



Department of
Environmental
Conservation

State Pollutant Discharge Elimination System (SPDES) DISCHARGE PERMIT

SIC Code: 8999	NAICS Code: 623110	SPDES Number:	NY0022101
Discharge Class (CL):	09	DEC Number:	3-3330-00035/00004
Toxic Class (TX):	T	Effective Date (EDP):	TDB
Major-Sub Drainage Basin:	13 - 06	Expiration Date (ExDP):	TBD
Water Index Number:	H-139-13-56	Item No.: 855.5 - 202	Modification Dates (EDPM):
Compact Area:			

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:	Orange County	Attention:	Erik Denega, P.E., Commissioner of Public Works
Street:	P.O. Box 509		
City:	Goshen	State:	NY Zip Code: 10924-0509
Email:	edenega@orangecountygov.com	Phone:	(845) 291-2750

is authorized to discharge from the facility described below:

FACILITY NAME, ADDRESS, AND PRIMARY OUTFALL							
Name:	Valley View Center						
Address / Location:	2 Glenmere Cove Road				County:	Orange	
City:	Goshen			State:	NY	Zip Code:	10924-6059
Facility Location:	Latitude:	41 °	21 ' 20 " N	& Longitude:	74 °	21 ' 53 " W	
Primary Outfall No.:	001	Latitude:	41 °	21 ' 30 " N	& Longitude:	74 °	22 ' 08 " W
Outfall Description:	Treated Sanitary	Receiving Water:	Tributary of Wallkill River		Class:	C	Standard: C

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:

Permit Administrator:	Rebecca S. Crist
Address:	21 South Putt Corners Road New Paltz, NY 12561
Signature	Date

DEFINITIONS

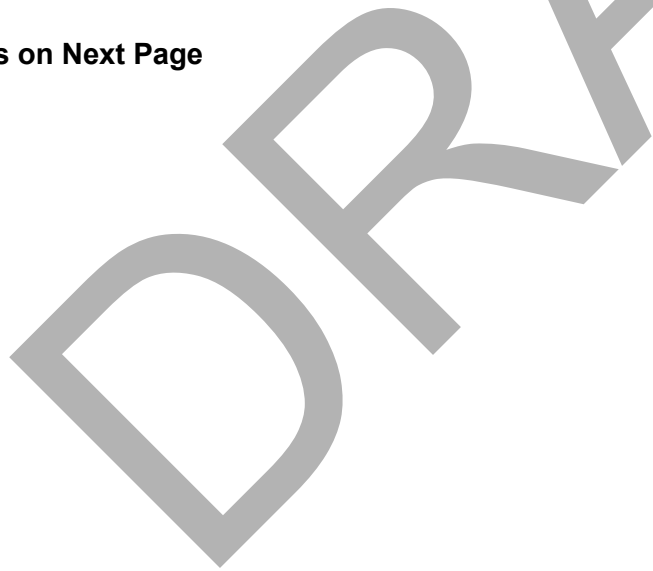
TERM	DEFINITION
7-Day Geo Mean	The highest allowable geometric mean of daily discharges over a calendar week.
7-Day Average	The average of all daily discharges for each 7-days in the monitoring period. The sample measurement is the highest of the 7-day averages calculated for the monitoring period.
12-Month 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	All Year	Tributary of Wallkill River	EDP	Upon Construction Completion ¹ + 60 Days

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
Flow	Monthly Average	0.126	MGD			Continuous	Recorder		X	
pH	Daily Minimum	6.5	SU			Daily	Grab		X	
	Daily Maximum	8.5	SU							
Temperature	Daily Maximum	Monitor	°F			Daily	Grab		X	
CBOD ₅	Daily Maximum	5.0	mg/L	5.3	lbs/d	Monthly	6-hr. Comp.	X	X	2
Total Suspended Solids (TSS)	Daily Maximum	10.0	mg/L	10.5	lbs/d	Monthly	6-hr. Comp.	X	X	2
Settleable Solids	Daily Maximum	0.1	mL/L			Daily	Grab		X	
Dissolved Oxygen	Daily Minimum	7.0	mg/L			Monthly	Grab		X	
Ammonia (as N)	Monthly Average	1.6	mg/L			Monthly	6-hr. Comp.		X	
Total Mercury	Daily Maximum	50	ng/L			Monthly	Grab	X	X	

Footnotes on Next Page



OUTFALL	LIMITATIONS APPLY	RECEIVING WATER	EFFECTIVE	EXPIRING
001	All Year	Tributary of Wallkill River	Upon Construction Completion ¹ + 60 Days	ExDP

