



Department of
Environmental
Conservation

State Pollutant Discharge Elimination System (SPDES) DISCHARGE PERMIT

SIC Code:	4952	NAICS Code:	221320	SPDES Number:	NY0109029
Discharge Class (CL):	07	DEC Number:	3-4826-00100/00002		
Toxic Class (TX):	N	Effective Date (EDP):	EDP		
Major-Sub Drainage Basin:	14 - 01	Expiration Date (ExDP):	ExDP		
Water Index Number:	D-53-1	Item No.:	815.6 – 347	Modification Dates (EDPM):	
Compact Area:	DRBC				

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:	Village of Jeffersonville	Attention:	Mayor		
Street:	17 Center Street, PO Box 555				
City:	Callicoon	State:	NY	Zip Code:	12723
Email:	villageofjeff@gmail.com	Phone:	(845) 482-3405		

is authorized to discharge from the facility described below:

FACILITY NAME, ADDRESS, AND PRIMARY OUTFALL									
Name:	Jeffersonville WWTP								
Address / Location:	39 Sickmiller Road					County:	Sullivan		
City:	Jeffersonville				State:	NY	Zip Code:	12748	
Facility Location:	Latitude:	41 °	45 '	57 " N	& Longitude:	74 °	56 '	26 " W	
Primary Outfall No.:	Latitude:	41 °	45 '	55.00 " N	& Longitude:	74 °	56 '	31.76 " W	
Outfall Description:	Treated Sanitary	Receiving Water:	East Branch Callicoon Creek			Class:	C	Standard:	C(T)

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. The co-permittees subject to one or more conditions of this permit are listed on page 2.

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

DISTRIBUTION:

BWP Permit Coordinator (permit.coordinator@dec.ny.gov)
BWP Permit Writer
RWE
RPA
EPA Region II (Region2_NPDES@epa.gov)

Permit Administrator:	
Address:	

DEC Water Quality Engineer (edward.schneider@dec.ny.gov)

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 unless otherwise noted	East Branch Callicoon Creek	EDP	ExDP

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
Flow	Monthly Average	0.12	MGD			Continuous	Recorder		X	
pH	Daily Minimum	6.0	SU			1/day	Grab		X	
	Daily Maximum	9.0	SU							
Temperature	Daily Maximum	Monitor	°F			1/day	Grab		X	
BOD ₅	Monthly Average	30	mg/L	30	lbs/d	1/month	6-hr. Comp.	X	X	1
BOD ₅	7-Day Average	45	mg/L	45	lbs/d	1/month	6-hr. Comp.		X	
Total Suspended Solids (TSS)	Monthly Average	30	mg/L	30	lbs/d	1/month	6-hr. Comp.	X	X	1
Total Suspended Solids (TSS)	7-Day Average	45	mg/L	45	lbs/d	1/month	6-hr. Comp.		X	
Settleable Solids	Daily Maximum	0.3	mL/L			1/day	Grab		X	
Dissolved Oxygen	Daily Maximum	Monitor	mg/l			1/day	Grab			
Ammonia (as N) June 1 st – October 31 st	Monthly Average	1.8	mg/L			1/month	6-hr. Comp.		X	2
Ammonia (as N) November 1 st – May 31 st	Monthly Average	3.6	mg/L			1/month	6-hr. Comp.		X	2
Total Phosphorus (as P)	Monthly Average	Monitor	mg/L			1/month	6-hr. Comp.		X	
Total Dissolved Solids	Daily Maximum	500	mg/L			Quarterly	6-hr. Comp.			2
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			1/month	Grab		X	
Coliform, Fecal	7-Day Geometric Mean	400	No./100 mL			1/month	Grab		X	
Chlorine, Total Residual	Daily Maximum	0.03	mg/L			1/day	Grab		X	2,3,4

FOOTNOTES:

- Effluent shall not exceed 15% and 15% of influent concentration values for BOD₅ & TSS respectively.
- This is a final effluent limitation. See Schedule of Compliance for any applicable interim effluent limitations.
- 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.
- This is a Compliance Level. The calculated WQBEL is 0.01.

DRBC SPECIAL CONDITIONS

1. Prior to the permittee initiating any substantial alterations or additions to the existing WWTP as defined in Section 3.10.3A2.a.16) of the Delaware River Basin Commission's Water Quality Regulations (18CFR Part 410), a No Measurable Change to Existing Water Quality Analysis must be conducted by the Delaware River Basin Commission. The No Measurable Change to Existing Water Quality Analysis shall be conducted prior to final design to ensure that the Commission can provide the permittee with proposed effluent limitations to be included in a future NJPDES permit for Special Protection Waters specific parameters as guidance for treatment design purposes. The permittee is encouraged to contact DRBC staff during the planning stages of any project that meets the definition of substantial alteration or additions, as per DRBC.
2. Except as otherwise authorized by this permit, if the permittee seeks relief from any limitation based upon a Delaware River Basin Commission water quality standard or minimum treatment requirement, the permittee shall apply for approval from the Delaware River Basin Commission Executive Director and NYSDEC for a permit revision.
3. Prior to accepting for treatment and discharge 50,000 gallons per day or more (as a daily average) of wastewater that is imported from outside the Delaware River Basin, the permittee shall first apply to and obtain approval from the Delaware River Basin Commission.
4. The permittee may conduct a study to determine if specific conductance may be substituted for TDS in the permit. The study should include effluent specific data to be used to determine a correlation between TDS and specific conductance. Upon review, the Delaware River Basin Commission will determine if the permit may be modified to allow the substitution of specific conductivity for TDS monitoring. The TDS limit would then be supplanted by a specific conductance limit in the permit.
5. The WWTP shall have available standby power facilities unless it can be shown that a proposed discharge can be interrupted for an extended period with no threat to the water quality of Delaware River Basin Commission (DRBC)-designated Special Protection Waters (SPW)." 18 CFR Part 410 Section 3.10.3. A. 2.d.1.
6. "In the event that the WWTP is not staffed 24 hours every day, the WWTP shall have a remote alarm that will continuously monitor plant operations whenever the plant is not staffed. The alarm system shall be designed to alert someone available with authority and knowledge to take appropriate action." 18 CFR Part 410 Section 3.10.3. A. 2.d.2.
7. "The permittee shall prepare and implement an emergency management plan (EMP) following the guidance provided in the Water Pollution Control Federation's Manual of Practice SM-8, Emergency Planning for Municipal Wastewater Facilities, the U.S. EPA's Design Criteria for Mechanical, Electric and Fluid System and Component Reliability or other suitable manuals. Emergency management plans shall include an emergency notification procedure covering all affected downstream users." 18 CFR Part 410 Section 3.10.3. A. 2.d.4.
8. Based upon the written recommendation of the DRBC staff, when the discharge is operated in accordance with the provisions and conditions established by this permit, then with respect to effluent quality and stream quality objectives, the project does not substantially impair or conflict with the Commission's Comprehensive Plan.

MERCURY MINIMIZATION PROGRAM (MMP) - Type IV

On 05/18/25, the permittee submitted a Conditional Exclusion Certification, certifying that the facility does not have any of the mercury sources listed in Part III.E. of DOW 1.3.10.

1. General – To reduce mercury effluent levels with the goal of achieving the water quality standard of 0.7 ng/L, the permittee must develop, implement, and maintain a written MMP plan, which includes the elements set forth below.
2. Conditional Exclusion Certification – A certification (Appendix C of DOW 1.3.10), signed in accordance with 6 NYCRR 750-1.8, must be submitted once every 5 years for Outfall(s) 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 (SSO¹);
 - One or more effluent samples exceed 12 ng/L, including samples taken as a result of the SPDES application process;
 - Internal or tributary waste stream samples exceed the GLCA effluent limitation and the final effluent samples are less than the GLCA due primarily to dilution by uncontaminated or less contaminated waste streams. Both components of this criterion may include samples taken as a result of the SPDES application process;
 - A SPDES permit application, or other information, indicates that mercury is handled on-site and could be discharged through outfalls;
 - Existence of outfalls that contain legacy mercury contamination;
 - The facility's collection system receives discharges from a dental and/or Categorical Industrial User (CIU²) that may discharge mercury;
 - The facility accepts hauled wastes; OR,
 - The facility is defined as a categorical industry that may discharge mercury. This may also include dentists, universities, hospitals, or laboratories, which have their own individual SPDES permit.
3. Control Strategy – develop and implement with the following minimum elements:
 - a. Equipment and Materials – Equipment and materials (e.g., thermometers, thermostats) used by the permittee, which may contain mercury, must be evaluated by the permittee. As equipment and materials containing mercury are updated/replaced, the permittee must use mercury-free alternatives, if possible.
 - b. Bulk Chemical Evaluation – for chemicals used at a rate which exceeds 1,000 gallons/year or 10,000 pounds/year, the permittee must obtain:
 - i. A manufacturer's certificate of analysis;
 - ii. A chemical analysis performed by a certified laboratory; OR,
 - iii. A notarized affidavit that describes the substances' mercury concentration and the detection limit achieved.

