



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

Industrial Code:	8999	SPDES Number:	NY0124133
Discharge Class (CL):	02	DEC Number:	4-1924-00009/00001
Toxic Class (TX):	N	Effective Date (EDP):	February 1, 2024
Major Drainage Basin:	13	Expiration Date (ExDP):	December 31, 2029
Sub Drainage Basin:	09	Modification Dates: (EDPM)	EDPM
Water Index Number:	H-193-20		
Compact Area:			

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

PERMITTEE NAME AND ADDRESS			
Name:	Estate of Anna R. Pacifico	Attention:	Raymond Pacifico, Executor
Street:	P.O. Box 777		
City:	Cairo	State:	NY Zip Code: 12413

is authorized to discharge from the facility described below:

FACILITY NAME AND ADDRESS			
Name:	East View Garden Apartments		
Location (C,T,V):	Cairo (T)	County:	Greene
Facility Address:	71 – 117 Klingermann Dr		
Town/City:	Cairo	State:	NY Zip Code: 12413
From Outfall No.:	001	at Latitude:	42 ° 18 ' 44 " & Longitude: 73 ° 59 ' 55 "
into receiving waters known as:	Tributary to Shingle Kill		Class: C

in accordance with: effluent limitations; monitoring and reporting requirements; other provisions and conditions set forth in this permit; and 6 NYCRR Part 750-1 and 750-2.

DISCHARGE MONITORING REPORT (DMR) MAILING ADDRESS			
Mailing Name:	Estate of Anna R. Pacifico		
Street:	P.O. Box 777	E-mail:	Info@pacificovaluations.com
Town/City:	Cairo (T)	State:	NY Zip Code: 12413
Responsible Official or Agent:	Raymond Pacifico, Executor	Phone:	(518) 821-6161

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:

- R4 DOW
- CO DOW
- CEDR In-Box
- R4 DEP
- USEPA
- NYSDOH

Regional Permit Administrator: Kate F. Malcolm	
Address: 1130 North Westcott Road Schenectady, New York 12306 - 2014	
Signature:	Date: / /

PERMIT LIMITS, LEVELS AND MONITORING DEFINITIONS

OUTFALL	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
	This cell describes the type of wastewater authorized for discharge. Examples include process or sanitary wastewater, storm water, non-contact cooling water.	This cell lists classified waters of the state to which the listed outfall discharges.	The date this page starts in effect. (e.g. EDP or EDPM)	The date this page is no longer in effect. (e.g. ExDP)

PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQ.	SAMPLE TYPE
e.g. pH, TRC, Temperature, D.O.	The minimum level that must be maintained at all instants in time.	The maximum level that may not be exceeded at any instant in time.	SU, °F, mg/l, etc.	See below	See below

PARAMETER	EFFLUENT LIMIT or CALCULATED LEVEL	COMPLIANCE LEVEL/ ML	ACTION LEVEL	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE
	Limit types are defined below in Note 1. The effluent limit is developed based on the more stringent of technology-based limits, required under the Clean Water Act, or New York State water quality standards. The limit has been derived based on existing assumptions and rules. These assumptions include receiving water hardness, pH and temperature; rates of this and other discharges to the receiving stream; etc. If assumptions or rules change the limit may, after due process and modification of this permit, change.	For the purposes of compliance assessment, the permittee shall use the approved EPA analytical method with the lowest possible detection limit as promulgated under 40CFR Part 136 for the determination of the concentrations of parameters present in the sample unless otherwise specified. If a sample result is below the detection limit of the most sensitive method, compliance with the permit limit for that parameter was achieved. Monitoring results that are lower than this level must be reported, but shall not be used to determine compliance with the calculated limit. This PQL can be neither lowered nor raised without a modification of this permit.	Action Levels are monitoring requirements, as defined below in Note 2, which trigger additional monitoring and permit review when exceeded.	This can include units of flow, pH, mass, temperature, or concentration. Examples include µg/l, lbs/d, etc.	Examples include Daily, 3/week, weekly, 2/month, monthly, quarterly, 2/yr and yearly. All monitoring periods (quarterly, semiannual, annual, etc) are based upon the calendar year unless otherwise specified in this Permit.	Examples include grab, 24 hour composite and 3 grab samples collected over a 6 hour period.