PARAMETER	EFFLUENT LIMITATION ³					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
Flow	Monthly Average	250,000	GPD			Continuous	Recorder		X	
Flow	Daily Maximum	Monitor	GPD			Continuous	Recorder		X	
pH	Daily Minimum	6.5	SU			Daily	Grab		X	
	Daily Maximum	8.5	SU							
Temperature	Daily Maximum	Monitor	°F			Daily	Grab		X	
BOD ₅	Daily Maximum	5.0	mg/L	10	lbs/d	Monthly	6-hr. Comp.	X	X	2
Total Suspended Solids (TSS)	Daily Maximum	10	mg/L	21	lbs/d	Monthly	6-hr. Comp.	X	X	2
Settleable Solids	Daily Maximum	0.1	mL/L			Daily	Grab		X	
Dissolved Oxygen	Daily Minimum	7.0	mg/L			Monthly	Grab		X	
Ammonia (as N) June 1 st – October 31 st	Monthly Average	0.41	mg/L			Monthly	6-hr. Comp.		X	
Ammonia (as N) November 1 st – May 31 st	Monthly Average	0.59	mg/L			Monthly	6-hr. Comp.		X	
Total Phosphorus (as P)	Monthly Average	0.5	mg/L	1.0	lbs/d	Monthly	6-hr. Comp.		X	
Total Mercury	Daily Maximum	50	ng/L			Monthly	Grab	X	X	

EFFLUENT DISINFECTION		Limit	Units	Limit	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
Required Seasonal from May 1st - October 31st										
Coliform, Fecal	30-Day Geometric Mean	200	No./100 mL			Monthly	Grab		X	
Coliform, Fecal	7-Day Geometric Mean	400	No./100 mL			Monthly	Grab		X	
Chlorine, Total Residual	Daily Maximum	0.03	mg/L			Daily	Grab		X	4, 5

FOOTNOTES:

1. See Schedule of Compliance. The facility shall not commence operation until receipt of DEC acceptance of the Construction Completion Certification.
2. Effluent shall not exceed 15% and 15% of influent concentration values for BOD₅ & TSS respectively.
3. This is a final effluent limitation. Refer to page 3 of this permit for any applicable interim effluent limitations.
4. 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.
5. This is a Compliance Level. The calculated WQBEL is 0.005 mg/L.

MERCURY MINIMIZATION PROGRAM (MMP) - Type II

1. General - The permittee must develop, implement, and maintain a mercury minimization program (MMP), containing the elements set forth below, to reduce mercury effluent levels with the goal of achieving the WQBEL of 0.7 ng/L.
2. MMP Elements - The MMP must be a written document and must include any necessary drawings or maps of the facility and/or collection system. Other related documents already prepared for the facility may be used as part of the MMP and may be incorporated by reference. At a minimum, the MMP must include the following elements as described in detail below:
 - a. Monitoring - Monitoring at Outfall, influent and other locations tributary to compliance points shall be performed using either USEPA Method 1631 or another sufficiently sensitive method, as approved under 40 CFR Part 136¹. Monitoring of raw materials, equipment, treatment residuals, and other non-wastewater/non-stormwater substances may be performed using other methods as appropriate. Monitoring must be coordinated so that the results can be effectively compared between locations.

Minimum required monitoring is as follows:

- i. Sewage Treatment Plant Influent and Effluent – The permittee must collect samples at the location(s) and frequency as specified in the SPDES permit limitations table.
- ii. Key Locations and Potential Mercury Sources – The permittee must sample *key locations*, chosen to identify *potential mercury sources*, at least annually. Sampling of discharges from dental facilities in compliance with 6 NYCRR 374.4 is not required.
- iii. Hauled Wastes – The permittee must establish procedures for the acceptance of hauled waste to ensure the hauled waste is not a potential mercury source. Loads which may exceed 500 ng/L,² must receive approval from the DEC prior to acceptance.
- iv. Decreased Monitoring Requirements - Facilities with EEQ at or below 12 ng/L are eligible for the following:
 - 1) Reduced requirements, through a permittee-initiated permit modification
 - a) Conduct influent monitoring, sampling semi-annually, in lieu of monitoring within the collection system, such as at *key locations*; and
 - b) Conduct effluent compliance sampling semi-annually.
 - 2) If a facility with reduced requirements reports discharges above 12 ng/L for two of four consecutive effluent samples, the DEC may undertake a Department-initiated modification to remove the allowance of reduced requirements.
 - 3) Under the decreased permit requirements, the facility must continue to conduct a status report, as applicable in accordance with 2.c of this MMP, to determine if any waste streams have changed.
- v. Additional monitoring must be completed as required elsewhere in this permit (e.g., locations tributary to compliance points).
- b. Control Strategy - The control strategy must contain the following minimum elements:
 - i. Pretreatment/Sewer Use Law - The permittee must review pretreatment program requirements and the Sewer Use Law (SUL) to ensure it is up-to-date and enforceable with applicable permit requirements and will support efforts to achieve a dissolved mercury concentration of 0.70 ng/L in the effluent.

¹ Outfall monitoring must be conducted using the methods specified in Table 8 of *DOW 1.3.10*.

² A level of 0.2 mg/L (200,000 ng/L) or more is considered hazardous per 40 CFR Part 261.11. 500 ng/L is used here to alert the permittee that there is an unusual concentration of mercury and that it will need to be managed appropriately.

