State Pollutant Discharge Elimination System (SPDES) DISCHARGE PERMIT

SIC Code:	**8999**	NAICS Code:	**531190**	SPDES Number:	**NY0028886**
Discharge Class (CL):	**09**			DEC Number:	**3-1326-00143/00001**
Toxic Class (TX):	**N**			Effective Date (EDP):	EDP
Major-Sub Drainage Basin:	**16 - 01**			Expiration Date (ExDP):	ExDP
Water Index Number:	**15-4-2-4**	Item No.:	**825 - 42**	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:	**High Meadows Cooperative Corporation**	Attention:	**Denise Smith, Executive Director**		
Street:	**160 Holsapple Road Box 26**				
City:	**Dover**	State:	**NY**	Zip Code:	**12522**
Email:	**highmeadows@optonline.net**	Phone:	**(845) 877-3570**		

is authorized to discharge from the facility described below:

FACILITY NAME, ADDRESS, AND PRIMARY OUTFALL																
Name:	**High Meadows Mobile Home Park**															
Address / Location:	**160 Holsapple Road**											County:	**Dutchess**			
City:	**Dover**						State:	**NY**				Zip Code:	**12522**			
Facility Location:		Latitude:	**41**	°	**43**	'	**10**	" N	& Longitude:	**73**	°	**37**	'	**00**	" W	
Primary Outfall No.:	**001**	Latitude:	**41**	°	**43**	'	**08.5540**	" N	& Longitude:	**73**	°	**37**	'	**01.3997**	" W	
Outfall Description:	**Treated Sanitary**	Receiving Water:	**Unnamed trib. to Stony Brook**					Class:	**D**			Standard:	**C(TS)**			

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
RWE
RPA
EPA Region II
DEC Water Quality Engineer

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

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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.
Percent Removal	Calculated as ($[C_{influent} - C_{effluent}] / C_{influent}$) x 100, where $C_{influent}$ = average influent concentration and $C_{effluent}$ = average effluent concentration, for a given monitoring period.
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.

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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.

INTERIM PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL	LIMITATIONS APPLY	RECEIVING WATER	EFFECTIVE	EXPIRING
001	All Year unless otherwise noted	Unnamed tributary to Stony Brook	EDP	Upon Completion of WWTP Improvements[3,4]

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location Inf.	Location Eff.	
Flow	Monthly Average	0.054	MGD			Continuous	Meter		X	
pH	Daily Minimum	6.0	SU			Daily	Grab		X	
	Daily Maximum	9.5	SU							
Temperature	Daily Maximum	Monitor	ºF			Monthly	Grab		X	
BOD_5	Monthly Average	12.0	mg/L	5.4	lbs/d	Monthly	Grab	X	X	1
BOD_5	7-Day Average	24.0	mg/L	10.8	lbs/d	Monthly	Grab		X	
Total Suspended Solids (TSS)	Monthly Average	12.0	mg/L	5.4	lbs/d	Monthly	Grab	X	X	1
Total Suspended Solids (TSS)	7-Day Average	24.0	mg/L	10.8	lbs/d	Monthly	Grab		X	
Settleable Solids	Daily Maximum	0.1	mL/L			Daily	Grab		X	
Dissolved Oxygen	Daily Minimum	2.0	mg/L			Weekly	Grab		X	

EFFLUENT DISINFECTION Required All Year		Limit	Units	Limit	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
Coliform, Fecal	30-Day Geometric Mean	200	No./ 100 mL			Monthly	Grab		X	
Coliform, Fecal	7-Day Geometric Mean	400	No./ 100 mL			Monthly	Grab		X	
Chlorine, Total Residual	Daily Maximum	2.0	mg/L			Daily	Grab		X	2

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FOOTNOTES:

1. Effluent shall not exceed 15% and 15% of influent concentration values for BOD5 & TSS respectively.
2. Total Residual Chlorine: When chlorine is used for disinfection, a minimum residual of 0.5 mg/L shall be maintained in the chlorine contact tank prior to dechlorination.
3. Refer to the Schedule of Compliance on Page 8 of this permit. Discharge from any new or modified disposal system is not authorized until the system has been approved by the Department per 6 NYCRR 750-2.10 and/or by the Dutchess County Department of Health, as applicable.

Footnotes Continued

4. Any existing disposal system permanently removed from use or operation shall comply with the closure requirements of 6 NYCRR 750-2.11.

FINAL PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL	LIMITATIONS APPLY	RECEIVING WATER	EFFECTIVE	EXPIRING
001	All Year unless otherwise noted	Unnamed tributary to Stony Brook	Upon Completion of WWTP Improvements[4,5]	ExDP

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location Inf.	Location Eff.	
Flow	Monthly Average	0.054	MGD			Continuous	Meter		X	
pH	Daily Minimum	6.0	SU			Daily	Grab		X	
	Daily Maximum	9.0	SU							
Temperature	Daily Maximum	Monitor	ºF			Daily	Grab		X	
BOD_5	Daily Maximum	5.0	mg/L	2.25	lbs/d	Monthly	Grab	X	X	1
Total Suspended Solids (TSS)	Daily Maximum	10.0	mg/L	4.50	lbs/d	Monthly	Grab	X	X	1
Settleable Solids	Daily Maximum	0.1	mL/L			Daily	Grab		X	
Dissolved Oxygen	Daily Minimum	7.0	mg/L			Weekly	Grab		X	
Ammonia (as N) June 1st – October 31st	Monthly Average	6.6	mg/L			Monthly	Grab		X	
Ammonia (as N) November 1st – May 31st	Monthly Average	7.0	mg/L			Monthly	Grab		X	

EFFLUENT DISINFECTION Required All Year		Limit	Units	Limit	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
Coliform, Fecal	30-Day Geometric Mean	200	No./ 100 mL			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	2,3

FOOTNOTES:

1. Effluent shall not exceed 15% and 15% of influent concentration values for BOD_5 & TSS respectively.

2. 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.