Notes:

1. EFFLUENT LIMIT TYPES:

- DAILY DISCHARGE:** The discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for the purposes of sampling. For pollutants expressed in units of mass, the 'daily discharge' is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the 'daily discharge' is calculated as the average measurement of the pollutant over the day.
- DAILY MAX.:** The highest allowable daily discharge. **DAILY MIN.:** The lowest allowable daily discharge.
- MONTHLY AVG:** 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.
- 7 DAY ARITHMETIC MEAN (7 day average):** The highest allowable average of daily discharges over a calendar week.
- 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.
- 7 DAY GEOMETRIC MEAN:** The highest allowable geometric mean of daily discharges over a calendar week.
- RANGE:** The minimum and maximum instantaneous measurements for the reporting period must remain between the two values shown.

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

PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL(S)	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
001 ⁴	On-Site Treatment System Effluent → On-Site Pond	On-Site Pond → Tributary to Shingle Kill	EDPM	January 31, 2029

PARAMETER	EFFLUENT LIMIT					MONITORING REQUIREMENTS				FN
	Type	Daily Maximum (unless noted)	UNITS	Daily Average	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	Location		
								Influent	Effluent	
LIMITATIONS APPLY: <input checked="" type="checkbox"/> All Year <input type="checkbox"/> Seasonal (unless otherwise noted)										
Flow	-	-	-	6,360	gpd	Continuous	Flow Meter	X		1
Ammonia (as NH ₃) (June 1 st to October 31 st)	-	1.5	mg/L	Not Applicable		Quarterly	Grab		X	2
Ammonia (as NH ₃) (November 1 st to May 31 st)	-	2.2	mg/L	Not Applicable		Quarterly	Grab		X	2
BOD, 5 Day	-	5	mg/L	Not Applicable		Quarterly	Grab		X	2
Dissolved Oxygen	-	7.0 (Daily Minimum)	mg/L	Not Applicable		Quarterly	Grab		X	3
pH	Range	6.5 – 8.5	s.u.	Not Applicable		Quarterly	Grab		X	2
Solids, Total Suspended	-	10	mg/L	Not Applicable		Quarterly	Grab		X	2
Settleable Solids	-	0.1	mL/L	Not Applicable		Quarterly	Grab		X	2
Visual Observation	-	-	-	Not Applicable		Monthly	Visual/Photo		X	3

Footnotes:

1. A flow meter shall be installed on the potable water supply or the effluent of the combined sand filters by April 1, 2024. The resulting data shall be used to calculate the 30-day arithmetic mean.
2. Grab samples shall be collected at the location where the discharge from the treatment system enters the pond located on the apartment property.
3. The visual observation is to be photo-documented (with date & time stamp) and all related information must be retained/stored at the facility for review during future inspections by the Department.
4. Any plant upset conditions (i.e., unplanned loss of solids) and/or impacts to the tributary (i.e., contrast in turbidity) should be reported to Region 4 Division of Water at (518) 357-2045 within 24 hours from the time the non-POTW permittee becomes aware of a discharge of untreated or partially treated sewage that would otherwise be treated.

DISCHARGE NOTIFICATION REQUIREMENTS

- (a) Except as provided in (c) and (g) of these Discharge Notification Act requirements, the permittee shall install and maintain identification signs at all outfalls to surface waters listed in this permit. Such signs shall be installed before initiation of any discharge.
- (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:

<p>N.Y.S. PERMITTED DISCHARGE POINT</p> <p>SPDES PERMIT No.: NY _____</p> <p>OUTFALL No.: _____</p> <p>For information about this permitted discharge contact:</p> <p>Permittee Name: _____</p> <p>Permittee Contact: _____</p> <p>Permittee Phone: () - ### - #####</p> <p>OR:</p> <p>NYSDEC Division of Water Regional Office Address: _____</p> <p>NYSDEC Division of Water Regional Phone: () - ### - #####</p>
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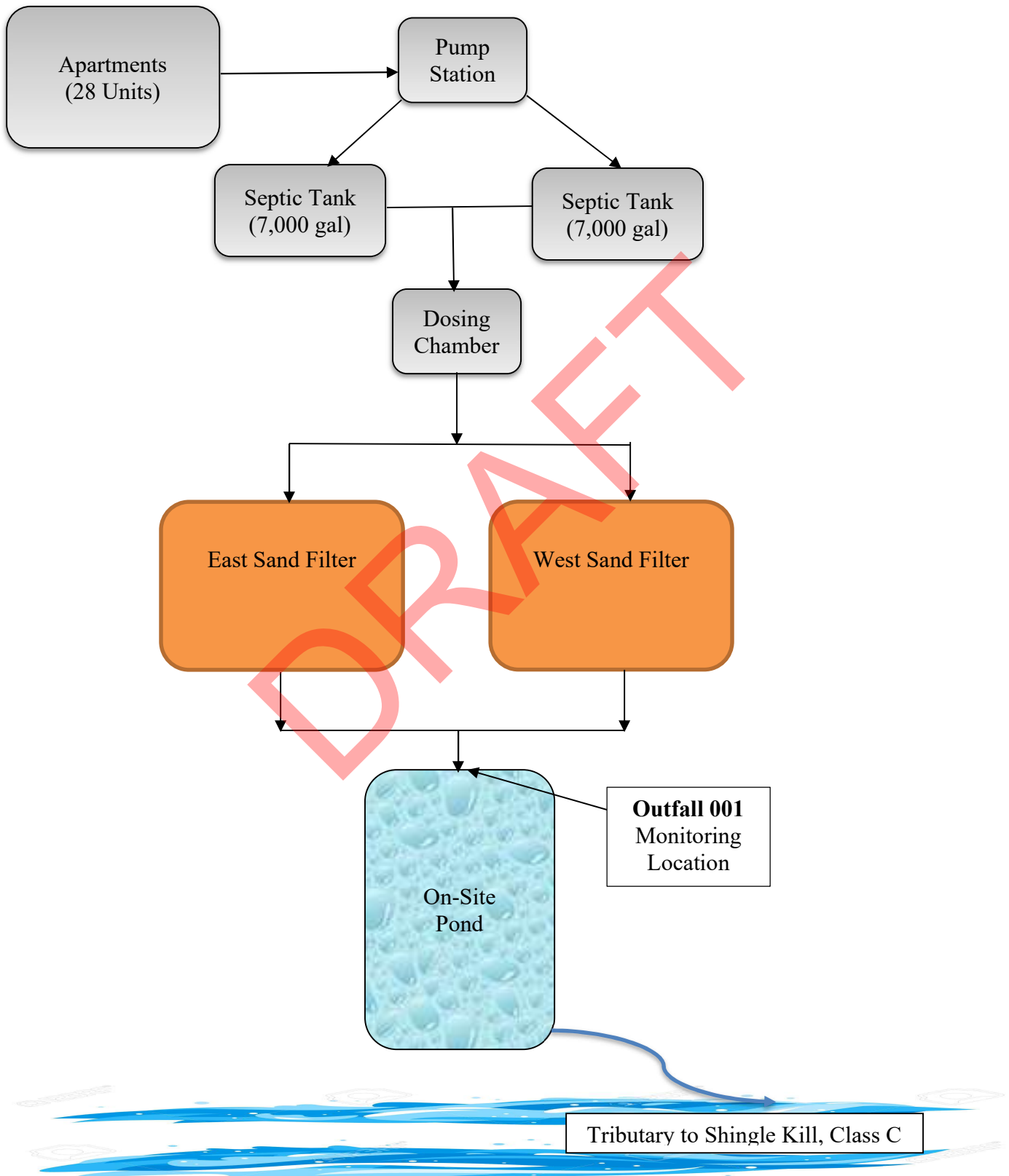
- (e) For each discharge required to have a sign in accordance with a), the permittee shall, concurrent with the installation of the sign, provide a repository of copies of the Discharge Monitoring Reports (DMRs), as required by the **RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS** page of this permit. This repository shall be open to the public, at a minimum, during normal daytime business hours. The repository may be at the business office repository of the permittee or at an off-premises location of its choice (such location shall be the village, town, city or county clerk's office, the local library or other location as approved by the Department). In accordance with the **RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS** page of your permit, each DMR shall be maintained 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.

