



Department of
Environmental
Conservation

State Pollutant Discharge Elimination System (SPDES) DISCHARGE PERMIT

SIC Code:	4952	NAICS Code:	221320	SPDES Number:	NY0023523
Discharge Class (CL):	05			DEC Number:	1-2820-00948/00001
Toxic Class (TX):	N			Effective Date (EDP):	EDP
Major-Sub Drainage Basin:	17 - 01			Expiration Date (ExDP):	ExDP
Water Index Number:	MDB-ERI	Item No.:	885 - 169	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:	Greater Atlantic Beach Water Reclamation District			Attention:	Keith Pearsall, Superintendent
Street:	PO Box 128				
City:	Atlantic Beach			State:	NY Zip Code: 11509-1007
Email:	keithgabwrd@gmail.com			Phone:	(516) 239 – 6777

is authorized to discharge from the facility described below:

FACILITY NAME, ADDRESS, AND PRIMARY OUTFALL									
Name:	Greater Atlantic Beach Water Reclamation District								
Address / Location:	2150 Bay Boulevard						County:	Nassau	
City:	Atlantic Beach				State:	NY	Zip Code:	11509	
Facility Location:	Latitude:	40 °	35 '	31 " N	& Longitude:	73 °	44 '	28 " W	
Primary Outfall No.:	001	Latitude:	40 °	35 '	34 " N	& Longitude:	73 °	44 '	29 " W
Outfall Description:	Treated Sanitary	Receiving Water:	East Rockaway Inlet				Class:	SA	Standard: SA

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:

BWP Permit Coordinator (permit.coordinator@dec.ny.gov)
 BWP Permit Writer
 RWE
 RPA
 EPA Region II (Region2_NPDES@epa.gov)
 NYSEFC (sara.tully@efc.ny.gov)
 County Health Dept.

Permit Administrator:	
Address:	625 Broadway Albany, NY 12233-1750
Signature	Date

DEFINITIONS

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 the number of months for which samples were collected in the 12-month period.
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 DEC 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 DEC.
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.

PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL	LIMITATIONS APPLY	RECEIVING WATER	EFFECTIVE	EXPIRING
001	Year Round	East Rockaway Inlet	EDP	ExDP

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
Flow	Monthly Average	1.5	MGD			Continuous	Recorder		X	1
	Daily Maximum	Monitor	MGD			Continuous	Recorder		X	
pH	Daily Minimum	6.0	SU			2/day	Grab		X	
	Daily Maximum	9.0	SU						X	
Temperature	Daily Maximum	Monitor	°F			2/day	Grab		X	
BOD ₅	Monthly Average	30	mg/L	375	lbs/d	1/week	24-hr. Comp.	X	X	2
	7-Day Average	45	mg/L	560	lbs/d	1/week	24-hr. Comp.		X	
	6 consecutive hourly mean	50	mg/L			See footnote	Grab		X	3
Total Suspended Solids (TSS)	Monthly Average	30	mg/L	375	lbs/d	1/week	24-hr. Comp.	X	X	2
	7-Day Average	45	mg/L	560	lbs/d	1/week	24-hr. Comp.		X	
	6 consecutive hourly mean	50	mg/L			See footnote	Grab		X	3
Settleable Solids	Daily Maximum	0.3	mL/L			2/day	Grab		X	
Ammonia (as N)	Monthly Average	4.68	mg/L			1/week	24-hr. Comp.	X	X	
Total Kjeldahl Nitrogen (TKN) (as N)	Daily Maximum	Monitor	mg/L			1/quarter	24-hr. Comp.	X	X	11
Nitrate (as N)	Daily Maximum	Monitor	mg/L			1/quarter	24-hr. Comp.	X	X	11
Nitrite (as N)	Daily Maximum	Monitor	mg/L			1/quarter	24-hr. Comp.	X	X	11
Orthophosphate (as P)	Daily Maximum	Monitor	mg/L			1/quarter	24-hr. Comp.	X	X	11
Total Phosphorus (as P)	Daily Maximum	Monitor	mg/L			1/quarter	24-hr. Comp.	X	X	11
Biennial Pollutant Scan						1/Two Years	-		X	7

EFFLUENT DISINFECTION		Limit	Units	Limit	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
Required All Year										
Coliform, Fecal	30-Day Geometric Mean	200	No./ 100 mL			1/week	Grab		X	4,5,6
	7-Day Geometric Mean	400	No./ 100 mL			1/week	Grab		X	4,5,6
	6 consecutive hourly mean	800	No./ 100 mL			See footnote	Grab		X	3
	Individual sample	2400	No./ 100 mL			See footnote	Grab		X	3

Coliform, Total	Monthly Median	700	No./ 100 mL			See footnote	Grab		X	4,5,6
Chlorine, Total Residual	Daily Maximum	0.03	mg/L			2/day	Grab		X	8,9, 10
WHOLE EFFLUENT TOXICITY (WET) TESTING		Limit	Units	Action Level	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
WET - Acute Invertebrate	See footnote			0.3	TUa		See footnote		X	14
WET - Acute Vertebrate	See footnote			0.3	TUa		See footnote		X	14
WET - Chronic Invertebrate	See footnote			6.4	TUc		See footnote		X	14
WET - Chronic Vertebrate	See footnote			6.4	TUc		See footnote		X	14
EMERGING CONTAMINANTS		Limit	Units	Action Level	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
OUTFALL 001										
Perfluorobutanoic Acid (PFBA) CAS No. 375-22-4 DMR Code: 51522	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Perfluoropentanoic Acid (PFPeA) CAS No. 2706-90-3 DMR Code: 51623	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Perfluorohexanoic Acid (PFHxA) CAS No. 307-24-4 DMR Code: 51624	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Perfluoroheptanoic Acid (PFHpA) CAS No. 375-85-9 DMR Code: 51625	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Perfluorooctanoic Acid (PFOA) CAS No. 335-67-1 DMR Code: 51521	Daily Maximum			10	ng/L	1/quarter	Grab		X	11, 12, 13
Perfluoro-nonanoic Acid (PFNA) CAS No. 375-95-1 DMR Code: 51626	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Perfluoro-decanoic Acid (PFDA) CAS No. 335-76-2 DMR Code: 51627	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Perfluoroundecanoic Acid (PFUnA) CAS No. 2058-94-8 DMR Code: 51628	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Perfluorododecanoic Acid (PFDoA) CAS No. 307-55-1 DMR Code: 51629	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Perfluorotridecanoic Acid (PFTriA) CAS No. 72629-94-8 DMR Code: 51630	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Perfluorotetradecanoic Acid (PFTeA) CAS No. 376-06-7 DMR Code: 51631	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Perfluorobutanesulfonic Acid (PFBS) CAS No. 375-73-5 DMR Code: 52602	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13

EMERGING CONTAMINANTS		Limit	Units	Action Level	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
OUTFALL 001										
Perfluoropentanesulfonic Acid (PFPeS) CAS No. 2706-91-4 DMR Code: 52610	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Perfluorohexanesulfonic Acid (PFHxS) CAS No. 355-46-4 DMR Code: 52605	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Perfluoroheptanesulfonic Acid (PFHpS) CAS No. 375-92-8 DMR Code: 52604	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Perfluorooctanesulfonic Acid (PFOS) CAS No. 1763-23-1 DMR Code: 52606	Daily Maximum			10	ng/L	1/quarter	Grab		X	11, 12, 13
Perfluorononanesulfonic Acid (PFNS) CAS No. 68259-12-1 DMR Code: 52611	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Perfluorodecanesulfonic Acid (PFDS) CAS No. 335-77-3 DMR Code: 52603	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Perfluorododecanesulfonic Acid (PFDoS) CAS No. 79780-39-5 DMR Code: 52632	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Perfluorooctanesulfonamide (PFOSA) CAS No. 754-91-6 DMR Code: 51525	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
N-Methyl Perfluorooctanesulfonamidoacetic Acid (NMeFOSAA) CAS No. 2355-31-9 DMR Code: 51644	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
N-Ethyl Perfluorooctanesulfonamidoacetic Acid (NEtFOSAA) CAS No. 2991-50-6 DMR Code: 51643	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
1H,1H,2H,2H-Fluorotelomer Sulfonic Acid (4:2 FTS) CAS No. 757124-72-4 DMR Code: 52607	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
1H,1H,2H,2H- Fluorotelomer Sulfonic Acid (6:2 FTS) CAS No. 27619-97-2 DMR Code: 52608	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
1H,1H,2H,2H- Fluorotelomer Sulfonic Acid (8:2 FTS) CAS No. 39108-34-4 DMR Code: 52609	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
N-ethyl Perfluorooctanesulfonamide (NEtFOSA) CAS No. 4151-50-2 DMR Code: 52642	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
N-Methyl Perfluorooctane Sulfonamide (NMeFOSA) CAS No. 31506-32-8 DMR Code: 52641	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
N-Methyl Perfluorooctanesulfonamido Ethanol (NMeFOSE) CAS No. 24448-09-7 DMR Code: 51642	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13

EMERGING CONTAMINANTS		Limit	Units	Action Level	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
OUTFALL 001										
N-Ethyl Perfluorooctanesulfonamido Ethanol (NETFOSE) CAS No. 1691-99-2 DMR Code: 51641	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
9-Chlorohexadecafluoro-3-Oxanone-1-Sulfonic Acid (9Cl-PF3ONS) CAS No. 756426-58-1 DMR Code: PF003	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Hexafluoropropylene Oxide Dimer Acid (HFPO-DA or GenX) CAS No. 13252-13-6 DMR Code: 52612	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
11-Chloroeicosafluoro-3-Oxaundecane-1-Sulfonic Acid (11Cl-PF3OUdS) CAS No. 763051-92-9 DMR Code: PF004	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
4,8-Dioxa-3h-Perfluorononanoic Acid (ADONA) CAS No. 919005-14-4 DMR Code: 52636	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
3-Perfluoropropyl Propanoic Acid (3:3FTCA) CAS No. 356-02-5 DMR Code: PF001	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
2H,2H,3H,3H-Perfluorooctanoic Acid (5:3FTCA) CAS No. 914637-49-3 DMR Code: PF007	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
3-Perfluoroheptyl Propanoic Acid (7:3FTCA) CAS No. 812-70-4 DMR Code: PF005	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Nonafluoro-3,6-dioxaheptanoic Acid (NFDHA) CAS No. 151772-58-6 DMR Code: 52626	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Perfluoro-4-Methoxybutanoic Acid (PFMBA) CAS No. 863090-89-5 DMR Code: PF006	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Perfluoro-3-Methoxypropanoic Acid (PFMPA) CAS No. 377-73-1 DMR Code: PF002	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13
Perfluoro(2-Ethoxyethane)Sulfonic Acid (PFEEESA) CAS No. 113507-82-7 DMR Code: 52629	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	11, 13

FOOTNOTES:

1. No sewer connections, either inside or outside the district, without prior DEC approval.
2. Effluent shall not exceed 15% and 15% of influent concentration values for BOD₅ & TSS respectively.
3. This is an Interstate Environmental Commission (IEC) requirement. The permittee is not required to perform this sampling but shall be required to meet the permit limit at all times. EPA, DEC, or IEC may perform the sampling.
4. Additional coliform limitations and requirements:
 - a. The multiple tube fermentation is the only approved fecal and total coliform testing procedure.