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

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

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

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

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

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

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

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

DEFINITIONS:

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

DISCHARGE NOTIFICATION REQUIREMENTS

- (a) The permittee shall install and maintain identification signs at all outfalls to surface waters listed in this permit, unless the Permittee has obtained a waiver in accordance with the Discharge Notification Act (DNA). Such signs shall be installed before initiation of any new discharge location.
- (b) Subsequent modifications to or renewal of this permit does not reset or revise the deadline set forth in (a) above, unless a new deadline is set explicitly by such permit modification or renewal.
- (c) The Discharge Notification Requirements described herein do not apply to outfalls from which the discharge is composed exclusively of storm water, or discharges to ground water.
- (d) The sign(s) shall be conspicuous, legible and in as close proximity to the point of discharge as is reasonably possible while ensuring the maximum visibility from the surface water and shore. The signs shall be installed in such a manner to pose minimal hazard to navigation, bathing or other water related activities. If the public has access to the water from the land in the vicinity of the outfall, an identical sign shall be posted to be visible from the direction approaching the surface water.

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

N.Y.S. PERMITTED DISCHARGE POINT

SPDES PERMIT No.: NY _____

OUTFALL No. : _____

For information about this permitted discharge contact:

Permittee Name: _____

Permittee Contact: _____

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

OR:

NYSDEC Division of Water Regional Office Address:

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

- (e) 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.

SCHEDULE OF COMPLIANCE

a) The permittee shall comply with the following schedule:

Outfall(s)	Compliance Action	Compliance Date ³
001	PRELIMINARY ENGINEERING REPORT The permittee shall submit a Preliminary Engineering Report (PER) to the Department for approval that meets the requirements of the EFC/DEC Engineering Report Outline (https://www.dec.ny.gov/permits/6054.html). The report shall describe treatment alternatives or other control mechanisms (i.e., pretreatment program / Sewer Use Law) that may be used to comply with the final effluent limitation(s) for <i>Ammonia</i> , <i>Total Dissolved Solids</i> , <i>Total Residual Chlorine</i> .	EDP + 12 Months
	DESIGN DOCUMENTS The permittee shall submit Design Documents to the Department for approval including a Basis of Design Report (BODR), Plans, Specifications, and Construction Schedule for the selected alternative that will ensure compliance with final effluent limitation(s) for <i>Ammonia</i> , <i>Total Dissolved Solids</i> , <i>Total Residual Chlorine</i> .	EDP + 24 Months
	COMPLETE CONSTRUCTION The permittee shall provide a Construction Completion Certification ⁴ to the DEC (send to the Regional Water Engineer and NetDMR@dec.ny.gov) that the disposal system has been fully completed in accordance with the approved Design Documents.	EDP + 54 Months
	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 for <i>Ammonia</i> , <i>Total Dissolved Solids</i> , <i>Total Residual Chlorine</i> .	Upon Department Acceptance

³ 6 NYCRR 750-1.14 (a)

⁴ 6 NYCRR 750-2.10 (c)

SCHEDULE OF COMPLIANCE – Interim Effluent Limits

OUTFALL	EXPIRING
001	Upon completion of Schedule of Compliance

PARAMETER	INTERIM EFFLUENT LIMIT					MONITORING REQUIREMENTS				Notes
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
Ammonia as N	Monthly Average	Monitor	mg/L			1/Month	6-hr. Comp.	-	X	
Total Dissolved Solids	Daily Maximum	1000	mg/L			1/quarter	6-hr. Comp.	-	X	
Total Residual Chlorine	Daily Maximum	0.1	mg/L			1/day	Grab	-	X	

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

MONITORING LOCATIONS

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

Influent: before bar screen/comminutor

Effluent: after UV disinfection

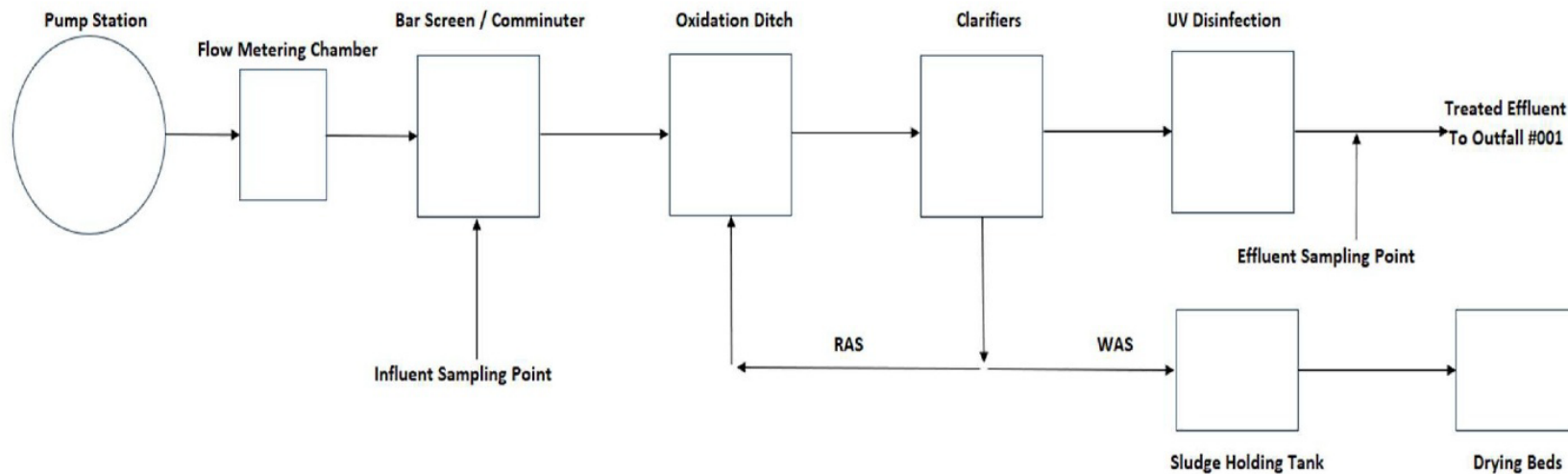


Figure 2. Existing WWTP CAS Process Flow Diagram



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. Other information | 6 NYCRR 750-2.1(f) |
| 9. Additional conditions applicable to a POTW | 6 NYCRR 750-2.9 |
- F. Planned Changes
1. In accordance with 6 NYCRR 750-2.7, the permittee shall give notice to the DEC at least 45 days prior to planned physical alterations or additions to the permitted facility when:
 - a. The alteration or addition to the permitted facility may meet any of the criteria for determining whether facility is a new source in 40 CFR §122.29(b); or
 - b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject either to effluent limitations in the permit, or to notification requirements under 40 CFR §122.42(a)(1); or
 - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

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

GENERAL REQUIREMENTS (continued)

2. Notification Requirement for POTWs

All POTWs shall provide adequate notice to the Department and the USEPA of the following:

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

POTWs shall submit a copy of this notice to the United States Environmental Protection Agency, at the following address:

U.S. EPA Region 2, Clean Water Regulatory Branch, 290 Broadway, 24th Floor, New York, NY 10007-1866

G. Sludge Management

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

H. SPDES Permit Program Fee

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

I. Water Treatment Chemicals (WTCs)

New or increased use and discharge of a WTC requires prior DEC review and authorization. At a minimum, the permittee must notify the DEC in writing of its intent to change WTC use by submitting a completed *WTC Notification Form* for each proposed WTC. The DEC will review that submittal and determine if a SPDES permit modification is necessary or whether WTC review and authorization may proceed under the current permit. The majority of WTC authorizations do not require SPDES permit modification. In any event, use and discharge of a WTC shall not proceed without prior authorization from the DEC. Examples of WTCs include biocides, coagulants, conditioners, corrosion inhibitors, defoamers, deposit control agents, flocculants, scale inhibitors, sequestrants, and settling aids.