3. This is a Compliance Level. The calculated WQBEL is 0.019 mg/L.

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Footnotes Continued

4. Refer to the Schedule of Compliance on Page 8 of this permit. Discharge from any new or modified disposal system is not authorized until the system has been approved by the Department per 6 NYCRR 750-2.10 and/or by the Dutchess County Department of Health, as applicable.

5. Any existing disposal system permanently removed from use or operation shall comply with the closure requirements of 6 NYCRR 750-2.11.

MERCURY MINIMIZATION PROGRAM (MMP) - Type IV

In accordance with the Schedule of Additional Submittals, the permittee shall submit a Conditional Exclusion Certification within 60 days of the effective date of the permit (EDP) and every five years thereafter, 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 for Outfall 001 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 (SSO[1]);
    - 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 (CIU[2]) 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.

[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.

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

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

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.

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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 do 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) The permittee shall provide for public review at the business office repository of the permittee or at the off-premises location of its choice, provided the custodian of the off-premise location grants written permission, (such off-premise location shall be the village, town, city or county clerk's office, local library or other location accessible by the public) all the Discharge Monitoring Reports (DMR) prepared by the permittee to demonstrate compliance with the SPDES permit conditions. A copy of each DMR shall be placed on file at such location at the same time it is sent to the department, or within 60 days of preparation for DMRs not required to be submitted to the Department. 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.

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SCHEDULE OF COMPLIANCE

a) If the permittee proceeds with the proposed WWTP improvements, the permittee shall comply with the following schedule:

Outfall(s)	Compliance Action	Compliance Date[3]
001	DESIGN DOCUMENTS The permittee shall submit approvable[4] Design Documents including a Basis of Design Report (BODR), Plans, Specifications, and Construction Schedule for the proposed WWTP improvements to ensure compliance with final effluent limitations.	EDP + 24 months
001	COMPLETE CONSTRUCTION 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 proposed disposal system has been fully completed in accordance with the approved Design Documents.	Upon Completion of WWTP improvements or within ExDP
001	COMMENCE OPERATION Following receipt of DEC acceptance of the Construction Completion Certification, the permittee shall comply with the final effluent limitation(s) described in this permit.	Upon Department Acceptance
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.

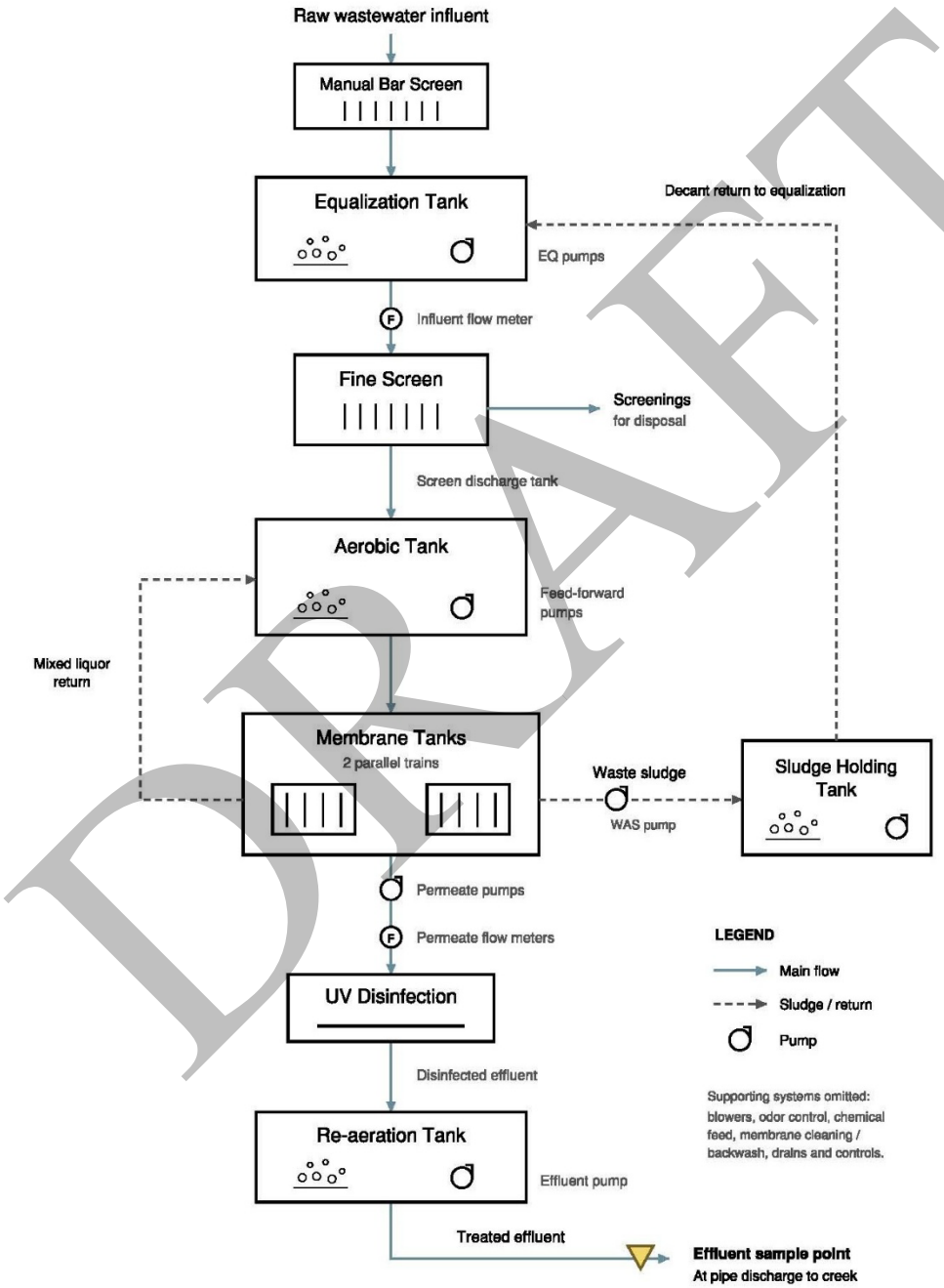
c) The permittee shall submit copies of any document required by the above schedule of compliance to the DEC Regional Water Engineer and to the Bureau of Water Permits.