- b. Facilities may regularly sample on a more frequent schedule than the minimum required by this permit.
 - c. For facilities sampling less than ten (10) times per month, the estimated 90th percentile of total coliform readings shall not exceed an MPN of 3,300/100 ml for the 3 tube per decimal dilution MPN test, nor an MPN of 2,300/100 ml for the 5 tube per decimal dilution MPN test.
 - d. For facilities sampling ten (10) or more times per month, no more than 10 percent of the total coliform readings shall exceed an MPN of 3,300/100 ml for the 3 tube per decimal dilution MPN test, nor an MPN of 2,300/100 ml for the 5 tube per decimal dilution MPN test.
5. Grab samples shall be taken during period which include normally high effluent flows.
6. In addition, the permittee shall report in an addendum to the applicable DMRs, the analyses of samples to be taken every 2 hours on one day, and twice daily for seven consecutive days during each April and August.
7. Biennial Pollutant Scan: The permittee shall perform effluent sampling every two (2) years for all applicable pollutants identified in the NY-2A Application, Tables A - D. Sampling data shall be collected according to the guidance in the NY-2A application and maintained by the permittee. Monitoring results shall not be submitted on the DMR. Data shall be submitted with the next submission of the NY-2A form.
8. This is a final effluent limitation. See Schedule of Compliance for any applicable interim effluent limitations.
9. Sampling and reporting for total residual chlorine are only necessary if chlorine is used for disinfection, elsewhere in the treatment process, or the facility otherwise has reasonable potential to discharge chlorine. Otherwise, the permittee shall report NODI-9 on the DMR.
10. This is a Compliance Level. The calculated WQBEL is 0.015 mg/L.
11. Quarterly samples shall be collected in calendar quarters (Q1 – January 1st to March 31st; Q2 – April 1st to June 30th; Q3 – July 1st to September 30th; Q4 – October 1st to December 31st).
12. Emerging Contaminants Action Level: The permittee must collect one (1) confirmatory sample within seven (7) days of receiving the test result(s) when an Action Level is exceeded. If confirmed exceedance, the permittee must notify DEC at emergingcontaminantsdow@dec.ny.gov and initiate minimization program and continuous reporting as outlined in the [Schedule of Additional Submittals](#). Upon initiation of the minimization program, confirmatory sampling is no longer required when an Action Level is exceeded. If the reporting limit (RL) exceeds the Action Level, and the laboratory method shows no detection, the permittee must provide the DEC with documentation from the laboratory supporting the RL, including the basis for any matrix interference or method limitations.
13. All PFAS compound sampling shall use EPA Method 1633/1633A. Note that "DMR code" corresponds to the 5-digit code displayed in the top left of each parameter line on the DMR page within NetDMR.
14. **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 DEC. The test species shall be *Americamysis 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 1.1:1 for acute, and 6.4:1 for chronic.

Monitoring Period - WET testing shall be performed quarterly (calendar quarters) during calendar years ending in 8 and 3.

Reporting - Toxicity Units shall be calculated and reported on the DMR as follows: $TU_a = (100)/(48\text{-hr LC50})$ [note that Acute data is generated by both Acute and Chronic testing] and $TU_c = (100)/(7\text{-day NOEC})$ or $(100)/(7\text{-day IC25})$ when Chronic testing has been performed or $TU_c = (TU_a) \times (10)$ 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 DEC 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 DEC 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.

STORMWATER POLLUTION PREVENTION REQUIREMENTS

NO EXPOSURE CERTIFICATION

The permittee submitted a Conditional Exclusion for No Exposure Form on 11/13/2025, certifying that all industrial activities and materials are completely sheltered from exposure to rain, snow, snowmelt, and stormwater runoff except as allowed under 40 CFR 122.26(g)(2). The permittee must maintain a condition of no exposure for the exclusion to remain applicable. If conditions change resulting in the exposure of materials and activities to stormwater, the permittee must notify the Regional Water Engineer. The permittee must recertify a condition of no exposure every five years by completing the "No Exposure Certification Form" found on the DEC website.

DRAFT

MERCURY MINIMIZATION PROGRAM (MMP) - Type IV

On 12/9/2025, the permittee submitted a Conditional Exclusion Certification, certifying that the facility does not have any of the mercury sources listed in Part III.E. of DOW 1.3.10.

1. General – To reduce mercury effluent levels with the goal of achieving the water quality standard of 0.7 ng/L, the permittee must develop, implement, and maintain a written MMP plan, which includes the elements set forth below.
2. Conditional Exclusion Certification – A certification (Appendix C of DOW 1.3.10), signed in accordance with 6 NYCRR 750-1.8, must be submitted once every 5 years to the Regional Water Engineer and to the Bureau of Water Permits, certifying that the facility is neither a mercury source nor receives flows from a mercury source. Criteria to determine if a facility has a mercury source are as follows:
 - The facility is, or receives flow from, a Combined Sewer System (CSS) or sanitary sewer system with Type II Sanitary Sewer Overflows (SSO¹);
 - One or more effluent samples exceed 12 ng/L, including samples taken as a result of the SPDES application process;
 - Internal or tributary waste stream samples exceed the GLCA effluent limitation and the final effluent samples are less than the GLCA due primarily to dilution by uncontaminated or less contaminated waste streams. Both components of this criterion may include samples taken as a result of the SPDES application process;
 - A SPDES permit application, or other information, indicates that mercury is handled on-site and could be discharged through outfalls;
 - Existence of outfalls that contain legacy mercury contamination;
 - The facility's collection system receives discharges from a dental and/or Categorical Industrial User (CIU²) that may discharge mercury;
 - The facility accepts hauled wastes; OR,
 - The facility is defined as a categorical industry that may discharge mercury. This may also include dentists, universities, hospitals, or laboratories, which have their own individual SPDES permit.
3. Control Strategy – develop and implement with the following minimum elements:
 - a. 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.
 - b. Bulk Chemical Evaluation – for chemicals used at a rate which exceeds 1,000 gallons/year or 10,000 pounds/year, the permittee must obtain:
 - i. A manufacturer's certificate of analysis;
 - ii. A chemical analysis performed by a certified laboratory; OR,
 - iii. A notarized affidavit that describes the substances' mercury concentration and the detection limit achieved.

Where practicable, the permittee must only use bulk chemicals in the wastewater treatment process which contain <10 parts per billion (ppb) of mercury.

¹ These are Overflow Retention Facilities (ORFs) and are included under the 05 and 07 permit classifications.

² CIUs include those listed under Federal Regulation in 40 CFR Parts 405–471.

MERCURY MINIMIZATION PROGRAM (MMP) – Type IV (Continued)

4. Status Report – An **annual** status report must be developed, in accordance with the [Schedule of Additional Submittals](#), summarizing:
 - a. Review of criteria to determine if the facility has a potential mercury source;
 - b. All actions undertaken, pursuant to the control strategy, during the previous year; and
 - c. Actions planned, pursuant to the control strategy, for the upcoming year.

The first status report is due in accordance with the Schedule of Additional Submittals. The permittee must maintain a file on-site with all MMP documentation.

5. MMP Modification – the permittee must submit a permittee-initiated modification request to DEC whenever:
 - a. Changes at the facility, or within the collection system, increase the potential for mercury discharges; OR,
 - b. A letter from DEC identifies inadequacies in the MMP.

The permittee may use information in the status reports, as applicable in accordance with item 3 of this MMP, as a basis for the permittee-initiated modification.

DEFINITIONS:

Potential mercury source – a source 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.

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 new discharge location.
- (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.

SCHEDULE OF COMPLIANCE

a) The permittee shall comply with the following schedule:

Outfall(s)	Compliance Action	Compliance Date ³
001	<u>PRELIMINARY ENGINEERING REPORT</u> The permittee shall submit an approvable ⁴ Preliminary Engineering Report (PER) that meets the requirements of the EFC/DEC Engineering Report Outline (https://www.dec.ny.gov/permits/6054.html). The report shall describe treatment alternatives or other control mechanisms (i.e., pretreatment program / Sewer Use Law) that may be used to comply with the final effluent limitation(s) for <i>Total Residual Chlorine</i> .	EDP + 12 Months
001	<u>INTERIM PROGRESS REPORT</u> The permittee shall provide a status update for the <i>Design Documents</i> .	EDP + 21 Months
001	<u>DESIGN DOCUMENTS</u> The permittee shall submit approvable ⁴ Design Documents including a Basis of Design Report (BODR), Plans, Specifications, and Construction Schedule for the selected alternative that will ensure compliance with final effluent limitation(s) for <i>Total Residual Chlorine</i> .	EDP + 24 Months
001	<u>INTERIM PROGRESS REPORT</u> The permittee shall provide a status update for <i>Complete Construction</i> .	EDP + 33 Months EDP + 42 Months EDP + 51 Months
001	<u>COMPLETE CONSTRUCTION</u> The permittee shall provide a Construction Completion Certification ⁵ to the DEC (send to the Regional Water Engineer and NetDMR@dec.ny.gov) that the disposal system has been fully completed in accordance with the approved Design Documents.	EDP + 54 Months
001	<u>COMMENCE OPERATION</u> Following receipt of DEC acceptance of the Construction Completion Certification, the permittee shall comply with the final effluent limitation(s) described in this permit for <i>Total Residual Chlorine</i> .	Upon Department Acceptance
Unless noted otherwise, the above actions are one-time requirements.		
See next page for Interim Effluent Limits.		

³ 6 NYCRR 750-1.14 (a)

⁴ 6 NYCRR 750 1.2 (a)(8)

⁵ 6 NYCRR 750-2.10 (c)

SCHEDULE OF COMPLIANCE – Interim Effluent Limits

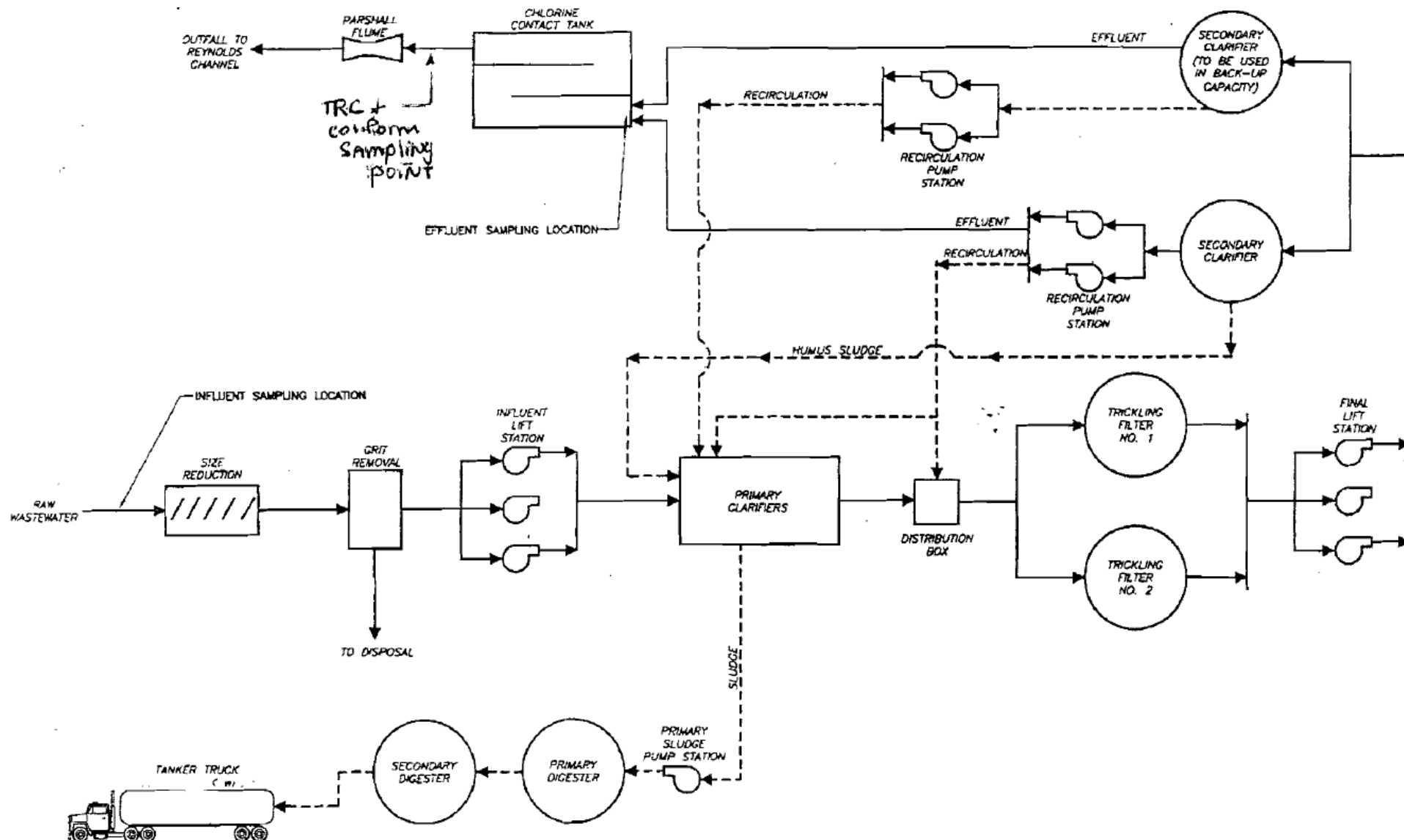
OUTFALL	EXPIRING
001	Upon commencement of operation of upgraded treatment system

PARAMETER	INTERIM EFFLUENT LIMIT					MONITORING REQUIREMENTS				Notes
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
Total Residual Chlorine	Daily Maximum	0.5	mg/L			2/day	Grab		X	
Notes:										

- b) The permittee shall submit a [Report of Non-Compliance Event](#) form 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 notifications 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 DEC Regional Water Engineer and to the Bureau of Water Permits.

