



Department of
Environmental
Conservation

State Pollutant Discharge Elimination System (SPDES) DISCHARGE PERMIT

SIC Code:	4952	NAICS Code:	221320	SPDES Number:	NY 002 4660
Discharge Class (CL):	07			DEC Number:	6-2240-00006/00001
Toxic Class (TX):	N			Effective Date (EDP):	XX/XX/XXXX
Major-Sub Drainage Basin:	09 - 06			Expiration Date (ExDP):	XX/XX/XXXX
Water Index Number:	SL-25-7-3-25	Item No.:	910 - 16	Modification Dates (EDPM):	
Compact Area:	IJC				

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 Evans Mills			Attention:	Mayor Robert Boucher
Street:	P.O. Box 176				
City:	Evans Mills			State:	NY Zip Code: 13637
Email:	rmboucher@outlook.com			Phone:	315-629-4753

is authorized to discharge from the facility described below:

FACILITY NAME, ADDRESS, AND PRIMARY OUTFALL									
Name:	Village of Evans Mills Wastewater Treatment Plant								
Address / Location:	8724 Noble Street					County:	Jefferson		
City:	Evans Mills				State:	NY	Zip Code:	13637	
Facility Location:	Latitude:	44 °	05 '	22.5 " N	& Longitude:	75 °	48 '	29.9 " W	
Primary Outfall No.:	001	Latitude:	44 °	05 '	23.2 " N	& Longitude:	75 °	48 '	27.4 " W
Outfall Description:	Treated Sanitary		Receiving Water:	Pleasant Creek			Class:	D	Standard: D

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)

RWE

RPA

EPA Region II (Region2_NPDES@epa.gov)

NYSEFC (sara.tully@efc.ny.gov)

DEC Water Quality Engineer (aslami.mirza@dec.ny.gov)

Permit Administrator:	Jessica Hart		
Address:	317 Washington St Watertown NY13601		
Signature		Date	

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DEFINITIONS

TERM	DEFINITION
7-Day Geo Mean	The highest allowable geometric mean of daily discharges over a calendar week.
7-Day Average	The average of all daily discharges for each 7-days in the monitoring period. The sample measurement is the highest of the 7-day averages calculated for the monitoring period.
12-Month Rolling Average (12 MRA)	The current monthly value of a parameter, plus the sum of the monthly values over the previous 11 months for that parameter, divided by the number of months for which samples were collected in the 12-month period.
30-Day Geometric Mean	The highest allowable geometric mean of daily discharges over a calendar month, calculated as the antilog of: the sum of the log of each of the daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.
Action Level	Action level means a monitoring requirement characterized by a numerical value that, when exceeded, triggers additional permittee actions and DEC review to determine if numerical effluent limitations should be imposed.
Compliance Level / Minimum Level	A compliance level is an effluent limitation. A compliance level is given when the water quality evaluation specifies a Water Quality Based Effluent Limit (WQBEL) below the Minimum Level. The compliance level shall be set at the Minimum Level (ML) for the most sensitive analytical method as given in 40 CFR Part 136, or otherwise accepted by the DEC.
Daily Discharge	The discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for the purposes of sampling. For pollutants expressed in units of mass, the 'daily discharge' is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the 'daily discharge' is calculated as the average measurement of the pollutant over the day.
Daily Maximum	The highest allowable Daily Discharge.
Daily Minimum	The lowest allowable Daily Discharge.
Effective Date of Permit (EDP or EDPM)	The date this permit is in effect.
Effluent Limitations	Effluent limitation means any restriction on quantities, quality, rates and concentrations of chemical, physical, biological, and other constituents of effluents that are discharged into waters of the state.
Expiration Date of Permit (ExDP)	The date this permit is no longer in effect.
Instantaneous Maximum	The maximum level that may not be exceeded at any instant in time.
Instantaneous Minimum	The minimum level that must be maintained at all instants in time.
Monthly Average	The highest allowable average of daily discharges over a calendar month, calculated as the sum of each of the daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.
Outfall	The terminus of a sewer system, or the point of emergence of any waterborne sewage, industrial waste or other wastes or the effluent therefrom, into the waters of the State.
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 specified)	Pleasant Creek	EDPM	EXDP

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
Flow	Monthly Average	0.1	MGD	-	MGD	Continuous	Meter	X		
pH	Daily Minimum	6.0	SU	-	-	Daily	Grab	X	X	
	Daily Maximum	9.0	SU	-	-					
Temperature	Daily Maximum	Monitor	°C	-	-	Daily	Grab	X	X	
BOD ₅	Monthly Average	30	mg/L	25	lbs/d	Monthly	6-hr. Comp.	X	X	1
BOD ₅	7-Day Average	45	mg/L	37.5	lbs/d	Monthly	6-hr. Comp.	X	X	
Total Suspended Solids (TSS)	Monthly Average	30	mg/L	25	lbs/d	Monthly	6-hr. Comp.	X	X	1
Total Suspended Solids (TSS)	7-Day Average	45	mg/L	37.5	lbs/d	Monthly	6-hr. Comp.	X	X	
Settleable Solids	Daily Maximum	0.3	mL/L	-	-	Daily	Grab	X	X	
Ammonia (as N)	Monthly Average	Monitor	mg/L	-	lbs/d	Monthly	6-hr. Comp.		X	
Total Phosphorus (as P)	Monthly Average	Monitor	mg/L	Monitor	lbs/d	Monthly	6-hr. Comp.		X	2
EFFLUENT DISINFECTION										
Required Seasonal from May 1st - October 31st		Limit	Units	Limit	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
Coliform, Fecal	30-Day Geometric Mean	200	No./ 100 mL	-	-	Monthly	Grab		X	3,5
Coliform, Fecal	7-Day Geometric Mean	400	No./ 100 mL	-	-	Monthly	Grab		X	3,5
Chlorine, Total Residual	Daily Maximum	95	µg/L	-	-	Daily	Grab		X	3,4,5

