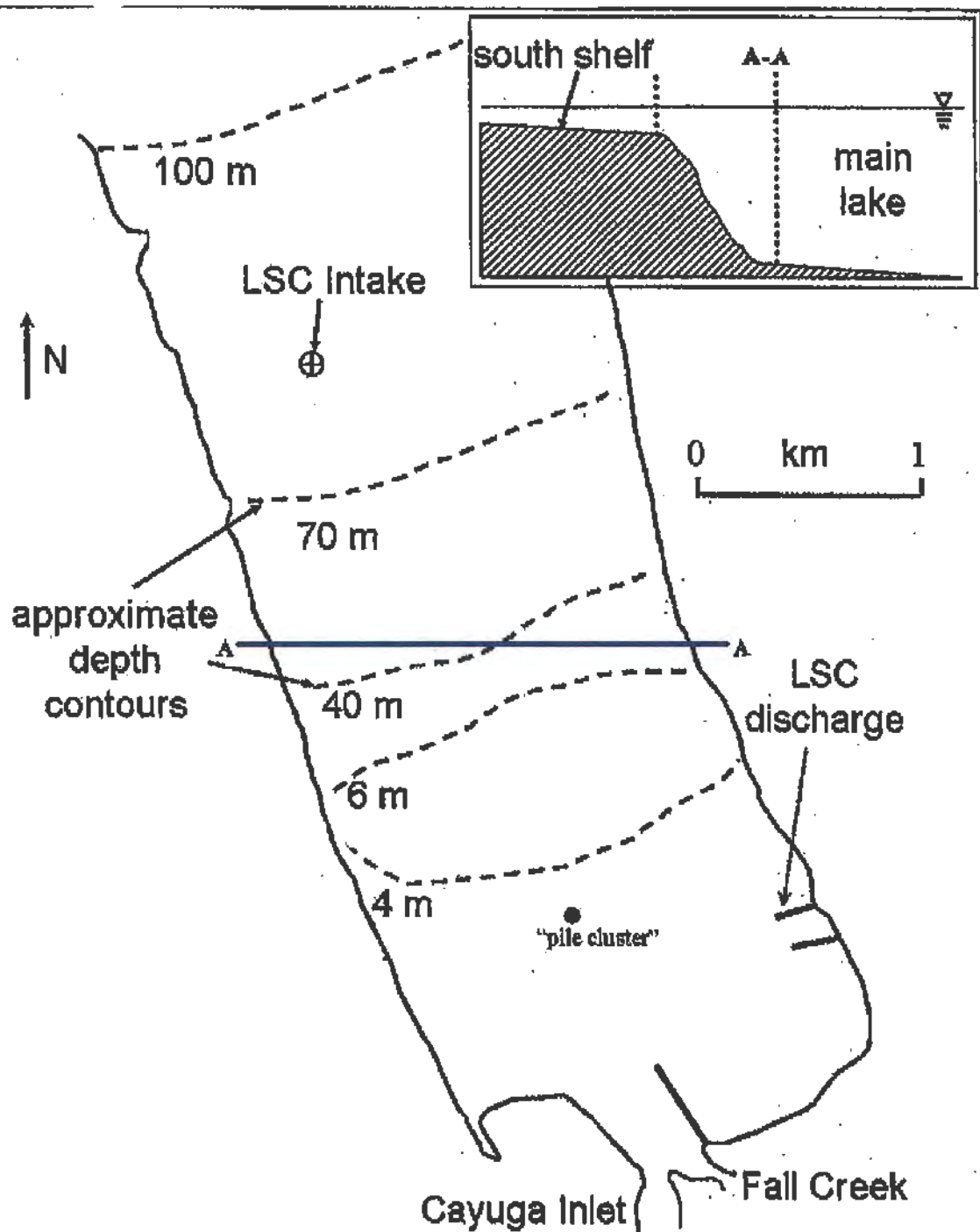
- b) The permittee shall submit a written notice of compliance or non-compliance with each of the above schedule dates no later than 14 days following each elapsed date, unless conditions require more immediate notice as prescribed in 6 NYCRR Part 750-1.2(a) and 750-2. All such compliance or non-compliance 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. A description of any factors which tend to explain or mitigate the 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 NYSDEC Regional Water Engineer at the location listed under the section of this permit entitled RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS and to the Bureau of Water Permits, 625 Broadway, Albany, N.Y. 12233-3505, unless otherwise specified in this permit or in writing by the Department.

FOOTNOTE (FN):

1. The permittee may request an extension of the final compliance date in accordance with 6 NYCRR Part 750-1.18 should the final compliance action be delayed as a result of extended review by a federal, state or local government or as a result of public process, resulting in a delay in issuing the TMDL past 02/01/2018. Such request shall be made in writing to the Region 7 Regional Water Engineer at the address listed on the Recording, Reporting and Monitoring page and to the Bureau of Water Permits, 625 Broadway, Albany NY 12233-3505. The Department shall make all best efforts to respond to such written request as soon as practicable and, if the Department is in agreement with the request, will grant the proposed extension at that time. The Department will not unreasonably withhold its approval for a modification. The due dates referenced for these Schedule of Compliance items may also be revised by the Department based upon the completion date of the TMDL Implementation Plan.