MONITORING LOCATIONS

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



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. In accordance with 6 NYCRR 750-2.7, the permittee shall give notice to the DEC at least 45 days prior to 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 DEC, 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 series.

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 DEC, 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 DEC review and authorization. At a minimum, the permittee must notify the DEC in writing of its intent to change WTC use by submitting a completed *WTC Notification Form* for each proposed WTC. The DEC will review that submittal and determine if a SPDES permit modification is necessary or whether WTC review and authorization may proceed under the current permit. 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 DEC. 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 DEC.
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 DEC'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 retained for a period of at least five years from the date of the sampling for subsequent inspection by the DEC 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 DEC's website.

DMRs must be submitted electronically using the electronic reporting tool (NetDMR) specified by DEC. Instructions on the use of NetDMR can be found at: [How To Complete And Submit Discharge Monitoring Reports \(DMRs\) - NYSDEC](#). **Hardcopy paper DMRs will only be accepted if a waiver from the electronic submittal requirements has been granted by DEC to the facility.**

Attach the monthly "Wastewater Facility Operation Report" (form 92-15-7) and any required DMR attachments electronically to the DMR or with the hardcopy submittal.

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.

- C. Additional information required to be submitted by this permit shall be summarized and reported to the Regional Water Engineer and Bureau of Water Permits at the following addresses:

Department of Environmental Conservation
Division of Water, Bureau of Water Permits
625 Broadway, Albany, New York 12233-3505

Phone: (518) 402-8111

Department of Environmental Conservation
Regional Water Engineer, Region 1
50 Circle Road, Stony Brook, New York, 11790-3409

Phone: (631) 444-0405

- 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 DEC'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 the following information to the Regional Water Engineer and to the Bureau of Water Permits, unless otherwise instructed:

SCHEDULE OF ADDITIONAL SUBMITTALS		
Outfall(s)	Required Action	Due Date
001	<u>EMERGING CONTAMINANT (EC) MINIMIZATION PROGRAM</u> The permittee shall initiate track down of potential sources by utilizing the “Emerging Contaminants Investigation Checklist for POTWs” available at Emerging Contaminants In NY's Waters - NYSDEC. The permittee shall continue track down of potential sources and submit reports summarizing: - All EC monitoring results taken to date; - A list of likely EC sources; - All actions taken to reduce EC contaminants; and - Proposed next steps, including a monitoring plan to identify/confirm EC sources, and ensure continued progress towards minimization/eliminating contaminants. *Reports no longer required once effluent falls below action levels for at least 12 months or until further notified by the DEC.	Confirmation of initial Action Level exceedance 12 months after confirmation of initial Action Level exceedance, and every 6 months thereafter*
	<u>WATER TREATMENT CHEMICAL (WTC) ANNUAL REPORT FORM</u> 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.	December DMR (January 28th)
	<u>ANNUAL FLOW CERTIFICATION</u> The permittee shall submit an Annual Flow Certification form each year in accordance with 750-2.9(C)(4). The form shall be attached to the February DMR or submitted through nForm.	February DMR (March 28th)
001	<u>BIENNIAL POLLUTANT SCAN</u> The permittee shall implement an ongoing monitoring program and perform effluent sampling every two years as specified in footnote of the permit limits table.	Retain and submit with next NY-2A Application
001	<u>SHORT-TERM HIGH-INTENSITY MONITORING PROGRAM</u> The permittee shall collect 10 samples representative of normal discharge conditions and treatment operations over 10 weeks months for δ-BHC. The permittee shall use approved EPA analytical method with the lowest possible detection limit as promulgated under 40 CFR Part 136 for the determination of the concentrations of parameters listed. The permittee shall submit a summary of the results.	EDP + 3 months
001	<u>WHOLE EFFLUENT TOXICITY (WET) TESTING</u> WET testing shall be performed as required in the footnote of the permit limits table. 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
	<u>STORMWATER NO EXPOSURE CERTIFICATION</u> Permittee must recertify every five years a condition of no exposure to stormwater in order to continue to qualify for the no exposure exclusion. The No Exposure Certification Form can be found on the DEC website.	11/13/2030, and every 5 years thereafter
	<u>MERCURY - CONDITIONAL EXCLUSION CERTIFICATION</u> Permittee must submit a mercury conditional exclusion certification every five years in order to maintain MMP Type IV status. As part of the certification the permittee will be required to sample the effluent and measure <12 ng/L.	12/9/2030, and every 5 years thereafter

SCHEDULE OF ADDITIONAL SUBMITTALS		
Outfall(s)	Required Action	Due Date
	<u>MERCURY MINIMIZATION PLAN</u> The permittee must complete and maintain onsite a mercury minimization plan and subsequent annual mercury minimization status reports in accordance with the requirements of this permit.	<i>Maintained Onsite</i> EDP + 12 months, annually thereafter

Unless noted otherwise, the above actions are one-time requirements.

- 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.

SPDES Permit Fact Sheet

Greater Atlantic Beach Water Reclamation District

Greater Atlantic Beach Water Reclamation District

NY0023523



Contents

Summary of Permit Changes	3
Administrative History	4
Facility Information.....	4
Site Overview	5
Enforcement History.....	7
Existing Effluent Quality.....	7
Interstate Water Pollution Control Agencies	7
Receiving Water Information	7
Impaired Waterbody Information.....	7
Critical Receiving Water Data & Mixing Zone	7
Permit Requirements	8
Whole Effluent Toxicity (WET) Testing	8
Anti-backsliding	8
Antidegradation	8
Discharge Notification Act Requirements.....	8
Stormwater Pollution Prevention Requirements.....	8
Mercury	9
Biennial Pollutant Scan.....	9
Schedule of Compliance.....	9
Emerging Contaminant Monitoring	9
Schedule of Additional Submittals	10
OUTFALL AND RECEIVING WATER SUMMARY TABLE	12
POLLUTANT SUMMARY TABLE.....	12
Outfall 001	12
Outfall 001 (Emerging Contaminants).....	18
Appendix: Regulatory and Technical Basis of Permit Authorizations.....	23
Regulatory References.....	23
Outfall and Receiving Water Information	23
Interstate Water Pollution Control Agencies	24
Existing Effluent Quality.....	24
Permit Requirements.....	24

Summary of Permit Changes

A State Pollutant Discharge Elimination System (SPDES) EBPS permit renewal has been drafted for the Greater Atlantic Beach Water Reclamation District. The changes to the permit are summarized below:

General

- Updated permit format, definitions, and general conditions
- Updated Stormwater Pollutant Prevention Plan for POTWs to accurately reflect Stormwater Pollution Prevention Requirements that describes the No Exposure Certification
- Updated Mercury Minimization Program to reflect MMP Type IV
- Removed previous Schedule of Compliance as it is no longer applicable
- Added new Schedule of Compliance for Total Residual Chlorine
- Added Schedule of Additional Submittals that includes:
 - o Emerging Contaminant Minimization Program
 - o WTC Annual Report
 - o Annual Flow Certification
 - o Biennial Pollutant Scan
 - o Short-Term High-Intensity Monitoring for δ -BHC
 - o Whole Effluent Toxicity (WET) Testing
 - o Stormwater No Exposure Certification
 - o Mercury Conditional Exclusion Certification
 - o Mercury Minimization Plan (MMP) and Status Report

Outfall 001

- Reduced BOD5 Monthly Average limit from 380 to 375 lbs/d
- Reduced TSS Monthly Average limit from 380 to 375 lbs/d
- Converted Nitrogen, Ammonia (as NH_3) (5.7 mg/L) to Nitrogen, Ammonia (as N) (4.68 mg/L)
- Reduced Total Residual Chlorine limit from 0.5 mg/L to 0.03 mg/L
- Added PFOA action level of 10 ng/L
- Added PFOS action level of 10 ng/L
- Added monitoring for the remaining 38 PFAS analytes
- Removed Zinc, Total monitoring due to lack of reasonable potential to violate the WQS
- Added WET testing action levels of 0.3 TUa and 6.4 TUc
- Removed interim ammonia limit footnote
- Removed interim total residual chlorine limit footnote
- Added Biennial Pollutant Scan footnote
- Added final effluent limitation footnote
- Added total residual chlorine footnote
- Added compliance level footnote
- Added quarterly sampling footnote
- Added Emerging Contaminants Action Level footnote
- Added PFAS footnote
- Added WET testing footnote

This fact sheet summarizes the information used to determine the effluent limitations (limits) and other conditions contained in the permit. General background information

including the regulatory basis for the effluent limitations and other conditions are in the [Appendix](#) linked throughout this fact sheet.

Administrative History

12/23/2008 The last full technical review was performed and the SPDES permit became effective with an expiration date of 10/31/2010. The 2008 permit, along with all subsequent modifications, has formed the basis of this permit.

The permit was administratively renewed in 2010 and again in 2015. The current permit administrative renewal was effective until 10/31/2020.

2/10/2020 The Greater Atlantic Beach Water Reclamation District submitted a timely and sufficient renewal application.

10/31/2020 The current permit was allowed to stay in effect pursuant to SAPA¹.

12/9/2009 Permit was modified due to a reporting and monitoring requirement.

7/17/2024 New York State Department of Environmental Conservation (DEC) issued a Request for Information (RFI) to modify and renew the SPDES permit due to the facility's EBPS score². At the time of the RFI, the facility had an EBPS score of 160 and ranking of 150.

11/13/2025 The Greater Atlantic Beach Water Reclamation District submitted an NY-2A permit application.

The Notice of Complete Application, published in the [Environmental Notice Bulletin](#) and newspapers, contains information on the public notice process.

Facility Information

This facility is a publicly owned treatment works that receives flow from domestic users, with effluent consisting of treated sanitary. The collection system consists of separate sewers. The facility does not have any significant industrial users (SIUs).

The current 1.5 MGD treatment plant consists of:

- Grit removal
- Primary clarification
- Trickling filters, Secondary clarification
- Hypochlorite disinfection and bisulfite dechlorination

Sludge is digested anaerobically. The digested liquid sludge is hauled off-site in a tanker truck to Bay Park WWTP for disposal.

The primary outfall (Outfall 001) is located beneath the pier on the west side of the facility on Flamingo Street. It is a 20 in. diameter pipe that extends 50 ft. from the bank of East Rockaway Inlet.