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[3] 6 NYCRR 750-1.14 (a)
[4] 6 NYCRR 750 1.2 (a)(8)
[5] 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:



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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)(98) & 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.	Cybersecurity incident reporting	6 NYCRR 750-2.7(h)
9.	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.

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GENERAL REQUIREMENTS (continued)

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

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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 6 NYCRR 750-2.5(e). NYSDEC has made available the DMR Manual on the website as a reference to assist permittees with completing DMR's.

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
Email: SPDESApp@dec.ny.gov
Phone: (518) 402-8111

Department of Environmental Conservation
Regional Water Engineer, Region 3
21 South Putt Corners Road, New Paltz, New York, 12561-1620
Email: DOW.r3@dec.ny.gov
Phone: (845) 256-3000

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	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.	December DMR (January 28th)
001	MERCURY - CONDITIONAL EXCLUSION CERTIFICATION The 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.	Within 60 days of EDP and every 5 years thereafter
001	MERCURY MINIMIZATION PLAN 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.	***Maintained Onsite*** EDP + 12 months, annually thereafter

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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.

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SPDES Permit Fact Sheet
High Meadows Cooperative Corporation
High Meadows Mobile Home Park
NY0028886

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NEW YORK STATE | Department of Environmental Conservation

Summary of Permit Changes

A State Pollutant Discharge Elimination System (SPDES) permittee-initiated permit modification has been drafted for the High Meadows Mobile Home Park. The changes to the permit are summarized below:

- Updated permit format, definitions, and general conditions consistent with current SPDES permit requirements.
- Updated the applicable water quality standard to C(TS) to protect the documented trout-spawning best use of Stony Brook (which is downstream of the unnamed intermittent tributary receiving the discharge).
- Reduced the pH daily maximum effluent limitation from 9.5 SU to 9.0 SU, consistent with 40 CFR Part 133.102, resulting in a more stringent limitation.
- Increased temperature monitoring frequency from monthly to daily, consistent with TOGS 1.3.3.
- Replaced the BOD_5 and TSS 30-day and 7-day average effluent limitations with daily maximum limitations of 5.0 mg/L and 10.0 mg/L, respectively, consistent with the intermittent stream effluent limitations (ISELs) in TOGS 1.3.1.
- Changed the BOD_5 and TSS sample type from 4-hour composite to grab, consistent with TOGS 1.3.3.
- Increased the dissolved oxygen (DO) minimum effluent limitation from 2.0 mg/L to 7.0 mg/L, consistent with the intermittent stream effluent limitations (ISELs) in TOGS 1.3.1.
- Added seasonal ammonia (as N) monthly average effluent limitations of 6.6 mg/L from June 1 through October 31 and 7.0 mg/L from November 1 through May 31, consistent with TOGS 1.1.1 and TOGS 1.3.1.
- Revised the total residual chlorine (TRC) effluent limitation from 0.5-2.0 mg/L to a 0.03 mg/L daily maximum. The calculated WQBEL is 0.019 mg/L based on the applicable water quality standard with no mixing or dilution; because the WQBEL is below the analytical minimum level (ML), the 0.03 mg/L ML was established as the compliance level.
- Added Mercury Minimization Program (MMP) Type IV requirements consistent with DOW 1.3.10 and 6 NYCRR 750-1.14(f), including a Conditional Exclusion Certification and annual MMP Status Report requirements in the Schedule of Additional Submittals.
- Added Discharge Notification Act requirements pursuant to ECL 17-0815-a, including outfall signage and requirements for public availability of DMR data.
- Added a Schedule of Compliance for submission of design documents, construction completion certification, and commencement of operation of the proposed WWTP improvements, if pursued by the permittee, consistent with 6 NYCRR 750-1.14.
- Added water treatment chemical (WTC) requirements, including prior Department review and authorization for new or increased WTC use and a WTC Annual Report requirement in the Schedule of Additional Submittals, consistent with 6 NYCRR 750-1.13(a).
- Added closure requirements for the existing wastewater treatment system, if permanently removed from use or operation, consistent with 6 NYCRR 750-2.11.
- Added separate interim and final effluent limitation tables. The interim requirements retain the applicable existing permit requirements, while the final requirements become applicable upon completion of the proposed WWTP improvements.