MERCURY MINIMIZATION PROGRAM (MMP) - Type II (Continued)

- ii. Monitoring and Inventory/Inspections for Outfall -
 - 1) Monitoring shall be performed as described in 2.a above. As mercury sources are found, the permittee must enforce its sewer use law to track down and minimize these sources.
 - 2) The permittee must inventory and/or inspect users of its system as necessary to support the MMP.
 - a) Dental Facilities
 - 1. The permittee must maintain an inventory of each dental facility.
 - 2. The permittee must inspect each dental facility at least once every five years to verify compliance with the wastewater treatment operation, maintenance, and notification elements of 6 NYCRR 374.4. Alternatively, the permittee may develop and implement an outreach program,³ which informs users of their responsibilities, and collect the “Amalgam Waste Compliance Report for Dental Dischargers”⁴ form, as needed, to satisfy the inspection requirements. The permittee must conduct the outreach program at least once every five years and ensure the “Amalgam Waste Compliance Report for Dental Dischargers” are submitted by new users, as necessary. The outreach program could be supported by a subset of site inspections.
 - 3. A file shall be maintained containing documentation demonstrating compliance with 2.b.ii.2)a) above. This file shall be available for review by DEC representatives and copies shall be provided upon request.
 - b) Other potential mercury sources
 - 1. The permittee must maintain an inventory of other *potential mercury sources*.
 - 2. The permittee must inspect other *potential mercury sources* once every five years. Alternatively, the permittee may develop and implement an outreach program which informs users of their responsibilities as *potential mercury sources*. The permittee must conduct the outreach program at least once every five years. The outreach program should be supported by a subset of site inspections.
 - 3. A file shall be maintained containing documentation demonstrating compliance with 2.b.ii.2)b) above. This file shall be available for review by DEC representatives and copies shall be provided upon request.
 - iii. Systems with CSO & Type II SSO Outfalls – Permittees must prioritize *potential mercury sources* upstream of CSOs and Type II SSOs for mercury reduction activities and/or controlled-release discharge.
 - iv. Equipment and Materials – Equipment and materials (e.g., thermometers, thermostats) used by the permittee, which may contain mercury, must be evaluated by the permittee. As equipment and materials containing mercury are updated/replaced, the permittee must use mercury-free alternatives, if possible.
 - v. Bulk Chemical Evaluation – For chemicals, used at a rate which exceeds 1,000 gallons/year or 10,000 pounds/year, the permittee must obtain a manufacturer’s certificate of analysis, a chemical analysis performed by a certified laboratory, and/or a notarized affidavit which describes the substances’ mercury concentration and the detection limit achieved. If possible, the permittee must only use bulk chemicals utilized in the wastewater treatment process which contain <10 ppb mercury.
- c. **Status Report - An annual** status report must be developed and maintained on site, in accordance with the [Schedule of Additional Submittals](#), summarizing:
- i. All MMP monitoring results for the previous reporting period;
 - ii. A list of known and *potential mercury sources*
 - 1) If the permittee meets the criteria for MMP Type IV, the permittee must notify the DEC for a permittee-initiated modification;
 - iii. All actions undertaken, pursuant to the control strategy, during the previous reporting period;
 - iv. Actions planned, pursuant to the control strategy, for the upcoming reporting period; and

³ For example, the outreach program could include education about sources of mercury and what to do if a mercury source is found.

⁴ The form, “Amalgam Waste Compliance Report for Dental Dischargers,” can be found here:

https://www.dec.ny.gov/docs/water_pdf/dentalform.pdf

MERCURY MINIMIZATION PROGRAM (MMP) - Type II (Continued)

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

The permittee must maintain on-site a file with all MMP documentation. The file must be available for review by Department representatives and copies must be provided upon request in accordance with 6 NYCRR 750-2.1(i) and 750-2.5(c)(4).

3. MMP Modification - The MMP must be modified whenever:
 - a. Changes at the facility, or within the collection system, increase the potential for mercury discharges;
 - b. Effluent discharges exceed the current permit limitation(s); or
 - c. A letter from the DEC identifies inadequacies in the MMP.

The DEC may use information in the status reports, as applicable in accordance with 2.c of this MMP, to determine if the permit limitations and MMP Type is appropriate for the facility.

DEFINITIONS:

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

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 ⁵
001	DESIGN DOCUMENTS The permittee shall submit approvable ⁶ <small>Error! Bookmark not defined.</small> 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 Flow, BOD ₅ , Total Suspended Solids, Ammonia (as N), Total Phosphorus (as P), Fecal Coliform, and Total Residual Chlorine.	EDP + 9 Months
001	INTERIM PROGRESS REPORT ⁷ The permittee shall provide a status update for <i>Complete Construction</i> .	EDP + 18 Months EDP + 27 Months
001	COMPLETE CONSTRUCTION The permittee shall provide a Construction Completion Certification ⁸ 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 + 36 Months
001	COMMENCE OPERATION Sixty (60) days following completion of construction, the permittee shall comply with the final effluent limitation(s) described in this permit for Flow, BOD ₅ , Total Suspended Solids, Ammonia (as N), Total Phosphorus (as P), Fecal Coliform, and Total Residual Chlorine.	Upon Construction Completion + 60 Days
Unless noted otherwise, the above actions are one-time requirements.		