MONITORING LOCATIONS

The Permittee shall take samples and measurements, to comply with the monitoring requirements of this permit, at these locations: Effluent monitoring is done inside the LSC facility.



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 | 6NYCRR Part 750-2.1(e) & 2.4 |
| 2. Duty to reapply | 6NYCRR Part 750-1.16(a) |
| 3. Need to halt or reduce activity not a defense | 6NYCRR Part 750-2.1(g) |
| 4. Duty to mitigate | 6NYCRR Part 750-2.7(f) |
| 5. Permit actions | 6NYCRR Part 750-1.1(c), 1.18, 1.20 & 2.1(h) |
| 6. Property rights | 6NYCRR Part 750-2.2(b) |
| 7. Duty to provide information | 6NYCRR Part 750-2.1(i) |
| 8. Inspection and entry | 6NYCRR Part 750-2.1(a) & 2.3 |
- C. Operation and Maintenance
- | | |
|-----------------------------------|--|
| 1. Proper Operation & Maintenance | 6NYCRR Part 750-2.8 |
| 2. Bypass | 6NYCRR Part 750-1.2(a)(17), 2.8(b) & 2.7 |
| 3. Upset | 6NYCRR Part 750-1.2(a)(94) & 2.8(c) |
- D. Monitoring and Records
- | | |
|---------------------------|---|
| 1. Monitoring and records | 6NYCRR Part 750-2.5(a)(2), 2.5(c)(1), 2.5(c)(2), 2.5(d) & 2.5(a)(6) |
| 2. Signatory requirements | 6NYCRR Part 750-1.8 & 2.5(b) |
- E. Reporting Requirements
- | | |
|--|--------------------------------------|
| 1. Reporting requirements | 6NYCRR Part 750-2.5, 2.6, 2.7 & 1.17 |
| 2. Anticipated noncompliance | 6NYCRR Part 750-2.7(a) |
| 3. Transfers | 6NYCRR Part 750-1.17 |
| 4. Monitoring reports | 6NYCRR Part 750-2.5(e) |
| 5. Compliance schedules | 6NYCRR Part 750-1.14(d) |
| 6. 24-hour reporting | 6NYCRR Part 750-2.7(c) & (d) |
| 7. Other noncompliance | 6NYCRR Part 750-2.7(e) |
| 8. Other information | 6NYCRR Part 750-2.1(f) |
| 9. Additional conditions applicable to a POTW | 6NYCRR Part 750-2.9 |
| 10. Special reporting requirements for discharges that are not POTWs | 6NYCRR Part 750-2.6 |
- F. Planned Changes
1. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
 - a. The alteration or addition to the permitted facility may meet 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 neither 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*

G. Notification Requirement for POTWs

- I. 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.

H. Sludge Management

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

I. 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.

J. 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 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>.

RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS

- A. The monitoring information required by this permit shall be summarized, signed and 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. **Also, monitoring information required by this permit shall be summarized and reported by submitting;**

☒ (if box is checked) completed and signed Discharge Monitoring Report (DMR) forms for each ____ month reporting period to the locations specified below. Blank forms are available at the Department's Albany office listed below. The first reporting period begins on the effective date of this permit and the reports will be due no later than the 28th day of the month following the end of each reporting period.

☐ (if box is checked) an annual report to the Regional Water Engineer at the address specified below. The annual report is due by February 1 each year and must summarize information for January to December of the previous year in a format acceptable to the Department.

☐ (if box is checked) a monthly "Wastewater Facility Operation Report..." (form 92-15-7) to the:

☐ Regional Water Engineer and/or ☐ County Health Department or Environmental Control Agency specified below

Send the **original** (top sheet) of each DMR page to:
Department of Environmental Conservation
Division of Water, Bureau of Water Compliance
625 Broadway
Albany, New York 12233-3506

Phone: (518) 402-8177

Send an **additional copy** of each DMR page to:

Send the **first copy** (second sheet) of each DMR page to:
Department of Environmental Conservation
Regional Water Engineer, Region 7
615 Erie Boulevard West
Syracuse, New York 13204-2400

Phone: (315) 426-7500

- B. Monitoring and analysis shall be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.
- C. 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.
- D. Calculations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.
- E. 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.
- F. 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.

Industrial SPDES Permit Fact Sheet

I. SUMMARY OF PROPOSED PERMIT CHANGES

A SPDES permit EBPS modification is proposed. Following is a summary of the proposed changes in the draft permit as compared to the currently effective permit; the details of these changes are specified below and in the draft permit:

- Addition of final (4.8 lb/day) and interim (6.4 lb/day) phosphorus effluent limitations;
- Removal of routine seasonal ambient monitoring requirements in lieu of more extensive monitoring to be provided in the Cayuga Lake Water Quality Model Plan;
- Requirements to develop a Cayuga Lake Water Quality Model Plan suitable for the development of a Total Maximum Daily Load (TMDL) by the Department to address the phosphorus impairment for the southern zone of Cayuga Lake as listed in the most recent 303(d) list;
- A Schedule of Submittals requiring the permittee to complete an Outfall Redesign Study;
- A Schedule of Compliance requiring the permittee to comply with the final effluent limit of Phosphorus, Total of 4.8 lb/d. or such phosphorus allocation as assigned by the TMDL, after 57 months;
- A Schedule of Compliance to submit a Best Management Practices - Optimization Program to maximize the efficiency of the Lake Source Cooling system while minimizing the volume of water used to the degree practical.
- Biological monitoring requirements for the development of an entrainment study and subsequent technology requirements, if necessary, for the determination of best technology available for minimizing adverse impact from impingement and entrainment of aquatic life, in accordance with the requirements of Clean Water Act section 316(b); and
- Updated site diagram, and updated special conditions regarding biocides, operational changes, zebra mussel control, cooling water volume reporting.