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.

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Administrative History

6/1/1978 The last full technical review was performed and the SPDES permit became effective with a new five-year term and expiration date of 6/1/1983. The 6/1/1978 permit has formed the basis of this permit.

2/7/1985 The Department acknowledged receipt of the SPDES renewal application and allowed the existing permit to remain in effect pursuant to Section 401 of the State Administrative Procedure Act (SAPA) while the renewal application was being processed.

4/2/2004 The Department reissued the SPDES permit with a new five-year term, effective 4/2/2004 through 4/2/2009. The conditions of the previously issued permit remained applicable during the new permit term.

The permit was then administratively renewed in 2009, 2014, 2019 and again in 2024. The current permit administrative renewal is effective until 3/31/2029.

6/5/2026 The High Meadows Cooperative Corporation submitted a PCI form to modify the permit to replace the existing wastewater treatment system with a membrane bioreactor (MBR) treatment system.

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

Facility Information

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

The current 0.054 MGD treatment plant consists of:

- Bar Screen
- Aeration Basin
- Clarifier
- Sand Filter
- Chlorination

The primary outfall (Outfall 001) is a 6-inch PVC pipe located on the bank approximately 12' from the centerline of an unnamed, unmapped, intermittent tributary to Stony Brook. The Outfall is elevated 8" above ground and covered by a flexible rubber boot with clamp. The discharge flows over a rock-lined area into the shallow rocky channel of the unnamed trib. which conveys flow to Stony Brook.

The facility is planning the following upgrades/improvements:

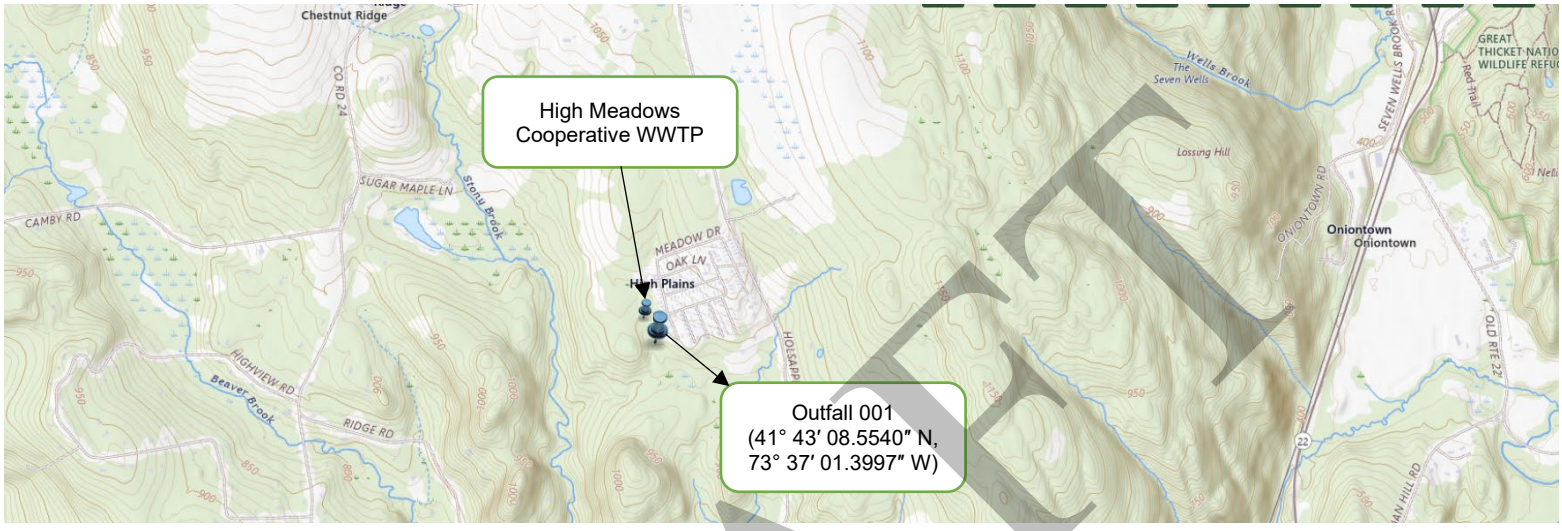
- Demolition of the existing wastewater treatment plant
- Installation of a packaged membrane bioreactor (MBR) treatment system
- Flow equalization tank
- Fine screening (2 mm)
- Ultraviolet (UV) disinfection
- Reaeration tank