1. WTC use shall not exceed the rate explicitly authorized by this permit or otherwise authorized in writing by the DEC.
2. The permittee shall maintain a logbook of all WTC use, noting for each WTC the date, time, exact location, and amount of each dosage, and, the name of the individual applying or measuring the chemical. The logbook must also document that adequate process controls are in place to ensure that excessive levels of WTCs are not used.
3. The permittee shall submit a completed WTC Annual Report Form each year that they use and discharge WTCs. This form shall be submitted in electronic format and attached to either the December DMR or the annual monitoring report required below. The *WTC Notification Form* and *WTC Annual Report Form* are available from the DEC's website at: <http://www.dec.ny.gov/permits/93245.html>

RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS

- A. The monitoring information required by this permit shall be retained for a period of at least five years from the date of the sampling for subsequent inspection by the DEC or its designated agent.
- B. Discharge Monitoring Reports (DMRs): Completed DMR forms shall be submitted for each 1 month reporting period in accordance with 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. Electronic copy submission of the 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

SPDESapp@dec.ny.gov

625 Broadway, Albany, New York 12233-3505

Phone: (518) 402-8111

Department of Environmental Conservation

Regional Water Engineer, Region 3

dow.r3@dec.ny.gov

21 South Putt Corners Road, New Paltz, New York, 12561-1620 Phone: (845) 256-3000

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

SCHEDULE OF ADDITIONAL SUBMITTALS		
Outfall(s)	Required Action	Due Date

SCHEDULE OF ADDITIONAL SUBMITTALS		
Outfall(s)	Required Action	Due Date
001	<u>EMERGING CONTAMINANT SHORT-TERM MONITORING</u> The permittee shall collect grab samples of both the influent and effluent from the facility's treatment system(s) associated with the identified outfall for Per- and Polyfluoroalkyl Substances (PFAS) utilizing EPA analytical method 1633 and 1,4-Dioxane (1,4-D) utilizing EPA Method 8270D SIM or 8270E SIM. The samples must represent normal discharge conditions and treatment operations and shall be obtained on a quarterly basis for at least four (4) consecutive quarters. The results shall be reported through the "Emerging Contaminants Survey for POTWs" found at: <u>Emerging Contaminants In NY's Waters - NYSDEC</u>. Please utilize the link above to access the chain of custody template, monitoring template for laboratories, and monitoring template instructions for laboratories. For each month, please fill out the chain of custody template to reflect the required analytical sampling for each outfall using the correct sample naming convention (example provided in the form). The chain of custody, monitoring template, and monitoring template instructions should then be provided to the laboratory. The laboratory should complete the monitoring template, utilizing EQuIS EDD format, for each month of sampling. The completed chain of custody, monitoring template, and PDF laboratory reports should be submitted with the Emerging Contaminants Survey. The permittee shall initiate track down of potential sources by completing the "Emerging Contaminants Investigation Checklist for POTWs" available at the above link. The DEC may periodically request updates or additional monitoring to check progress on track down investigations. Elements of the checklist may be used as permit conditions in future permit modifications.	EDP + 18 months Within 90 days of DEC written notification
001	<u>ANNUAL FLOW CERTIFICATION</u> The permittee shall submit an Annual Flow Certification form each year in accordance with 750-2.9(c)(4). The form shall be attached to the February DMR or submitted through nForm.	February DMR (March 28 th)
001	<u>ANNUAL EMERGENCY RESPONSE PLAN CERTIFICATION</u> The permittee shall submit a certification of compliance with the Emergency Response Plan requirements in accordance with 6 NYCRR 750-2.9(d) and (f). The form shall be submitted electronically using a NYSDEC approved form.	March 28 th , each year
001	<u>ANNUAL CYBERSECURITY CONTROLS CERTIFICATION</u> The permittee shall submit a certification of compliance with the cybersecurity controls requirements in accordance with 6 NYCRR 750-2.9(e) and (f). The form shall be submitted electronically using a NYSDEC approved form.	March 28 th , each year
001	<u>STORMWATER NO EXPOSURE CERTIFICATION</u> Permittee must recertify every five years a condition of no exposure to stormwater in order to continue to qualify for the no exposure exclusion. The No Exposure Certification Form can be found on the DEC website.	12/31/2026 and every 5 years thereafter
001	<u>MERCURY - CONDITIONAL EXCLUSION CERTIFICATION</u> 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.	6/1/2030 and every 5 years thereafter

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

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

- F. Monitoring and analysis shall be conducted using sufficiently sensitive test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.
- G. More frequent monitoring of the discharge(s), monitoring point(s), or waters of the State than required by the permit, where analysis is performed by a certified laboratory or where such analysis is not required to be performed by a certified laboratory, shall be included in the calculations and recording of the data on the corresponding DMRs.
- H. Calculations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.
- I. Unless otherwise specified, all information recorded on the DMRs shall be based upon measurements and sampling carried out during the most recently completed reporting period.
- J. Any laboratory test or sample analysis required by this permit for which the State Commissioner of Health issues certificates of approval pursuant to section 502 of the Public Health Law shall be conducted by a laboratory which has been issued a certificate of approval. Inquiries regarding laboratory certification should be directed to the New York State Department of Health, Environmental Laboratory Accreditation Program.

SPDES Permit Fact Sheet

Village of Jeffersonville

Jeffersonville WWTP

NY0109029



**Department of
Environmental
Conservation**

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Summary of Permit Changes

Pollutant Discharge Elimination System (SPDES) permit the Jeffersonville WWTP has been expired and a new permit is drafted. The changes to the permit are summarized below:

- Updated permit format, definitions, Monitoring Location, General Requirements, Recording, Reporting and Additional Monitoring Requirements
- Updated Temperature Action Level of 70°F to Temperature “Monitor Only” requirement.
- Updated Settleable Solids Limit from 0.1 ml/l to 0.3 ml/l
- Updated Ammonia Nitrogen (as N) concentration-based summer limit from “Monitor” to 1.8 mg/l
- Updated Ammonia Nitrogen (as N) concentration-based winter limit from “Monitor” to 3.6 mg/l
- Updated Total Dissolved Solids Limit from “1000 mg/l” to 500 mg/l
- Updated Total Residual Chlorine Limit from 0.1 mg/l to 0.03 mg/l
- Removed Nitrate+Nitrite monitoring requirement
- Removed TKN monitoring requirement
- Removed Dissolve Oxygen monitoring requirement
- Updated Footnotes, DRBC Special Conditions and Mercury Minimization Program
- Added a Schedule of Compliance to achieve compliance with final effluent limitation(s) for Ammonia (as N), Total Dissolved Solids and Total Residual Chlorine
- Added Emerging Contaminant Short-term Monitoring, Annual Flow Certification requirements, Annual Emergency Response Plan Certification, Annual Cybersecurity Controls Certification, Stormwater No Exposure Certification, Mercury Minimization Plan and Conditional Exclusion Certification for Mercury 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

- | | |
|------------|---|
| 3/1/2018 | The last full technical review was performed and the SPDES permit became effective with a new five-year term and expiration date of 2/28/2023. The 2023 permit has formed the basis of this permit. |
| 2/27/2018 | New York State Department of Environmental Conservation (DEC) issued modified SPDES permit due to the facility’s EBPS score. |
| 2/28/2023 | The SPDES permit expired. |
| 11/26/2026 | The Village of Jeffersonville submitted a new NY-2A permit application to renew the expired permit. |

Facility Information

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

The current 0.12 MGD treatment plant consists of:

- One Comminutor and one bar screen
- Oxidation ditch and Final Clarification
- UV Disinfection

Sludge is digested aerobically and transferred to sludge drying bed. After drying, the stabilized sludge is removed and transported by a licensed hauler to an approved disposal or beneficial use facility.

The facility's collection system contains 12 pump stations.

The primary outfall (Outfall 001) is 8-inch diameter ductile iron pipe discharges to waterbody at 3 feet from the bank of east branch Callicoon Creek

The facility does not have any planned improvements.