Please note that when the Department updates a permit this typically includes updated forms incorporating the latest general conditions.

II. BACKGROUND INFORMATION

As noted throughout this document, SPDES permits are based on both federal and state requirements - law, regulation, policy, and guidance. These can generally be found on the internet. Current locations include: Clean Water Act (CWA) www.epa.gov/lawsregs/laws/index.html#env; Environmental Conservation Law (ECL) www.dec.ny.gov/regulations/40195.html; federal regulations www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR; state environmental regulations www.dec.ny.gov/regulations/regulations.html; NYSDEC water policy www.dec.ny.gov/regulations/2654.html.

A. Administrative History

The current SPDES permit for the facility became effective on March 1, 1998 with an expiration date of March 1, 2003. It has been administratively renewed with expiration dates of March 1, 2008 and currently has an expiration date of March 1, 2013.

The Department has initiated a modification to the facility's SPDES permit, pursuant to 6 NYCRR Part 750-1.18 & 750-1.19, the priority ranking system known as New York State's Environmental Benefit Permit Strategy (EBPS). The facility currently has an EBPS score of 205, and a ranking of 1 out of 607 Regional permits. In response to the Department's May 2007 Request for Information, the permittee provided a SPDES NY-2C permit application and sampling data on August 30, 2007.

B. Outfall and Receiving Water Information

The facility discharges, or proposes to discharge, wastewater and/or stormwater to waters of the state via the following outfall:

Outfall 001: Cooling Water Discharge from the Lake Source Cooling Plant. Treatment is not provided for this outfall. Water is drawn from an intake structure utilizing 2.0 mm wedge wire screens located at a depth of over 200 feet, circulated through the cooling system with no admixture of water treatment chemicals or other chemistry, and subsequently discharged into the shallow portion of Cayuga Lake.

The location of the outfall, and the name, classification and index numbers of the receiving waters are indicated in the *Outfall & Receiving Water Location Table* at the end of this fact sheet. The classifications of individual surface waters are specified in 6 NYCRR Parts 800 – 941. The best uses and other requirements applicable to the specific water classes are specified in 6 NYCRR Part 701.

The 7Q10 and 30Q10 flows for the receiving water do not apply, as the discharge is to Cayuga Lake. A 10:1 available dilution is applied in accordance with Department guidance. Mixing zone analyses are conducted in accordance with the following documents: EPA T.S.D, entitled “Water Quality Based Toxics Control,” dated March, 1991; EPA Region VIII “Mixing Zones and Dilution Policy”, dated December, 1994; NYSDEC TOGS 1.3.1, entitled “Total Maximum Daily Loads and Water Quality Based Effluent Limits.” Other critical receiving water data for Temperature, pH, hardness and/or salinity were based on permittee monitoring. This flow information is listed in the *Pollutant Summary Table* at the end of this fact sheet together with applicable ambient water quality criteria, ambient background data (if available), and outfall pollutant data.

Impaired Waterbody Information – The CWA requires states to identify impaired waters, where designated uses are not fully supported. For these impaired waters/pollutants, states must consider the development of a Total Maximum Daily Load (TMDL) or other strategy to reduce the input of the specific pollutant(s) restricting waterbody uses. In 2002, Cayuga Lake, Southern End (0705-0040) was listed as impaired due to Phosphorus from Municipal and nonpoint sources. A TMDL shall be developed to address the impairment.

C. Discharge Composition

The *Pollutant Summary Table* at the end of this fact sheet presents the existing effluent quality of the facility. Concentration and mass data are presented, based on Discharge Monitoring Report (DMR), permit application, and possibly other data submitted by the permittee for the period January 2000 to December 2009. The statistical methods utilized to calculate 95th and 99th percentiles are in accordance with TOGS 1.2.1 and the USEPA, Office of Water, Technical Support Document For Water Quality-based Toxics Control, March 1991, Appendix E. Statistical calculations were not performed for parameters with insufficient data. Generally, ten or more data points are needed to calculate percentiles (See TOGS 1.2.1 Appendix D).

D. Compliance History

A review of the facility’s current DMRs and other compliance information from 3/31/10 to 3/31/12 shows that the facility had the following excursions:

pH: exceeded maximum of 8.5 SU during 12/2010, 3/2011, and 7/2011. As the facility does not add anything to the source water, the excursions were likely due to the pH in the ambient intake water.

III. PROPOSED PERMIT REQUIREMENTS

Sections 101, 301(b), 304, 308, 401, 402, and 405 of the CWA provide the basis for the effluent limitations and other conditions in the draft permit. The NYSDEC evaluates discharges with respect to these sections of the CWA, New York State ECL, and the relevant federal/state regulations, policy, and guidance to determine which conditions to include in the draft permit.

For existing permittees, the previous permit typically forms the basis for the next permit. Permit revisions are implemented where justified due to changed conditions at the facility and/or in response to updated regulatory requirements.