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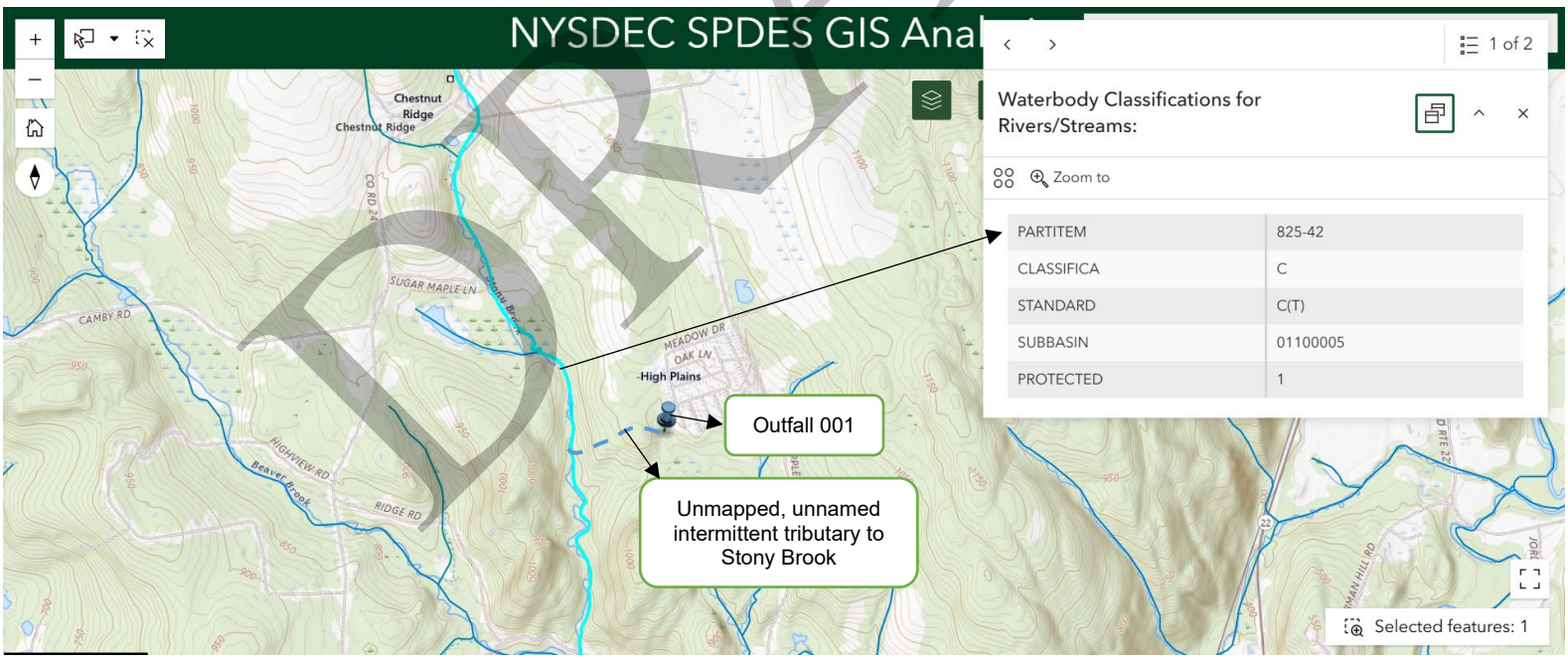
- Sludge holding/thickening tank

The existing wastewater treatment units will be demolished and must comply with the closure requirements of 6 NYCRR 750-2.11.

Site Overview:



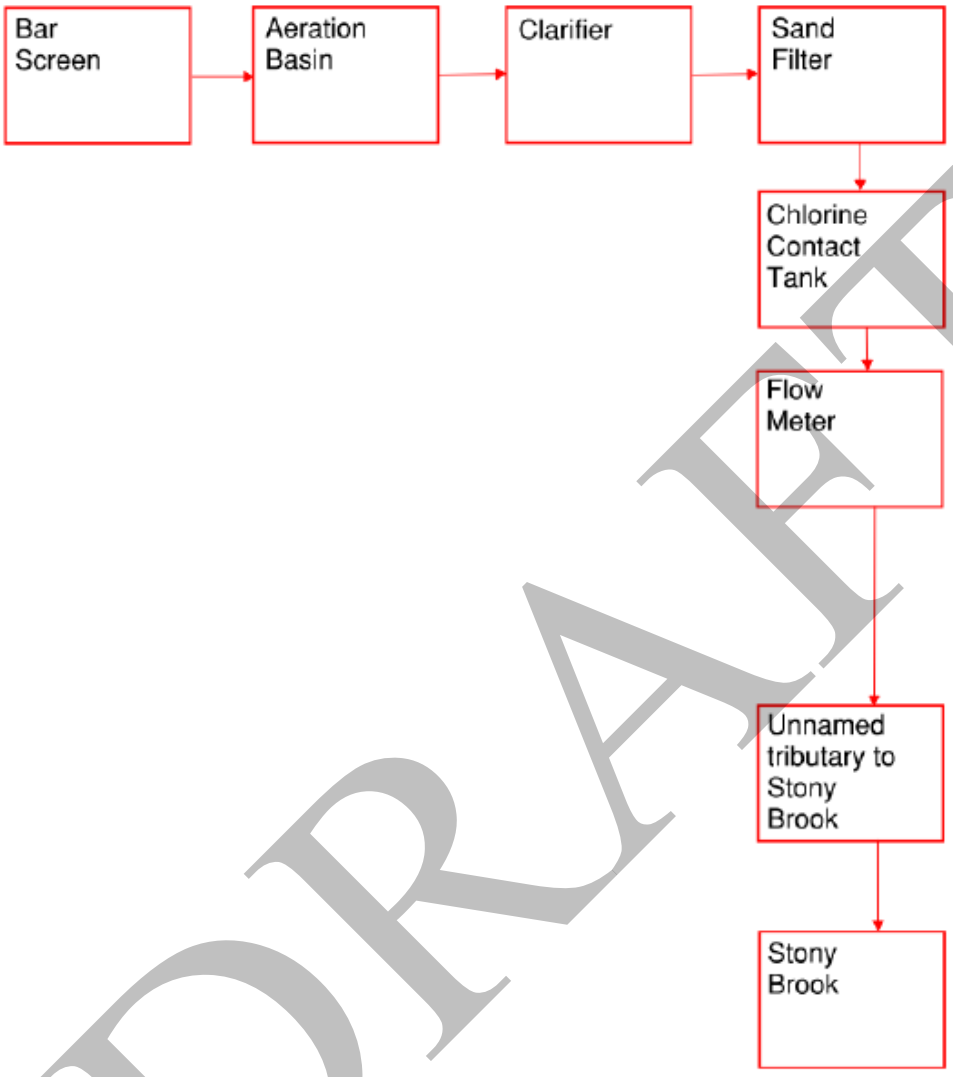
Receiving water: Unmapped, unnamed intermittent tributary to Stony Brook - Class C, Standard C(TS)*)