FOOTNOTES:

- Effluent shall not exceed 15% and 15% of influent concentration values for BOD₅ & TSS respectively.
- Facilities included in the TMDL may receive future phosphorus wasteload allocation and permit limits based on a final EPA approved TMDL. The Evan Mills facility will be included in the draft Black Lake TMDL and a preliminary modeling scenario of the Black Lake phosphorus sources indicates that the TMDL could recommend a limit as low as 0.5 mg/L for the Evan Mills facility.
- This is a final effluent limitation. See Schedule of Compliance.
- 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.
- For months that are not sampled, the permittee shall report NODI-9 on the DMR.

STORMWATER POLLUTION PREVENTION REQUIREMENTS

NO EXPOSURE CERTIFICATION

The permittee submitted a Conditional Exclusion for No Exposure Form on 04/2026, certifying that all industrial activities and materials are completely sheltered from exposure to rain, snow, snowmelt, and stormwater runoff except as allowed under 40 CFR 122.26(g)(2). The permittee must maintain a condition of no exposure for the exclusion to remain applicable. If conditions change resulting in the exposure of materials and activities to stormwater, the permittee must notify the Regional Water Engineer. The permittee must recertify a condition of no exposure every five years by completing the "No Exposure Certification Form" found on the DEC website.

MERCURY MINIMIZATION PROGRAM (MMP) - Type IV

On 04/2026, 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 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.

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.

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

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 an approvable ⁴ Preliminary Engineering Report (PER) that meets the requirements of the EFC/DEC Engineering Report Outline (https://www.dec.ny.gov/permits/6054.html). The report shall describe treatment alternatives or other control mechanisms that may be used to comply with the final effluent limitation(s) for Fecal Coliform and Total Residual Chlorine.	Completed
001	DESIGN DOCUMENTS The permittee shall submit approvable ⁴ Design Documents including a Basis of Design Report (BODR), Plans, Specifications, and Construction Schedule for the wastewater treatment plant improvements and selected alternative that will ensure compliance with final effluent limitation(s) for Fecal Coliform and Total Residual Chlorine.	Completed
001	INTERIM PROGRESS REPORT	February 1, 2027
001	INTERIM PROGRESS REPORT	November 1, 2027
001	COMPLETE CONSTRUCTION The permittee shall provide a Construction Completion Certification ⁵ to the DEC (send to the Regional Water Engineer and NetDMR@dec.ny.gov) that the disposal system has been fully completed in accordance with the approved Design Documents.	On or before April 1, 2028
Unless noted otherwise, the above actions are one-time requirements.		

b) The permittee shall submit a [Report of Non-Compliance Event](#) form with each of the above schedule dates no later than 14 days following each elapsed date, unless conditions require more immediate notice as prescribed in 6 NYCRR Part 750-1.2(a) and 750-2. All notifications shall be sent to the locations listed under the section of this permit entitled RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS. Each notice of non-compliance shall include the following information:

1. A short description of the non-compliance;
2. A description of any actions taken or proposed by the permittee to comply with the elapsed schedule requirements without further delay and to limit environmental impact associated with the non-compliance;
3. Any details which tend to explain or mitigate an instance of non-compliance; and
4. An estimate of the date the permittee will comply with the elapsed schedule requirement and an assessment of the probability that the permittee will meet the next scheduled requirement on time.

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

³ 6 NYCRR 750-1.14 (a)

⁴ 6 NYCRR 750 1.2 (a)(8)

