



Department of
Environmental
Conservation

State Pollutant Discharge Elimination System (SPDES) DISCHARGE PERMIT

SIC Code:	2011	NAICS Code:	311611	SPDES Number:	NY0270377
Discharge Class (CL):	04	DEC Number:	6-2338-00012/00006		
Toxic Class (TX):	N	Effective Date (EDP):			
Major-Sub Drainage Basin:	08 - 01	Expiration Date (ExDP):			
Water Index Number:	Groundwater	Item No.:	NA	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.

PERMITTEE NAME AND ADDRESS					
Name:	McRez Packing International (MPI) LLC			Attention:	Dr. Rezk Abdelrahman
Street:	3823 Marmon Rd.				
City:	Lyons Falls			State:	NY Zip Code: 13368
Email:	rez19764@yahoo.com			Phone:	(951) 410-6460

is authorized to discharge from the facility described below:

FACILITY NAME, ADDRESS, AND PRIMARY OUTFALL									
Name:	McRez Packing International								
Address / Location:	3823 Marmon Rd.					County:	Lewis		
City:	Lyons Falls				State:	NY	Zip Code:	13368	
Facility Location:	Latitude:	43 °	36 '	55.1 " N	& Longitude:	75 °	18 '	14.7 " W	
Primary Outfall No.:	001	Latitude:	43 °	36 '	52.2 " N	& Longitude:	75 °	18 '	18.2 " W
Wastewater Description:	Process Wastewater	Receiving Water:	Groundwater			NAICS:	311611	Class:	GA Standard: GA

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

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

DISTRIBUTION:

BWP Permit Coordinator (permit.coordinator@dec.ny.gov)
Regional Water Engineer
NYSDOH - Watertown Office

Permit Administrator:	
Address:	Dulles State Office Building 317 Washington Street Watertown, NY 13601
Signature	Date

SUMMARY OF ADDITIONAL OUTFALLS

Outfall	Wastewater Description	NAICS Code	Outfall Latitude			Outfall Longitude		
002	Treated Sanitary	311611	43 °	36 '	51.9 " N	75 °	18 '	15.4 " W
Receiving Water: Groundwater						Class: GW		

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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 department 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 DEC'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	DESCRIPTION	RECEIVING WATER	EFFECTIVE	EXPIRING
001	Treated Process Wastewater from Animal Slaughtering, Processing, Washdown and Sanitation.	Groundwater	EDP	EDP + 10 Years

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
Flow	Monthly Average	Monitor	GPD			Continuous	Calculated		X	1
pH	Daily Minimum	6.5	SU			1/Quarter	Grab		X	2,3
	Daily Maximum	8.5	SU						X	2,3
Nitrate (as N)	Daily Maximum	10	mg/L			1/Quarter	Grab		X	2,3
Nitrite (as N)	Daily Maximum	1.0	mg/L			1/Quarter	Grab		X	2,3
Nitrate and Nitrite (as N)	Daily Maximum	10	mg/L			1/Quarter	Grab		X	2,3
Sulfate	Daily Maximum	250	mg/L			1/Quarter	Grab		X	2,3
Oil & Grease	Daily Maximum	15	mg/L			1/Quarter	Grab		X	2,3
Coliform, Total	Daily Maximum	50	No./100 ml			1/Quarter	Grab		X	2,3

OUTFALL	DESCRIPTION	RECEIVING WATER	EFFECTIVE	EXPIRING
002	Treated Sanitary Sewage	Groundwater	EDP	EDP + 10 Years

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
No Monitoring Required										4

FOOTNOTES:

- Monthly average flow may be calculated by pump runtime meters and pump capacities.
- Quarterly samples shall be collected in calendar quarters (Q1 – January 1st to March 31st; Q2 – April 1st to June 30th; Q3 – July 1st to September 30th; Q4 – October 1st to December 31st).
- Effluent samples shall be collected at the established water well. Please see the Monitoring Locations section of this permit on page 7.
- System design is 2,000 gpd.

SPECIAL CONDITIONS - DISPOSAL SYSTEMS WITH SEPTIC TANKS

A. Maximum Flow, Strength, and Character

It is the responsibility of the permittee to ensure that the disposal system does not receive, or commit to receive, wastes that:

1. Exceeds the approved system design flow, or
2. Has a strength or characteristic beyond the design capability of the disposal system.