A. Effluent Limitations

If applicable, the existing permit limits are evaluated to determine if these should be continued, revised, or deleted. Generally, existing limits are continued unless there is justification to do otherwise. Other pollutant monitoring data are also reviewed to determine the presence of additional contaminants that should be included in the permit.

The permit writer determines the **technology-based effluent limits (TBELs)** that must be incorporated into the permit. A TBEL requires a minimum level of treatment for industrial point sources based on currently available treatment technologies and/or Best Management Practices (BMPs). The Department then evaluates the water quality expected to result from technology controls to determine if any exceedances of water quality criteria in the receiving water might result. If there is a reasonable potential for exceedances to occur, **water quality-based effluent limits (WQBELs)** must be included in the permit. A WQBEL is designed to ensure that the water quality standards of receiving waters are being met. In general, the Clean Water Act requires that the effluent limits for a particular pollutant are the more stringent of either the TBEL or WQBEL.

1. TBELs & Anti-Backsliding:

Section 301(b) and 402 of the CWA require technology-based controls on effluents. A TBEL is set based upon an evaluation of New Source Performance Standards (NSPS), Best Available Technology Economically Achievable (BAT), Best Conventional Pollutant Control Technology (BCT), Best Practicable Technology Currently Available (BPT), and Best Professional Judgment (BPJ). BPJ limits may be set using any reasonable method that takes into consideration the criteria set forth in 40 CFR 125.3.

For facilities that are subject to effluent guidelines and have substances in their discharges that are not explicitly limited by the regulations, or for industrial sectors for which there are no applicable effluent guidelines in 40 CFR 402-471, the permit writer is authorized to use BPJ in developing TBELs. The authority for BPJ is contained in Section 402(a)(1) of the CWA, which authorizes the Department to issue a permit containing “such conditions as the Administrator determines are necessary to carry out the provisions of the Act.” The NPDES regulations in 40 CFR 125.3 state that permits developed on a case-by-case basis under Section 402(a)(1) of the CWA must consider: The appropriate technology for the category class of point sources, of which the applicant is a member, based on available information; and, any unique factors relating to the applicant.

Anti-backsliding requirements are specified in the CWA, sections 402(o) and 303(d)(4), and regulations at 40 CFR 122.44(l). These requirements are summarized in TOGS 1.2.1. Generally, the regulations prohibit the relaxation of effluent limits in reissued permits unless one of the specified exceptions applies. In practice, limits in reissued permits will generally be no less stringent than previous permit limits to ensure compliance with anti-backsliding requirements. Otherwise, the specific exceptions that allow backsliding will be cited on a case-by-case basis.

Following is the TBEL & Anti-backsliding assessment for each pollutant present in the discharge(s). A summary of this analysis is provided in the *Pollutant Summary Table* at the end of this fact sheet.

Pollutant-Specific TBEL & Anti-Backsliding Analysis:

Flow: The existing flow limit of 2 cubic meters per second has been carried over from the existing permit.

pH: The existing WQBEL of 6.5-8.5 SU is carried over from the existing permit.

Dissolved Oxygen: The existing limit of “monitor only” has been carried over from the existing permit. A review of monitoring data shows that existing DO levels in the discharge are sufficient to meet water quality standards.

Phosphorus, Total: A final effluent limit of 4.8 lb/day has been developed as a monthly average effluent limit. This limit is based upon the 95th percentile analysis of effluent monitoring data over the 2000-2009 period, and is not currently achievable by the permittee during peak seasonal use due in part to increases in ambient phosphorus levels in the Lake. See also “WQBELS and Anti-Degradation” below for further discussion.

Phosphorus: Soluble Reactive: The existing limit of “monitor only” has been carried over from the existing permit.

Temperature, effluent: The existing limit of 21.1°C has been carried over from the existing permit.

Ambient monitoring for temperature and phosphorus: These routine monitoring conditions have been discontinued and will be replaced by the lake wide monitoring requirements (which include ambient monitoring in the impaired portion of Cayuga Lake) as part of the Cayuga Lake Water Quality Model Plan.

2. WQBELS & Anti-Degradation:

In addition to the TBELs previously discussed, the NYSDEC evaluated the discharge to determine compliance with Sections 101 and 301(b)(1)(C) of the CWA and 40 CFR 122.44(d)(1). These require that permits include limits for all pollutants or parameters which “are or may be discharged at a level which will cause, or contribute to an excursion above any State water quality standard, including State narrative criteria for water quality.” The limits must be stringent enough to ensure that water quality standards are met and must be consistent with any available wasteload allocation (WLA).

The procedure for developing WQBELS includes knowing the pollutants present in the discharge(s), identifying water quality criteria applicable to these pollutants, determining if WQBELS are necessary (reasonable potential), and calculating the WQBELS. Factors also considered in this analysis include available dilution of effluent in the receiving water, receiving water chemistry, and other pollutant sources. If the expected concentration of the pollutant of concern in the receiving water may exceed the ambient water quality standard or guidance value then there is reasonable potential that the discharge may cause or contribute to a violation of the water quality, and a WQBEL or WLA for the pollutant is required.