[* Refer to the Antidegradation section of this factsheet]

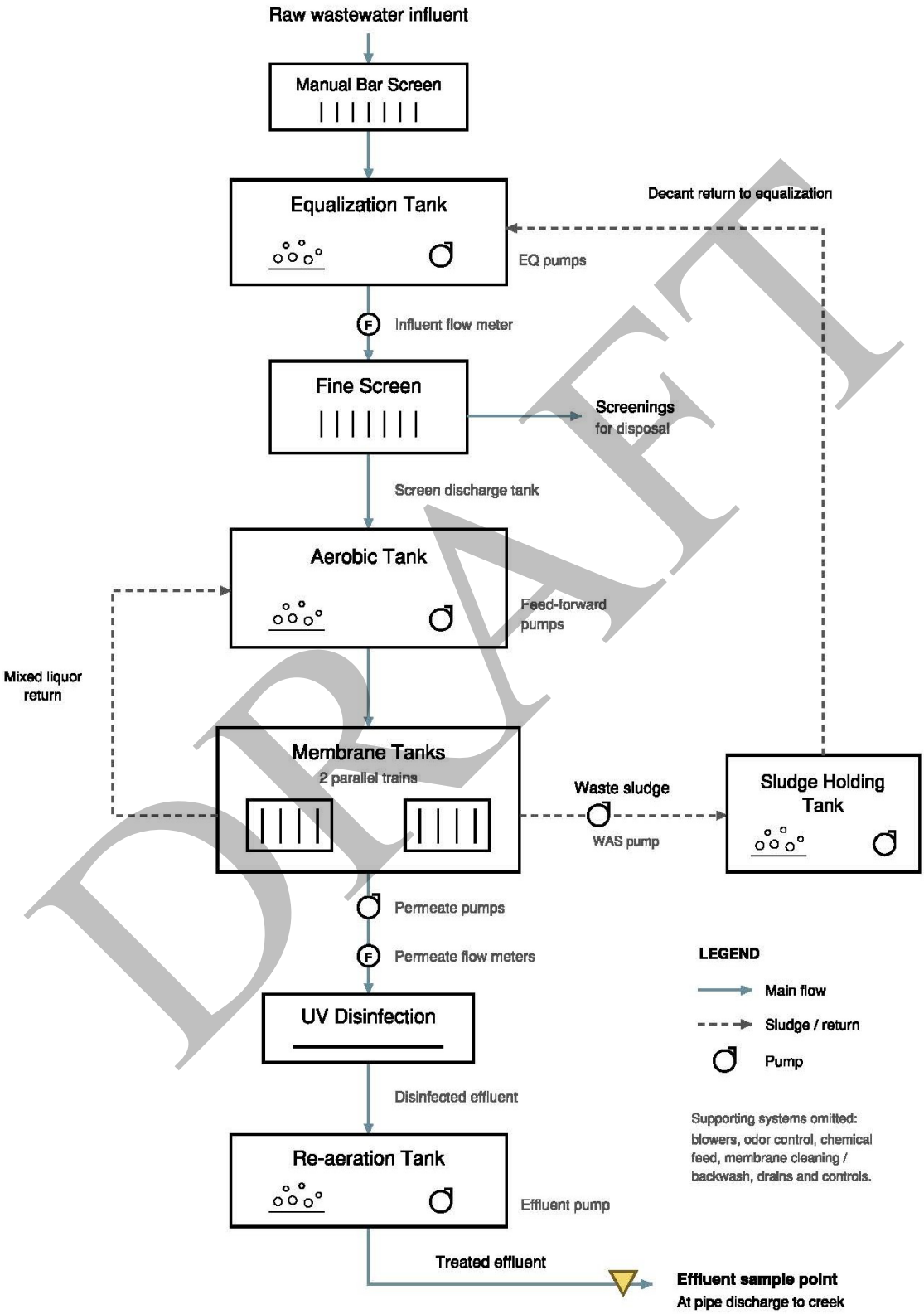
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Existing Treatment: Process Flow Diagram



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Proposed Treatment: Process Flow Diagram



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Enforcement History

The facility entered into Order on Consent R3-20040628-89 on January 27, 2005, to resolve repeated residual chlorine limit violations and unauthorized filter backwash discharges. The Order required installation of a new rapid sand filter system, completion of sewer line repairs, removal of accumulated grit from the aeration tanks, operator certification, and enhanced operational oversight.