The facility accepts wastewater from the following municipalities:

Municipality	POSS # or SPDES #	Collection System
Village of Jeffersonville	NY0109029	Separate

Site Overview

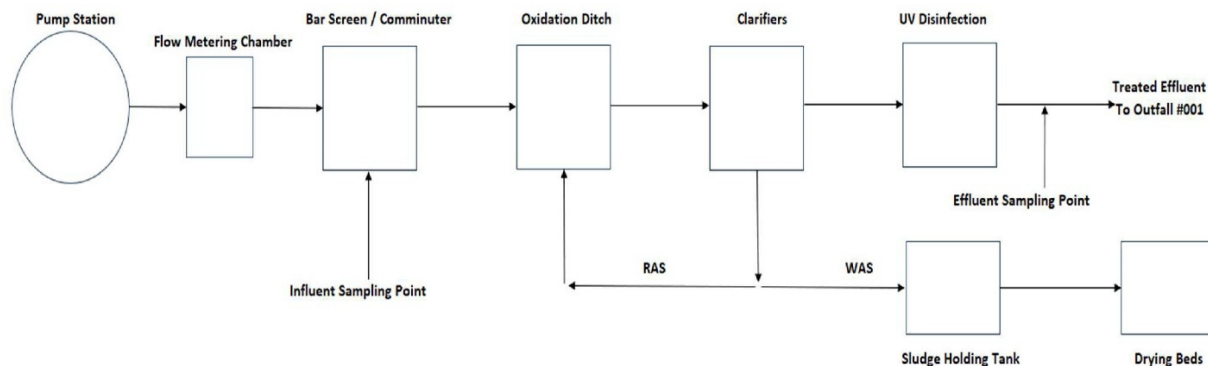


Figure 2. Existing WWTP CAS Process Flow Diagram



Enforcement History

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

Existing Effluent Quality

The [Pollutant Summary Table](#) presents the existing effluent quality and effluent limitations. The existing effluent quality was determined from Discharge Monitoring Reports submitted by the permittee for the period 11/1/2022 to 11/30/2025. [Appendix Link](#)

Interstate Water Pollution Control Agencies

Outfall(s) 001 is located within the Delaware River Basin Commission (DRBC) compact area which places additional requirements in the SPDES permit. [Appendix Link](#)

Receiving Water Information

The facility discharges via the following outfalls:

Outfall No.	SIC Code	Wastewater Type	Receiving Water
001	4952	Treated sanitary sewage	East Branch Callicoon Creek, Class C(T)

The East Branch Callicoon, Lower, Minor Tribs segment (PWL No. 1401-0117) is not listed on the 2022 [New York State Section 303\(d\) List](#) of Impaired/TMDL Waters. As such, a TMDL has not been developed and therefore, there are no applicable wasteload allocations (WLAs) for this facility.

Critical Receiving Water Data

Reach Description:

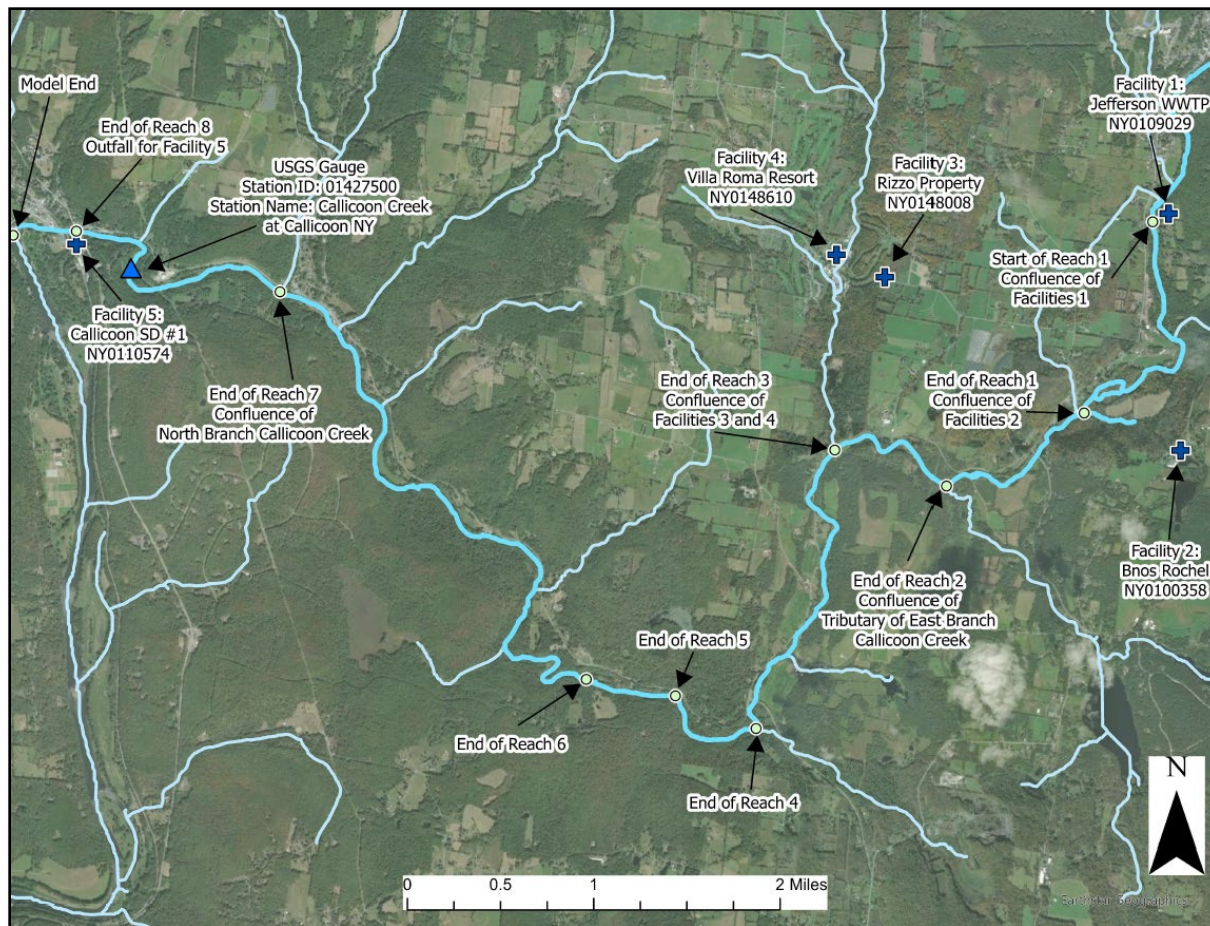
The outfall discharges to a side channel of East Branch of Callicoon Creek, Class C(T). A picture of the outfall below shows the outfall location discharging from the bank. The East Branch of Callicoon Creek is part of the Delaware River Basin.



Outfall Location and Image

A 9-Reach water quality model was developed for simulating dissolved oxygen response for the oxygen demanding pollutants, i.e., carbon and nitrogen (BOD₅ and NOD) discharging from the facilities. The model begins at the Jefferson WWTP outfall to the East Branch of Callicoon Creek, it flows ~8,200 ft downstream to the confluence with Bnos Rochel facility's (NY0100358) discharge point. The stream then flows ~ 5,000 ft down to the confluence of East Branch of Callicoon Creek and Tributary of East Branch Callicoon Creek. The next reach is ~4,100 ft long and receives flows from Villa Roma Resort (NY0148610) and Rizzo Property (NY0148008). The next 4 reaches extend ~34,000 ft with varying slopes and ends with the confluence of the East Branch of Callicoon Creek and North Branch of Callicoon Creek. After the confluence, the stream is called Callicoon Creek.

Callicoon SD #1 enters Callicoon Creek ~7,800 ft downstream of the confluence. The stream then flows ~ 1,900 ft and joins the Delaware River. This marks the end of the water quality model. The water quality model's reaches are shown in the figure below.



Hydrology:

The low flow condition for the East Branch of Callicoon Creek was obtained from a drainage basin ratio analysis with USGS gage station 01427500 Callicoon Creek at Callicoon NY. The 7Q10, and 30Q10 were calculated in the Scientific Investigations Report 2024-5055¹. The low flows at the facility location were found from a drainage basin ratio analysis and are shown below

Gage Name: Callicoon Creek at Callicoon NY

Gage ID: 0142750

Drainage Area at Gage (mi²): 110

Drainage Area at Facility (mi²): 41

1Q10 Flow estimated at Gage (CFS): 3.26 Source: ½ of 7Q10.

7Q10 Flow at Gage (CFS): 6.5277 Source: SIR 2024-5055

30Q10 Flow at Gage (CFS): 8.653 Source: SIR 2024-5055

The USGS gage station is located downstream of four SPDES facilities and includes treated wastewater flows from these facilities. For computing statistically designed low flows, the average of discharge flows from these four facilities were subtracted from the above calculated low flows. Two facilities did not have average flows, so design flows for the facilities were used. These calculations are shown below.

¹ Stagnitta, T.J., Graziano, A.P., Woda, J.C., Glas, R.L., and Gazoorian, C.L. 2024, Low-flow statistics for selected streams in New York, excluding Long Island: U.S. Geological Survey Scientific Investigations Report 2024-5055, 39 p.

Facilities average and design flows.

Villa Roma Resort NY0148610 Average Flow: 0.0554 mgd (DMR data 2020-2026)

Jeffersonville NY0148610 Average Flow: 0.0386 mgd (DMR data 2020-2026)

Bnos Rochel NY0100358 Design Flow: 0.0225 mgd (design flow)

Rizzo Property NY0148008 Design Flow: 0.051 mgd (design flow)

Combined flow of facilities: 0.020478 mgd or 0.31684 cfs

Low flow minus facilities flow.