Antidegradation Policy: New York State implements the antidegradation portion of the CWA based upon two documents: (1) Organization and Delegation Memorandum #85-40, entitled “Water Quality Antidegradation Policy,” signed by the Commissioner of NYSDEC, dated September 9, 1985; and, (2) TOGS 1.3.9, entitled “Implementation of the NYSDEC Antidegradation Policy – Great Lakes Basin (Supplement to Antidegradation Policy dated September 9, 1985).” A SPDES permit cannot be issued that would result in the water quality criteria being violated. The permit for the facility contains effluent limits which ensure that the existing beneficial uses of the receiving waters will be maintained.

Following is the WQBEL analysis for each pollutant present in the discharge(s). Anti-degradation analysis which justifies applying water quality standards of a higher classification is noted below, if applicable. Refer to Section II.B above for information on discharge location, receiving water information (class, dilution, chemistry), and the existence of any TMDLs. A summary of this analysis is provided in the *Pollutant Summary Table* at the end of this fact sheet.

Pollutant-Specific WQBEL & Anti-Degradation Analysis:

The Department has conducted a reasonable potential analysis based upon its knowledge of the facility. Typically, this would include a priority pollutant scan to determine the concentrations and loadings of pollutants present in the discharge as a result of facility operations. A priority pollutant scan was not required in this case, as the facility consists entirely of withdrawn lake water that is returned to the lake with no pollutants (with the exception of an increase in temperature) added. The facility does not use or add any water treatment chemicals. DEC therefore believes it is reasonable to conclude that there are no “other pollutants that cause, contribute, or have the reasonable potential to cause or contribute to a violation of water quality standards at the point of discharge.” A priority pollutant scan would therefore yield no additional useful information for the reasonable potential analysis. It is noted that the southern portion of Cayuga Lake is also listed as impaired for silt/sediments. Given the strong correlation between phosphorus and solids, and the relatively low level of solid expected present in the intake water due to the lack of activity at the depth of the cooling water intake structure, the regulation of phosphorus discharges in the permit serves to also control the discharge of solids.

Flow: The existing flow limit of 2 cubic meters per second has been carried over from the existing permit.

pH: The existing WQBEL of 6.5-8.5 SU, based upon the water quality standard for Class A waters, is carried over from the existing permit.

Dissolved Oxygen: The existing limit of “monitor only” has been carried over from the existing permit. A review of monitoring data shows that existing DO levels in the discharge are sufficient to meet water quality standards.

Phosphorus, Total: A final effluent limit of 4.8 lb/day, developed and included in lieu of a TMDL based effluent limit, has been developed as a monthly average effluent limit.

The discharge from the Cornell Lake Source Cooling (LSC) outfall has a maximum permitted flow rate of 2 m³/s (45.6 MGD), and a 95%ile monthly average flow rate of 1.6 m³/s (37.5 MGD). TOGS 1.3.6 states that, for discharges over 50,000 gpd, Best Treatment Technology should also be required for both surface water and soil discharges and the effluent that is discharged to either the surface water or the soils should not exceed 0.5 mg/l of total phosphorus. The applicable water quality guidance value for total phosphorus, as listed in TOGS 1.1.1, is 0.02 mg/l. This guidance value is DEC's interpretation of the narrative water quality standard for protection of the best use of ponded waters, and applies only where the letter “P” (ponds, lakes and reservoirs) appears in the Water Index Number, excluding Lake Champlain. As the Water Index Number for the southern basin of Cayuga Lake is **Ont. 12-66-P296**, this guidance value applies.

In developing the effluent limit for this discharge, the Department looked at loadings based upon 0.5 mg/l (per TOGS 1.3.6) and 0.02 mg/l (TOGS 1.1.1) at the maximum and 95% monthly average flows, and a statistical analysis of the existing discharge from the LSC over the July 2000 through December 2009 period of record. The statistical analysis was conducted in accordance with the method specified in the USEPA Technical Support Document for Water Quality Based Toxics Control (TSD). This method is generally used when developing Best Available Technology limits for existing discharges. The results for these calculations are as follows:

Loading at design flow of 2 m ³ /s (45.6 MGD), P = 0.5 mg/l:	190.2 lb/day
Loading at 95%ile average flow of 1.6 m ³ /s (37.5 MGD), P = 0.5 mg/l:	156.5 lb/day
Loading at design flow of 2 m ³ /s (45.6 MGD), P = 0.02 mg/l:	7.6 lb/day
Loading at 95%ile average flow of ~1.6 m ³ /s (37.5 MGD), P = 0.02 mg/l:	6.4 lb/day
Loading, 95%ile monthly average, 7/2000 – 12/2009, TSD method:	4.8 lb/day

Please note that, in accordance with TOGS 1.2.1 (Industrial Permit Writing), the more stringent of technology or water quality based effluent limits are proposed for inclusion in permits. In the case of the LSC discharge, the 95%ile monthly average loading of 4.8 lb/day was the most stringent of the limits evaluated, and therefore included in the permit. The final limit of 4.8 lb/day limit is a surrogate limit in the absence of a TMDL based effluent limit, which will be developed using information obtained from the studies and requirements in the draft permit. The 4.8 lb/day limit is based upon effluent data from 2000-2009. The facility would not currently be able to meet this limit on a routine basis during peak uses due to increasing lake wide phosphorus levels.