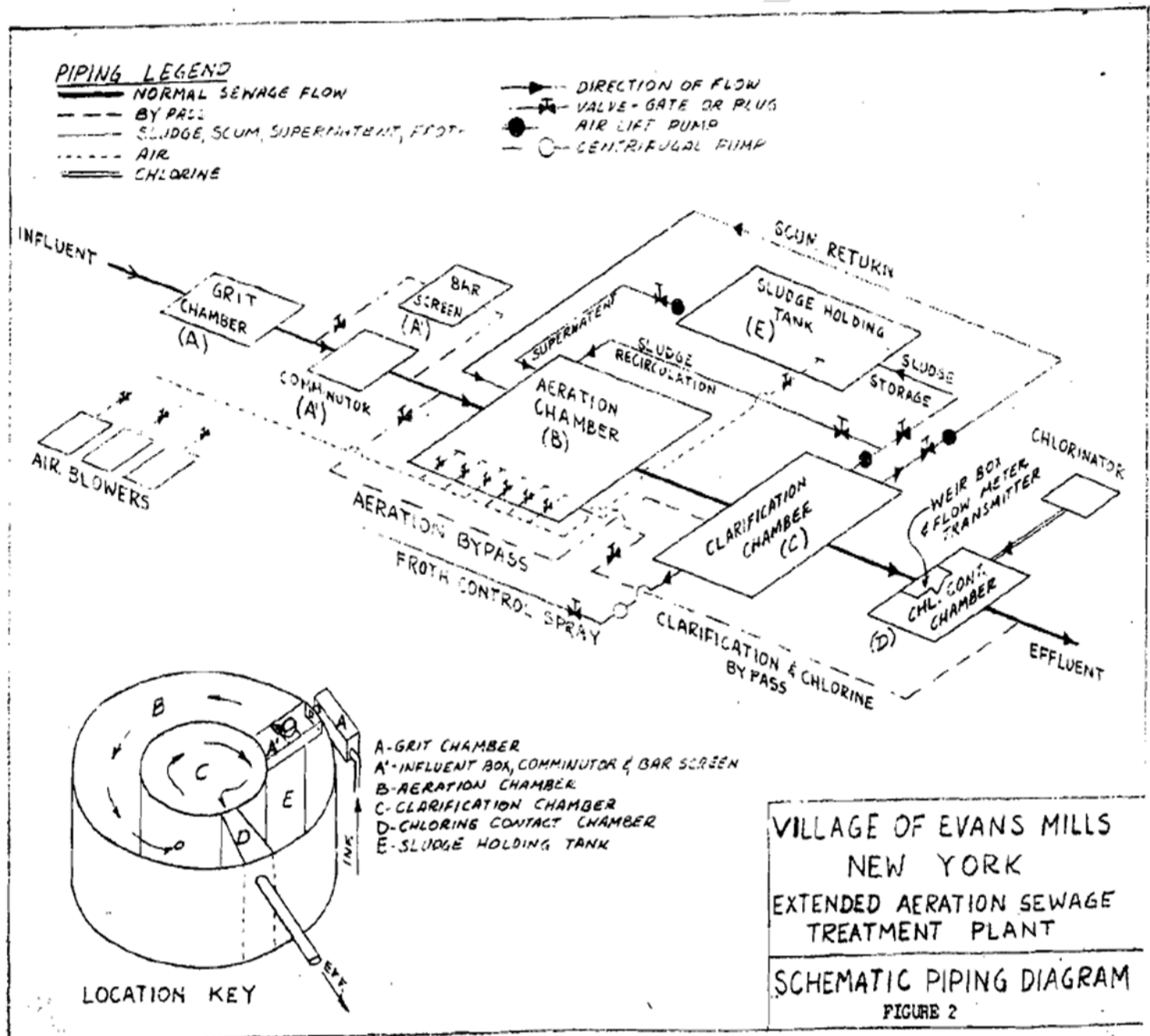
⁵ 6 NYCRR 750-2.10 (c)

MONITORING LOCATIONS (EXISTING)

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

Influent: Headworks of treatment plant

Effluent: Outfall of the chlorine contact chamber

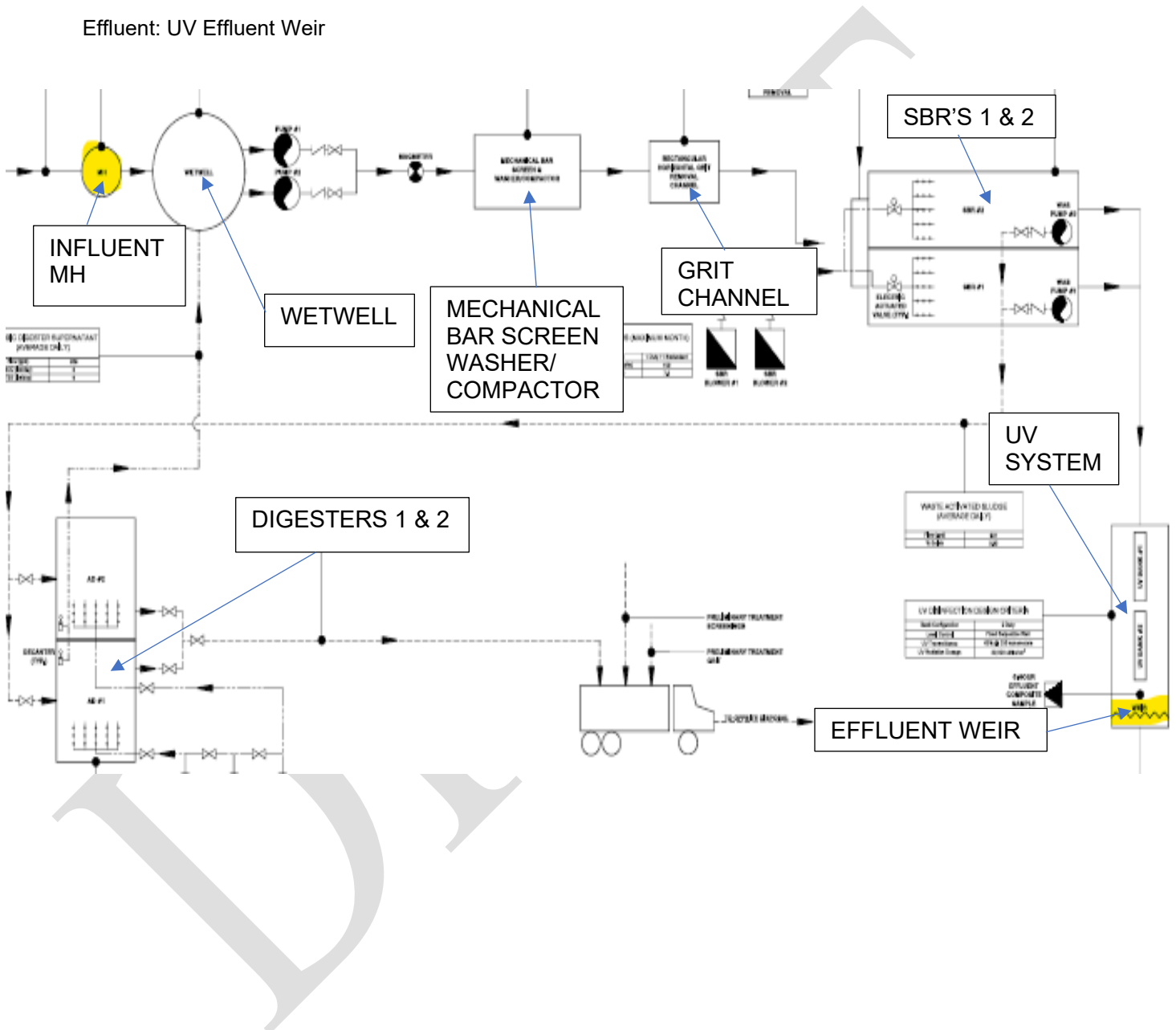


MONITORING LOCATIONS (PROPOSED TREATMENT PLANT IMPROVEMENTS)