1Q10 Flow Minus Facilities flow (CFS): $3.26 (1Q10) - 0.31684 (\text{facility flow}) = 2.94$

7Q10 Flow Minus Facilities flow (CFS): $6.5277 (7Q10) - 0.31684 (\text{facility flow}) = 6.21$

30Q10 Flow Minus Facilities flow (CFS): $8.653 (30Q10) - 0.31684 (\text{facility flow}) = 8.34$

Drainage area adjusted low flow at point of discharge minus facilities flow.

1Q10 (CFS): 1.10

7Q10 (CFS): 2.31

30Q10 (CFS): 3.11

Mixing/Dispersion and Dilution Analysis:

The outfall is located on the bank of the side channel. The exit velocity of the discharge from the outfall is minimal which causes the effluent plume to attach to the bank reducing mixing potential. Dilution modeling conducted in similar scenarios consistently supports dilution ratios of no more than 5:1. Because water quality standards are not anticipated to be met within the short distance from the discharge, and in-stream plume may impact the benthic aquatic organisms along the bank, a conservative dilution ratio of 2:1 based on best professional judgment, is appropriate for the protection of aquatic life, sources of drinking water, human consumption of fish, aesthetics, and wildlife.

Outfall No.	Acute Dilution Ratio A(A)	Chronic Dilution Ratio A(C)	Human, Aesthetic, Wildlife Dilution Ratio (HEW)	Basis
001	2:1	2:1	2:1	TOGS 1.3.1 BPJ

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](#).

Anti-backsliding

Effluent limitations for Settleable Solids are less stringent because Consistent with 40 CFR Part 133.102 and TOGS 1.3.3 for POTWs, TBELs reflect secondary treatment standards. The facility does not have sand filters, therefore less stringent TBEL was appropriate.

[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)² 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.

Temperature Requirements for Municipal Discharges to Trout Streams

For municipal discharges to streams classified as trout (T) or trout spawning (TS), the DEC has reviewed the dilution and maximum reported effluent temperature.

The facility does not have a reasonable potential to cause or contribute to an excursion above the thermal criteria of 6 NYCRR 704. Therefore, the permit includes “monitor only” for effluent temperature as a year-round requirement.

Mercury³

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 a municipal facility, discharge class 07. On 5/18/2025, the permittee submitted a Conditional Exclusion Certification, certifying that the facility does not have any of the mercury sources listed in Part III.A.3. of DOW 1.3.10 and the effluent measured <12 ng/L. Therefore, consistent with DOW 1.3.10, the permit includes requirements for the implementation of MMP Type IV and does not include mercury effluent limitations. The [Schedule of Additional Submittals](#) includes a mercury minimization plan annual status report (maintained onsite), and re-certification of the exclusion every five years. As part of the re-certification, the effluent must be sampled and continue to measure <12 ng/L. This requirement has been continued from the previous permit.

Cybersecurity Incident Reporting

In accordance with 6 NYCRR 750-2.7(h)(1), the permittee shall report orally to the DEC, any cybersecurity incident, as soon as possible, but no later than 24 hours from the time the permittee becomes aware of the cybersecurity incident. In accordance with 6 NYCRR 750-2.7(h)(2), the permittee shall provide a written report of any cybersecurity incidents to the DEC within 30 days from the time the permittee becomes aware of the cybersecurity incident. For more information on cybersecurity incident reporting, please see the DEC Division of Water web page: [Cybersecurity Incident Reporting](#).

Annual Emergency Response Plan Certification

In accordance with 6 NYCRR 750-2.9(d), the principal executive officer or ranking elected official of the municipality or a duly authorized representative of that person (as defined in 6 NYCRR 750-2.9(f)) must, by March 28, submit an Annual Emergency Response Plan

² As prescribed by 6 NYCRR Part 617

³ In accordance with DOW 1.3.10 Mercury – SPDES Permitting & Multiple Discharge Variance (MDV), December 30, 2020.

Certification form. In accordance with 6 NYCRR 750-2.5(e), the form must be submitted electronically using a NYSDEC approved form. This requirement is new.

Annual Cybersecurity Controls Certification

In accordance with 6 NYCRR 750-2.9(e), the principal executive officer or ranking elected official of the municipality or a duly authorized representative of that person (as defined in 6 NYCRR 750-2.9(f)) must, by March 28, submit an Annual Cybersecurity Controls Certification form. In accordance with 6 NYCRR 750-2.5(e), the form must be submitted electronically using a NYSDEC approved form. This requirement is new.

Schedule of Compliance

A Schedule of Compliance has been included⁴ for the following items ([Appendix Link](#)):

- 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 effluent limitation for ammonia, total dissolved solids, and total residual chlorine at Outfall 001 is a new requirement and the permittee cannot immediately comply with the WQBEL.

Emerging Contaminant Monitoring

Pursuant to 6 NYCRR 750-1.13(b), the permit includes a short-term monitoring program listed in the Schedule of Additional Submittals to evaluate the influent and effluent discharge levels of Per- and Polyfluoroalkyl Substances (PFAS) and 1,4-Dioxane. This monitoring program is consistent with guidance released in EPA guidance memos dated April 28, 2022, and December 5, 2022.

The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for POTWs to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f).

[Appendix Link](#)

Schedule of Additional Submittals

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

- Emerging Contaminant Short-term Monitoring
- Annual Flow Certification
In accordance with 6 NYCRR 750-2.9(C)(4), the chief fiscal officer of the municipality shall submit an Annual Flow Certification form, located on DEC's website at [Wastewater forms](#), as an attachment to its February DMR or through nForm.
- Annual Emergency Response Plan Certification
- Annual Cybersecurity Controls Certification
- Stormwater No Exposure Certification
- Mercury Conditional Exclusion Certification
Please see [above discussion](#) of mercury. Consistent with DOW 1.3.10, the permittee must submit the [form](#), signed in accordance with 6 NYCRR 750-1.18, every five years

⁴ Pursuant to 6 NYCRR 750-1.14

Permittee: Village of Jeffersonville
Facility: Jeffersonville WWTP
SPDES Number: NY0109029
USEPA Non-Major/Class 07 Municipal

Date: September 15, 2026 v.1.37
Permit Writer: Aparna Roy
Water Quality Reviewer: Edward Schneider
Full Technical Review

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

- Mercury Minimization Plan (MMP) and Status Report
Please see above discussion of MMP and Status Report.

Special Conditions

DRBC conditions have been included.

OUTFALL AND RECEIVING WATER SUMMARY TABLE

Outfall	Latitude	Longitude	Receiving Water Name	Water Class/ Standard	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° 45' 55" N	74° 56' 32" W	East Branch Callicoon Creek	C/ C(T)	D-53-1 PWL: 1401-0117	14/01	-	1.10	2.31	3.11	0.12	2:1	2:1	2:1

POLLUTANT SUMMARY TABLE

Outfall 001

Outfall #	001	Description of Wastewater: Treated sanitary sewage.													
		Type of Treatment: Bar Screen, Comminuter, Grit Removal. Oxidation Ditch, Final Clarifier and UV Disinfection													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁵	# 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 11/1/2022 to 11/30/2025 was obtained from Discharge Monitoring Reports provided by the permittee. All applicable water quality standards were reviewed for development of the WQBELs. The standard and WQBEL shown below represent the most stringent.															
Flow Rate	MGD	Monthly Avg	0.12	0.15 Actual Average	36/0	0.12	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	6.1 Actual Min	36/0	6.0	40 CFR 133.102	7.4 ⁶	-	6.5 – 8.5	Range	-	703.3	-	TBEL
		Maximum	9	8.55 Actual Max	36/0	9.0									
Consistent with TOGS 1.3.3 for POTWs, TBELs reflect secondary treatment standards. Given the available dilution, an effluent limitation equal to the TBEL is protective of the WQS.															

⁵ 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)

⁶ pH 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](#).