B. Quarterly Operation & Maintenance Requirements

1. The permittee must develop, implement, and maintain a written operations and maintenance (O&M) plan for the disposal system to achieve compliance with the conditions of this permit.
2. During all periods of operation, the permittee must inspect the components of the disposal system once per calendar quarter.
3. The permittee must document the results of the quarterly inspections in the O&M plan.
4. The permittee must initiate corrective action within 24 hours if a deficiency identified during an inspection has reasonable likelihood of adversely affecting human health or the environment. For all other identified inspection deficiencies, the permittee must initiate corrective action within 30 days to address. The permittee must document this follow-up in the O&M plan.

C. Annual Septic Tank Inspection

1. Any septic tank installed as part of the disposal system must be inspected by permittee or the permittee's designated agent to determine the amount of scum and sludge accumulation. This inspection must occur at a minimum of once annually from the date of last inspection. The initial inspection must occur within one year from the date of initial discharge. The permittee must document the inspection in the O&M plan.
2. The permittee must remove scum and sludge accumulations to ensure that the depth of scum and sludge does not exceed one-fourth of the liquid depth. The permittee must remove, transport, and dispose of scum and sludge accumulations in accordance with applicable law and regulation. The permittee must document this in the O&M plan, including disposal receipts.
3. The permittee must initiate corrective action within 24 hours if a deficiency identified during an inspection has reasonable likelihood of adversely affecting human health or the environment. For all other identified inspection deficiencies, the permittee must initiate corrective action within 30 days to address. The permittee must document this follow-up in the O&M plan.

D. Maintaining Water Quality

If there is evidence that a discharge authorized by this permit is causing, has the reasonable potential to cause, or is contributing to a violation of the water quality standards specified in 6 NYCRR Parts 700-706, the permittee must take appropriate corrective action within 30 days and maintain relevant documentation in the O&M plan.