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

Influent: Influent Manhole

Effluent: UV Effluent Weir



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 the DMR Manual available on DEC's website.

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

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

The first monitoring period begins on the effective date of this permit, and, unless otherwise required, the reports are due no later than the 28th day of the month following the end of each monitoring period.

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

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

Phone: (518) 402-8111

Department of Environmental Conservation
Regional Water Engineer, Region 6
State Office Building, Watertown, New York, 13601-3787 Phone: (315) 785-2513

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

- E. Schedule of Additional Submittals:

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

SCHEDULE OF ADDITIONAL SUBMITTALS		
Outfall(s)	Required Action	Due Date
001	<u>WATER TREATMENT CHEMICAL (WTC) ANNUAL REPORT FORM</u> The permittee shall submit a completed WTC Annual Report Form each year that Water Treatment Chemicals are used. The form shall be attached to the December DMR.	December DMR (January 28 th)
001	<u>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)

SCHEDULE OF ADDITIONAL SUBMITTALS		
Outfall(s)	Required Action	Due Date
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.	05/01/2031, 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.	05/01/2031, and every 5 years thereafter
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.	Maintained Onsite 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 Evans Mills (V) Evans Mills Wastewater Treatment Plant NY0024660

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Department of
Environmental
Conservation

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Summary of Permit Changes

State Pollutant Discharge Elimination System (SPDES) permittee-initiated permit modification has been drafted for the (V) Evans Mills Wastewater Treatment Plant. The changes to the permit are summarized below:

- Updated permit format, definitions, and general conditions.
- Added monthly monitoring requirement for Ammonia.
- Reduced limit for Total Residual Chlorine based on dilution ratio.
- Changed phosphorous limit footnote.
- Included a proposed treatment plant improvements flow diagram
- Extended a Schedule of Compliance for achieving the final disinfection effluent limit(s) to April 2028.
- Added interim progress report requirements to the Schedule of Compliance.
- Added a Schedule of Additional Submittals which includes Water Treatment Chemical (WTC) Annual report form, Stormwater No Exposure Certification, Annual Flow Certification Form, Mercury-Conditional Exclusion Certification form and plan, Cybersecurity Controls Certification, and Emergency Response Plan Certification.

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

10/1/2005	The last full technical review was performed. and the SPDES permit became effective on 10/01/2005 with a new five-year term and expiration date of 9/30/2010. The 2010 permit, along with all subsequent modifications, and a 2016 EBPS review, has formed the basis of this permit. The permit was administratively renewed in 2015, 2020, and again in 2025. The current permit administrative renewal is effective until 2030.
7/1/2018	Permit was modified to include disinfection, fecal coliform and TRC, remove outfalls 002 and 003, and added NetDMR.
8/30/2018	Permit was modified to include footnote #4.
8/30/2022	Permit was modified to extend due dates in the compliance schedule for disinfection and other plant upgrades.
1/3/2025	The Village of Evans Mills submitted a request to modify the permit to extend compliance schedule dates for disinfection which include plant upgrades. Compliance Schedule due date for disinfection currently is May 1, 2025. Village provided actual dates on 2/4/2025 based on status of funding.
6/24/2025	The Village of Evans Mills submitted a partially complete NY-2A permit application. All required sampling results were submitted by 6/24/2025. Department requested additional DMR data to include in factsheet which was received November and December 2025.

Permittee: Village of Evans Mills
Facility: (V) Evans Mills Wastewater Treatment Plant
SPDES Number: NY0024660
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Water Quality Reviewer: Aslam Mirza
Full Technical Review

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

Facility Information

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

The current 0.1 MGD treatment plant consists of:

- Grit chamber
- Comminutor and bar screen
- Extended aeration package plant with clarifier and sludge holding
- Sludge is hauled to City of Watertown .

The primary outfall (Outfall 001) is an 8" ductile iron pipe with an invert approximately 1.5 feet below the water surface.