Permittee: Village of Jeffersonville
 Facility: Jeffersonville WWTP
 SPDES Number: NY0109029
 USEPA Non-Major/Class 07 Municipal

Date: September 15, 2026 v.1.37
 Permit Writer: Aparna Roy
 Water Quality Reviewer: Edward Schneider
 Full Technical Review

Outfall #	001	Description of Wastewater: Treated sanitary sewage.													
		Type of Treatment: Bar Screen, Comminuter, Grit Removal. Oxidation Ditch, Final Clarifier and UV Disinfection													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁵	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Temperature	°F	Daily Max	AL	70 Actual Max	35/0	AL	Antibacksliding	-	No discharge at a temperature over 70°F (21°C) shall be permitted at any time to streams classified for trout				704.2	-	Monitor
See the Temperature Requirements for Municipal Discharges to Trout Streams section of the fact sheet for a full discussion.															
Dissolved Oxygen (DO)	mg/L	Daily Min	Monitor	13.65	36/0	-	-	-	>5.0	5.0 mg/L	-	703.3	-	Monitor	
(DO)	Based upon the water quality model a WQBEL for DO is not required. Monitoring is suggested to be continued as the discharge is to a trout stream.														
5-day Biochemical Oxygen Demand (BOD ₅)	mg/L	Monthly Avg	30	9.03	36/0	30	40 CFR 133.102	-	See Dissolved Oxygen for Surrogate Standard			-	703.3	-	TBEL
	7 Day Avg	45	12.98	36/0	45	40 CFR 133.102	-								
	lbs/d	Monthly Avg	30	2.64	36/0	-	-					-			
	7 Day Avg	45	4.18	36/0	-	-	-								
	% Rem	Minimum	85	94	36/0	85	40 CFR 133.102					-			
Consistent with 40 CFR Part 133.102 and TOGS 1.3.3 for POTWs, TBELs reflect secondary treatment standards.															
The downstream DO concentration was modeled using the Streeter-Phelps equations with the following inputs: Effluent DO = 2.0 mg/l (assumed value consistent with TOGS 1.3.1D), Effluent BOD ₅ = 30 mg/L (secondary treatment level), Effluent NOD =8.1 mg/L (Equivalent NOD based on 1.8 NH ₃ as N-ammonia limit).															
The model showed that DO standards are maintained and consequently WQBELs for DO and BOD ₅ are unnecessary and the TBELs are protective of water quality.															
Total Suspended Solids (TSS)	mg/L	Monthly Avg	30	12.01	21/15	30	40 CFR 133.102	-	None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages.			703.2	-	TBEL	
	7 Day Avg	45	18.18	21/15	45	40 CFR 133.102									
	lbs/d	Monthly Avg	30	3.26	21/15	-	-								
	7 Day Avg	45	5.18	21/15	-	-									
	% Rem	Minimum	85	80	21/15	85	40 CFR 133.102								
Consistent with 40 CFR Part 133.102 and TOGS 1.3.3 for POTWs, TBELs reflect secondary treatment standards. Given the available dilution, an effluent limitation equal to the TBEL, and consistent with TOGS 1.3.3, is protective of water quality standards.															

Permittee: Village of Jeffersonville
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Full Technical Review

Outfall #	001	Description of Wastewater: Treated sanitary sewage.													
		Type of Treatment: Bar Screen, Comminuter, Grit Removal. Oxidation Ditch, Final Clarifier and UV Disinfection													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁵	# 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	34/1	0.3	TOGS 1.3.3	-	None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages				703.2	-	TBEL
Given that adequate dilution is available the TBEL is protective of WQS. According to TOGS 1.3.3, the effluent limitation for Settleable Solids is equal to the TBEL of 0.3 ml/l for POTWs providing secondary treatment without filtration. The WWTP does not include sand filters.															
Nitrogen, Ammonia (as N)	mg/L	Daily Max	Monitor	1.11	28/8	-	-	0.082	-	0.93	A(C)	1.8	703.5	-	WQBEL
	lb/d	Daily Max	-	-	-	-	-	-	-	-	-	-			
SUMMER 6/1 – 10/31 The WQS for Ammonia was determined from TOGS 1.1.1 for a pH of 7.6 ⁷ and a summer temperature of 24 °C. The temperature of the receiving waterbody was an assumed value and consistent with TOGS 1.3.1E. Reporting for Ammonia has been changed from (as NH ₃) to (as N) for simpler data reporting, as this is consistent with the laboratory reporting units. Values can be converted using the equation: Ammonia (as N) = Ammonia (as NH ₃) x 0.8224.															
Nitrogen, Ammonia (as N)	mg/L	Daily Max	Monitor	1.11	28/8	-	-	0.082	-	1.86	A(C)	3.6	703.5	-	WQBEL
	lb/d	Daily Max	-	-	-	-	-	-	-	-	-	-			
WINTER 11/1 – 5/31 The WQS for Ammonia was determined from TOGS 1.1.1 for a pH of 7.6 ⁸ and a winter temperature of 10 °C. The temperature of the receiving waterbody was an assumed value and consistent with TOGS 1.3.1E. Reporting for Ammonia has been changed from (as NH ₃) to (as N) for simpler data reporting, as this is consistent with the laboratory reporting units. Values can be converted using the equation: Ammonia (as N) = Ammonia (as NH ₃) x 0.8224.															
Total	mg/L	Daily Max	Monitor	8.83	36/0	-	-	-	None in amounts that will result in growths of algae, weeds and slimes that will impair the waters for their best usages.				703.2	-	Antibacksliding

⁷ pH 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](#)

⁸ pH 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](#).

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Outfall #	001	Description of Wastewater: Treated sanitary sewage.													
		Type of Treatment: Bar Screen, Comminuter, Grit Removal. Oxidation Ditch, Final Clarifier and UV Disinfection													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁵	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Phosphorus	As discussed in the draft TOGS 1.3.6 updates, public noticed December 24, 2024, the Department intends on updating our guidance to address total phosphorus from existing facilities which suggests existing sanitary discharges identified in a “priority watershed” meet a total phosphorus concentration of 1.0 mg/L, 0.5 mg/L, or less based on the facilities treatment technology and the condition of the receiving water. It should be noted that this facility may be subject to such provisions upon finalization of that updated guidance. In the meantime, monitoring is being required.														
Total Mercury	ng/L	Daily Max	-	2.0	1/0	-	-	-	-	0.7	H(FC)			-	-
	See Mercury section of this fact sheet.														
Coliform, Fecal	#/100 ml	30d Geo Mean	200	279.79	31/5	200	TOGS 1.3.3	-	The monthly geometric mean, from a minimum of five examinations, shall not exceed 200.				703.4	-	Antibacksliding
		7d Geo Mean	400	1123	31/5	400	TOGS 1.3.3	-							
	Effluent disinfection is currently required year-round and has been continued.														
Total Residual Chlorine (TRC)	mg/L	Daily Max	0.1	<0.1	34/2	2.0	TOGS 1.3.3	-	-	0.005	A(C)	0.010	703.5	0.03	WQBEL
	Effluent disinfection is currently required year-round and has been continued. Due to the low dilution, the calculated WQBEL is less than the TBEL and less than the minimum level of detection. Therefore, an effluent limitation equal to the minimum level of detection of 0.030 mg/L is appropriate.														
Total Dissolved Solids	mg/L	Daily Max	Monitor	584.66	12/0	-	-	-	187.1	500	Narrative	2500	703.3	-	DRBC
	mg/L	Daily Max				-	-	-	-	-	-	1000	DRBC	-	
	NYSDEC WQBEL for TDS is less than the Delaware River Basin Commission (DRBC) permit requirement of 1000 mg/L for TDS. Therefore, NYSDEC based effluent limit should be included in the permit as it is more stringent of the two.														
Nitrate+Nitrite	mg/L	Daily Max	Monitor	123.46	36/0	-	-	-	27.16	-	-	-	-	-	-
	lb/d	Daily Max	-	-	-	-	-								
	DRBC has enough information on Nitrate+Nitrite to do modeling evaluations for this facility if needed, therefore Monitoring can be discontinued.														
TKN	mg/L	Daily Max	Monitor	23.03	36/0	-	-	-	5.07	-	-	-	-	-	-
	lb/d	Daily Max	-	-	-	-	-								
	DRBC has enough information on TKN to do modeling evaluations for this facility if needed, therefore Monitoring can be discontinued.														