STORMWATER POLLUTION PREVENTION REQUIREMENTS

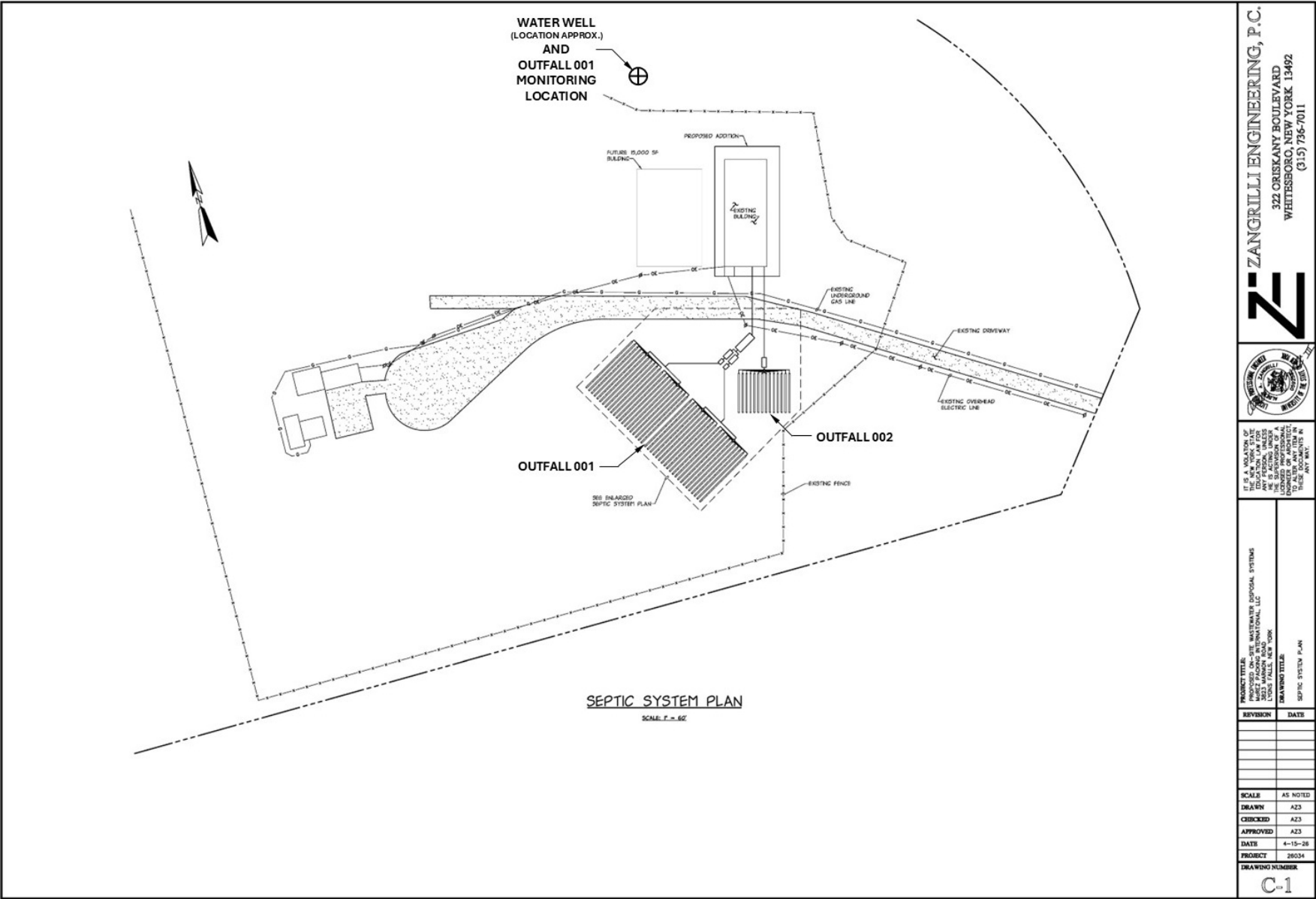
NO EXPOSURE CERTIFICATION

The permittee submitted a Conditional Exclusion for No Exposure Form on 01/04/2026, 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.

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MONITORING LOCATIONS

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



GENERAL REQUIREMENTS

- A. The regulations in 6 NYCRR Part 750 are hereby incorporated by reference and the conditions are enforceable requirements under this permit. The permittee shall comply with all requirements set forth in this permit and with all the applicable requirements of 6 NYCRR Part 750 incorporated into this permit by reference, including but not limited to the regulations in paragraphs B through H as follows:
- B. General Conditions
- | | |
|--|---|
| 1. Duty to comply | 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 for non-POTWs | 6 NYCRR 750-2.5, 2.6, 2.7, & 1.17 |
| 2. Anticipated noncompliance | 6 NYCRR 750-2.7(a) |
| 3. Transfers | 6 NYCRR 750-1.17 |
| 4. Monitoring reports | 6 NYCRR 750-2.5(e) |
| 5. Compliance schedules | 6 NYCRR 750-1.14(d) |
| 6. 24-hour reporting | 6 NYCRR 750-2.7(c) & (d) |
| 7. Other noncompliance | 6 NYCRR 750-2.7(e) |
| 8. Other information | 6 NYCRR 750-2.1(f) |
- F. Sludge Management
- The permittee shall comply with all applicable requirements of 6 NYCRR Part 360 series.
- G. SPDES Permit Program Fee
- The permittee shall pay to the DEC 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.
- H. 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 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.
- WTC use shall not exceed the rate explicitly authorized by this permit or otherwise authorized by the DEC.
 - 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 excessive levels of WTCs are not used.
 - 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: [SPDES Permitting of Water Treatment Chemicals](#).

RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS

- A. The permittee shall retain the monitoring information required by this permit for a period of at least five years from the date of the sampling.
- B. Annual SPDES Monitoring Reports: An annual report shall be submitted to DEC by February 1st each year. The report shall summarize information for January to December of the previous year and shall be submitted electronically, or in hardcopy format, to the Regional Water Engineer utilizing the SPDES Annual Report Form available on the DEC's website.
- C. Additional information required to be submitted by this permit shall be summarized and reported to the Regional Water Engineer at the following address:

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

- D. Schedule of Additional Submittals:

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

Outfall(s)	SCHEDULE OF ADDITIONAL SUBMITTALS - Required Action	Due Date
001, 002	<u>NOTIFICATION OF START DATE ("START-UP")</u> The permittee shall provide the Department with the proposed start date for the disposal system. This date will be used to establish the start of compliance reporting and other reporting requirements. Notice shall be provided to the Regional Water Engineer.	30-days prior to start-up
001, 002	<u>CERTIFICATE OF COMPLETION</u> The permittee shall submit to the Regional Water Engineer written certification by the person or firm licensed to practice professional engineering in the State of New York overseeing construction stating that the disposal system was constructed in accordance with the approved engineering Design Documents.	Prior to start-up
001	<u>ANNUAL EFFLUENT DATA SUMMARY</u> Within 1 month following the end of each calendar year, the permittee shall submit an annual effluent data summary to the Regional Water Engineer at the address listed in the RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS PAGE. The summary shall be submitted electronically in a format acceptable to the DEC showing all analytical results and flow monitoring results for samples collected the previous year.	Annually on February 1st
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 submitted with the annual monitoring report.	Annually on February 1st
	<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.	01/04/2031 and every 5 years thereafter

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

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

SPDES Permit Fact Sheet

McRez Packing International (MPI) LLC

NY0270377



**Department of
Environmental
Conservation**

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SUMMARY OF PERMIT CHANGES

A new State Pollutant Discharge Elimination System (SPDES) permit has been drafted for McRez Packing International (MPI) LLC.