Existing Effluent Quality

The Pollutant Summary Table presents the existing effluent quality and effluent limitations. The existing effluent quality was determined from the monthly operating reports submitted by the permittee for the period 6/1/2025 through 4/30/2026. 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	Unnamed tributary, Class D to Stony Brook, Class C, Standard C(TS)

Critical Receiving Water Data

Reach Description The facility discharges to the unnamed tributary to Stony Brook (Class D). The brook then flows ~0.3 miles downstream before entering Stony Brook (Class C(TS)).

Hydrology
High Meadows Mobile Home Park is located on small unnamed tributary of Stony Brook with a very small drainage area (~0.08 square miles) and therefore the stream will be considered as intermittent consistent with TOGS 1.3.1.

Mixing/Dispersion and Dilution Analysis
In absence of dilution water in the stream, a mixing/dispersion and dilution analysis was not performed. Therefore, effluent limits for toxic pollutants equal to the applicable WQ standards have been applied with no mixing or dilution.

Outfall No.	Acute Dilution Ratio A(A)	Chronic Dilution Ratio A(C)	Human, Aesthetic, Wildlife Dilution Ratio (HEW)	Basis
001	1:1	1:1	1:1	TOGS 1.3.1 Intermittent Stream

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

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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.

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.
Appendix Link

NYSDEC Division of Fish and Wildlife have surveyed the portion of Stony Brook that the High Meadows Mobile Home Park discharges to. Surveys of the fishery found that the waterbody supports trout spawning. NYSDEC Division of Water recognizes that Stony Brook has higher best uses than presently assigned and requires reclassification from Class C(T) to Class C(TS). In accordance with antidegradation regulations, NYSDEC has an obligation to protect all best uses of the waterbody, even if they are not captured in the classification presently assigned. Therefore, this permit was developed using Class C(TS) water quality standards.
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 is new.

Additionally, the permit contains a requirement to make the DMR sampling data available to the public upon request. This requirement is new.

Mercury

The DOW 1.3.10 Mercury – Multiple Discharge Variance (MDV), dated December 31, 2025, provides the framework for DEC to require mercury monitoring and mercury minimization programs (MMPs), through SPDES permitting. All of the following permit conditions are consistent with the MDV. Appendix Link

The facility is located outside of the Great Lakes Basin and is a SPDES Class 09. In accordance with the Schedule of Additional Submittals, the permittee shall submit a Conditional Exclusion Certification, certifying that the facility does not have any of the mercury sources listed in Part III.E. of the MDV. Therefore, consistent with the MDV, the permit includes requirements for the implementation of MMP Type IV. The Schedule of Additional Submittals includes a mercury minimization plan annual status report (maintained onsite), and re-certification of the exclusion every five years. This requirement is new.

[1] As prescribed by 6 NYCRR Part 617

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Schedule of Compliance

A Schedule of Compliance has been included[2] for the following items (Appendix Link):

If the permittee proceeds with the proposed WWTP improvements, the permittee shall:

- Submit an approvable Basis of Design Report (BODR), plans, specifications, and construction schedule within 24 months of the effective date of the permit.
- Submit a Construction Completion Certification upon completion of the proposed WWTP improvements.
- Comply with the final effluent limitations following Department acceptance of the Construction Completion Certification.

Schedule of Additional Submittals

The following Permit Requirements include submittals and are included in the Schedule of Additional Submittals (Appendix Link):

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

Mercury Conditional Exclusion Certification

Please see above discussion of mercury. Consistent with DOW 1.3.10 and 6 NYCRR 750-1.14(f), the permittee must submit the form, signed in accordance with 6 NYCRR 750-1.8, within 60 days of the effective date of the permit and every five years thereafter 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 the required annual Status Report., in accordance with 6 NYCRR 750-1.14(f).

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[2] Pursuant to 6 NYCRR 750-1.14

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 (CFS)	7Q10 (CFS)	30Q10 (CFS)	Critical Effluent Flow (CFS)	Dilution Ratio		
												A(A)	A(C)	HEW
001	41° 43' 08.5540" N	73° 37' 01.3997" W	Unnamed tributary to Stony Brook	D-to-C(TS)*	WIN: N/A PWL: N/A	16/01	29[3]	-	-	-	0.054	1:1	1:1	1:1
*The facility proposes to discharge to an unmapped, unnamed tributary and therefore does not have an assigned Water Index Number (WIN) or a PWL Number. The tributary flows to Stony Brook (Item No. 825-42, WIN: Conn 15-4-2-4), which is used for applicable classification and standards.														