¹ State Administrative Procedures Act Section 401(2) and 6 NYCRR 621.11(f)

² Pursuant to 6 NYCRR 750-1.18 and NYS Environmental Benefit Permit Strategy (EBPS)

The facility is planning the following upgrades/improvements:

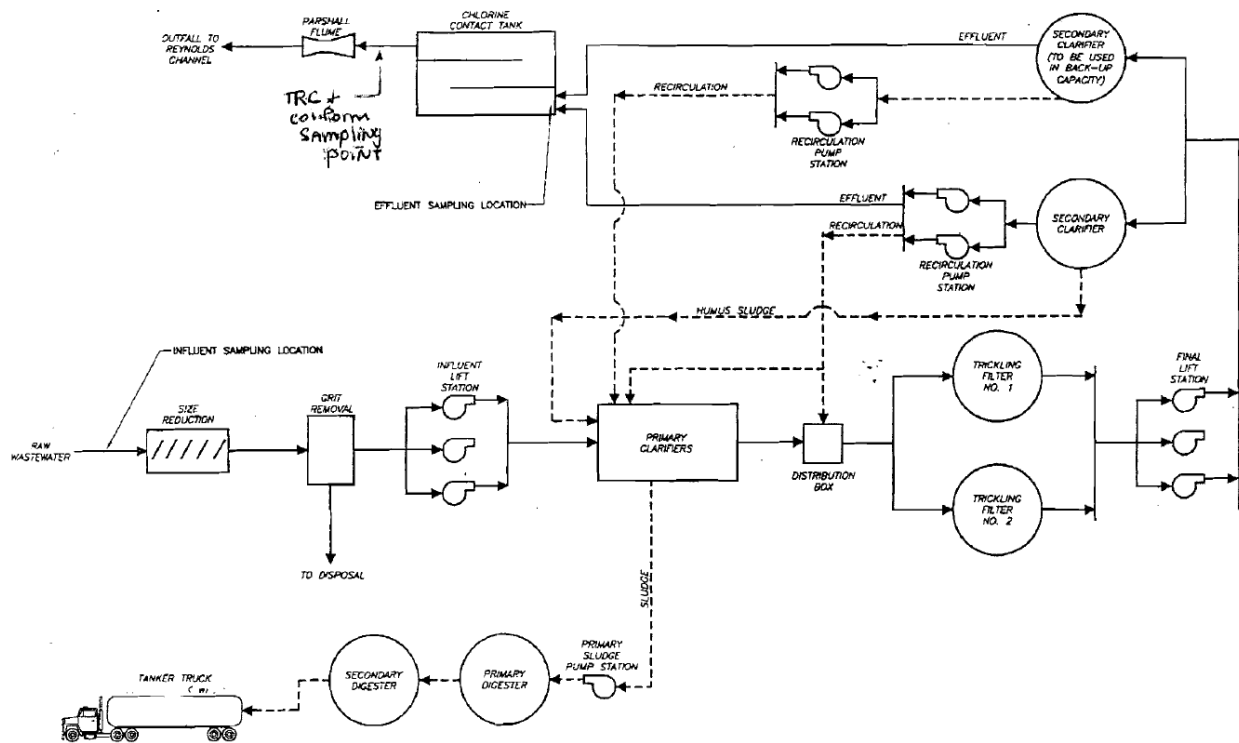
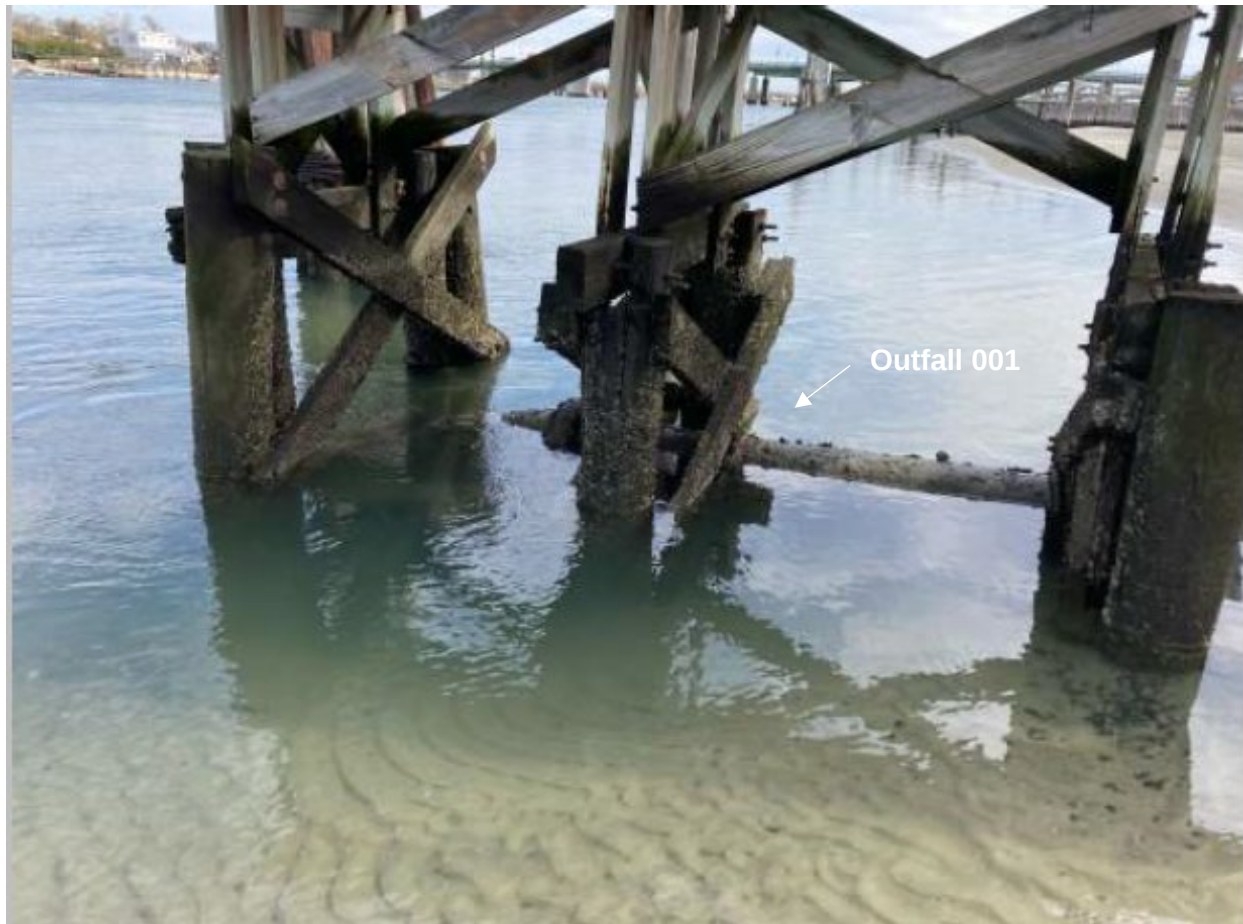
- Repairs to the digester on-site (planned to be completed by early 2026)

The facility accepts wastewater from the following municipalities:

Municipality	POSS # or SPDES #	Collection System
Greater Atlantic Beach Water Reclamation District	NY0023523	Separate

Site Overview





Enforcement History

Compliance and enforcement information can be found on the EPA's [Enforcement and Compliance History Online \(ECHO\)](#) website.

Existing Effluent Quality

The [Pollutant Summary Table](#) presents the existing effluent quality and effluent limitations. The existing effluent quality was determined from Discharge Monitoring Reports and the application submitted by the permittee for the period 10/31/2020 to 9/30/2025. [Appendix Link](#)

Interstate Water Pollution Control Agencies

Outfall(s) 001 is located within the Interstate Environmental Commission (IEC) compact area which places additional requirements in the SPDES permit. [Appendix Link](#)

Receiving Water Information

The facility discharges via the following outfalls:

Outfall No.	SIC Code	Wastewater Type	Receiving Water
001	4952	Treated Sanitary Sewage	East Rockaway Inlet, Class SA

See the [Outfall and Receiving Water Summary Table](#) and [Appendix](#) for additional information.

Impaired Waterbody Information

The East Rockaway Inlet segment (PWL No. 1701-0217) was first listed on the 2002 [New York State Section 303\(d\) List](#) of Impaired/TMDL Waters as impaired due to fecal coliforms. The segment continues to be listed as of the 2020-2022 NYS Section 303(d) List. A TMDL has not been developed to address the impairment and, therefore, there are no applicable wasteload allocations (WLAs) for this facility.

Critical Receiving Water Data & Mixing Zone

Reach Description: East Rockaway Inlet (MDB-ERI) is part of Reynolds Channel. The segment of East Rockaway Inlet at the point of discharge is classified as SA (6 NYCRR 885.6 – Table I – Item 169). It encompasses the waters within Nassau County, west of the Atlantic Beach Bridge.

Consistent with TOGS 1.3.1, the outfall information submitted in the previous application and mixing zone form was used to develop a mixing zone model to establish dilution ratios for the water quality analysis. The model showed the mixing is plume-like and upstream intruding, with surface buoyancy.

Outfall No.	Acute Dilution Ratio A(A)	Chronic Dilution Ratio A(C)	Human, Aesthetic, Wildlife Dilution Ratio (HEW)	Basis
001	1.1:1	6.4:1	6.4:1	CORMIX

Critical receiving water data are listed in the [Pollutant Summary Table](#) at the end of this fact sheet. [Appendix Link](#)

Permit Requirements

The technology based effluent limitations ([TBELs](#)), water quality-based effluent limitations ([WQBELs](#)), [Existing Effluent Quality](#) and a discussion of the selected effluent limitation for each pollutant present in the discharge are provided in the [Pollutant Summary Table](#).

Whole Effluent Toxicity (WET) Testing

An evaluation of the discharge indicates the potential for toxicity based on the following criteria: [Appendix Link](#)

- POTWs which equal or exceed a discharge of 1 MGD. (#7)

The requirement for WET testing is new. No previous WET data was available to perform a reasonable potential analysis. Consistent with TOGS 1.3.2, given the dilution available and location outside of the Great Lakes basin, the permit requires chronic WET testing. WET testing action levels of 0.3 TUa and 6.4 TUC have been included in the permit for each species. The acute dilution ratio is less than 3.3 and the acute action level has been set equal to the default value of 0.3 TUa³. The chronic action levels represent the chronic dilution ratio. Samples will be collected quarterly in calendar years ending in 8 and 3.

Anti-backsliding

The limitations contained in the permit are at least as stringent as the previous permit limits and there are no instances of backsliding.

[Appendix Link](#)

Antidegradation

The permit contains effluent limitations which ensure that the best usages of the receiving waters will be maintained. The Notice of Complete Application published in the Environmental Notice Bulletin contains information on the State Environmental Quality Review (SEQR)⁴ determination.

[Appendix Link](#)

Discharge Notification Act Requirements

In accordance with the Discharge Notification Act (ECL 17-0815-a), the permittee is required to post a sign at each point of wastewater discharge to surface waters, unless a waiver is obtained. This requirement has been continued from the previous permit.

Additionally, the permit contains a requirement to make the DMR sampling data available to the public upon request. This requirement has been continued from the previous permit.

Stormwater Pollution Prevention Requirements

The facility is a publicly owned treatment works ≥ 1 MGD that requires SPDES permit coverage under 40 CFR 122.26 (b)(14)(ix).

On 11/13/2025, the permittee submitted a Conditional Exclusion for No Exposure Form, certifying that all industrial activities and materials are completely sheltered from exposure. This condition must be maintained for the exclusion to remain applicable. The [Schedule of Additional Submittals](#) also includes a due date for re-certification every five years as required by 40 CFR 122.26(g)(iii). This requirement is new.

³ EPA's Technical Support Document Section 5.7.4

⁴ As prescribed by 6 NYCRR Part 617

Mercury⁵

The multiple discharge variance (MDV) for mercury provides the framework for DEC to require mercury monitoring and mercury minimization programs (MMPs), through SPDES permitting.

[Appendix Link](#)

The facility is located outside the Great Lakes Basin, is a Class 05 municipal facility, and does not have a mercury source. On 12/9/2025, the permittee submitted a Conditional Exclusion Certification, certifying that the facility does not have any of the mercury sources listed in Part III.A.3. of DOW 1.3.10 and the effluent measured <12 ng/L. Therefore, consistent with DOW 1.3.10, the permit includes requirements for the implementation of MMP Type IV and does not include mercury effluent limitations. The [Schedule of Additional Submittals](#) includes a mercury minimization plan annual status report (maintained onsite), and re-certification of the exclusion every five years. As part of the re-certification, the effluent must be sampled and continue to measure <12 ng/L. This requirement is new.

Biennial Pollutant Scan

The permit includes a requirement to perform biennial sampling (once every two years) of the WWTP effluent for the parameters in the NY-2A Application, Tables A – D. This sampling will provide the required three effluent samples from applicable parameters for submittal with the next NY-2A Application⁶. This requirement ensures the data is representative of effluent conditions over the permit term and will be available for the next application submittal and permit review. This requirement is new.