- 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.

⁵ 6 NYCRR 750-1.14 (a)

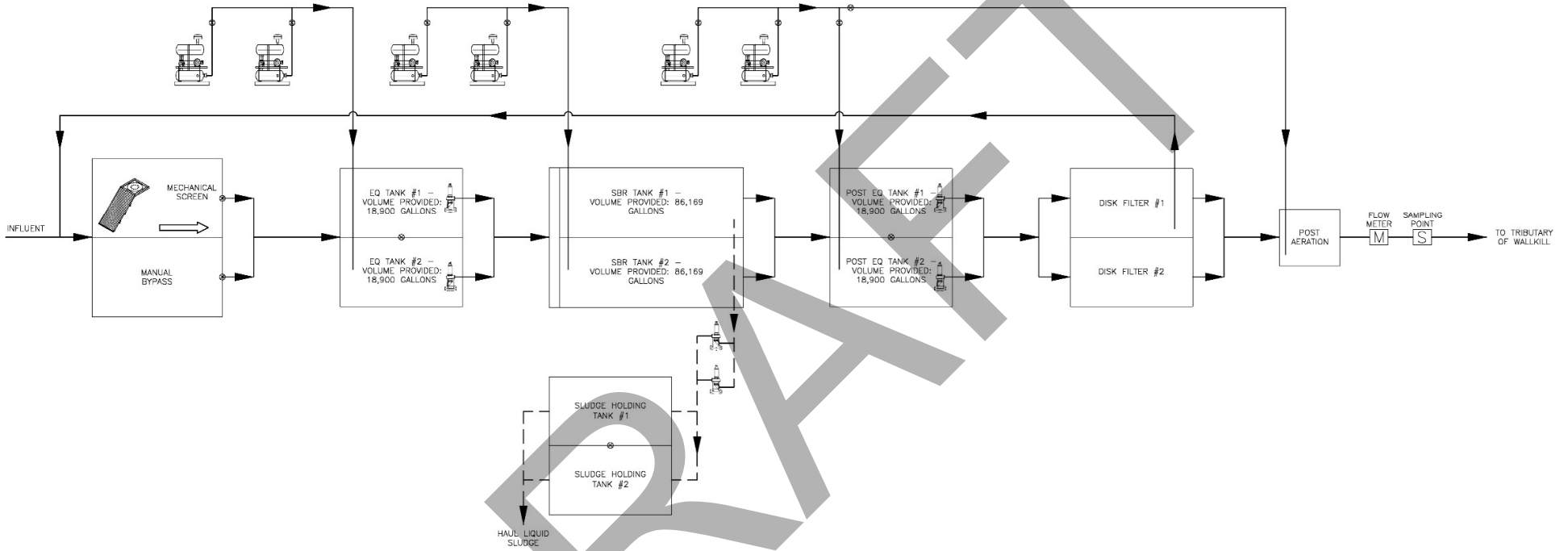
⁶ 6 NYCRR 750 1.2 (a)(8)

⁷ 6 NYCRR 750-1.14 (b)

⁸ 6 NYCRR 750-2.10 (c)

MONITORING LOCATIONS

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



PROPOSED PROCESS FLOW
SCALE: NTS

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) |

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.

G. Sludge Management

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

GENERAL REQUIREMENTS (continued)

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 3
220 White Plains Road, Suite 110, Tarrytown, New York, 10591

Phone: (914) 803-8157

- D. 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>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 28 th)
001	<u>MERCURY MINIMIZATION PLAN</u> The permittee must maintain onsite a mercury minimization plan and subsequent annual mercury minimization status reports in accordance with the requirements of this permit.	Maintained Onsite 03/01/2026, annually thereafter
Unless noted otherwise, the above actions are one-time requirements.		

- E. 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.

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

DRAFT

Permittee: Orange County
Facility: Valley View Center
SPDES Number: NY0022101
USEPA Non-Major/Class 09 PCI

Date: December 22, 2025
Permit Writer: Hua Joe Fung
Water Quality Reviewer: Aslam Mirza

SPDES Permit Fact Sheet

Orange County

Valley View Center

NY0022101



**Department of
Environmental
Conservation**

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Summary of Permit Changes

A State Pollutant Discharge Elimination System (SPDES) permittee-initiated permit modification has been drafted for the Valley View Center. The changes to the permit are summarized below:

- Updated permit format; definitions; footnotes; monitoring locations; and recording, reporting and additional monitoring requirements
- Changed SIC Code per “Industrial Codes” memorandum
- Specified water index number
- Updated permittee contact person and information
- Added facility location and receiving waterbody standard
- Changed units for Temperature from °C to °F
- Reporting for Ammonia has been changed from (as NH₃) to (as N) for simpler data reporting, as this is consistent with the laboratory reporting units
- Added permit limits, levels, and monitoring for 250,000 [gallons per day \(GPD\)](#) requested plant expansion
- Updated Schedule of Compliance for achieving the final BOD₅ and Ammonia effluent limit(s) and seasonal effluent disinfection
- Added Water Treatment Chemical (WTC) Annual Report Form and updated Mercury Minimization Plan to the Schedule of Additional Submittals