POLLUTANT SUMMARY TABLE

Outfall 001

Outfall #	001	**Description of Wastewater:** Treated Sanitary Sewage													
		Type of Treatment (Existing): Bar Screening, Activated Sludge, Secondary Clarification, Sand Filtration, Chlorination													
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 June 2025 through April 2026 was obtained from the monthly operating 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	0.054	0.0149 Actual Average	11	-	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	6.0	7.0 Actual Min	11	6.0	40 CFR 133.102	-	-	6.0 – 9.5	Range	-	703.3	-	TBEL
		Maximum	9.5	7.82 Actual Max	11	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. An effluent limitation based on the TBEL is protective of WQS.														

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[3] Ambient hardness was established from a 2023 analysis of median watershed specific data collected by DEC through the Rotating Integrated Basin Studies (RIBS) program from 2012-2022. This data is available through the RIBS Data Portal.

[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														
		Type of Treatment (Existing): Bar Screening, Activated Sludge, Secondary Clarification, Sand Filtration, Chlorination														
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		
Temperature	°C	Daily Max	Monitor	17.1 Actual Average	11	Monitor	750-1.13 Monitor	-	The water temperature at the surface of a stream shall not be raised to more than 90°F at any point and shall not be raised or lowered to more than 5°F 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	2.0	-	-	**7.0**	TOGS 1.3.1	-	-	3.0 mg/L		7.0	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	Monthly Avg	12	144.7	11	5.0 Daily Max	TOGS 1.3.1	-	Surrogate Standard Dissolved Oxygen = 3.0 mg/L			-	703.3	-	ISEL
	lbs/d	Monthly Avg	5.4	-	-	-	-					-			
	mg/L	7-Day Avg	24	-	-	-	-					-			
	lbs/d	7-Day Avg	10.8	-	-	-	-					-			
	% Rem	Minimum	85	79.4 Actual Min	6	**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	Monthly Avg	12	187.4	11	10.0 Daily Max	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	Monthly Avg	5.4	-	-	-	-								
	mg/L	7-Day Avg	24	-	-	-	-								
	lbs/d	7-Day Avg	10.8	-	-	-	-								
	% Rem	Minimum	85	79.4 Actual Min	6	**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.														

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Outfall #	001	**Description of Wastewater:** Treated Sanitary Sewage														
		Type of Treatment (Existing): Bar Screening, Activated Sludge, Secondary Clarification, Sand Filtration, Chlorination														
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	<0.1 Actual Max	11	**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 1.2.1 Attachment C, the TBEL is reflective of the treatment technology and is protective of the WQS.														
Nitrogen, Ammonia (as N) SUMMER 6/1 – 10/31	mg/L	Monthly Avg	-	-	-	-	-	-	-	6.6	A(A)	6.6	703.5	-	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. As such, the water quality standards have been applied as end-of-pipe limitations with no mixing or dilution. The WQS for ammonia was determined TOGS 1.1.1 and a pH of 7.9[4] and a summer temperature of 25°C. The Ammonia (as N) water quality standard is 6.6 mg/L and the water quality based effluent limit is 6.6 mg/L.														
Nitrogen, Ammonia (as N) WINTER 11/1 – 5/31	mg/L	Monthly Avg	-	-	-	-	-	-	-	7.0	A(A)	7.0	703.5	-	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. As such, the water quality standards have been applied as end-of-pipe limitations with no mixing or dilution. The WQS for ammonia was determined using TOGS 1.1.1 and a pH of 7.9[5] and a winter temperature of 10°C. The Ammonia (as N) water quality standard is 6.99 mg/L and the water quality based effluent limit is 7.0 mg/L.														
Coliform, Fecal	#/100 ml	30d Geo Mean	200	894 Actual Average	11	**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	894 Actual Average	11	**400**	TOGS 1.3.3	-							
	The existing year-round effluent disinfection requirement has been continued from the previous permit. Consistent with TOGS 1.3.3, fecal coliform limits equal to the TBELs have been specified.														
Total Residual Chlorine (TRC)	mg/L	Daily Max	2.0	4.68	11	2.0	TOGS 1.3.3	-	-	0.019	A(A)	0.019	703.5	0.03	ISEL
	Effluent disinfection is currently required year-round and has been continued. 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.														

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[4] As waterbody is being considered intermittent ambient pH was established from the 80th percentile of the effluent pH data collected over period of 6/2026-6/2025 (11 data points).
[5] As waterbody is being considered intermittent ambient pH was established from the 80th percentile of the effluent pH data collected over period of 6/2026-6/2025 (11 data points).

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) and 750-1.10(d), CWA sections 402(o), 303(d)(4), ECL 17-0809, 40 CFR 122.44(*l*)
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

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

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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 law[6] and USEPA interpretation[7] 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.

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

[6] American Iron and Steel Institute v. Environmental Protection Agency, 115 F.3d 979, 993 n.6 (D.C. Cir. 1997)
[7] 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)

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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

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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

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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

Mercury is widespread in New York State (NYS) waters at levels above the most stringent dissolved mercury water quality standard (WQS) of 0.7 ng/L. SPDES permittees cannot comply with a Water Quality-Based Effluent Limitation (WQBEL) for mercury. Therefore, an MDV is appropriate, 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 iteration of the MDV builds off the previous version supporting the State's effort to reduce mercury pollution and make reasonable progress toward achieving the WQBEL for mercury. This iteration of the MDV refines the content and application of the MDV for mercury.

The MDV does not change the WQS of 0.7 ng/L; it establishes a variance of the WQBEL which is based on the WQS. SPDES permits which include this variance comply with 40 CFR 122.44.

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.

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