Schedule of Compliance

A Schedule of Compliance has been included⁷ for the following items ([Appendix Link](#)):

- Compliance period for attainment of final effluent limits at Outfall 001 for total residual chlorine. The limit was reduced and a major modification to the treatment facility or operations may be needed and will take a significant amount of time to properly plan, design, fund, and build.
- Submittal of approvable engineering design documents, including a basis of design report, with the details of the upgrades needed to comply with the final effluent limitations. The reduced effluent limitation for total residual chlorine at Outfall 001 is a new requirement and the permittee cannot immediately comply with the ML.

Emerging Contaminant Monitoring

The SPDES permit includes [Action Levels](#) for PFOA and PFOS, and minimization programs when exceedances of those Action Levels are confirmed, due to the emerging nature of PFOA and PFOS; the USEPA's addition of PFOA and PFOS to the hazardous substance list under CERCLA; the USEPA's addition of PFOA and PFOS to the recommended contaminant monitoring list for state fish advisory programs; and the need to protect the best usages of the receiving water and downstream waterbodies pursuant to 6 NYCRR 701.1. The use of minimization programs is also supported by 6 NYCRR 750-1.14(f). [Appendix Link](#)

Based on the available data at Outfall 001, the permit includes Action Levels for PFOA and PFOS. The Actions Levels are set at the NYS Department of Health (DOH) Maximum Contaminant Level (MCL) of 10 ng/L for drinking water as a proxy for background concentrations in the facility's influent. Discharges above the MCL indicate the potential presence of a controllable source

⁵ In accordance with DOW 1.3.10 Mercury – SPDES Permitting & Multiple Discharge Variance (MDV), December 30, 2020.

⁶ Pursuant to 40 CFR 122.21(j)(4)(vi).

⁷ Pursuant to 6 NYCRR 750-1.14

beyond drinking water and the need to implement track down measures. Pursuant to 6 NYCRR 750-1.13(b), the SPDES permit also requires monitoring for the remaining 38 PFAS compounds. Those monitoring requirements are consistent with guidance released in EPA memos dated April 28, 2022, and December 5, 2022. Please see the [Pollutant Summary Table](#) below for more information.

[Appendix Link](#)

Schedule of Additional Submittals

Emerging Contaminant Minimization Program

Please see [above discussion](#) of emerging contaminants.

WTC Annual Report

In accordance with 6 NYCRR 750-1.13(a), to determine compliance with effluent limitations and water quality standards, the permit requires submission of an annual report each year that the permittee uses and discharges WTCs. The permittee must summarize all WTC use for the prior calendar year, January 1 through December 31, and attach it either to the December DMR or annual monitoring report required by the permit. More information is located on the DEC's website under [SPDES Permitting of Water Treatment Chemicals](#).

Annual Flow Certification

In accordance with 6 NYCRR 750-2.9(C)(4), the chief fiscal officer of the municipality shall submit an Annual Flow Certification form, located on DEC's website at [Wastewater forms](#), as an attachment to its February DMR or through nForm.

Biennial Pollutant Scan

Please see [above discussion](#) of biennial pollutant scan. The permittee shall implement an ongoing monitoring program and perform effluent sampling every two years as specified in the permit. This requirement ensures that, pursuant to 40 CFR 122.21(j)(4)(vi) and 6 NYCRR 750-1.25(c), three effluent samples will be available for the next application submittal and permit review.

Short-Term, High Intensity Monitoring Program

In accordance with 6 NYCRR 750-1.13(a), the permittee shall be subject to monitoring requirements to determine compliance with water quality standards. Consistent with TOGS 1.2.1, where limited data is available to confirm the presence or absence of a parameter in an outfall, a short-term, high intensity monitoring program may be used. Please see the [Pollutant Summary Table](#) below for more information.

Whole Effluent Toxicity (WET) Testing

Consistent with TOGS 1.3.2, the permittee is required to perform WET testing. Please see [above discussion](#) for more information.

Stormwater No Exposure Certification

Please see [above discussion](#) of Conditional Exclusion for No Exposure Form. In accordance with 40 CFR 122.26(g)(iii) and 6 NYCRR 750-1.25(c), the permittee must submit the [form](#), signed in accordance with 6 NYCRR 750-1.18, every five years certifying that the facility is eligible for the no exposure certification.

Mercury Conditional Exclusion Certification

Please see [above discussion](#) of mercury. Consistent with DOW 1.3.10, the permittee must submit the [form](#), signed in accordance with 6 NYCRR 750-1.18, every five years

Permittee: Greater Atlantic Beach Water Reclamation District
Facility: Greater Atlantic Beach Water Reclamation District
SPDES Number: NY0023523
USEPA Major/Class 05 Municipal

Date: February 6, 2026 v.1.37
Permit Writer: Gwendolyn Wynkoop

Full Technical Review

certifying that the facility is neither a mercury source nor receives flow from a mercury source.

Mercury Minimization Plan (MMP) and Status Report

Please see [above discussion](#) of MMP and Status Report.

OUTFALL AND RECEIVING WATER SUMMARY TABLE

Outfall	Latitude	Longitude	Receiving Water Name	Water Class	Water Index No. / Priority Waterbody Listing (PWL) No.	Major / Sub Basin	Hardness (mg/L)	1Q10 (MGD)	7Q10 (MGD)	30Q10 (MGD)	Critical Effluent Flow (MGD)	Dilution Ratio		
												A(A)	A(C)	HEW
001	40° 35' 34" N	73° 44' 29" W	East Rockaway Inlet	SA	MDB-ERI PWL: 1701-0217	17/01	-	-	-	-	1.5	1.1:1	6.4:1	6.4:1

POLLUTANT SUMMARY TABLE

Outfall 001

Outfall #	001	Description of Wastewater: Treated Sanitary Sewage													
		Type of Treatment: Grit Removal, Primary Clarification, Trickling Filters, Secondary Clarification, Chlorination													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁸	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
General Notes: Existing discharge data from 10/31/2020 to 9/30/2025 was obtained from Discharge Monitoring Reports provided by the permittee. All applicable water quality standards were reviewed for development of the WQBELs. The standard and WQBEL shown below represent the most stringent.															
Flow Rate	MGD	Monthly Avg	1.5	0.54 Actual Average	60/0	1.5	Design Flow	No alterations that will impair the waters for their best usages.					703.2	-	Design Flow
		Daily Max	Monitor	4.78 Actual Max	60/0	Monitor	750-1.13 Monitor								Monitor
	The flow limit has been set at the design flow of the wastewater treatment facility. Flow monitoring has been continued for informational purposes and to calculate pollutant loading.														
pH	SU	Minimum	6.0	6.0 Actual Min	60/0	6.0	40 CFR 133.102	-	-	6.5 – 8.5	Range	-	703.3	-	TBEL
		Maximum	9.0	8.0 Actual Max	60/0	9.0									
	Consistent with TOGS 1.3.3 for POTWs, TBELs reflect secondary treatment standards. Given the available dilution, an effluent limitation equal to the TBEL is protective of the WQS.														
Temperature	°F	Daily Max	Monitor	78 Actual Max	60/0	Monitor	750-1.13 Monitor	-	(Estuary): The water temperature at the surface of an estuary shall not be raised to more than 90F at any point.				704.2	-	Monitor
		Consistent with 6 NYCRR 750-1.13(a), monitoring is required to determine compliance with the water quality standard. This requirement has been continued from the previous permit.													

⁸ Existing Effluent Quality: Unless otherwise stated, Daily Max = 99% lognormal; Monthly Avg = 95% lognormal (for datasets with ≤3 nondetects); Daily Max = 99% delta-lognormal; Monthly Avg = 95% delta-lognormal (for datasets with >3 nondetects)

Permittee: Greater Atlantic Beach Water Reclamation District
 Facility: Greater Atlantic Beach Water Reclamation District
 SPDES Number: NY0023523
 USEPA Major/Class 05 Municipal

Date: February 6, 2026 v.1.37
 Permit Writer: Gwendolyn Wynkoop

Full Technical Review

Outfall #	001	Description of Wastewater: Treated Sanitary Sewage																
		Type of Treatment: Grit Removal, Primary Clarification, Trickling Filters, Secondary Clarification, Chlorination																
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement			
			Permit Limit	Existing Effluent Quality ⁸	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis					
5-day Biochemical Oxygen Demand (BOD ₅)	mg/L	Monthly Avg	30	8.37	60/0	30	40 CFR 133.102	-		-		-	703.3	-	TBEL			
		7 Day Avg	45	20.66	60/0	45	40 CFR 133.102					-						
	lbs/d	Monthly Avg	380	38.45	60/0	375	-					-						
		7 Day Avg	560	112.53	60/0	560	-					-						
	% Rem	Minimum	85	89 Actual Min	60/0	85	40 CFR 133.102					-						
							Consistent with 40 CFR Part 133.102 and TOGS 1.3.3 for POTWs, TBELs reflect secondary treatment standards.											
5-day Biochemical Oxygen Demand (BOD ₅)	mg/L	6 cons. hour mean	50	-	-	-	-	-	-	-	-	-	-	-	IEC			
																This is an Interstate Environmental Commission (IEC) requirement. The permittee is not required to perform this sampling but shall be required to meet the permit limit at all times. EPA, DEC or IEC may perform the sampling.		
Total Suspended Solids (TSS)	mg/L	Monthly Avg	30	12.30	60/0	30	40 CFR 133.102	-		None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages.		703.2	-	TBEL				
		7 Day Avg	45	21.74	60/0	45	40 CFR 133.102											
	lbs/d	Monthly Avg	380	67.59	60/0	375	-											
		7 Day Avg	560	224.40	60/0	560	-											
	% Rem	Minimum	85	89 Actual Min	60/0	85	40 CFR 133.102											
							Consistent with 40 CFR Part 133.102 and TOGS 1.3.3 for POTWs, TBELs reflect secondary treatment standards. Given the available dilution, an effluent limitation equal to the TBEL, and consistent with TOGS 1.3.3, is protective of water quality standards.											
Total Suspended Solids (TSS)	mg/L	6 cons. hour mean	50	-	-	-	-	-	-	-	-	-	-	-	IEC			
																This is an Interstate Environmental Commission (IEC) requirement. The permittee is not required to perform this sampling but shall be required to meet the permit limit at all times. EPA, DEC or IEC may perform the sampling.		

Permittee: Greater Atlantic Beach Water Reclamation District
 Facility: Greater Atlantic Beach Water Reclamation District
 SPDES Number: NY0023523
 USEPA Major/Class 05 Municipal

Date: February 6, 2026 v.1.37
 Permit Writer: Gwendolyn Wynkoop

Full Technical Review

Outfall #	001	Description of Wastewater: Treated Sanitary Sewage													
		Type of Treatment: Grit Removal, Primary Clarification, Trickling Filters, Secondary Clarification, Chlorination													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁸	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Settleable Solids	mL/L	Daily Max	0.3	Non-detect	0/60	0.3	TOGS 1.3.3	-	None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages				703.2	-	TBEL
	Consistent with TOGS 1.3.3, the effluent limitation is equal to the TBEL of 0.3 mL/L for POTWs providing secondary treatment without filtration. Given that adequate dilution is available the TBEL is protective of WQS.														
Nitrogen, Ammonia (as N)	mg/L	Monthly Avg	4.68	1.52	60/0	-	-	-	-	0.73	A(C)	4.68	703.5	-	WQBEL
	The WQS for Ammonia was determined from a pH of 7.92 SU, a temperature of 25°C, and a salinity of 25 ppt. The permit limit was developed using ambient data for pH, temperature, salinity, and ammonia-nitrogen. The data was collected by the permittee over a one-year period and provided to DEC.														
	The WQBEL was calculated from the chronic water quality standard, chronic dilution ratio, and an assumed negligible upstream ambient concentration.The existing permit limit is equal to the calculated WQBEL and is protective of water quality and has been specified.														
	Reporting for Ammonia has been changed from (as NH ₃) to (as N) for simpler data reporting, as this is consistent with the laboratory reporting units. Values can be converted using the equation: Ammonia (as N) = Ammonia (as NH ₃) x 0.8224. The WQS has been converted from 0.89 (as NH ₃) to 0.73 (as N). The existing permit limit of 5.7 mg/L (as NH ₃) has been converted to 4.68 mg/L (as N).														
Nitrogen, Total Kjeldahl (TKN)	mg/L	Daily Max	Monitor	5.91	18/2	Monitor	TOGS 1.3.3	-	-	-	-	-	-	-	Monitor
	Consistent with TOGS 1.3.3, all POTWs with a design flow of 1.0 MGD or greater must monitor for influent and effluent Total Kjeldahl Nitrogen (TKN).														
Nitrate (as N)	mg/L	Daily Max	Monitor	26.62	19/1	Monitor	TOGS 1.3.3	-	-	-	-	-	-	-	Monitor
	Consistent with TOGS 1.3.3, discharges from POTWs to saline waters are required to monitor for Nitrate (as N).														
Nitrite (as N)	mg/L	Daily Max	Monitor	0.19	6/14	Monitor	TOGS 1.3.3	-	-	-	-	-	-	-	Monitor
	Consistent with TOGS 1.3.3, discharges from POTWs to saline waters are required to monitor for Nitrite (as N).														
Orthophosphate (as P)	mg/L	Daily Max	Monitor	24.21	19/1	Monitor	TOGS 1.3.3	-	-	-	-	-	-	-	Monitor
	Consistent with TOGS 1.3.3 permits for discharges with design flows greater than 1 MGD and to saline waters shall require influent and effluent monitoring for total phosphorus and orthophosphate.														