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

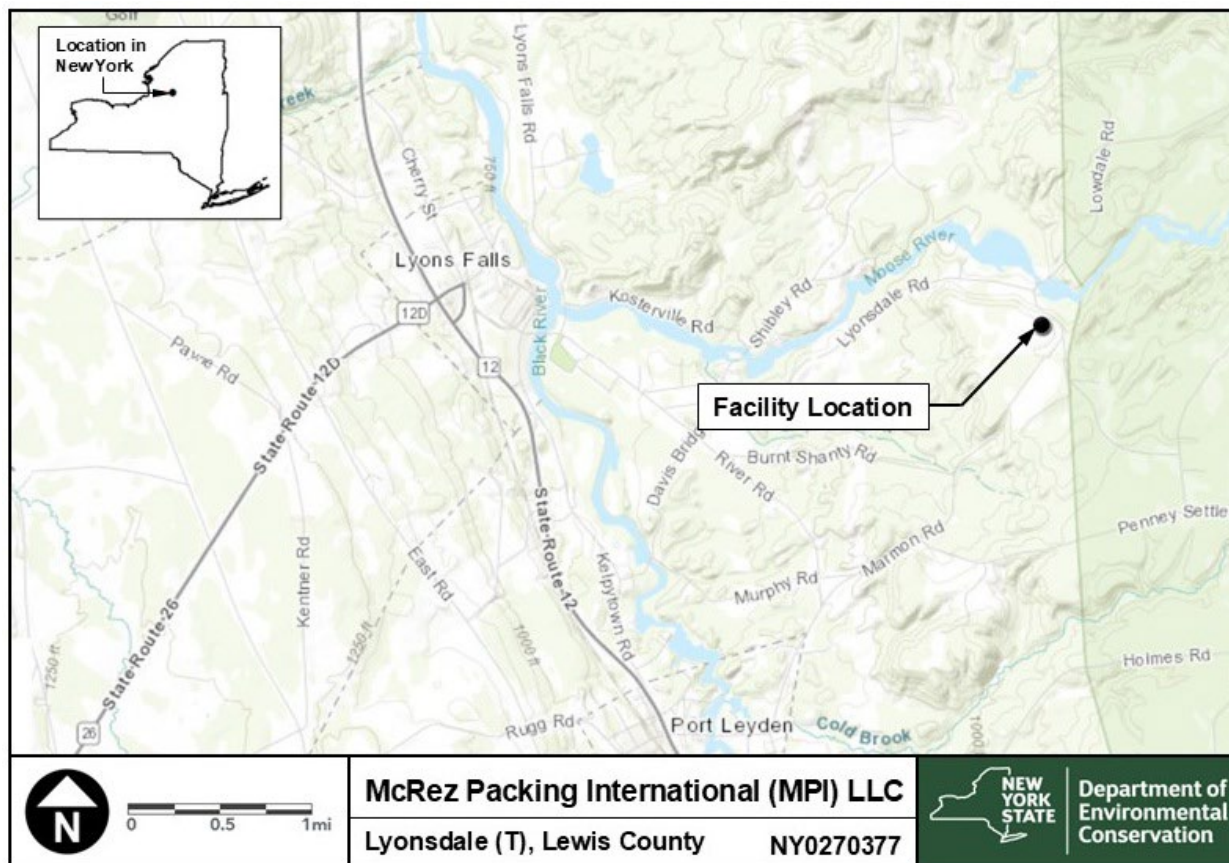
- 01/20/2026 McRez Packing International (MPI) LLC submitted an initial SPDES Application Form NY-2A for Industrial Facilities.
- 03/12/2026 McRez Packing International (MPI) LLC submitted a revised SPDES NY-2A application form due to proposed changes to the wastewater treatment system and discharge location.
- 04/15/2026 McRez Packing International (MPI) LLC submitted engineering plans and specifications prepared by a New York licensed engineer in support of the SPDES permit application.
- 04/27/2026 McRez Packing International (MPI) LLC submitted an engineering report prepared by a New York licensed engineer in support of the SPDES permit application and engineering plans and specifications.

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

FACILITY INFORMATION

McRez Packing International (MPI) LLC is a proposed industrial facility situated in the Town of Lyonsdale, Lewis County, New York, about 3 miles east of the Village of Lyons Falls.

Figure 1. Facility Location



MPI plans to engage in the meat packing business (SIC Codes 2011, 2015) with operations consisting of slaughtering of cattle for producing meat carcasses, in whole or in part, and the slaughtering of poultry for producing whole or smaller meat cuts. All operations are conducted indoors, including the animal holding areas.