The proposed 6.4 lb/day water quality based interim limit, which is based upon the applicable water quality guidance value of 20 µg/l at the 95th percentile statistical existing discharge rate, will effectively limit the discharge at current levels, especially during peak summer usage. This limit is also appropriate and consistent with the range of values determined as part of a statistical analysis of the past three years of discharge data

Phosphorus: Soluble Reactive (SRP): The existing limit of “monitor only” has been carried over from the existing permit. The relative contributions of SRP vs. total P, and the impacts on the impaired portion of the lake, will be determined as part of the Cayuga Lake Water Quality Model Plan and subsequent TMDL.

Temperature, effluent: The existing limit of 21.1°C has been carried over from the existing permit.

Whole Effluent Toxicity (WET) Testing - WET tests use small vertebrate and invertebrate species to measure the aggregate toxicity of an effluent. There are two different durations of toxicity tests: acute and chronic. Acute toxicity tests measure survival over a 96-hour test exposure period. Chronic toxicity tests measure reductions in survival, growth, and reproduction over a 7-day exposure. Per TOGS 1.3.2, WET testing may be required when any one of the following seven criteria is applicable:

1. There is the presence of substances in the effluent for which ambient water quality criteria do not exist.
2. There are uncertainties in the development of TMDLs, WLAs, and WQBELs, caused by inadequate ambient and/or discharge data, high natural background concentrations of pollutants, available treatment technology, and other such factors.
3. There is the presence of substances for which WQBELs are below analytical detectability.
4. There is the possibility of complex synergistic or additive effects of chemicals, typically when the number of metals or organic compounds discharged by the permittee equals or exceeds five.
5. There are observed detrimental effects on the receiving water biota.
6. Previous WET testing indicated a problem.
7. Treatment plants which exceed a discharge of 1 MGD. Facilities of less than 1 MGD may be required to test, e.g., POTWs < 1 MGD which are managing industrial pretreatment programs.

A Reasonable Potential analysis was performed, including an evaluation of the discharge against the seven criteria noted above. None of the seven criteria are applicable. Based upon this evaluation, WET testing was not included in the permit

B. Monitoring & Reporting Requirements

Section 308 of the Clean Water Act and federal regulations 40 CFR 122.44(i) require that monitoring be included in permits to determine compliance with effluent limitations. Additional effluent monitoring may also be required to gather data to determine if effluent limitations may be required. The permittee is responsible for conducting the monitoring and for reporting results on DMRs. The permit contains the monitoring requirements for the facility. Monitoring frequency is based on the minimum sampling necessary to adequately monitor the facility's performance. For industrial facilities, sampling frequency is based on guidance provided in TOGS 1.2.1.

C. Other Conditions Specific To This Permit

Compliance Schedules:

Cayuga Lake Water Quality Model Plan: The permittee shall submit an approvable QAPP to develop the monitoring, data analysis and simulation modeling program for Cayuga Lake and selected significant tributaries. This plan includes the development of a lake nutrient model and watershed model for Cayuga Lake. This model shall be suitable for the development of a Total Maximum Daily Load (TMDL) by the Department to address the phosphorus impairment for the southern zone of Cayuga Lake as listed in the most recent 303(d) list. The development of the model shall include, but not be limited to, a lake-wide sampling and water quality model, watershed sampling and model development, and model development community outreach. Sampling and data collection shall be conducted along Cayuga Lake as well as at the mouths of selected significant tributaries, and includes temperature, phosphorus, and other sampling necessary to assess the impacts of these parameters, plankton of various types, and Zebra and Quagga mussels on water quality in Cayuga Lake.

Biological Monitoring Requirements: See attached Fact Sheet for Biological Monitoring Requirements.

Best Management Practices - Optimization Program: The permittee shall submit a program that, to the degree practical, will maximize the efficiency of the Lake Source Cooling system while minimizing the volume of water used. The program shall review all major campus facilities over the five-year permit cycle, including components or systems, to identify areas of cost-effective optimization, and shall implement identified practices. The program may include the implementation of practices such as minimization of the use of campus chilled cooling water in noncritical buildings during times of limited or no occupancy, optimization of building temperatures to reduce cooling needs, optimization of heat transfer equipment, and the use of automated valves and other equipment to minimize campus chilled water use. The program shall continuously seek to identify areas of greater efficiency in the use of campus chilled cooling water so that that additional use of the Lake Source Cooling system may proceed while increases in the volume of water taken from Cayuga Lake are minimized to the degree practical. The permittee shall submit an annual report summarizing any ongoing or additional practices identified and implemented and identify new buildings which use the Lake Source Cooling plant that have been placed online.

Schedule of Submittals:

Outfall Redesign: The permittee is required to develop and submit an approvable plan for an Outfall Redesign Study to evaluate potential alternative sites for relocating the discharge from Outfall 001, which discharges into the Southern Basin of Cayuga Lake, (Water Index Number Ont. 12-66-P296) to a location within the Class AA segment of Cayuga Lake (as defined in 6 NYCRR Part 898.4, Table I, Item 227). The requirements of this Study are to define the existing effluent mixing zone, identify one or more discharge locations in waters of sufficient depth to ensure that the discharge plume remains below the photic zone, and to determine that the discharge will not contribute to an impairment of the designated uses of the Lake. This requirement also includes an approvable report summarizing the results of the Outfall Redesign Study and identification of the

Permittee: **Cornell University**
Facility: **Cornell University Lake Source Cooling Facility**
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recommended location for the outfall, based upon the results of the Study, and includes a proposed schedule for implementation to comply with the final effluent limit of Phosphorus, Total of 4.8 lb/d. or such phosphorus allocation as assigned by the TMDL.. The implementation schedule shall include submittal dates for preliminary and final design reports and a proposed schedule for construction. During this Schedule, the interim effluent phosphorus limit of 6.4 lb/day shall apply.