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

- 3/1/2023 The last full technical review was performed and the SPDES permit became effective with a new five-year term and expiration date of 2/29/2028. The 2023 permit has formed the basis of this permit.
- 7/23/2025 The Orange County submitted a PCI form [and request to modify the permit to expand the plant from a 0.126 million gallons per day \(MGD\) design flow to 0.250 MGD.](#)
- 8/18/2025⁸ The Orange County submitted a request to ~~modify the permit to expand the plant from a 0.126 MGD design flow to 0.250 MGD and~~ to extend the compliance dates in the Schedule of ~~Compliance~~[Compliance](#).

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 institutional facility 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 0.126 MGD treatment plant consists of:

- Screening, Mastication
- Primary Clarification, Flow Equalization

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- Trickling Filter, Flow Equalization, RBC, Secondary Clarification, Activated Sludge, Final Clarifier
- Sand Filtration

Sludge is digested anaerobically and hauled.

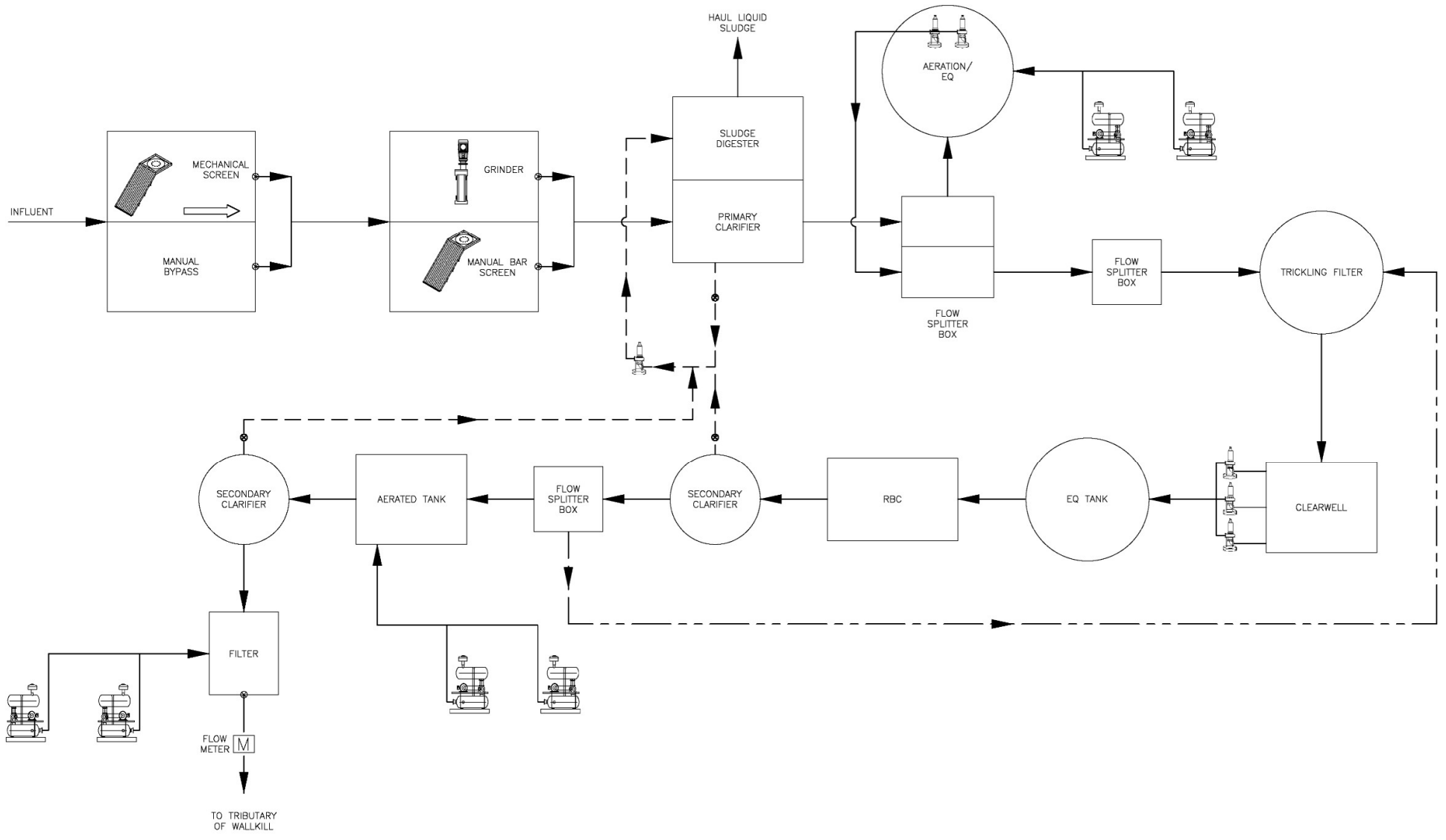
The primary outfall (Outfall 001) is a cast iron pipe 8.00 inch in diameter that discharges to waterbody at 0.50 feet from bank.