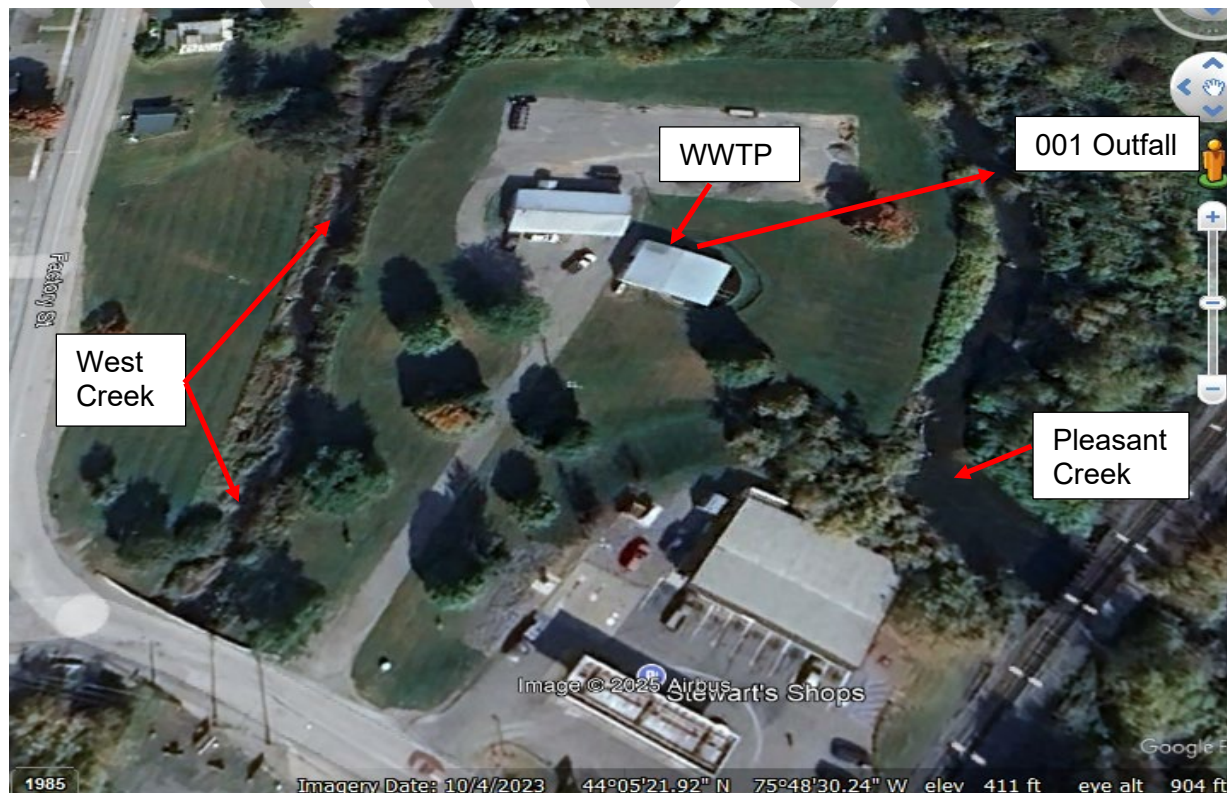
The facility is planning the following upgrades/improvements:

- New Sequencing batch reactors, UV disinfection, and new 10" outfall in adjacent location upstream of Pleasant Creek. The permitted flowrate will remain 0.1 MGD.

The facility accepts wastewater from the following municipalities:

Municipality	POSS # or SPDES #	Collection System
Village of Evans Mills	NY0024660	Separate

Site Overview



Enforcement History

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

Existing Effluent Quality

-The [Pollutant Summary Table](#) presents the existing effluent quality and effluent limitations. The existing effluent quality was determined from Discharge Monitoring Reports and the application submitted by the permittee for the period 1/1/2021 to 8/31/2025.

Receiving Water Information

The facility discharges via the following outfalls:

Outfall No.	SIC Code	Wastewater Type	Receiving Water
001	4952	Treated Sanitary Sewage	Pleasant Creek, Class D

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

Outfall No.	Parameter	Wasteload Allocation
001	Total Phosphorus as P	NA

Impaired Waterbody Information

The Pleasant Creek segment (PWL No. 0906-0042) is not listed on the 2020/2022 [New York State Section 303\(d\) List](#) of Impaired/TMDL Waters, and therefore, there are no applicable wasteload allocations (WLAs) for this discharge.

The Village of Evans Mills currently monitors for Total Phosphorous as P and this requirement will remain in the permit. The Total Phosphorus 12-month rolling average is defined as the sum of the current month's monthly average in lbs/day added to the monthly average in lbs/day from the 11 previous months divided by 12. See the [Pollutant Summary Table](#) for a discussion on the derivation of Total Phosphorus effluent limits.

Critical Receiving Water Data

Reach Description: The facility discharges to Pleasant Creek (Class D) and flows approximately 1.5 miles where Pleasant Creek then meets Indian River at a confluence. The Indian River is classified as C.

The low flow conditions for Pleasant Creek were carried over from previous SPDES permit:

1Q10 (MGD): 1.3
7Q10 (MGD): 2.6
30Q10 (MGD): 3.1

Outfall No.	Acute Dilution Ratio A(A)	Chronic Dilution Ratio A(C)	Human, Aesthetic, Wildlife Dilution Ratio (HEW)	Basis
001	5:1	5:1	5:1	TOGS 1.3.1 BPJ

The outfall is located on the bank, reducing the overall velocity of the discharge entering the receiving water. This causes the effluent plume to attach to the bank and greatly reduces 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 mixing zone and the in-stream plume may impact the benthic aquatic organisms along the bank, a conservative dilution ratio of 5:1 based on best professional judgment, is appropriate for the protection of aquatic life, sources of drinking water, human consumption of fish, aesthetics, and wildlife.

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](#).

USEPA Effluent Limitation Guidelines (ELGs) Applicable to Facility

Best Practicable Control Technology Currently Available (BPT), Best Conventional Pollutant Control Technology (BCT), Best Available Technology Economically Achievable (BAT), and New Source Performance Standards (NSPS) limitations are based on [Effluent Limitation Guidelines](#) developed by USEPA for specific industries¹. The applicable effluent guidelines and limits are listed at the end of the Pollutant Summary Table in the USEPA ELG Calculation Table. [Appendix Link](#)

Whole Effluent Toxicity (WET) Testing

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

Anti-backsliding

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

[Appendix Link](#)

Antidegradation

The permit contains effluent limitations which ensure that the best usages of the receiving waters will be maintained. The Notice of Complete Application published in the Environmental Notice Bulletin contains information on the State Environmental Quality Review (SEQR)² determination.