Outfall #	001	Description of Wastewater: Treated Sanitary Sewage													
		Type of Treatment: Grit Removal, Primary Clarification, Trickling Filters, Secondary Clarification, Chlorination													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁸	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Total Phosphorus (as P)	mg/L	Daily Max	Monitor	7.62	20/0	Monitor	TOGS 1.3.3	-	None in amounts that will result in growths of algae, weeds and slimes that will impair the waters for their best usages.				703.2	-	Monitor
	Consistent with TOGS 1.3.3 permits for discharges with design flows greater than 1 MGD and to saline waters shall require influent and effluent monitoring for total phosphorus and orthophosphate.														
Total Mercury	ng/L	Daily Max	-	7.32	1/0	-	-	-	-	0.7	H(FC)	-	-	-	DOW 1.3.10
	See Mercury section of this fact sheet.														
Coliform, Fecal	#/100 ml	30d Geo Mean	200	17.39	60/0	200	TOGS 1.3.3	-	The monthly geometric mean, from a minimum of five examinations, shall not exceed 200.				703.4	-	TBEL
		7d Geo Mean	400	446.67	60/0	400	TOGS 1.3.3	-					-	-	
		6 cons. hour mean	800	-	-	-	-	-	-				-	-	IEC
		Individual Sample	2400	-	-	-	-	-	-				-	-	IEC
	The 7-day geometric mean existing effluent quality is based on the 99% lognormal. The actual maximum reported value is 308 #/100ml. Consistent with TOGS 1.3.3, effluent disinfection is required year-round due to the class of the receiving waterbody. Fecal coliform effluent limitations equal to the TBEL have been specified.														
Coliform, Total	#/100 ml	Monthly Median	700	161.96	60/0	700	Antibacksliding	-	The monthly median value and more than 20 percent of the samples, from a minimum of five examinations, shall not exceed 2,400 and 5,000, respectively.				703.4	-	Antibacksliding
	Consistent with TOGS 1.3.3 and DEC guidelines, effluent disinfection is required year-round due to the class of the receiving waterbody. This is a continuation of the existing, agreed-upon limit.														
Total Residual Chlorine (TRC)	mg/L	Daily Max	0.5	0.49	60/0	2.0	TOGS 1.3.3	-	-	0.013	A(A)	0.015	703.5	0.03	ML
	Effluent disinfection is currently required year-round and has been continued.														
	The WQBEL was calculated by multiplying the acute WQS by the acute dilution ratio as it is more conservative. The calculated WQBEL is less than the TBEL and less than the minimum level of detection. Therefore, an effluent limitation equal to the minimum level of detection of 0.03 mg/L is appropriate.														

Full Technical Review

Outfall #	001	Description of Wastewater: Treated Sanitary Sewage													
		Type of Treatment: Grit Removal, Primary Clarification, Trickling Filters, Secondary Clarification, Chlorination													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁸	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Zinc, Total	mg/L	Daily Max	Monitor	0.10	20/0	-	-	-	0.022	0.066	A(C)	No Reasonable Potential	40 CFR 122.44 (RSAT)	-	No Limitation
	The projected instream concentration was calculated using the 99% lognormal effluent concentration of 0.10 mg/L calculated from 20 samples over a 5-year period and a negligible ambient upstream concentration. A multiplier, as recommended in EPA's Technical Support Document Chapter 3.3, of 1.40 was applied to the projected effluent to account for the number of samples. A comparison of the projected instream concentration to the WQS indicates no reasonable potential to cause or contribute to a WQS violation. Therefore, no WQBEL is specified. Monitoring is being removed.														
Additional Pollutants Detected															
Total Nitrogen	mg/L	-	-	10.9 Max	1/0	-	-	-	-	-	-	-	-	-	No Limitation
	Total Nitrogen was detected as reported in the NY-2A application. There is no numeric WQS or numeric GV for translation of the narrative WQS for Total Nitrogen for Class SA waterbodies. Therefore, no limitation or monitoring has been specified.														
Total Dissolved Solids	mg/L	-	-	870 Max	1/0	-	-	-	-	-	-	-	-	-	No Limitation
	Total Dissolved Solids was detected as reported in the NY-2A application. There is no numeric WQS or numeric GV for translation of the narrative WQS for Total Dissolved Solids for Class SA waterbodies. Therefore, no limitation or monitoring has been specified.														
Selenium, Total	mg/L	-	-	30	1/0	-	-	-	-	-	-	-	-	-	No Limitation
	Selenium, Total was detected as reported in the NY-2A application. There is no numeric WQS or numeric GV for translation of the narrative WQS for Selenium, Total for Class SA waterbodies. Therefore, no limitation or monitoring has been specified.														
Cyanide, Total	mg/L	-	-	0.0157	1/0	-	-	-	0.0152	9	A(C)	No Reasonable Potential	40 CFR 122.44 (RSAT)	-	No Limitation
	Cyanide, Total was detected as reported in the NY-2A application. The projected instream concentration was calculated using a maximum reported effluent concentration of 0.0157 mg/L and a negligible ambient upstream concentration. A multiplier, as recommended in EPA's Technical Support Document Chapter 3.3, of 6.20 was applied to the projected effluent to account for the number of samples. A comparison of the projected instream concentration to the WQS indicates no reasonable potential to cause or contribute to a WQS violation. Therefore, no WQBEL is specified.														
Bromoform	µg/L	-	-	20.2	1/0	-	-	-	-	-	-	-	-	-	No Limitation
	Bromoform was detected as reported in the NY-2A application. There is no numeric WQS or numeric GV for translation of the narrative WQS for Bromoform for Class SA waterbodies. Therefore, no limitation or monitoring has been specified.														
Chlorodibromomethane	µg/L	-	-	40.9	1/0	-	-	-	-	-	-	-	-	-	No Limitation
	Chlorodibromomethane was detected as reported in the NY-2A application. There is no numeric WQS or numeric GV for translation of the narrative WQS for Chlorodibromomethane for Class SA waterbodies. Therefore, no limitation or monitoring has been specified.														

Permittee: Greater Atlantic Beach Water Reclamation District
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 SPDES Number: NY0023523
 USEPA Major/Class 05 Municipal

Date: February 6, 2026 v.1.37
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Full Technical Review

Outfall #	001	Description of Wastewater: Treated Sanitary Sewage													
		Type of Treatment: Grit Removal, Primary Clarification, Trickling Filters, Secondary Clarification, Chlorination													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁸	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Chloroform	µg/L	-	-	14.3	1/0	-	-	-	-	-	-	-	-	-	No Limitation
	Chloroform was detected as reported in the NY-2A application. There is no numeric WQS or numeric GV for translation of the narrative WQS for Chloroform for Class SA waterbodies. Therefore, no limitation or monitoring has been specified.														
Dichlorobromomethane	µg/L	-	-	25.7	1/0	-	-	-	-	-	-	-	-	-	No Limitation
	Dichlorobromomethane was detected as reported in the NY-2A application. There is no numeric WQS or numeric GV for translation of the narrative WQS for Dichlorobromomethane for Class SA waterbodies. Therefore, no limitation or monitoring has been specified.														
δ-BHC	µg/L	-	-	0.031	1/0	-	-	-	0.03	0.008	H(FC)	0.05	40 CFR 122.44 (RSAT)	-	STHIM
	δ-BHC was detected as reported in the NY-2A application. The projected instream concentration was calculated using a maximum reported effluent concentration of 0.031 µg/L and a negligible ambient upstream concentration. A multiplier, as recommended in EPA's Technical Support Document Chapter 3.3, of 6.20 was applied to the projected effluent to account for the number of samples. A comparison of the projected instream concentration to the WQS indicates reasonable potential to cause or contribute to a WQS violation. Very limited data is available to confirm the presence or absence of this parameter and evaluate reasonable potential to cause or contribute to a WQS violation. Consistent with TOGS 1.3.3, short-term high-intensity monitoring (STHIM) is being required for parameter to generate the data necessary to perform a future reasonable potential analysis. See Special Conditions and the Schedule of Additional Submittals.														

Outfall 001 (Emerging Contaminants)

Emerging Contaminants: Outfall # 001															
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁹	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Notes: See Emerging Contaminant Monitoring section above. Effluent samples were analyzed for the 40 PFAS compounds and 1,4-Dioxane.															
Perfluoro-butanoic Acid (PFBA)	ng/L	Daily Max	-	17.2	1/0	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-pentanoic Acid (PFPeA)	ng/L	Daily Max	-	9.04	1/0	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-hexanoic Acid (PFHxA)	ng/L	Daily Max	-	11	1/0	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-heptanoic Acid (PFHpA)	ng/L	Daily Max	-	4.09	1/0	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-octanoic Acid (PFOA)	ng/L	Daily Max	-	17.7 Actual Max	1/0	10 Action Level	BPJ MCL	-	-	-	-	-	-	-	Action Level
	Due to the presence of PFOA and PFOS, the permit includes an action level equal to the NYSDOH MCL of 10 ng/L. See the Emerging Contaminant Monitoring and Action Level sections for more information.														
Perfluoro-nonanoic Acid (PFNA)	ng/L	Daily Max	-	3.77	1/0	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-decanoic Acid (PFDA)	ng/L	Daily Max	-	1.53	1/0	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-undecanoic Acid (PFUnA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														

⁹ Existing Effluent Quality: Unless otherwise stated, Daily Max = 99% lognormal; Monthly Avg = 95% lognormal (for datasets with ≤3 nondetects); Daily Max = 99% delta-lognormal; Monthly Avg = 95% delta-lognormal (for datasets with >3 nondetects)

Emerging Contaminants: Outfall # 001															
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁹	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Perfluoro-dodecanoic Acid (PFDoA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
Monitoring has been added to support establishment of future standards or TBELs.															
Perfluoro-tridecanoic Acid (PFTriA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
Monitoring has been added to support establishment of future standards or TBELs.															
Perfluoro-tetradecanoic Acid (PFTeA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
Monitoring has been added to support establishment of future standards or TBELs.															
Perfluoro-butanesulfonic Acid (PFBS)	ng/L	Daily Max	-	3.34	1/0	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
Monitoring has been added to support establishment of future standards or TBELs.															
Perfluoro-pentanesulfonic Acid (PFPeS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
Monitoring has been added to support establishment of future standards or TBELs.															
Perfluoro-hexanesulfonic Acid (PFHxS)	ng/L	Daily Max	-	2.3	1/0	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
Monitoring has been added to support establishment of future standards or TBELs.															
Perfluoro-heptanesulfonic Acid (PFHpS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
Monitoring has been added to support establishment of future standards or TBELs.															
Perfluoro-octanesulfonic Acid (PFOS)	ng/L	Daily Max	-	8.04 Actual Max	1/0	10 Action Level	BPJ MCL	-	7.79	41,000	A(C)	No Reasonable Potential	TOGS 1.1.1	-	Action Level
The projected instream concentration was calculated using the maximum reported effluent concentration of 8.04 ng/L, a multiplier of 6.2, the chronic dilution ratio, and an assumed negligible upstream ambient concentration. The multiplier was selected from EPA's Technical Support Document Chapter 3.3 to account for the number of samples. A comparison of the projected instream concentration to the guidance value indicates no reasonable potential to cause or contribute to a water quality violation. However, due to the presence of PFOA and PFOS, the permit includes an action level equal to the NYSDOH MCL of 10 ng/L. See the Emerging Contaminant Monitoring and Action Level sections for more information.															
Perfluoro-nonanesulfonic Acid (PFNS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
Monitoring has been added to support establishment of future standards or TBELs.															