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Outfall 001

Emerging Contaminants: Outfall # 001															
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁹	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Notes: See Emerging Contaminant Monitoring section above. Effluent samples were analyzed for the 40 PFAS compounds and 1,4-Dioxane.															
Perfluoro-butanoic Acid (PFBA)	ng/L	Daily Max	-	8.16	1/0	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-pentanoic Acid (PFPeA)	ng/L	Daily Max	-	11.3	1/0	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-hexanoic Acid (PFHxA)	ng/L	Daily Max	-	16.2	1/0	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-heptanoic Acid (PFHpA)	ng/L	Daily Max	-	1.12	1/0	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-octanoic Acid (PFOA)	ng/L	Daily Max	-	4.02	1/0	-	-	-	4.98	-	-	-	TOGS 1.1.1	-	No Limitation
	Based on available data, no permit limit or action level required at this time. Short term monitoring program has been added.														
Perfluoro-nonanoic Acid (PFNA)	ng/L	Daily Max	-	1.28	1/0	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-decanoic Acid (PFDA)	ng/L	Daily Max	-	1.1	1/0	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-undecanoic Acid (PFUnA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation

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

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Emerging Contaminants: Outfall # 001															
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁹	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Perfluoro-dodecanoic Acid (PFDoA)	Based on available data, no additional monitoring is required at this time.														
Perfluoro-tridecanoic Acid (PFTriA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-tetradecanoic Acid (PFTeA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-butanesulfonic Acid (PFBS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-pentanesulfonic Acid (PFPeS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-hexanesulfonic Acid (PFHxS)	ng/L	Daily Max	-	0.683	1/0	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-heptanesulfonic Acid (PFHpS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-octanesulfonic Acid (PFOS)	ng/L	Daily Max	-	1.85 Actual Max	1/0	-	-	-	2.29	160,000	A(C)	No RP	TOGS 1.1.1	-	No Limitation
	The projected instream concentration was calculated using the maximum reported effluent concentration of 1.85 ng/L, a multiplier of 6.2, the chronic dilution ratio, and an assumed negligible upstream ambient concentration. The multiplier was selected from EPA's Technical Support Document Chapter 3.3 to account for the number of samples. A comparison of the projected instream concentration to the guidance value indicates no reasonable potential to cause or contribute to a water quality violation.														
	Based on available data, no permit limit or action level required at this time. Short term monitoring program has been added.														
Perfluoro-nonanesulfonic Acid (PFNS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-decanesulfonic Acid (PFDS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation

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Emerging Contaminants: Outfall # 001															
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁹	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Perfluoro-dodecane-sulfonic Acid (PFDoS)	Based on available data, no additional monitoring is required at this time.														
Perfluoro-octane-sulfonamide (FOSA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
N-methyl Perfluoro-octanesulfon-amidoacetic Acid (NMeFOSAA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
N-ethyl Perfluoro-octanesulfon-amidoacetic Acid (NEtFOSAA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
4:2 Fluorotelomer Sulfonic Acid (FTS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
6:2 Fluorotelomer Sulfonic Acid (FTS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
8:2 Fluorotelomer Sulfonic Acid (FTS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
N-ethyl Perfluoro-octanesulfon-amide (NEtFOSA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														

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Emerging Contaminants: Outfall # 001															
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁹	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
N-methyl Perfluoro-octanesulfonamide (NMeFOSA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
N-methyl Perfluoro-octanesulfonamidoethanol (NMeFOSE)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
N-ethyl Perfluoro-octanesulfonamidoethanol (NEtFOSE)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
9-Chlorohexadeca-fluoro-3-oxanonane-1-sulfonic Acid (9Cl-PF3ONS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Hexafluoro-propylene Oxide Dimer Acid (HFPO-DA or GenX)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
11-Chloroeicosafluoro-3-oxaundecane-1-sulfonic Acid (11Cl-PF3OUdS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
4,8-Dioxa-3H-perfluorononanoic Acid (ADONA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation

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Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁹	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
3-Perfluoropropyl Propanoic Acid (3:3 FTCA)	Based on available data, no additional monitoring is required at this time.														
2H,2H,3H,3H-Perfluoro-octanoic Acid (5:3 FTCA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
3-Perfluoroheptyl Propanoic Acid (7:3 FTCA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Nonafluoro-3,6-dioxaheptanoic Acid (NFDHA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-4-methoxy-butanoic Acid (PFMBA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-3-methoxy-propanoic Acid (PFMPA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro(2-ethoxyethane)sulfonic Acid (PFEEESA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
1,4-Dioxane	µg/L	Daily Max	-	ND	0/1	-	-	-	-	18,000	A(C)	No RP	TOGS 1.1.1	-	No Limitation
	The projected instream concentration was calculated using the maximum reported effluent concentration of ND ng/L, a multiplier of 6.2, the chronic dilution ratio, and an assumed negligible upstream ambient concentration. The multiplier was selected from EPA's Technical Support Document Chapter 3.3 to account for the number of samples. A comparison of the projected instream concentration to the guidance value indicates no reasonable potential to cause or contribute to a water quality violation.														
	Based on available data, no permit limit or action level required at this time. Short term monitoring program has been added.														

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.

Interstate Water Pollution Control Agencies

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

Existing Effluent Quality

The existing effluent quality is determined from a statistical evaluation of effluent data in accordance with TOGS 1.2.1 and the USEPA Office of Water, Technical Support Document for Water Quality-based Toxics Control, March 1991, Appendix E (TSD). The existing effluent quality is equal to the 95th (monthly average) and 99th (daily maximum) percentiles of the lognormal distribution of existing effluent data. When there are greater than three non-detects, a delta-lognormal distribution is assumed, and delta-lognormal calculations are used to determine the monthly average and daily maximum pollutant concentrations. Statistical calculations are not performed for parameters where there are less than ten data points. If additional data is needed, a monitoring requirement may be specified either through routine monitoring or a short-term high intensity monitoring program. The [Pollutant Summary Table](#) identifies the number of sample data points available.

Permit Requirements

Basis for Effluent Limitations

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

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

Anti-backsliding

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

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

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

Antidegradation Policy

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

Effluent Limitations

In developing a permit, the DEC determines the technology-based effluent limitations (TBELs) and then evaluates the water quality expected to result from technology controls to determine if any exceedances of water quality criteria in the receiving water might result. If there is a reasonable potential for exceedances of water quality criteria to occur, water quality-based effluent limitations (WQBELs) are developed. A WQBEL is designed to ensure that the water quality standards of receiving waters are met. In general, the CWA requires that the effluent limitations for a particular pollutant are the more stringent of either the TBEL or WQBEL.

Technology-based Effluent Limitations (TBELs) for Industrial Facilities

A TBEL requires a minimum level of treatment for industrial point sources based on currently available treatment technologies or Best Management Practices (BMPs). CWA sections 301(b) and 402, ECL sections 17-0509, 17-0809 and 17-0811, and 6 NYCRR 750-1.11 require technology-based controls on effluents. TBELs are set based upon an evaluation of New Source Performance Standards (NSPS), Best Available Technology Economically Achievable (BAT), Best Conventional Pollutant Control Technology (BCT), Best Practicable Technology Currently Available (BPT), and Best Professional Judgment (BPJ).

USEPA Effluent Limitation Guidelines (ELGs) Applicable to Facility

In many cases, BPT, BCT, BAT and NSPS limitations are based on effluent guidelines developed by USEPA for specific industries, as promulgated under 40 CFR Parts 405-471. Applicable guidelines, pollutants regulated by these guidelines, and the effluent limitation derivation for facilities subject to these guidelines is in the [USEPA Effluent Limitation Guideline Calculations Table](#).

Best Professional Judgement (BPJ)

For substances that are not explicitly limited by regulations, the permit writer is authorized to use BPJ in developing TBELs. Consistent with section 402(a)(1) of the CWA, and NYS ECL section 17-0811, the DEC is authorized to issue a permit containing "any further limitations necessary to ensure compliance with water quality standards adopted pursuant to state law". BPJ limitations may be set on a case-by-case basis using any reasonable method that takes into consideration the criteria set forth in 40 CFR 125.3. Applicable state regulations include 6 NYCRR 750-1.11. The BPJ limitation considers the existing technology present at the facility, the statistically calculated existing effluent quality for that parameter, and any unique or site-specific factors relating to the facility. Technology limitations generally achievable for various treatment technologies are included in TOGS 1.2.1, Attachment C. These limitations may be used for the listed parameters when the technology employed at the facility is listed.

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.

Technology-based Effluent Limitations (TBELs) for Discharges to Groundwater

TBELs aim to prevent pollution by requiring a minimum level of effluent quality that is attainable using demonstrated technologies for reducing discharges of pollutants or pollution into the waters of the United States. ECL section 17-0509, and 6 NYCRR 750-1.11 require technology-based controls for POTWs discharging to surface waters, known as secondary treatment. The applicable regulations are specified in 40 CFR 133.102 and 6 NYCRR 750-1.11. These and other requirements are summarized in TOGS 1.3.3 and below:

- Secondary treatment requirements of 40 CFR Part 133 will typically not be included unless the facility discharges to a surface water prior to entering the groundwater or if, in the permit writer's judgement, limitations are necessary to prevent nuisance conditions or enhance plant operation.
- Since nitrogen is a component of all domestic wastewater, permits for facilities discharging 30,000 GPD or greater include effluent limitations for Nitrate of 20 mg/L (as N). Groundwater discharges in Nassau and Suffolk Counties are required to achieve an effluent standard for Total Nitrogen of 10 mg/L (as N).
- Disinfection will typically not be required for discharges to groundwater unless local public health concerns exist due to exposure or contact with effluent. When this occurs, disinfection requirements and effluent limitations for chlorine residual are developed in accordance with TOGS 1.3.3.