¹ As promulgated under 40 CFR Parts 405 - 471

² As prescribed by 6 NYCRR Part 617

Discharge Notification Act Requirements

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

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

Stormwater Pollution Prevention Requirements

On 04/2026, the permittee submitted a Conditional Exclusion for No Exposure Form, certifying that all industrial activities and materials are completely sheltered from exposure. This condition must be maintained for the exclusion to remain applicable. The [Schedule of Additional Submittals](#) also includes a due date for re-certification every five years as required by 40 CFR 122.26(g)(iii). This requirement is new.

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 in the Great Lakes Basin, a significant surface water minor facility classified as a municipal (07) and does not have a mercury source. On 04/2026, the permittee submitted a Conditional Exclusion Certification, certifying that the facility does not have any of the mercury sources listed in Part III.A.3. of DOW 1.3.10 and the effluent measured <12 ng/L. Therefore, consistent with DOW 1.3.10, the permit includes requirements for the implementation of MMP Type IV and does not include mercury effluent limitations. The [Schedule of Additional Submittals](#) includes a mercury minimization plan annual status report (maintained onsite), and re-certification of the exclusion every five years. As part of the re-certification, the effluent must be sampled and continue to measure <12 ng/L. This requirement is new.

Schedule of Compliance

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

- Disinfection and wastewater treatment plant improvements

Emerging Contaminant Monitoring

Based on the available data submitted with the application and knowledge of this industry, no additional monitoring for perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS), and 1,4-dioxane (1,4-D) is required at this time. Please see the [Pollutant Summary Table](#) below for more information.

[Appendix Link](#)

Schedule of Additional Submittals

WTC Annual Report

In accordance with 6 NYCRR 750-1.13(a), to determine compliance with effluent limitations and water quality standards, the permit requires submission of an annual report each year that the permittee uses and discharges WTCs. The permittee must summarize all WTC use for the prior calendar year, January 1 through December 31, and attach it

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

⁴ Pursuant to 6 NYCRR 750-1.14

either to the December DMR or annual monitoring report required by the permit. More information is located on the DEC's website under [SPDES Permitting of Water Treatment Chemicals](#).

[Annual Flow Certification](#)

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

[Annual Emergency Response Plan Certification](#)

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.

[Annual Cybersecurity Controls Certification](#)

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.

[Stormwater No Exposure Certification](#)

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

[Mercury Conditional Exclusion Certification](#)

Please see [above discussion](#) of mercury. Consistent with DOW 1.3.10, the permittee must submit the [form](#), signed in accordance with 6 NYCRR 750-1.18, every five years certifying that the facility is neither a mercury source nor receives flow from a mercury source.

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Date: March 31, 2026
 Permit Writer: Paula Jacobs
 Water Quality Reviewer: Aslam Mirza
 Full Technical Review

OUTFALL AND RECEIVING WATER SUMMARY TABLE

Outfall	Latitude	Longitude	Receiving Water Name	Water Class	Water Index No. / Priority Waterbody Listing (PWL) No.	Major / Sub Basin	Hardness (mg/L)	1Q10 (MGD)	7Q10 (MGD)	30Q10 (MGD)	Critical Effluent Flow (MGD)	Dilution Ratio		
												A(A)	A(C)	HEW
001	44° 05' 23" N	75° 48' 28" W	Pleasant Creek	D	SL-25-7-3-25 PWL: 0906-0042	09/06	-	1.3	2.6	3.1	0.1	5:1	5:1	5:1

POLLUTANT SUMMARY TABLE

Outfall 001

Outfall #	001	Description of Wastewater: Treated Sanitary Sewage from domestic users													
		Type of Treatment: New headworks structure, Sequencing Batch reactor, 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 01/31/2021 to 08/31/2025 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	0.1	0.03 Actual Average	54	0.1	Design Flow	No alterations that will impair the waters for their best usages.					703.2	-	Design Flow
	Flow monitoring has been continued for informational purposes and to calculate pollutant loadings.														
pH	SU	Minimum	6	7.5 Actual Min	54	6.0	40 CFR 133.102	-	-	6.5 – 9.5 703.3	Range	-	-	-	TBEL
		Maximum	9	8.1 Actual Max	54	9.0									
Consistent with TOGS 1.3.3 for POTWs, TBELs reflect secondary treatment standards. Given the available dilution, an effluent limitation equal to the TBEL is protective of the WQS.															
Temperature	°C	Daily Max	monitor	28.7 Actual Max	54	Monitor	750-1.13 Monitor	-	The water temperature at the surface of a stream shall not be raised to more than 90°F at any point and... shall not be raised or lowered to more than 5°F over the temperature that existed before the addition			704.2	-	TBEL	
Consistent with 6 NYCRR 750-1.13(a), monitoring is required to determine compliance with the water quality standard. This requirement has been continued from the previous permit.															