Emerging Contaminants: Outfall # 001															
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁹	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Perfluoro-decanesulfonic Acid (PFDS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-dodecane-sulfonic Acid (PFDoS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-octane-sulfonamide (PFOSA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
N-methyl Perfluoro-octanesulfon-amidoacetic Acid (NMeFOSAA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
N-ethyl Perfluoro-octanesulfon-amidoacetic Acid (NEtFOSAA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
4:2 Fluorotelomer Sulfonic Acid (FTS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
6:2 Fluorotelomer Sulfonic Acid (FTS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
8:2 Fluorotelomer Sulfonic Acid (FTS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														

Emerging Contaminants: Outfall # 001															
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁹	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
N-ethyl Perfluoro-octanesulfonamide (NEtFOSA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
Monitoring has been added to support establishment of future standards or TBELs.															
N-methyl Perfluoro-octanesulfonamide (NMeFOSA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
Monitoring has been added to support establishment of future standards or TBELs.															
N-methyl Perfluoro-octanesulfonamidoethanol (NMeFOSE)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
Monitoring has been added to support establishment of future standards or TBELs.															
N-ethyl Perfluoro-octanesulfonamidoethanol (NEtFOSE)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
Monitoring has been added to support establishment of future standards or TBELs.															
9-Chlorohexadeca-fluoro-3-oxanonane-1-sulfonic Acid (9Cl-PF3ONS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
Monitoring has been added to support establishment of future standards or TBELs.															
Hexafluoro-propylene Oxide Dimer Acid (HFPO-DA or GenX)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
Monitoring has been added to support establishment of future standards or TBELs.															
11-Chloroeicosafluoro-3-oxaundecane-1-sulfonic Acid (11Cl-PF3OUs)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
Monitoring has been added to support establishment of future standards or TBELs.															

Emerging Contaminants: Outfall # 001															
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁹	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
4,8-Dioxa-3H-perfluorononanoic Acid (ADONA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
3-Perfluoropropyl Propanoic Acid (3:3 FTCA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
2H,2H,3H,3H-Perfluoro-octanoic Acid (5:3 FTCA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
3-Perfluoroheptyl Propanoic Acid (7:3 FTCA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
Nonafluoro-3,6-dioxaheptanoic Acid (NFDHA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-4-methoxy-butanoic Acid (PFMBA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-3-methoxy-propanoic Acid (PFMPA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro(2-ethoxyethane)sulfonic Acid (PFEEESA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Monitor 750-1.13(b)
	Monitoring has been added to support establishment of future standards or TBELs.														
1,4-Dioxane	µg/L	Daily Max	-	ND	0/1	-	-	-	-	7,000	A(C)	No Reasonable Potential	TOGS 1.1.1	-	No Limitation
	1,4-Dioxane was sampled for as part of the NY-2A application. No detections were identified. Therefore, no limitation or monitoring is required.														

Appendix: Regulatory and Technical Basis of Permit Authorizations

The Appendix is meant to supplement the fact sheet for multiple types of SPDES permits. Portions of this Appendix may not be applicable to this specific permit.

Regulatory References

The provisions of the permit are based largely upon 40 CFR 122 subpart C and 6 NYCRR Part 750 and include monitoring, recording, reporting, and compliance requirements, as well as general conditions applicable to all SPDES permits. Below are the most common citations for the requirements included in SPDES permits:

- Clean Water Act (CWA) 33 section USC 1251 to 1387
- Environmental Conservation Law (ECL) Articles 17 and 70
- Federal Regulations
 - o 40 CFR, Chapter I, subchapters D, N, and O
- State environmental regulations
 - o 6 NYCRR Part 621
 - o 6 NYCRR Part 750
 - o 6 NYCRR Parts 700 - 704 – Best use and other requirements applicable to water classes
 - o 6 NYCRR Parts 800 – 941 - Classification of individual surface waters
- NYSDEC water program policy, referred to as Technical and Operational Guidance Series (TOGS)
- USEPA Office of Water Technical Support Document for Water Quality-based Toxics Control, March 1991, Appendix E

The following is a quick guide to the references used within the fact sheet:

SPDES Permit Requirements	Regulatory Reference
Anti-backsliding	6 NYCRR 750-1.10(c)
Best Management Practices (BMPS) for CSOs	6 NYCRR 750-2.8(a)(2)
Environmental Benefits Permit Strategy (EBPS)	6 NYCRR 750-1.18, NYS ECL 17-0817(4), TOGS 1.2.2 (revised January 25,2012)
Exceptions for Type I SSO Outfalls (bypass)	6 NYCRR 750-2.8(b)(2), 40 CFR 122.41
Mercury Multiple Discharge Variance	Division of Water Program Policy 1.3.10 (DOW 1.3.10)
Mixing Zone and Critical Water Information	TOGS 1.3.1 & Amendments
PCB Minimization Program	40 CFR Part 132 Appendix F Procedure 8, 6 NYCRR 750-1.13(a) and 750-1.14(f), and TOGS 1.2.1
Pollutant Minimization Program (PMP)	6 NYCRR 750-1.13(a), 750-1.14(f), TOGS 1.2.1
Schedules of Compliance	6 NYCRR 750-1.14
Sewage Pollution Right to Know (SPRTK)	NYS ECL 17-0826-a, 6 NYCRR 750-2.7
State Administrative Procedure Act (SAPA)	State Administrative Procedure Act Section 401(2), 6 NYCRR 621.11(l)
State Environmental Quality Review (SEQR)	6 NYCRR Part 617
USEPA Effluent Limitation Guidelines (ELGs)	40 CFR Parts 405-471
USEPA National CSO Policy	33 USC Section 1342(q)
Whole Effluent Toxicity (WET) Testing	TOGS 1.3.2
General Provisions of a SPDES Permit Department Request for Additional Information	NYCRR 750-2.1(i)

Outfall and Receiving Water Information

Impaired Waters

The [NYS 303\(d\) List of Impaired/TMDL Waters](#) identifies waters where specific best usages are not fully supported. The state must consider the development of a Total Maximum Daily Load (TMDL) or other strategy to reduce the input of the specific pollutant(s) that restrict waterbody uses, in order to restore and protect such uses. SPDES permits must include effluent limitations necessary to implement a waste load allocation (WLA) of an EPA-approved TMDL (6 NYCRR 750-1.11(a)(5)(ii)), if applicable. In accordance with 6 NYCRR 750-1.13(a), permittees discharging to waters which are on the list but do not yet have a TMDL developed may be required to perform additional monitoring for the parameters causing the impairment. Accurate monitoring data is needed

to determine the existing capabilities of the wastewater treatment plants and to assure that WLAs are allocated equitably.

Interstate Water Pollution Control Agencies

Some POTWs may be subject to regulations of interstate basin/compact agencies including: Interstate Sanitation Commission (ISC), International Joint Commission (IJC), Delaware River Basin Commission (DRBC), Ohio River Valley Water Sanitation Commission (ORSANCO), and the Susquehanna River Basin Commission (SRBC). Generally, basin commission requirements focus principally on water quality and not treatment technology. However, interstate/compact agency regulations for the ISC, IJC, DRBC and NYC Watershed contain explicit effluent limits which must be addressed during permit drafting. 6 NYCRR 750-2.1(d) requires SPDES permits for discharges that originate within the jurisdiction of an interstate water pollution control agency, to include any applicable effluent standards or water quality standards (WQS) promulgated by that interstate agency.

Existing Effluent Quality

The existing effluent quality is determined from a statistical evaluation of effluent data 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 (TSD). The existing effluent quality is equal to the 95th (monthly average) and 99th (daily maximum) percentiles of the lognormal distribution of existing effluent data. When there are greater than three non-detects, a delta-lognormal distribution is assumed, and delta-lognormal calculations are used to determine the monthly average and daily maximum pollutant concentrations. Statistical calculations are not performed for parameters where there are less than ten data points. If additional data is needed, a monitoring requirement may be specified either through routine monitoring or a short-term high intensity monitoring program. The [Pollutant Summary Table](#) identifies the number of sample data points available.

Permit Requirements

Basis for Effluent Limitations

Sections 101, 301, 304, 308, 401, 402, and 405 of the CWA and Titles 5, 7, and 8 of Article 17 ECL, as well as their implementing federal and state regulations, and related guidance, provide the basis for the effluent limitations and other conditions in the permit.

When conducting a full technical review of an existing permit, the previous effluent limitations form the basis for the next permit. Existing effluent quality is evaluated against the existing effluent limitations to determine if these should be continued, revised, or deleted. Generally, existing limitations are continued unless there are changed conditions at the facility, the facility demonstrates an ability to meet more stringent limitations, or in response to updated regulatory requirements. Pollutant monitoring data is also reviewed to determine the presence of additional contaminants that should be included in the permit based on a reasonable potential analysis to cause or contribute to a water quality standards violation.

Anti-backsliding

Anti-backsliding requirements are specified in the CWA sections 402(o) and 303(d)(4), ECL 17-0809, and regulations at 40 CFR 122.44(l) and 6 NYCRR 750-1.10(c) and (d). Generally, the relaxation of effluent limitations in permits is prohibited unless one of the specified exceptions applies, which will be cited on a case-by-case basis in this fact sheet. Consistent with current case law¹⁰ and USEPA interpretation¹¹ anti-backsliding requirements do not apply should a revision to the final effluent limitation take effect before the scheduled date of compliance for that final effluent limitation.

¹⁰ American Iron and Steel Institute v. Environmental Protection Agency, 115 F.3d 979, 993 n.6 (D.C. Cir. 1997)

¹¹ U.S. EPA, Water Quality Standards; Establishment of Numeric Criteria for Priority Toxic Pollutants for the State of California; 65 Fed. Reg. 31682, 31704 (May 18, 2000); Proposed Water Quality Guidance for the Great Lakes System, 58 Fed. Reg. 20802, 20837 & 20981 (April 16, 1993)

Antidegradation Policy

New York State implements the antidegradation portion of the CWA based upon two documents: (1) Organization and Delegation Memorandum #85-40, "Water Quality Antidegradation Policy" (September 9, 1985); and, (2) TOGS 1.3.9, "Implementation of the NYSDEC Antidegradation Policy – Great Lakes Basin (Supplement to Antidegradation Policy dated September 9, 1985) (undated)." The permit for the facility contains effluent limitations which ensure that the existing best usage of the receiving waters will be maintained. To further support the antidegradation policy, SPDES applications have been reviewed in accordance with the State Environmental Quality Review Act (SEQR) as prescribed by 6 NYCRR Part 617.

Effluent Limitations

In developing a permit, the DEC determines the technology-based effluent limitations (TBELs) and 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 of water quality criteria to occur, water quality-based effluent limitations (WQBELs) are developed. A WQBEL is designed to ensure that the water quality standards of receiving waters are met. In general, the CWA requires that the effluent limitations for a particular pollutant are the more stringent of either the TBEL or WQBEL.

