# State Pollutant Discharge Elimination System (SPDES) DISCHARGE PERMIT

| | | | | | |
|---|---|---|---|---|---|
| SIC Code: | **4952** | NAICS Code: | **221320** | SPDES Number: | **NY0110752** |
| Discharge Class (CL): | **07** | | | DEC Number: | **7-5034-00009** |
| Toxic Class (TX): | **N** | | | Effective Date (EDP): | **EDP** |
| Major-Sub Drainage Basin: | **07 - 05** | | | Expiration Date (ExDP): | **ExDP** |
| Water Index Number: | **Groundwater** | Item No.: | **-** | 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: | **Town of Newfield** | Attention: | **Sean Redman** | | |
| Street: | **166 Main Street** | | | | |
| City: | **Newfield** | State: | **NY** | Zip Code: | **14867** |
| Email: | **watersewer@newfieldny.org** | Phone: | **(607) 564-3616** | | |

is authorized to discharge from the facility described below:

| FACILITY NAME, ADDRESS, AND PRIMARY OUTFALL | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Name: | **Town of Newfield Sewer, District No. 1** | | | | | | | | | | | | |
| Address / Location: | **166 Main Street** | | | | | | | | | County: | **Tompkins** | | |
| City: | **Newfield** | | | | | State: | **NY** | | | Zip Code: | **14867** | | |
| Facility Location: | Latitude: | **42** | ° | **21** | ’ | **57** | ” N | & Longitude: | **76** | ° | **34** | ’ | **30** | ” W |
| Primary Outfall No.: | Latitude: | **42** | ° | **21** | ’ | **55.5** | ” N | & Longitude: | **76** | ° | **34** | ’ | **32.7** | ” W |
| Outfall Description: | **Treated Sanitary** | Receiving Water: | **Groundwater** | | | Class: | GA | Standard: | GA | | | | |

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)
BWP Permit Writer
RWE
RPA
EPA Region II (Region2_NPDES@epa.gov)
NYSEFC (sara.tully@efc.ny.gov)

| | |
|---|---|
| Permit Administrator: | |
| Address: | 5786 Widewaters Pkwy<br>Syracuse, NY 13214 |
| | |
| Signature | Date |

# GROUNDWATER MONITORING WELLS

| GMW | Wastewater Description | GMW Latitude | GMW Longitude |
|---|---|---|---|
| **001W** | Treated Sanitary | **42** ° **21** ' **57.8** " N | **76** ° **34** ' **24.1** " W |
| Receiving Water: | Groundwater | | Class: **GA** |

# 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 T | All Year | | EDP | ExDP |

| PARAMETER | EFFLUENT LIMITATION | | | | | MONITORING REQUIREMENTS | | | | FN |
|---|---|---|---|---|---|---|---|---|---|---|
| | Type | Limit | Units | Limit | Units | Sample Frequency | Sample Type | Location Inf. | Location Eff. | |
| Flow | Monthly Average | 0.03 | MGD | - | - | Continuous | Meter | X | | 2 |
| pH | Daily Minimum | 6.0 | SU | - | - | 2/year | Grab | X | | 1 |
| | Daily Maximum | 9.0 | SU | - | - | | | | | |
| $BOD_5$ | Monthly Average | Monitor | mg/L | - | - | 2/year | Grab | X | | 1 |
| Total Suspended Solids (TSS) | Monthly Average | Monitor | mg/L | - | - | 2/year | Grab | X | | 1 |
| Settleable Solids | Daily Maximum | Monitor | mL/L | - | - | 2/year | Grab | X | | 1 |
| Total Phosphorus (as P) | Monthly Average | Monitor | mg/L | - | - | 2/year | Grab | X | | 1 |
| Copper, Total (as Cu) | Monthly Average | 1.0 | mg/L | - | - | 2/year | Grab | X | | 1 |
| Nitrate (as N) | Monthly Average | Monitor | mg/L | - | - | 2/year | Grab | X | | 1 |
| Oil & Grease | Monthly Average | 15 | mg/L | - | - | 2/year | Grab | X | | 1 |
| | | | | | | | - | | | |

**FOOTNOTES:**

1. Biannual samples shall be collected and reported for the months of May and November.
2. Monthly average flow shall be calculated and reported for the periods spanning from December 1 – May 31 and June 1 – November 30.