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)

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Outfall #	001	Description of Wastewater: Treated Sanitary Sewage from domestic users													
		Type of Treatment: New headworks structure, Sequencing Batch reactor, 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		
Dissolved Oxygen (DO)	mg/L	Daily Min	No monitoring required	6.5	3/0	-	-	-	>3.0	3.0 mg/L <u>703.3</u>	-	-	-	No Limitation	
	The model showed that DO standards are maintained and consequently a WQBEL for DO is not required.														
5-day Biochemical Oxygen Demand (BOD ₅)	mg/L	Monthly Avg	30	19.8	54/0	30	40 CFR 133.102	-	See Dissolved Oxygen for Surrogate Standard		-	<u>703.3</u>	-	TBEL	
		7 Day Avg	45	19.8	54	45	40 CFR 133.102				-				
	lbs/d	Monthly Avg	25	2.1	32	25	-				-				
		7 Day Avg	37.5	2.0	32	37.5	-				-				
	% Rem	Minimum	85	93	54	85	40 CFR 133.102				-				
		Consistent with 40 CFR Part 133.102 and TOGS 1.3.3 for POTWs, TBELs reflect secondary treatment standards. See justification for Dissolved Oxygen. WQ Modeling: The downstream DO concentration was modeled using 2-Reach model. The WQ model extents from the point-of discharge to the confluence with Indian River and cover a distance of approximately 1.5 miles. The model ends at the confluence with Indian River. The WQ model employs the Streeter-Phelps equations for dissolved oxygen projection. The WQ model was run with the following inputs: Effluent DO = 2.0 mg/l (Default value consistent with TOGS 1.3.1D), Effluent UOD = 135.0 mg/L (Typical Secondary treatment level), Effluent BOD ₅ = 30 mg/L (Secondary Treatment Level), Effluent NOD = 90 mg/L (Secondary Treatment Level). WQ Model Findings: The model showed that a WQBEL for DO, BOD, and Ammonia is not required to maintain downstream water quality.													
Total Suspended Solids (TSS)	mg/L	Monthly Avg	30	9.7	54/0	30	40 CFR 133.102	-	None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages. <u>703.2</u>		-	-	TBEL		
		7 Day Avg	45	9.7	54	45	40 CFR 133.102								
	lbs/d	Monthly Avg	25	.85	32	25	-								
		7 Day Avg	37.5	.85	32	37.5	-								
	% Rem	Minimum	85	96.6	54	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.															

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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 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	0.3	0.1	54/0	0.3	TOGS 1.3.3	-	None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages. 703.2				-	-	TBEL
Consistent with TOGS 1.3.3, the effluent limitation is equal to the TBEL of 0.3 mL/L for POTWs providing secondary treatment without filtration. Given that adequate dilution is available the TBEL is protective of WQS.															
Nitrogen, Ammonia (as N)	mg/L	Monthly Avg	No monitoring required	2.4	3/0	Monitor	-	0.082 (Default-TOGS 1.3.1.D)	1.5	4.68 703.5	A(C)	No Reasonable Potential	703.5	-	Monitor
	lb/d	Monthly Avg	-	-	0	-	-	-	-	-	-	-			
SUMMER 6/1 – 10/31															
Reasonable potential analysis was performed, and the calculations showed no reasonable potential to exceed the applicable WQ standard. Therefore, WQBEL is not required.															
The WQS for Ammonia was determined from TOGS 1.1.1 for a pH of 8.1 S.U. (effluent 80 th percentile value) and a summer temperature of 25°C. The temperature of the receiving waterbody was a default value and consistent with TOGS 1.3.1E.															
Nitrogen, Ammonia (as N)	mg/L	Monthly Avg	No monitoring required	2.4	3/0	Monitor	-	0.082 (Default-TOGS 1.3.1.D)	1.5	4.86 703.5	A(C)	No Reasonable Potential	703.5	-	Monitor
	lb/d	Monthly Avg	-	?	1	-	-	-	-	-	-	-			
WINTER 11/1 – 5/31															
Reasonable potential analysis was performed and the calculations showed no reasonable potential to exceed the applicable WQ standard. Therefore, WQBEL is not required.															
The WQS for Ammonia was determined from TOGS 1.1.1 for a pH of 8.1S.U. (effluent 80 th percentile value) and a summer temperature of 25°C. The temperature of the receiving waterbody was a default value and consistent with TOGS 1.3.1E.															
Total Nitrogen	mg/L	Monthly Avg	No monitoring required	2.8	3/0	-	-	-	None in amounts that will result in growths of algae, weeds and slimes that will impair the waters for their best usages.				703.2	-	No Limitation
	In absence of numeric WQ standard, the WQ analysis cannot be performed.														

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			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		
Nitrogen, Nitrite	mg/L	No monitoring required		0.21	3/0				No WQ standard for class D					No Limitation	
	In absence of numeric WQ standard, the WQ analysis cannot be performed.														
Nitrogen, Nitrate	mg/L	No monitoring required		2.6	3/0				No WQ standard for class D					No Limitation	
	In absence of numeric WQ standard, the WQ analysis cannot be performed.														
Nitrogen, Nitrate/Nitrite	mg/L	No monitoring required	3.6						No WQ standard for class D					No Limitation	
	In absence of numeric WQ standard, the WQ analysis cannot be performed.														
Nitrogen, Total Kjeldahl	mg/L	Monthly Avg		3.82	3/0	-	-	-	None in amounts that will result in growths of algae, weeds and slimes that will impair the waters for their best usages.			703.2	-	No Limitation	
	In absence of numeric WQ standard, the WQ analysis cannot be performed.														