The facility is planning the following upgrades/improvements:

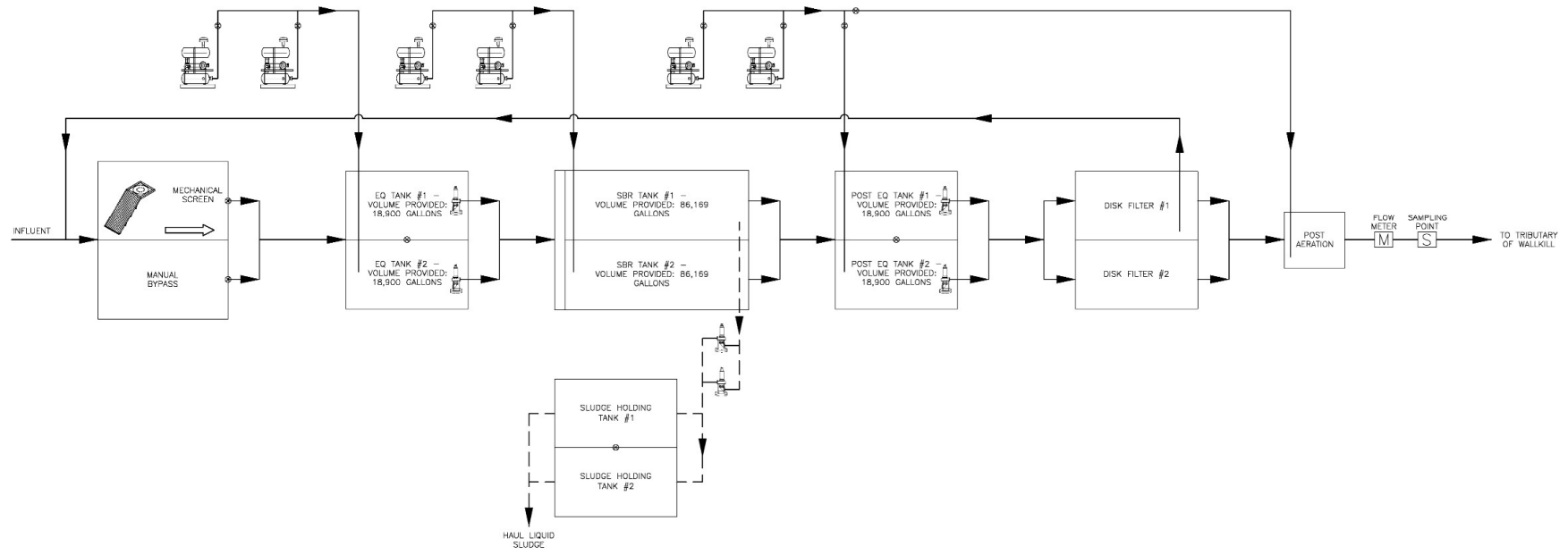
- Replacing existing 0.126 MGD plant with expanded 0.250 MGD plant with Sequencing Batch Reactors (SBRs) and disk filters

Site Overview





EXISTING PROCESS FLOW
SCALE: NTS



PROPOSED PROCESS FLOW
SCALE: NTS



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 3/1/2023 to 8/31/2025. [Appendix Link](#)

Receiving Water Information

The facility discharges via the following outfalls:

Outfall No.	SIC Code	Wastewater Type	Receiving Water
001	8999	Treated Sanitary Sewage	Tributary of Walkkill River, Class C

Reach Description: The facility discharges upstream of Sturgeon Pond (P 453a) and is part of the ponded water watershed.

Outfall 001 is located within a principal aquifer.

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

Impaired Waterbody Information

The Walkkill River, Upper, and minor tribs segment (PWL No. 1306-0017) was first listed on the 2018 [New York State Section 303\(d\) List](#) of Impaired/TMDL Waters as impaired due to Total Phosphorus. 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

Reach Description: The treated wastewater discharge is to an un-named tributary of Walkkill River with small drainage area of 2.4 square miles and is located at the headwater of the same. There is no USGS gage and RIBS station in the area. In addition, there is no major facility which could impact the water quality of the stream. Also, terrain of the area is flat and therefore WQ model is not developed.

Due to a small drainage area, the stream will be considered as “Intermittent” and therefore intermittent stream effluent limits apply for conventional oxygen demanding pollutants (BOD₅ and NOD), and the water quality standards will be applied as end-of-pipe limitations with no mixing or dilution for toxics, such as ammonia and total residual chlorine.

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

None of the seven criteria that are indicative of potential toxicity are applicable to this facility; therefore, WET testing has not been included in the permit. [Appendix Link](#)

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)¹ determination.

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.