# GROUNDWATER MONITORING

| GWMWs[1] | LIMITATIONS APPLY | RECEIVING WATER | EFFECTIVE | EXPIRING |
|---|---|---|---|---|
| MW- 001 W | Year-round | Groundwater | EDP or EDPM | ExDP |

| PARAMETER | EFFLUENT LIMITATION | | | | MONITORING REQUIREMENTS | FN |
|---|---|---|---|---|---|---|
| | Type | Limit | Units | Sample Frequency | Sample Type | |
| pH | Daily Maximum, Daily Minimum | Monitor | SU | 1/year | Grab | 1,2 |
| Carbon, Total Organic | Daily Maximum | Monitor | mg/L | 1/year | Grab | 1,2 |
| Copper, Total (as Cu) | Daily Maximum | Monitor | mg/L | 1/year | Grab | 1,2 |
| Iron, Total (as Fe) | Daily Maximum | Monitor | mg/L | 1/year | Grab | 1,2 |
| Zinc, Total (as Zn) | Daily Maximum | Monitor | mg/L | 1/year | Grab | 1,2, |
| Nitrate, (as N) | Daily Maximum | Monitor | mg/L | 1/year | Grab | 1,2, |
| Coliform, Fecal | Daily Maximum | Monitor | No./100 mL | 1/year | Grab | 1,2, |
| Phosphorous, Total (as P) | Daily Maximum | Monitor | mg/L | 1/year | Grab | 1,2, |

**FOOTNOTES:**

1. Three well casing volumes must be evacuated prior to sampling all parameters except water level.
2. Annual samples shall be collected and reported for the month of May.

# MERCURY MINIMIZATION PROGRAM (MMP) - Type IV

On 12/9/2025, the permittee submitted a Conditional Exclusion Certification, certifying that the facility does not have any of the mercury sources listed in Part III.A.3. of DOW 1.3.10.

1. General - The permittee must develop, implement, and maintain a mercury minimization program (MMP), containing the elements set forth below.
2. MMP Elements - The MMP must be a written document and must include any necessary drawings or maps of the facility and/or collection system. Other related documents already prepared for the facility may be used as part of the MMP and may be incorporated by reference. At a minimum, the MMP must include the following elements[1] as described in detail below:

    a. Conditional Exclusion Certification - A certification (Appendix D of *DOW 1.3.10*), signed in accordance with 750-1.8 Signature of SPDES forms, must be submitted once every five (5) years for Outfall 001 T to the Regional Water Engineer and to the Bureau of Water Permits certifying that Outfall 001T for 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 discharge from 1) individually permitted combined sewer overflow (CSOs)[2] communities and/or 2) Type II sanitary sewer overflow (SSO)[3] facilities;
    - One or more effluent samples which 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 permit application or other information indicates that mercury is handled on site and could be discharged through outfalls;
    - Outfalls which contain legacy mercury contamination;
    - The facility's collection system receives discharges from a dental and/or categorical industrial user (CIU)[4] 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 SPDES permit.

    b. Control Strategy - The control strategy must contain the following minimum elements:
        i. 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.
        ii. Bulk Chemical Evaluation – For chemicals, used at a rate which exceeds 1,000 gallons/year or 10,000 pounds/year, the permittee must obtain a manufacturer's certificate of analysis, a chemical analysis performed by a certified laboratory, and/or a notarized affidavit which describes the substances' mercury concentration and the detection limit achieved. If possible, the permittee must only use bulk chemicals utilized in the wastewater treatment process which contain <10 ppb mercury.

[1] Neither monitoring nor outreach is required for facilities meeting the criteria for MMP Type IV, but monitoring and/or outreach can be included in the permittee's control strategy.
[2] CSO permits are included under the 05 and 07 permit classifications.
[3] These are overflow retention facilities (ORFs) and are included under the 05 and 07 permit classifications.
[4] CIUs include those listed under Federal Regulation in 40 CFR Part 400.

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

c. **Status Report** - An **annual** status report must be developed and maintained on site, in accordance with the Schedule of Additional Submittals, summarizing:

   i. Review of criteria to determine if the facility has a potential mercury source;
      a. If the permittee no longer meets the criteria for MMP Type IV, the permittee must notify the DEC for a permittee-initiated permit modification;
   ii. All actions undertaken, pursuant to the control strategy, during the previous year; and
   iii. Actions planned, pursuant to the control strategy, for the upcoming year.

   The permittee must maintain on-site a file with all MMP documentation. The file must be available for review by DEC representatives and copies must be provided upon request in accordance with 6 NYCRR 750-2.1(i) and 750-2.5(c)(4).

3. MMP Modification - The MMP must be modified whenever:
   a. Changes at the facility, or within the collection system, increase the potential for mercury discharges;
   b. A letter from the Department identifies inadequacies in the MMP.