Special Conditions: Other special conditions include Discharge Notification Requirement waiver, data retention requirements, a prohibition on the use of biocides, algacides or other chemical treatment for biological activity, or chemical methods of zebra mussel control or any other water treatment chemicals without express permission of the Department

D. General Conditions Applicable To All Permits

The permit contains standard regulatory language that is required to be in all SPDES permits. These permit provisions, based largely upon 40 CFR 122 subpart C and 6 NYCRR Part 750, include requirements pertaining to monitoring, recording, reporting, and compliance responsibilities. These “general conditions” of permits are typically specified, summarized, or referenced on the first and last pages of the permit.

Permittee: **Cornell University**
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OUTFALL & RECEIVING WATER LOCATION TABLE

Outfall Number	Latitude	Longitude	Receiving Water Name	Water Class	Water Index Number	Major/Sub Basin
001	48° 28' 15"	76° 30' 10"	Southern Basin of Cayuga Lake	A	Ont. 12-66-P296	07/05

POLLUTANT SUMMARY TABLE(S)

Outfall #	001
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Effluent Parameter <small>(concentration in ug/l and mass in lbs/day unless otherwise specified)</small>	Existing Effluent Quality				TBELs				Water Quality Data & WQBELs					Permit Basis
	concentration		mass					PQL	Ambient Criteria	Ambient Background	WQBEL			(T or WQ or NA)
	Avg/Max	95%/99%	Avg/Max	95%/99%	conc.	mass	Type	conc.	conc.	Avg/Max	conc.	mass	Type	
Flow Rate, units = m ³ /s	Average	1.35	Maximum	2.0	Monitor/2.0		DM	NA	7Q10 = NA , 30Q10 = NA , Dilution/Mixing = 10:1					T
pH (su)	Minimum	6.7	Maximum	9.4	6.5-8.5		Range		6.5-8.5					T/WQ
Temperature (C)	8.9/11.8	10.6/12.6			Monitor/21.1		DA/DM		21.1	19.7	21.1		DM	WQ
Dissolved Oxygen	10/23	12.8/16.5			Monitor	-	DA/DM		6.0 (min)		-	-	-	T
Phosphorus, Total	.015/.073		2.1/12.5	4.8/7.4	Monitor	4.8/Monitor	DA/DM		0.02	0.016/0.05	0.02	6.4	DA	T/WQ
Phosphorus, Soluble Reactive	0.009/0.016	0.011/0.014			Monitor		DA/DM		-	0.002/0.012	-	-	-	T

Biological Fact Sheet - Cooling Water Intake Structure
Bureau of Habitat, Steam Electric Unit

Name of Facility: Lake Source Cooling Plant
Owner/Operator: Cornell University
SPDES #: NY- 0244741
Location: Tompkins County, New York
City of Ithaca
Cayuga Lake

1. Description of Facility

The Cornell Lake Source Cooling (LSC) plant began operation in 2000. The system is designed to withdraw up to 46 million gallons per day of water from Cayuga Lake at a depth of 250 feet below the lake surface to cool campus buildings. Lake water at that depth is approximately 40 degrees F year round. The cold water is pumped from the lake bottom and is passed through a heat exchanger, located on shore, which absorbs some of the heat in water used to cool the Cornell Campus and Ithaca High School.

The intake is an octagonal structure made up of 2.0 mm wedge wire screen panels, resting 10 feet above the lake bottom. Each screen panel is 8 feet high by 4 feet wide. The intake has a solid cap so that water is withdrawn from the horizontal plane only. The design intake velocity is 0.50 feet per second (fps) with 50% of the area of the slots plugged (velocity = 0.25 fps when clean). A 63 inch diameter HDPE pipe extends from the structure along the lake bottom for a distance of approximately 2 miles, connecting to the onshore heat exchange facility. Cleaning of the screen panels is done manually, but this has seldom been necessary.

2. Ecological Resource

Cayuga Lake is located in the Oswego River drainage basin. The lake, of glacial origin, is oriented on a northwest-southeast axis and is 39 miles long, and averages 1.7 miles in width. Maximum lake width is 4 miles and maximum depth is 435 feet. The total surface area of the lake is 67 square miles and the total lake volume is 331 billion cubic feet. The lake bottom is steep sided along its east and west shorelines, with the north and south ends being relatively shallow (NYSEG 1975).

Cayuga Lake is considered to be mesoeutrophic and has clear, well oxygenated water at all depths. The lake is well noted for fine trout and salmon fishing. In the open water of the central lake basin, cold water species such as lake trout, rainbow trout, brown trout, chinook salmon, cisco and whitefish are found. Sculpin and burbot inhabit the deep bottom waters. The littoral region, located along the north and south ends and in a narrow zone along the lake's east and west shores, supports a warm water fishery. Northern pike, chain pickerel, largemouth bass and brown bullhead are important sport fish of the littoral zone. Other important warm and/or cool water species include smallmouth bass, yellow perch and panfish such as rockbass. Alewife, a major forage species in the lake, migrates to these inshore areas to spawn during June and July (NYSEG 1975).