DISCHARGE NOTIFICATION REQUIREMENTS (continued)

- (g) All requirements of the Discharge Notification Act, including public repository requirements, are waived for any outfall meeting any of the following circumstances, provided Department notification is made in accordance with (h) below:
- (i) such sign would be inconsistent with any other state or federal statute;
 - (ii) the Discharge Notification Requirements contained herein would require that such sign could only be located in an area that is damaged by ice or flooding due to a one-year storm or storms of less severity;
 - (iii) instances in which the outfall to the receiving water is located on private or government property which is restricted to the public through fencing, patrolling, or other control mechanisms. Property which is posted only, without additional control mechanisms, does not qualify for this provision;
 - (iv) instances where the outfall pipe or channel discharges to another outfall pipe or channel, before discharge to a receiving water; or
 - (v) instances in which the discharge from the outfall is located in the receiving water, two-hundred or more feet from the shoreline of the receiving water.
- (h) If the permittee believes that any outfall which discharges wastewater from the permitted facility meets any of the waiver criteria listed in (g) above, notification (form enclosed) must be made to the Department's Bureau of Water Permits, Central Office, of such fact, and, provided there is no objection by the Department, a sign and DMR repository for the involved outfall(s) are not required. This notification must include the facility's name, address, telephone number, contact, permit number, outfall number(s), and reason why such outfall(s) is waived from the requirements of discharge notification. The Department may evaluate the applicability of a waiver at any time, and take appropriate measures to assure that the ECL and associated regulations are complied with.

MONITORING LOCATIONS

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



GENERAL REQUIREMENTS

- A. The regulations in 6 NYCRR Part 750 are hereby incorporated by reference and the conditions are enforceable requirements under this permit. The permittee shall comply with all requirements set forth in this permit and with all the applicable requirements of 6 NYCRR Part 750 incorporated into this permit by reference, including but not limited to the regulations in paragraphs B through H, as follows:
- B. General Conditions
1. Duty to comply 6NYCRR Part 750-2.1(e) & 2.4
 2. Duty to reapply 6NYCRR Part 750-1.16(a)
 3. Need to halt or reduce activity not a defense 6NYCRR Part 750-2.1(g)
 4. Duty to mitigate 6NYCRR Part 750-2.7(f)
 5. Permit actions 6NYCRR Part 750-1.1(c), 1.18, 1.20 & 2.1(h)
 6. Property rights 6NYCRR Part 750-2.2(b)
 7. Duty to provide information 6NYCRR Part 750-2.1(i)
 8. Inspection and entry 6NYCRR Part 750-2.1(a) & 2.3
- C. Operation and Maintenance
1. Proper Operation & Maintenance 6NYCRR Part 750-2.8
 2. Bypass 6NYCRR Part 750-1.2(a)(17), 2.8(b) & 2.7
 3. Upset 6NYCRR Part 750-1.2(a)(94) & 2.8(c)
- D. Monitoring and Records
1. Monitoring and records 6NYCRR Part 750-2.5(a)(2), 2.5(c)(1), 2.5(c)(2), 2.5(d) & 2.5(a)(6)
 2. Signatory requirements 6NYCRR Part 750-1.8 & 2.5(b)
- E. Reporting Requirements
1. Reporting requirements 6NYCRR Part 750-2.5, 2.6, 2.7 & 1.17
 2. Anticipated noncompliance 6NYCRR Part 750-2.7(a)
 3. Transfers 6NYCRR Part 750-1.17
 4. Monitoring reports 6NYCRR Part 750-2.5(e)
 5. Compliance schedules 6NYCRR Part 750-1.14(d)
 6. 24-hour reporting 6NYCRR Part 750-2.7(c) & (d)
 7. Other noncompliance 6NYCRR Part 750-2.7(e)
 8. Other information 6NYCRR Part 750-2.1(f)
 9. Additional conditions applicable to a POTW 6NYCRR Part 750-2.9
 10. Special reporting requirements for discharges that are not POTWs 6NYCRR Part 750-2.6
- F. Planned Changes
1. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
 - a. The alteration or addition to the permitted facility may meet of the criteria for determining whether facility is a new source in 40 CFR §122.29(b); or
 - b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, or to notification requirements under 40 CFR §122.42(a)(1); or
 - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan. In addition to the Department, the permittee shall submit a copy of this notice to the United States Environmental Protection Agency at the following address: U.S. EPA Region 2, Clean Water Regulatory Branch, 290 Broadway, 24th Floor, New York, NY 10007-1866.