Process wastewater will be generated from animal slaughtering, processing, washdown and sanitation. Wastewater treatment will consist of a 10,000-gallon grease interceptor, two 5,000-gallon septic tanks operated in parallel, followed by two absorption trench systems operated in parallel with each system consisting of 21 lines spaced at 6-feet with each line being 100-feet in length. Treated effluent will be discharged to groundwater through Outfall 001. The initial system is designed to treat up to 10,000 gpd, with the ability to expand should business operations increase.

Sanitary wastewater for nonindustrial use including sanitary bathrooms and drinking water will be treated by a 3,000-gallon septic tank followed by an absorption trench system consisting of 14 lines spaced a 6-feet with each line being 60-feet in length. The system is designed to treat up to 2,000 gpd.

Figure 2. Site Details



RECEIVING WATER INFORMATION

The facility proposes to discharge via the following outfalls:

Table 1. Receiving Water Information

Outfall No.	Design Flow (GPD)	SIC Code	Wastewater Type	Receiving Water
001	10,000	2011	Treated Process Water from Animal Slaughtering, Processing, Washdown and Sanitation	Groundwater, Class GA
002	2,000	8999	Treated Sanitary Sewage	Groundwater, Class GA

The facility proposes to discharge to groundwater, Class GA. Class GA are fresh groundwaters. Groundwaters are those waters in saturated zones. A saturated zone is any extensive portion of the earth's crust that contains sufficient water to fill all interconnected voids or pore spaces. Fresh groundwaters are those groundwaters having a chloride concentration equal to or less than 250 mg/L or a total dissolved solids concentration equal to or less than 1,000 mg/ L. The best usage of Class GA waters is as a source of potable water supply. Classes and Standards of Quality and Purity are specified in 6 NYCRR Parts 700-706.

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

PERMIT REQUIREMENTS

Article 17 of the New York State Environmental Conservation Law (ECL), "Water Pollution Control," was enacted to protect and maintain both surface and groundwater resources. It authorized the creation of the State Pollutant Discharge Elimination System (SPDES) Program to protect New York's water resources.

Regulations promulgated to implement the SPDES program are set forth in Title 6 of the Official Compilation of New York Codes, Rules and Regulations (6 NYCRR).

Pursuant to 6 NYCRR Part 750-1.4(a), no person shall discharge or cause a discharge of any pollutant without a SPDES permit having been issued to such person.

SPDES permits for groundwater discharges are based on state law, regulation, policy and guidance. These can generally be found on the internet. Current locations include:

- New York State Environmental Conservation Law (ECL):
<http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO>:
- New York Codes, Rules and Regulations (NYCRR):
<https://dec.ny.gov/regulatory/regulations>
- NYSDEC Division of Water Technical and Operational Guidance Series (TOGS):
<https://dec.ny.gov/regulatory/guidance-and-policy-documents/water-guidance-documents>

SPDES permit applications are reviewed in accordance with the State Environmental Quality Review Act (SEQR) as prescribed by 6 NYCRR Part 617. Permit revisions are implemented when justified due to changed conditions at a permitted facility and/or in response to updated regulatory requirements.

Effluent Limitations

In developing the permit, NYSDEC evaluates both technology-based effluent limitations (TBELs) and water quality-based effluent limitations (WQBELs). The more stringent between the TBELs and WQBELs is selected as the final effluent limitation.

TBELs aim to prevent pollution by requiring a minimum level of effluent quality that is attainable using demonstrated technologies for reducing discharges of pollutants into the waters of the state. TBELs for discharges from industrial facilities are summarized in TOGS 1.2.1, Attachment C.

WQBELs are developed from water quality standards found under 6 NYCRR Parts 700-704, and TOGS 1.1.1.

The wastewater treatment system for process wastewater (Outfall 001) consists of a grease interceptor, septic tanks, followed by absorption trenches. This type of treatment system is considered a soil-based treatment system (STS), for which the natural processes in the soil profile remove pollutants from septic tank effluent before it enters groundwater. Monitoring the effluent

for STS before it enters the soil profile is not practical. Therefore, the onsite downgradient water well is being specified as the monitoring location.

Because a monitoring well will be used to determine compliance with the effluent limitations for Outfall 001, the WQBELs were developed with no dilution, based on groundwater quality standards specified in 6 NYCRR 703.5.

A discussion of the selected effluent limitation for each pollutant expected to be present in the discharge is provided in the [Pollutant Summary Table](#).