Mercury²

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 not located in the Great Lakes Basin, has a mercury source, and is a PCI (09). Consistent with DOW 1.3.10, the permit includes requirements for the implementation of MMP Type II.

The permit includes a daily max total mercury effluent limitation of 50 ng/L, sampled monthly. The facility has ≥10 effluent mercury data points and the existing effluent quality (EEQ) of 1287 ng/L was calculated from the lognormal 95th percentile of 30 mercury effluent samples collected from 3/1/2023 to 8/31/2025. A mercury minimization program consisting of the following is also required:

- Additional monitoring of key locations, as defined in the MMP
- Control strategy for implementation of the MMP
- Annual status report (maintained onsite)

The facility is located outside the Great Lakes Basin and the EEQ is >12 ng/L; therefore, the permit includes a 12-month rolling average total mercury effluent limitation equal to the EEQ.

Schedule of Compliance

A Schedule of Compliance has been included³ for the following items ([Appendix Link](#)):

- Requested extension of the compliance period for attainment of final effluent limits at Outfall 001 for BOD₅ and Ammonia (as N). 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

¹ As prescribed by 6 NYCRR Part 617

² In accordance with DOW 1.3.10 Mercury – SPDES Permitting & Multiple Discharge Variance (MDV), December 30, 2020.

³ Pursuant to 6 NYCRR 750-1.14

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effluent limitation for Fecal Coliform and Total Residual Chlorine at Outfall 001 is a new requirement and the permittee cannot immediately comply with the TBELs and WQBELs.

Schedule of Additional Submittals

Water Treatment Chemical (WTC) Annual Report Form

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.

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	7Q10	30Q10	Critical Effluent Flow (MGD)	Dilution Ratio		
												A(A)	A(C)	HEW
001	41° 21' 30" N	74° 22' 08" W	Tributary of Wallkill River	C	H-139-13-56 PWL: 1306-0017	13/06	-	Intermittent stream			0.250	1:1		

POLLUTANT SUMMARY TABLE

Outfall 001

Outfall #	001	Description of Wastewater: Treated Sanitary Sewage														
		Type of Treatment: Screening, Mastication, Primary Clarification, Flow Equalization, Trickling Filter, Flow Equalization, RBC, Secondary Clarification, Activated Sludge, Final Clarifier, Sand Filtration														
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement	
			Permit Limit	Existing Effluent Quality ⁴	# 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 3/1/2023 to 8/31/2025 was obtained from Discharge Monitoring Reports and the application 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	GPD	Monthly Avg	0.126 (MGD)	0.041 Actual Average	30	250,000	Design Flow	No alterations that will impair the waters for their best usages.						703.2	-	Design Flow
Consistent with 40 CFR Part 133.102 and TOGS 1.3.3, a monthly average flow limitation equal to the average daily design capacity of the treatment plant has been specified.																
pH	SU	Minimum	6.5	5.5 Actual Min	30	6.0	TOGS 1.3.3	-	-	6.5 – 8.5	Range	6.5 - 8.5	703.3	-	ISEL	
		Maximum	8.5	11.8 Actual Max	30	9.0										
Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. As such, the water quality standards have been applied as end-of-pipe limitations with no mixing or dilution.																

⁴ 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)

Outfall #	001	Description of Wastewater: Treated Sanitary Sewage													ML	Basis for Permit Requirement
		Type of Treatment: Screening, Mastication, Primary Clarification, Flow Equalization, Trickling Filter, Flow Equalization, RBC, Secondary Clarification, Activated Sludge, Final Clarifier, Sand Filtration														
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs					Basis	Basis for Permit Requirement		
			Permit Limit	Existing Effluent Quality ⁴	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL				
Temperature	°F	Daily Max	Monitor	66 Actual Max	30	Monitor	750-1.13 Monitor	-	(Non-Trout): The water temperature at the surface of a stream shall not be raised to more than 90F at any point and... shall not be raised or lowered to more than 5F over the temperature that existed before the addition			704.2	-	Monitor		
Consistent with 6 NYCRR 750-1.13(a), monitoring is required and may be used to inform future permitting decisions. This requirement has been continued from the previous permit.																
Dissolved Oxygen (DO)	mg/L	Daily Min	7.0	2.8 Actual Min	30	7.0	TOGS 1.3.1	-	-	(Non-Trout) 4.0 mg/L	-	703.3	-	ISEL		
Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. These limits represent the highest degree of treatment that can reasonably be achieved by a wastewater treatment facility treating domestic type waste.																
5-day Biochemical Oxygen Demand (BOD ₅)	mg/L	Daily Max	5.0	22 (CBOD ₅)	27 / 3	5.0	TOGS 1.3.1	-	Dissolved Oxygen= 4.0 mg/l Surrogate Standard			703.3	-	ISEL		
	lbs/d	Daily Max	5.3	- (CBOD ₅)	-	10	-									
	% Rem	Minimum	85	90 (CBOD ₅) Actual Min	30	85	40 CFR Part 133.102									
Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. These limits represent the highest degree of treatment that can reasonably be achieved by a wastewater treatment facility treating domestic type waste. These limits are more stringent than the secondary treatment standards under 40 CFR Part 133.102.																
Total Suspended Solids (TSS)	mg/L	Daily Max	10.0	55	30 / 0	10	TOGS 1.3.1	-	None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages.			703.2	-	ISEL		
	lbs/d	Daily Max	10.5	21	30	21	-									
	% Rem	Minimum	85	23 Actual Min	30	85	40 CFR Part 133.102									
Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. These limits represent the highest degree of treatment that can reasonably be achieved by a wastewater treatment facility treating domestic type waste. These limits are more stringent than the secondary treatment standards under 40 CFR Part 133.102.																