GENERAL REQUIREMENTS continued

G. Notification Requirement for POTWs:

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

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

H. Sludge Management:

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

I. SPDES Permit Program Fee:

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

J. Water Treatment Chemicals (WTCs):

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

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 Department or its designated agent.
- B. Annual SPDES Monitoring Reports: **An annual report shall be submitted to the Department by February 1st each year.** The report shall summarize information for January to December of the previous year and shall be submitted electronically, or in hardcopy format, utilizing the SPDES Annual Report Form available on the Department's website.

Hard copy submission of the Annual Report shall be submitted to the Regional Water Engineer at the address below:

Department of Environmental Conservation
Regional Water Engineer, Region 4
1130 North Westcott Road, Schenectady, New York, 12306-2014 Phone: (518) 357-2045

- C. 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 Department'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.
- D. Schedule of Additional Submittals:

The permittee shall submit the following information to the Regional Water Engineer and to the Bureau of Water Permits, unless otherwise instructed:

SCHEDULE OF ADDITIONAL SUBMITTALS		
Outfall(s)	Required Action	Due Date
001	<p>1. <u>Annual SPDES Monitoring Reports:</u> An annual report shall be submitted to the Department by February 1st each year. The report shall summarize information for January to December of the previous year and shall be submitted electronically, or in hardcopy format, utilizing the SPDES Annual Report Form available on the Department's website.</p> <p>Hard copy submission of the Annual Report shall be submitted to the Regional Water Engineer at the address below:</p> <p>NYS Department of Environmental Conservation Regional Water Engineer, Region 4 1130 North Westcott Road, Schenectady, New York, 12306-2014 Phone: (518) 357-2045</p> <p>2. An on-site representative shall be trained on the operation of the treatment system within six (6) months of the date of the effective date of the SPDES permit, or within 6 months of transfer of ownership of the facility to a new owner. The Permittee must provide written notification to the Department when this training has been completed, along the name of the person providing the training and the name(s) of the on-site representative(s).</p>	<p>Annually, by February 1st</p> <p>EDPM + 6 months</p>

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

RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS (continued)

- E. Monitoring and analysis shall be conducted using sufficiently sensitive test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.
- F. Calculations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.
- G. 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.
- H. Any laboratory test or sample analysis required by this permit for which the State Commissioner of Health issues certificates of approval pursuant to section 502 of the Public Health Law shall be conducted by a laboratory which has been issued a certificate of approval. Inquiries regarding laboratory certification should be directed to the New York State Department of Health, Environmental Laboratory Accreditation Program.

DRAFT

**East View Garden Apartments
Town of Cairo, Greene County
SPDES Permit Modification Fact Sheet**

I. SUMMARY OF PROPOSED PERMIT CHANGES

A State Pollutant Discharge Elimination System (SPDES) permit modification is proposed. The following is a summary of the proposed changes to the SPDES permit as compared to the permit that was issued most recently on January 2, 2024 (below):

- The owner information has been updated on page 1 of the permit.
- The permit limits have been updated to reflect current water quality standards and Department guidance documents. Compared to the previous permit, seasonal water quality based effluent limits for Ammonia have been calculated and added to the permit.
- The permit now requires “quarterly” sampling for all parameters, instead of quarterly for some and annual for others (except monthly observations, which is being retained from the previous permit). Sample type for each parameter has been changed from composite to grab. Refer to page 3 of the permit.
- The permit now requires the submission of an annual report, instead of quarterly DMRs submitted through NetDMR, which is in line with the requirements for a Class 02 facility (TOGS 1.2.2). Refer to page 9 of SPDES permit (Recording, Reporting and Additional Monitoring Requirements page), for additional information.
- The permit includes an updated Schedule of Submittals page, which includes: Due date for submission of the annual report, in lieu of quarterly DMRs (as is describe above); and Requirement to notify the Department upon completion of training by an on-site representative on the operation of the wastewater treatment system.