Cayuga Lake is designated a class A water in the area of the cooling water outfall. The best usage of Class A waters are: a source of water supply for drinking, culinary or food processing purposes; primary and secondary contact recreation; and fishing. The waters shall be suitable for fish, shellfish, and wildlife propagation and survival (NYSDEC 2008a). The south basin of Cayuga Lake is currently on the Federal Clean Water Act Section 303(d) list of Impaired Waters due to excessive levels of phosphorous and silt/sediment, originating from both municipal and non-point sources of pollution. A listing for pathogens was removed in 2014.

In 2000, the cooling water intake was completed and the system became operational. 2.0 mm wedge wire screen panels were installed in order to minimize the impingement of adult and juvenile fish. Although fish eggs and many larvae can pass through a 2.0 mm slot, it was thought that at that depth they would either not be found or be present in such low numbers as to not be of concern. A low intensity light was also installed to keep freshwater mysids (*Mysis relicta*) away from the intake. However, studies did not show the light deterrent to be effective, and it is no longer in use. In addition, artificial light has been shown to attract fish so it is possible that its use could increase the entrainment of fish eggs and larvae through the LSC intake.

Biological monitoring for the entrainment of ichthyoplankton (fish eggs and larvae) and mysids occurred from 2000-2005. It was estimated that, on average, 35,769 eggs (mostly unidentifiable or alewife) and 2,648 fish larvae (yellow perch, rainbow smelt, alewife, and slimy sculpin) were estimated to be entrained each year. It was also estimated that several million mysids were entrained annually.

In 2014, an entrainment characterization study was required to demonstrate whether the intake meets current permitting standards. The study, which calculated the abundances of ichthyoplankton collected from both near shore and entrainment samples, demonstrated that the current intake design, location and operation results in a reduction in entrainment in excess of 95 percent from the full flow calculation baseline. Therefore, the existing intake meets requirements of Best Technology Available for minimizing adverse environmental impacts from the cooling water intake structure(s).

3. Determination of Best Technology Available

According to 6NYCRR Part 704.5 - *Intake structures* and Section 316(b) of the federal Clean Water Act, the location, design, construction, and capacity of cooling water intake structures must reflect the “best technology available” (BTA) for minimizing adverse environmental impact. The identification of BTA is a technology driven determination; however, the final decision may also consider cost.

The 2.0 mm wedge wire screen, low through slot velocity (0.25 fps), deep location (250 feet) and operation were previously determined to minimize impingement and reduce entrainment of fish. The 2014 *Entrainment Characterization Study* demonstrated that

these features reduced entrainment of ichthyoplankton by 95 percent from baseline levels, and therefore, meets BTA requirements under NYCRR 704.5, NYSDEC Commissioner's Policy No. 52 and Part 316(b) of the Federal Clean Water Act.

4. Monitoring Requirements

The *Entrainment Characterization Study* conducted in 2014 demonstrated that the current intake design, location and operation met BTA requirements. Therefore, as per former Biological Monitoring requirement No. 1, no further impingement or entrainment monitoring is required.

5. Legal Requirements

The requirements for the cooling water intake structure in this State Pollutant Discharge Elimination System permit are consistent with the policies and requirements embodied in the New York State Environmental Conservation Law, in particular - Sec.1-0101.1.; 1-0101.2.; 1-0101.3.b., c.; 1-0303.19.; 3-0301.1.b., c., i., s. and t.; 11-0107.1; 11-0303.; 11-0535.2; 11-1301.; 11-1321.1.; 17-0105.17.; 17-0303.2., 4.g.; 17-0701.2., and the rules thereunder, specifically 6NYCRR Part 704.5 Section 316(b) CWA, and the performance goals of Commissioner Policy #52.

6. Summary of Proposed Permit Changes

Deletions/Changes

BMR No. 1. Entrainment Characterization Study	Removed. Requirements of condition completed.
BMR No. 2. Design Construction Technology Review	Removed. Condition no longer necessary.
BMR No. 3. Proposed Suite of Technologies and Operational Measures	Removed. Condition no longer necessary.
BMR No. 4. Technology Installation & Operation Plan	Removed. Condition no longer necessary.
BMR No. 5. Verification Monitoring Plan	Removed. Condition no longer necessary.
BMR No. 6. Verification Monitoring Plan Report	Removed. Condition no longer necessary.
BMR No. 7. Additional Reporting Requirement	Condition renumbered to No. 2.
BMR No. 8. Status reports	Removed. Condition no longer necessary.
BMR No. 9. Cumulative Reductions Report	Removed. Condition no longer necessary
BMR No. 10. General Requirement	Condition renumbered to No. 3 and revised.
Schedule of Compliance associated with BMRs #1-6 above	Removed. Condition no longer necessary.

Additions

BMR No. 1. Best Technology Available	Provides a description of the cooling water intake structure which has been determined to be best technology available.
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7. References

Commissioner Policy # 52. Best Technology Available (BTA) for Cooling Water Intake Structures. Issued July 10, 2011.

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