Outfall #	001	Description of Wastewater: Treated Sanitary Sewage													
		Type of Treatment: Screening, Mastication, Primary Clarification, Flow Equalization, Trickling Filter, Flow Equalization, RBC, Secondary Clarification, Activated Sludge, Final Clarifier, Sand Filtration													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁴	# 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	0.1	10 Actual Max	9 / 21	0.1	TOGS 1.3.1	-	None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages.				703.2	-	ISEL
	Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. These limits represent the highest degree of treatment that can reasonably be achieved by a wastewater treatment facility treating domestic type waste. These limits are more stringent than the secondary treatment standards under 40 CFR Part 133.102.														
Nitrogen, Ammonia (as N)	mg/L	Monthly Avg	0.8	0.9 Actual Average	13 / 0	-	-	-	-	0.41	A(C)	0.41	703.5	-	ISEL
	SUMMER 6/1 – 10/31	lb/d	Monthly Avg	-	-	-	-	-	-	-	-	0.85			
Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. As such, the water quality standards have been applied as end-of-pipe limitations with no mixing or dilution. The WQ standard was calculated using a Basin-specific 80 th percentile pH value and a temperature of 25°C consistent with TOGS 1.3.1.															
Nitrogen, Ammonia (as N)	mg/L	Monthly Avg	1.1	1.0 Actual Average	16 / 1	-	-	-	-	0.588	A(C)	0.588	703.5	-	ISEL
	WINTER 11/1 – 5/31	lb/d	Monthly Avg	-	-	-	-	-	-	-	-	1.23			
Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. As such, the water quality standards have been applied as end-of-pipe limitations with no mixing or dilution. The WQ standard was calculated using a Basin-specific 80 th percentile pH value and a temperature of 10°C consistent with TOGS 1.3.1.															
Total Phosphorus	mg/L	Monthly Avg	-	4.70 One-Time Sampling	1 / 0	0.5	TOGS 1.3.6	-	None in amounts that will result in growths of algae, weeds and slimes that will impair the waters for their best usages.				703.2	-	TBEL
	lb/d	Monthly Avg	-	-	-	1.0	-								
This facility discharges to a Tributary of Walkkill River which is upstream of Sturgeon Pond (P 453a) and is part of the ponded water watershed. Consistent with TOGS 1.3.6, permits for any proposed expansion of an existing discharge within a lake watershed for discharges over 50,000 gpd for both surface water and soil discharges, the effluent level should not exceed 0.5 mg/l of total phosphorus.															

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Outfall #	001	Description of Wastewater: Treated Sanitary Sewage													
		Type of Treatment: Screening, Mastication, Primary Clarification, Flow Equalization, Trickling Filter, Flow Equalization, RBC, Secondary Clarification, Activated Sludge, Final Clarifier, Sand Filtration													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁴	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Total Mercury	ng/L	Daily Max	50	1287 EEQ	24 / 6	-	-	-	-	0.7	H(FC)	50	GLCA	-	DOW 1.3.10
	ng/L	12 MRA	-	-	-	-	-	-	-	-	-	-	-	-	DOW 1.3.10
See Mercury section of this fact sheet.															
Coliform, Fecal	#/100 ml	30d Geo Mean	-	-	- / -	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	TOGS 1.3.3	-							
Consistent with TOGS 1.3.3, effluent disinfection is required seasonally from May 1st - October 31st, due to the class of the receiving waterbody. Fecal coliform limits equal to the TBEL have been specified.															
Total Residual Chlorine (TRC)	mg/L	Daily Max	-	-	- / -	2.0	TOGS 1.3.3	-	-	0.005	A(C)	0.005	703.5	0.03	ISEL
Seasonal effluent disinfection has been added to the permit. Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. As such, the water quality standards have been applied as end-of-pipe limitations with no mixing or dilution.															

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
 - 40 CFR, Chapter I, subchapters D, N, and O
- State environmental regulations
 - 6 NYCRR Part 621
 - 6 NYCRR Part 750
 - 6 NYCRR Parts 700 - 704 – Best use and other requirements applicable to water classes
 - 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.

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 law⁵ and USEPA interpretation⁶ 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.

⁵ American Iron and Steel Institute v. Environmental Protection Agency, 115 F.3d 979, 993 n.6 (D.C. Cir. 1997)

⁶ 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 x 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.

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.

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.

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.