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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 ⁵	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Total Phosphorus	mg/L	Monthly Avg	monitor	3.6	54/0	Monitor	750-1.13 Monitor	-	None in amounts that will result in growths of algae, weeds and slimes that will impair the waters for their best usages.		703.2	-	Monitor		
	lb/d	Monthly Avg	monitor	-	-	Monitor	750-1.13 Monitor								
	lb/mon	Month Load	-	-	-	-	-								
	lb/yr	12 Month Load	-	-	-	-	-								
In presence of a classified pond (P1-Black Lake) downstream of the discharge, monitoring to be continued.															
The draft Black Lake TMDL is under development. Facilities included in the TMDL may receive future phosphorus wasteload allocation and permit limits based on a final EPA approved TMDL. The Evan Mills facility will be included in the draft Black Lake TMDL and a preliminary modeling scenario of the Black Lake phosphorus sources indicates that the TMDL could recommend a limit as low as 0.5 mg/L for the Evan Mills facility. We recommend that the Evan Mills facility evaluate designing to 0.5 mg/L. The draft TMDL will be released for public comment and submitted to EPA for final approval.															
Total Mercury	ng/L	No monitoring required		3.0	3/0	-	-	-	-	0.7	H(FC)	50	GLCA	-	DOW 1.3.10 No Limitation
	ng/L	12 MRA	-	-	-	-	-	-	-	-	-	12	-	-	DOW 1.3.10 No Limitation
	See Mercury section of this fact sheet.														
Coliform, Fecal	#/100 ml	No monitoring required	2275	3/0	200	TOGS 1.3.3	-	The monthly geometric mean, from a minimum of five examinations, shall not exceed 200.	703.4	-	TBEL				
			-	-	400	TOGS 1.3.3	-								
	Consistent with TOGS 1.3.3, effluent disinfection is required seasonally from May 1st - October 31st, due to the class of the receiving waterbody. Fecal coliform limits equal to the TBEL have been specified.														

Permittee: Village of Evans Mills
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Date: March 31, 2026
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 Full Technical Review

Outfall #	001	Description of Wastewater: Treated Sanitary Sewage from domestic users													
		Type of Treatment: New headworks structure, Sequencing Batch reactor, 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		
Total Residual Chlorine (TRC)	µg/L	Daily Max	130	0.02	1/0	95	TOGS 1.3.3	-	0.005	0.019	A(A)	0.095	703.5	-	WQBEL
Effluent disinfection is currently required seasonally and has been continued. The WQBEL was calculated by multiplying the WQS by the acute dilution ratio as the stream water class is D. When chlorine is used for disinfection, a minimum residual of 0.2 mg/l shall be maintained in the chlorine contact tank prior to de-chlorination.															
Additional Pollutants Detected															
Oil & grease				ND	3/0										No Limitation
	The reported value is no-detect and therefore reasonable potential analysis was not performed.														
Total Dissolved Solids (TDS)	mg/L	Monitoring not required		627	3/0										No Limitation
	In absence of numeric WQ standard, the WQ analysis cannot be performed.														

Outfall 001 [EMERGING CONTAMINANTS]

Emerging Contaminants: Outfall # 001															
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁶	# 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	-	ND	1/0	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-pentanoic Acid (PFPeA)	ng/L	Daily Max	-	4.88	1/0	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-hexanoic Acid (PFHxA)	ng/L	Daily Max	-	5.67	1/0	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-heptanoic Acid (PFHpA)	ng/L	Daily Max	-	ND	1/0	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-octanoic Acid (PFOA)	ng/L	Daily Max	-	2.77 Actual Max	1/0	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-nonanoic Acid (PFNA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-decanoic Acid (PFDA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-undecanoic Acid (PFUnA)	ng/L	Daily Max	-	ND	1/01	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-dodecanoic Acid (PFDoA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														

⁶ Existing Effluent Quality: Unless otherwise stated, Daily Max = 99% lognormal; Monthly Avg = 95% lognormal (for datasets with ≤3 nondetects); Daily Max = 99% delta-lognormal; Monthly Avg = 95% delta-lognormal (for datasets with >3 nondetects)

Permittee: Village of Evans Mills
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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 ⁶	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
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-butananesulfonic Acid (PFBS)	ng/L	Daily Max	-	4.8	1/0	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
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	-	ND	0/1	-	-	-	-	-	-	-	-	-	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	-	1.62 Actual Max	1/0	-	-	-	1.5	710,000	A(A)	No RP	TOGS 1.1.1	-	No Limitation
	The projected instream concentration was calculated using the maximum select effluent concentration of 1.62 ng/L, a multiplier of 13.2, the acute 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. Based on available data, no additional monitoring is required at this time.														
Perfluoro-nonanesulfonic Acid (PFNS)	ng/L	Daily Max	-	-	-	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-decanesulfonic Acid (PFDS)	ng/L	Daily Max	-	-	-	-	-	-	-	-	-	-	-	-	No Limitation
	Based on available data, no additional monitoring is required at this time.														
Perfluoro-dodecane-sulfonic Acid (PFDoS)	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 ⁶	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Perfluoro-octane-sulfonamide (FOSA)	ng/L	Daily Max	001-	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.														
N-methyl Perfluoro-octanesulfon-amide (NMeFOSA)	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 ⁶	# 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-octanesulfon-amidoethanol (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-octanesulfon-amidoethanol (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.														
3-Perfluoropropyl Propanoic Acid (3:3 FTCA)	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 ⁶	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
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	-	-	-	-	160,000	A(A)	-	TOGS 1.1.1	-	No Limitation
	The reported value is no-detect and therefore reasonable potential analysis was not performed.														

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 law⁷ and USEPA interpretation⁸ anti-backsliding requirements do not apply should a revision to the final effluent limitation take effect before the scheduled date of compliance for that final effluent limitation.

Antidegradation Policy

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

Effluent Limitations

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

Technology-based Effluent Limitations (TBELs) 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.

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

⁸ 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)

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.

Monitoring Requirements

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

Other Conditions

Mercury

The multiple discharge variance (MDV) for mercury 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.