[Monitoring Requirements](#)

6 NYCRR Part 750-1.13(a) requires that SPDES permits contain monitoring requirements, and other measurements as appropriate, to assure compliance with the effluent limitations for each pollutant in the permit. The draft permit specifies the sampling frequency, sampling collection type, and sampling location for each pollutant in the permit.

SPDES permits require the use of laboratories certified by the New York State Department of Health (DOH) under the Environmental Laboratory Approval Program (ELAP) for most pollutants.

[Stormwater Pollution Prevention Requirements](#)

The facility is subject to stormwater associated with industrial activity and requires SPDES permit coverage under 40 CFR 122.26(a)(6).

On 01/04/2026, 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).

[Emerging Contaminant Monitoring](#)

Based on knowledge of this industry and consistent with TOGS 1.3.13, monitoring for perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS), and 1,4-dioxane (1,4-D) is not required at this time. The industry SIC code(s) of 2011 and 2015 are not identified as a potential primary source of PFOA, PFOS, and 1,4-D in TOGS 1.3.13, Appendix A and B.

[Schedule of Additional Submittals](#)

A Schedule of Additional Submittals is used to summarize the deliverables required by the SPDES permit.

[Notification of Start Date](#)

The permit requires the permittee notify NYSDEC with the proposed start date for the disposal system. This date will be used to establish the start of compliance reporting and other reporting requirements.

[Certificate of Completion](#)

In accordance with 6 NYCRR 750-1.13(d), the permit requires the permittee to submit written certification by the person or firm licensed to practice professional engineering in the State of New York overseeing construction stating that the disposal system was constructed in accordance with the approved engineering Design Documents.

Annual Effluent Data Summary

In accordance with 6 NYCRR 750-1.13(d), the permit requires submission of an annual report each year summarizing the results of the monitoring required by the SPDES permit.

WTC Annual Report

In accordance with 6 NYCRR 750-2.1(i), 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 to the annual monitoring report required by the permit. More information is located on the DEC's website under [SPDES Permitting of Water Treatment Chemicals](#).

Stormwater No Exposure Certification

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. Please see [Stormwater Pollution Prevention Requirements](#) above.

Special Conditions

The SPDES permit contains requirements for proper maintenance for disposal systems with septic tanks.

Standard Permit Conditions

The SPDES permit contains standard regulatory language including monitoring, recording, reporting, and general conditions that incorporate the provisions of 6 NYCRR Part 750 by reference.

Antidegradation

The permit contains effluent limitations which ensure that the best usages of the receiving waters will be maintained. The Notice of Complete Application published in the Environmental Notice Bulletin contains information on the State Environmental Quality Review (SEQR)¹ determination.

[Appendix Link](#)

¹ As prescribed by 6 NYCRR Part 617

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 (GPD)	7Q10 (GPD)	30Q10 (GPD)	Critical Effluent Flow (GPD)	Dilution Ratio		
												A(A)	A(C)	HEW
001	43° 36' 52.2" N	75° 18' 18.2" W	Groundwater	GA	-	08/01	-	-	-	-	10,000	-	-	-
002	43° 36' 51.9" N	75° 18' 15.4" W	Groundwater	GA	-	08/01	-	-	-	-	2,000	-	-	-

POLLUTANT SUMMARY TABLE

Outfall 001

Outfall #	001	Description of Wastewater: Process Wastewater from animal slaughtering, processing, washdown and sanitation.														
		Type of Treatment: Septic Tanks/Absorption Trenches														
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement	
			Permit Limit	Existing Effluent Quality	# 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:																
All applicable water quality standards and guidance values were reviewed for development of the WQBELs.																
Water quality standards and water quality-based effluent limitations (WQBELs) are based on groundwater (GW) standards.																
The technology based effluent limitations (TBELs) shown below were developed from TOGS 1.2.1, Attachment C, for biological treatment systems.																
The more stringent of the TBELs and WQBELs for each pollutant is selected as the basis of the permit condition and is highlighted is bold.																
Effluent limitations are typically expressed to two (2) significant digits consistent with 6 NYCRR Part 750-2.5(e)(2).																
Flow Rate	GPD	Monthly Avg	No Data - New Discharge		Monitor	6 NYCRR Part 750-1.13(b)	No alterations that will impair the waters for their best usages.				6 NYCRR Part 703.2	-	Monitor			
	Flow monitoring is specified in accordance with 6 NYCRR Part 750-1.13(b).															