Technology-based Effluent Limitations (TBELs)

CWA sections 301(b)(1)(B) and 304(d)(1), 40 CFR 133.102, ECL section 17-0509, and 6 NYCRR 750-1.11 require technology-based controls, known as secondary treatment. These and other requirements are summarized in TOGS 1.3.3. Where the TBEL is more stringent than the WQBEL, the TBEL is applied as a limit in accordance with TOGS 1.3.3. Equivalent secondary treatment, as defined in 40 CFR 133.105, allow for effluent limitations of the more stringent of the consistently achievable concentrations or monthly/weekly averages of 45/65 mg/L, and the minimum monthly average of at least 65% removal. Consistently achievable concentrations are defined in 40 CFR 133.101(f) as the 95th percentile value for the 30-day (monthly) average effluent quality achieved by the facility in a period of two years. The achievable 7-day (weekly) average value is equal to 1.5 times the 30-day average value calculated above. Equivalent secondary treatment applies to those facilities where the principal treatment process is either a trickling filter or a waste stabilization pond; the treatment works provides significant biological treatment of municipal wastewater; and, the effluent concentrations consistently achievable through proper operation and maintenance of the facility cannot meet traditional secondary treatment requirements. There are no federal technology-based standards for toxic pollutants from POTWs. A statistical analysis of existing effluent data, as described in TOGS 1.2.1, may be used to establish other performance-based TBELs.

Water Quality-Based Effluent Limitations (WQBELs)

In addition to the TBELs, permits must include additional or more stringent effluent limitations and conditions, including those necessary to protect water quality. CWA sections 101 and 301(b)(1)(C), 40 CFR 122.44(d)(1), and 6 NYCRR 750-1.11 require that permits include limitations for all pollutants or parameters which are or may be discharged at a level which may cause or contribute to an exceedance of any State water quality standard adopted pursuant to NYS ECL 17-0301. Additionally, 6 NYCRR 701.1 prohibits the discharge of pollutants that will cause impairment of the best usages of the receiving water as specified by the water classifications at the location of discharge and at other locations that may be affected by such discharge. Water quality standards can be found under 6 NYCRR Parts 700-704. The limitations must be stringent enough to ensure that water quality standards are met at the point of discharge and in downstream waters and must be consistent with any applicable WLA which may be in effect through a TMDL for the receiving water. These and other requirements are summarized in TOGS 1.1.1, 1.3.1, 1.3.2, 1.3.5 and 1.3.6. The DEC considers a mixing zone analysis, critical flows, and reasonable potential analysis when developing a WQBEL.

Mixing Zone Analyses

In accordance with TOGS 1.3.1., the DEC may perform additional analysis of the mixing condition between the effluent and the receiving waterbody. Mixing zone analyses using plume dispersion modeling are conducted in accordance with the following:

"EPA Technical Support Document for Water Quality-Based Toxics Control" (March 1991); EPA Region VIII's "Mixing Zones and Dilution Policy" (December 1994); NYSDEC TOGS 1.3.1, "Total Maximum Daily Loads and Water Quality-Based Effluent Limitations" (July 1996); "CORMIX v11.0" (2019).

Critical Flows

In accordance with TOGS 1.2.1 and 1.3.1, WQBELs are developed using dilution ratios that relate the critical low flow condition of the receiving waterbody to the critical effluent flow. The critical low flow condition used in the dilution ratio will be different depending on whether the limitations are for aquatic or human health protection. For chronic aquatic protection, the critical low flow condition of the waterbody is typically represented by the 7Q10 flow and is calculated as the lowest average flow over a 7-day consecutive period within 10 years. For acute aquatic protection, the critical low flow condition is typically represented by the 1Q10 and is calculated as the lowest 1-day flow within 10 years. However, NYSDEC considers using 50% of the 7Q10 to be equivalent to the 1Q10 flow. For the protection of human health, the critical low flow condition is typically represented by the 30Q10 flow and is calculated as the lowest average flow over a 30-day consecutive period within 10 years. However, NYSDEC considers using $1.2 \times 7Q10$ to be equivalent to the 30Q10. The 7Q10 or 30Q10 flow is used with the critical effluent flow to calculate the dilution ratio. The critical effluent flow can be the maximum daily flow reported on the permit application, the maximum of the monthly average flows from discharge monitoring reports for the past three years, or the facility design flow. When more than one applicable standard exists for aquatic or human health protection for a specific pollutant, a reasonable potential analysis is conducted for each applicable standard and corresponding critical flow to ensure effluent limitations are sufficiently stringent to ensure all applicable water quality standards are met as required by 40 CFR 122.44(d)(1)(i). For brevity, the pollutant summary table reports the results of the most conservative scenario.

Reasonable Potential Analysis (RPA)

The Reasonable Potential Analysis (RPA) is a statistical estimation process, outlined in the 1991 USEPA Technical Support Document for Water Quality-based Toxics Control (TSD), Appendix E. This process uses existing effluent quality data and statistical variation methodology to project the maximum amounts of pollutants that could be discharged by the facility. This projected instream concentration (PIC) is calculated using the appropriate ratio and compared to the water quality standard (WQS). When the RPA process determines the WQS may be exceeded, a WQBEL is required. The procedure for developing WQBELs includes the following steps:

- 1) identify the pollutants present in the discharge(s) based upon existing data, sampling data collected by the permittee as part of the permit application or a short-term high intensity monitoring program, or data gathered by the DEC;
- 2) identify water quality criteria applicable to these pollutants;
- 3) determine if WQBELs are necessary (i.e. reasonable potential analysis (RPA)). The RPA will utilize the procedure outlined in Chapter 3.3.2 of EPA's Technical Support Document (TSD). As outlined in the TSD, for parameters with limited effluent data the RPA may include multipliers to account for effluent variability; and,
- 4) calculate WQBELs (if necessary). Factors considered in calculating WQBELs include available dilution of effluent in the receiving water, receiving water chemistry, and other pollutant sources.

The DEC uses modeling tools to estimate the expected concentrations of the pollutant in the receiving water and develop WQBELs. These tools were developed in part using the methodology referenced above. If the estimated concentration of the pollutant in the receiving water is expected to exceed the ambient water quality standard or guidance value (i.e. numeric interpretation of a narrative water quality standard), then there is a reasonable potential that the discharge may cause or contribute to an exceedance of any State water quality standard adopted pursuant to

NYS ECL 17-0301. If a TMDL is in place, the facility's WLA for that pollutant is applied as the WQBEL.

For carbonaceous and nitrogenous oxygen demanding pollutants, the DEC uses a model which incorporates the Streeter-Phelps equation. The equation relates the decomposition of inorganic and organic materials along with oxygen reaeration rates to compute the downstream dissolved oxygen concentration for comparison to water quality standards.

The Division of Water has been using the TMDL approach in permit limit development for the control of toxic substances. Since the early 1980's, the loading capacity for specific pollutants has been determined for each drainage basin. Water quality-limiting segments and pollutants have been identified, TMDLs, wasteload allocations and load allocations have been developed, and permits with water quality-based effluent limits have been issued. In accordance with TOGS 1.3.1, the Division of Water implements a Toxics Reduction Strategy which is committed to the application of the TMDL process using numeric, pollutant-specific water quality standards through the Watershed Approach. The Watershed Approach accounts for the cumulative effect of multiple discharges of conservative toxic pollutants to ensure water quality standards are met in downstream segments.

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. TOGS 1.3.1 includes guidance for determining when aquatic toxicity testing should be included in SPDES permits. The authority to require toxicity testing is in 6 NYCRR 702.9. TOGS 1.3.2 describes the procedures which should be followed when determining whether to include toxicity testing in a SPDES permit and how to implement a toxicity testing program. Per TOGS 1.3.2, WET testing may be required when any one of the following seven criteria are 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. POTWs 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.

Minimum Level of Detection

Pursuant to 40 CFR 122.44(i)(1)(iv) and 6 NYCRR 750-2.5(d), SPDES permits must contain monitoring requirements using sufficiently sensitive test procedures approved under 40 CFR Part 136. A method is "sufficiently sensitive" when the method's minimum level (ML) is at or below the level of the effluent limitation established in the permit for the measured pollutant parameter; or the lowest ML of the analytical methods approved under 40 CFR Part 136. The ML represents the lowest level that can be measured within specified limitations of precision and accuracy during routine laboratory operations on most effluent matrices. When establishing effluent limitations for a specific parameter (based on technology or water quality requirements), it is possible that the calculated limitation will fall below the ML established by the approved analytical method(s). In these instances, the calculated limitation is included in the permit with a compliance level set equal to the ML of the most sensitive method.

Monitoring Requirements

CWA section 308, 40 CFR 122.44(i), 6 NYCRR 750-1.13, and 750-2.5 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 reporting results on Discharge Monitoring Reports (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 and characterize the nature of the discharge of the monitored flow or pollutant. Variable effluent flows and pollutant levels may be required to be monitored at more frequent intervals than relatively constant effluent flow and pollutant levels (6 NYCRR 750-1.13). For industrial facilities, sampling frequency is based on guidance provided in TOGS 1.2.1. For municipal facilities, sampling frequency is based on guidance provided in TOGS 1.3.3.

Action Levels

As defined in 6 NYCRR 750-1.2(a)(2), when used in a SPDES permit, an Action Level means a monitoring requirement characterized by a numerical value that, when exceeded, triggers additional permittee monitoring and DEC review to determine if numerical effluent limitations should be imposed.

The application of an Action Level is provided in TOGS 1.2.1. If the Action Level is exceeded, the permittee is required to conduct confirmatory monitoring. If Action Levels are routinely or excessively exceeded, they will be reconsidered and adjusted or replaced by limits in accordance with the Environmental Benefit Permit Strategy (EBPS). An Action Level is not a limit, and an exceedance does not constitute a permit violation unless the confirmatory sampling is not performed in accordance with the permit requirements.

Other Conditions

Mercury

The MDV is necessary because human-caused conditions or sources of mercury prevent attainment of the WQS and cannot be remedied (i.e., mercury is ubiquitous in New York waters at levels above the WQS and compliance with a water quality based effluent limitation (WQBEL) for mercury cannot be achieved with demonstrated effluent treatment technologies). The multiple discharge variance (MDV) for mercury was developed in accordance with 6 NYCRR 702.17(h) "to address widespread standard or guidance value attainment issues including the presence of a ubiquitous pollutant or naturally high levels of a pollutant in a watershed." The first MDV was issued in October 2010, and subsequently revised and reissued in 2015, 2020 and 2025; each subsequent iteration of the MDV is designed to build off the previous version, to make reasonable progress towards the water quality standard (WQS) of 0.7 ng/L dissolved mercury. The DEC determined that the MDV is consistent with the protection of public health, safety, and welfare. During the effective period of the 2025 MDV, any increased risks to human health are mitigated by fish consumption advisories issued periodically by the NYSDOH.

DOW 1.3.10 explains which surface water permittees are eligible for the MDV.

Schedules of Compliance

Schedules of compliance are included in accordance with 40 CFR Part 132 Attachment F, Procedure 9, 40 CFR 122.47 and 6 NYCRR 750-1.14. Schedules of compliance are intended to, in the shortest reasonable time, achieve compliance with applicable effluent standards and limitations, water quality standards, and other applicable requirements. Where the time for compliance is more than nine months, the schedule of compliance must include interim requirements and dates for their achievement. If the time necessary to complete the interim milestones is more than nine months, and not readily divisible into stages for completion, progress reports must be required.

Emerging Contaminants

Emerging Contaminants, such as Perfluorooctanoic acid (PFOA), Perfluorooctanesulfonic acid (PFOS), and 1,4-Dioxane (1,4-D), have been used in a wide variety of consumer and industrial products as well as in manufacturing processes for decades. Based on available research, water quality assessments for 1,4-D will follow existing WQBEL development. PFOA and PFOS do not break down easily; therefore, their presence in wastewater can remain a concern for years following their discontinued use. As the science surrounding these

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Full Technical Review

contaminants is still evolving, additional monitoring is needed to better understand potential sources and background levels. For more information on emerging contaminants, please see the DEC Division of Water web page: [Emerging Contaminants In NY's Waters - NYSDEC](#).

Schedule(s) of Additional Submittals

Schedules of Additional Submittals are used to summarize the deliverables required by the permit not identified in a separate Schedule of Compliance.