Technology-based Effluent Limitations (TBELs) for Industrial Facilities to Groundwater

TBELs aim to prevent pollution by requiring a minimum level of effluent quality that is attainable using demonstrated technologies for reducing discharges of pollutants or pollution into the waters of the United States. Requirements for discharges from industrial facilities to groundwater are summarized in TOGS 1.2.1. In accordance with TOGS 1.2.1, for facilities discharging to groundwater:

- Discharges will typically be limited to the more stringent of the groundwater effluent standards in 6 NYCRR 703.6 or the applicable treatment technology listed in TOGS 1.2.1 Attachment (C).
- Discharges from industrial facilities which contain nitrogen or nitrogen compounds include effluent limitations for Nitrate of 20 mg/L (as N). Groundwater discharges in Nassau and Suffolk Counties are required to achieve an effluent standard for Total Nitrogen of 10 mg/L (as N).
- Disinfection will typically not be required for discharges to groundwater unless local public health concerns exist due to exposure or contact with effluent.

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.

Water Quality-Based Effluent Limitations (WQBELs) for Discharges to Groundwater

The procedure for developing WQBELs includes identifying the pollutants present in the discharge(s), identifying water quality criteria applicable to these pollutants, determining if WQBELs are necessary (reasonable potential), and calculating the WQBELs. For groundwater discharges, if the expected concentration of the pollutant of concern in the receiving water may exceed the ambient groundwater quality standard or guidance value, then there is reasonable potential that the discharge may cause or contribute to a violation of the water quality, and a WQBEL for the pollutant is required.

WQBELs for groundwater discharges are based on the groundwater effluent limits set forth in 6 NYCRR Part 703 (Surface Water and Groundwater Quality Standards and Groundwater Effluent Limitations) except as noted in 6 NYCRR 702.21. TOGS 1.1.1 provides a listing of groundwater effluent limitations for substances having an ambient water quality standard or guidance value. Groundwater effluent limitations are applied at the point of discharge to the groundwater distribution system.

For land treatment systems with no accessible final sampling points, such as constructed wetland treatment systems or buried sand filters, permit limitations for groundwater discharges are typically based on ambient groundwater quality standards or guidance values applied at representative down gradient monitoring well(s). Limitations at the downgradient sampling point are set at the Class GA ambient groundwater standards, rather than at the groundwater effluent limits promulgated under 6 NYCRR 703.6, as compliance is determined based upon the concentrations present in the downgradient groundwater monitoring well at the groundwater interface.

Class GA standards are established for the protection of sources of drinking water designated as Health (Water Source) or H(WS) in TOGS 1.1.1. As such, effluent limitations based on aquatic life criteria and WET testing requirements are not applicable to groundwater discharges.

Whole Effluent Toxicity (WET) Testing:

WET tests use small vertebrate and invertebrate species to measure the aggregate toxicity of an effluent. There are two different durations of toxicity tests: acute and chronic. Acute toxicity tests measure survival over a 96-hour test exposure period. Chronic toxicity tests measure reductions in survival, growth, and reproduction over a 7-day exposure. TOGS 1.3.1 includes guidance for determining when aquatic toxicity

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

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

Minimum Level of Detection

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

Monitoring Requirements

CWA section 308, 40 CFR 122.44(i), 6 NYCRR 750-1.13, and 750-2.5 require that monitoring be included in permits to determine compliance with effluent limitations. Additional effluent monitoring may also be required to gather data to determine if effluent limitations may be required. The permittee is responsible for conducting the monitoring and reporting results on Discharge Monitoring Reports (DMRs). The permit contains the monitoring requirements for the facility. Monitoring frequency is based on the minimum sampling necessary to adequately monitor the facility's performance and characterize the nature of the discharge of the monitored flow or pollutant. Variable effluent flows and pollutant levels may be required to be monitored at more frequent intervals than relatively constant effluent flow and pollutant levels (6 NYCRR 750-1.13). For industrial facilities, sampling frequency is based on guidance provided in TOGS 1.2.1. For municipal facilities, sampling frequency is based on guidance provided in TOGS 1.3.3.

Requirements for Combined Sewer Overflows (CSOs)

Pollution from combined sewer overflows is controlled with implementation of SPDES permit conditions in accordance with the Division of Water CSO Control strategy (TOGS 1.6.3) and the USEPA CSO Control Policy issued April 11, 1994.

CWA Section 402(q) requires that each permit for a discharge from a municipal combined storm and sanitary sewer shall conform to EPA's Combined Sewer Overflow Control Policy.^[1] The CSO Control Policy identifies specific requirements for Phase I and Phase II permits. Phase I permits must include requirements for the implementation of the Nine Minimum Controls (NMCs) and development of the Long-Term CSO Control Plan (LTCP).

^[1] Available at <https://www.epa.gov/sites/production/files/2015-10/documents/owm0111.pdf>

The 15 CSO Best Management Practices (BMPs) required by NYS under TOGS 1.6.2 are equivalent to the "Nine Minimum Control Measures" required under the USEPA National Combined Sewer Overflow policy (33 USC section 1342(q)). BMPs are technology-based requirements developed in accordance with best professional judgement. These are largely non-structural measures which are designed to maximize pollutant capture and removal from the combined sewer system and the POTW as a whole.

Phase II permits must include requirements to implement the technology-based controls including the NMCs determined on a BPJ basis, as well as requirements which ensure that the selected CSO controls are implemented, operated, and maintained as described in the long-term CSO control plan (LTCP). These requirements are critical to meeting the objectives of the Policy, including to bring all CSO discharge points into compliance with the technology-based and water quality-based requirements of the CWA, and to minimize the water quality, aquatic biota, and human health impacts from CSOs.

Additionally, the 1994 CSO Control Policy requires permits include a requirement for CSO communities who have developed an approved LTCP to reassess overflows to sensitive areas in those cases where elimination or relocation of the overflows is not physically possible and economically achievable. The reassessment should be based on consideration of new or improved techniques to eliminate or relocate overflows or changed circumstance that influence economic achievability.

Other Conditions

Mercury

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

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

Schedules of Compliance

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

Emerging Contaminants

Emerging Contaminants, such as Perfluorooctanoic acid (PFOA), Perfluorooctanesulfonic acid (PFOS), and 1,4-Dioxane (1,4-D), have been used in a wide variety of consumer and industrial products as well as in manufacturing processes for decades. Based on available research, water quality assessments for 1,4-D will follow existing WQBEL development. PFOA and PFOS do not break down easily; therefore, their presence in wastewater can remain a concern for years following their discontinued use. As the science surrounding these contaminants is still evolving, additional monitoring is needed to better understand potential sources and background levels. For more information on emerging contaminants, please see the DEC Division of Water web page: [Emerging Contaminants In NY's Waters - NYSDEC](#).

Schedule(s) of Additional Submittals

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

Best Management Practices (BMP) for Industrial Facilities

BMP plans are authorized for inclusion in NPDES permits pursuant to Sections 304(e) and 402 (a)(1) of the Clean Water Act, and 6 NYCRR 750-1.14(f). The regulations pertaining to BMPs are promulgated under 40 CFR Part 125, Subpart K. These regulations specifically address surface water discharges.

Pollutant Minimization Programs

Pollutant Minimization Programs are included when a pollutant is being discharged from the facility at detectable levels and the ML for the most sensitive method is greater than the calculated WQBEL. These programs typically include an on-going potential source identification, evaluation, and prioritization program to demonstrate progress towards meeting the goal of the WQBEL. Pollutant Minimization Plan requirements are based on 40 CFR Part 132 Appendix F Procedure 8, 6 NYCRR 750-1.13(a) and 750-1.14(f), and TOGS 1.2.1.

Mini Industrial Pretreatment Program

Pretreatment requirements are intended to protect a WWTP from receiving pollutants that cause pass through or interference to the operations of the POTW receiving such wastes. When necessary, the DEC, in accordance with TOGS 1.3.3. and through issued SPDES permits, requires WWTPs to develop and implement mini or partial pretreatment programs. These requirements are consistent with regulations in 6 NYCRR 750-2.9(b)(1), ECL 17-0811, ECL 17-0825, and 40 CFR §403.5.

As part of the mini pretreatment program, a WWTP must identify industrial users; determine whether legal authority controls (e.g. sewer use laws) are adequate; require, issue, and enforce industrial user permits; and, implement the program.