Permittee: McRez Packing International (MPI) LLC
 Facility: McRez Packing International
 SPDES Number: NY0270377
 USEPA Non-Major/Class 04 Industrial

Date: April 29, 2026
 Permit Writer: Michael Bocchi
 Full Technical Review

Outfall #	001	Description of Wastewater: Process Wastewater from animal slaughtering, processing, washdown and sanitation.													
		Type of Treatment: Septic Tanks/Absorption Trenches													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
pH	SU	Minimum	No Data - New Discharge			6.0	TOGS 1.2.1	-	-	6.5 - 8.5	GA	6.5 - 8.5	6 NYCRR Part 703.3	-	WQBEL
		Maximum				9.0									
	The WQBELs are more stringent than the TBELs and are specified to ensure water quality standards are maintained.														
Nitrate (as N)	mg/L	Daily Max	No Data - New Discharge			-	-	-	-	10	GA	10	6 NYCRR Part 703.5	-	WQBEL
	The WQBEL is specified to ensure water quality standards are maintained.														
Nitrite (as N)	mg/L	Daily Max	No Data - New Discharge			-	-	-	-	1	GA	1.0	6 NYCRR Part 703.5	-	WQBEL
	The WQBEL is specified to ensure water quality standards are maintained.														
Nitrate and Nitrite (as N)	mg/L	Daily Max	No Data - New Discharge			-	-	-	-	10	GA	10	6 NYCRR Part 703.5	-	WQBEL
	The WBEL applies to the sum of Nitrate and Nitrite and is specified to ensure water quality standards are maintained.														
Sulfate	mg/L	Daily Max	No Data - New Discharge			-	-	-	-	250	GA	250	6 NYCRR Part 703.5	-	WQBEL
	The WQBEL is specified to ensure water quality standards are maintained.														
Oil & Grease	mg/L	Daily Max	No Data - New Discharge			15	TOGS 1.2.1	-	-	-	-	-	-	-	TBEL
	The TBEL is specified and is consistent with groundwater effluent limitations specified in 6 NYCRR Part 703.6.														
Coliform, Total	#/100 ml	Daily Max	No Data - New Discharge			-	-	-	-	50	GA	50	6 NYCRR Part 703.4	-	WQBEL
	The WQBEL is specified to ensure water quality standards are maintained.														

Permittee: McRez Packing International (MPI) LLC
 Facility: McRez Packing International
 SPDES Number: NY0270377
 USEPA Non-Major/Class 04 Industrial

Date: April 29, 2026
 Permit Writer: Michael Bocchi
 Full Technical Review

Outfall 002

Outfall #	002	Description of Wastewater: Treated Sanitary Sewage													
		Type of Treatment: Septic Tank/Absorption Trenches													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ²	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Consistent with New York State Design Standards for Intermediate Sized Wastewater Treatment Systems (2014), and SPDES General Permit for Private, Commercial and Institutional (PCI) Discharges to Groundwater of Treated Sanitary Sewage (GP-0-25-002), for groundwater discharges treated sanitary sewage without the admixture of industrial or other wastes, effluent limitations and monitoring will not be imposed.															

² 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)

APPENDIX: REGULATORY AND TECHNICAL BASIS OF PERMIT AUTHORIZATIONS

The Appendix is meant to supplement the fact sheet for multiple types of SPDES permits. Portions of this Appendix may not be applicable to this specific permit.

Regulatory References

The provisions of the permit are based largely upon 40 CFR 122 subpart C and 6 NYCRR Part 750 and include monitoring, recording, reporting, and compliance requirements, as well as general conditions applicable to all SPDES permits. Below are the most common citations for the requirements included in SPDES permits:

- Clean Water Act (CWA) 33 section USC 1251 to 1387
- Environmental Conservation Law (ECL) Articles 17 and 70
- Federal Regulations
 - 40 CFR, Chapter I, subchapters D, N, and O
- State environmental regulations
 - 6 NYCRR Part 621
 - 6 NYCRR Part 750
 - 6 NYCRR Parts 700 - 704 – Best use and other requirements applicable to water classes
 - 6 NYCRR Parts 800 – 941 - Classification of individual surface waters
- NYSDEC water program policy, referred to as Technical and Operational Guidance Series (TOGS)
- USEPA Office of Water Technical Support Document for Water Quality-based Toxics Control, March 1991, Appendix E

The following is a quick guide to the references used within the fact sheet:

SPDES Permit Requirements	Regulatory Reference
Anti-backsliding	6 NYCRR 750-1.10(c) and 750-1.10(d), CWA sections 402(o), 303(d)(4), ECL 17-0809, 40 CFR 122.44(l)
Best Management Practices (BMPs) for CSOs	6 NYCRR 750-2.8(a)(2)
Environmental Benefits Permit Strategy (EBPS)	6 NYCRR 750-1.18, NYS ECL 17-0817(4), TOGS 1.2.2 (revised January 25, 2012)
Exceptions for Type I SSO Outfalls (bypass)	6 NYCRR 750-2.8(b)(2), 40 CFR 122.41
Mercury Multiple Discharge Variance	Division of Water Program Policy 1.3.10 (DOW 1.3.10)
Mixing Zone and Critical Water Information	TOGS 1.3.1 & Amendments
PCB Minimization Program	40 CFR Part 132 Appendix F Procedure 8, 6 NYCRR 750-1.13(a) and 750-1.14(f), and TOGS 1.2.1
Pollutant Minimization Program (PMP)	6 NYCRR 750-1.13(a), 750-1.14(f), TOGS 1.2.1
Schedules of Compliance	6 NYCRR 750-1.14
Sewage Pollution Right to Know (SPRTK)	NYS ECL 17-0826-a, 6 NYCRR 750-2.7
State Administrative Procedure Act (SAPA)	State Administrative Procedure Act Section 401(2), 6 NYCRR 621.11(l)
State Environmental Quality Review (SEQR)	6 NYCRR Part 617
USEPA Effluent Limitation Guidelines (ELGs)	40 CFR Parts 405-471
USEPA National CSO Policy	33 USC Section 1342(q)
Whole Effluent Toxicity (WET) Testing	TOGS 1.3.2
General Provisions of a SPDES Permit Department Request for Additional Information	NYCRR 750-2.1(i)

Outfall and Receiving Water Information

Existing Effluent Quality

The existing effluent quality is determined from a statistical evaluation of effluent data in accordance with TOGS 1.2.1 and the USEPA Office of Water, Technical Support Document for Water Quality-based Toxics Control, March 1991, Appendix E (TSD). The existing effluent quality is equal to the 95th (monthly average) and 99th (daily maximum) percentiles of the lognormal distribution of existing effluent data. When there are greater than three non-detects, a delta-lognormal distribution is assumed, and delta-lognormal calculations are used to determine

the monthly average and daily maximum pollutant concentrations. Statistical calculations are not performed for parameters where there are less than ten data points. If additional data is needed, a monitoring requirement may 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 law³ and USEPA interpretation⁴ 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

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

⁴ 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)

Available Technology Economically Achievable (BAT), Best Conventional Pollutant Control Technology (BCT), Best Practicable Technology Currently Available (BPT), and Best Professional Judgment (BPJ).

USEPA Effluent Limitation Guidelines (ELGs) Applicable to Facility

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

Best Professional Judgement (BPJ)

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

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

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

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

For land treatment systems with no accessible final sampling points, such as constructed wetland treatment systems or buried sand filters, permit limitations for groundwater discharges are typically based on ambient groundwater quality standards or guidance values applied at representative down gradient monitoring well(s). Limitations at the downgradient sampling point are set at the Class GA ambient

groundwater standards, rather than at the groundwater effluent limits promulgated under 6 NYCRR 703.6, as compliance is determined based upon the concentrations present in the downgradient groundwater monitoring well at the groundwater interface.

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

Minimum Level of Detection

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

Monitoring Requirements

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

For groundwater discharges, monitoring of downstream wells may be included to demonstrate compliance with ambient groundwater quality standards. Additional effluent monitoring may also be required to gather data to determine if effluent limitations may be required.

Action Levels

As defined in 6 NYCRR 750-1.2(a)(2), when used in a SPDES permit, an Action Level means a monitoring requirement characterized by a numerical value that, when exceeded, triggers additional permittee monitoring and DEC review to determine if numerical effluent limitations should be imposed.

The application of an Action Level is provided in TOGS 1.2.1. If the Action Level is exceeded, the permittee is required to conduct confirmatory monitoring. If Action Levels are routinely or excessively exceeded, they will be reconsidered and adjusted or replaced by limits in accordance with the Environmental Benefit Permit Strategy (EBPS). An Action Level is not a limit, and an exceedance does not constitute a permit violation unless the confirmatory sampling is not performed in accordance with the permit requirements.

Other Conditions

Schedules of Compliance

Schedules of compliance are included in accordance with 40 CFR Part 132 Attachment F, Procedure 9, 40 CFR 122.47 and 6 NYCRR 750-1.14. Schedules of compliance are intended to, in the shortest reasonable time, achieve compliance with applicable effluent standards and limitations, water quality standards, and other applicable requirements. Where the time for compliance is more than nine months, the schedule of compliance must include interim requirements and dates for their achievement. If the time necessary to complete the interim

milestones is more than nine months, and not readily divisible into stages for completion, progress reports must be required.

Emerging Contaminants

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

Schedule(s) of Additional Submittals

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

Best Management Practices (BMP) for Industrial Facilities

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