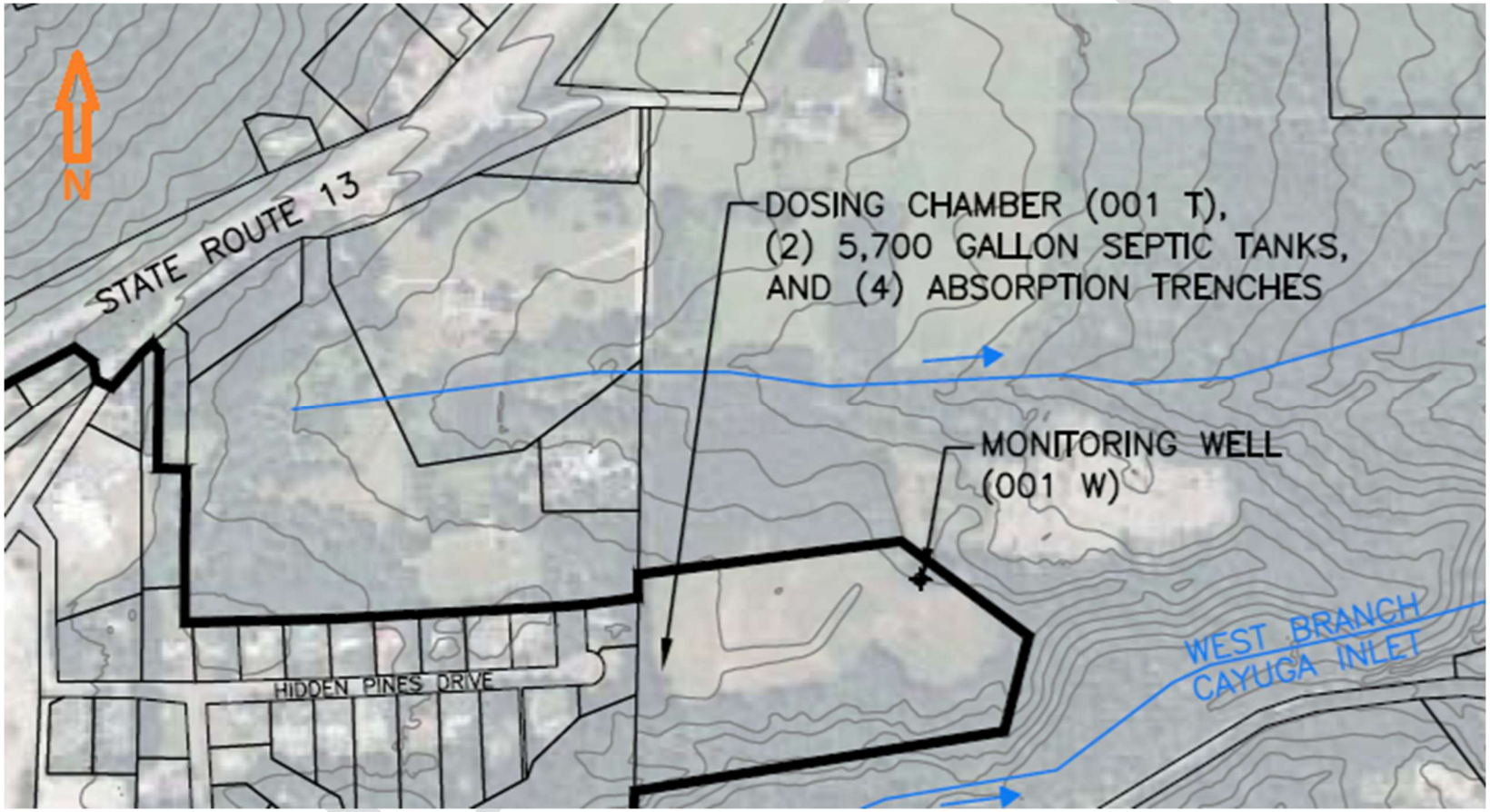
   The DEC may use information in the annual status reports, in accordance with 2.c of this MMP, to determine if the permit limitations and MMP Type is appropriate for the facility.

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.

# MONITORING LOCATIONS

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



# 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)(94) & 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 6 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 Region No. 7
5786 Widewaters Parkway, Syracuse, NY 13214-1867 Phone: (315) 426-7500

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** |
| | EMERGING CONTAMINANT SHORT-TERM MONITORING PROGRAM<br>The permittee shall collect grab samples of both the influent (Outfall 001T) and effluent (Outfall 001W) from the facility's treatment system(s) associated with the identified outfall for Per-and Polyfluoroalkyl Substances (PFAS) and 1,4-Dioxane (1,4-D), unless permittee receives written notification from the DEC during this time that sampling can be discontinued. Samples must be analyzed utilizing EPA method 1633 and EPA Method 8270D SIM or 8270E SIM, respectively. The samples must represent normal discharge conditions and treatment operations and shall be obtained on a quarterly basis for at least 4 consecutive quarters, unless written notification from the DEC indicates otherwise.<br><br>Emerging Contaminants results must be reported utilizing the template provided and should be kept on file with the permittee until all 4 sampling event results are obtained. Once all 4 sampling event results are received, they shall be reported together to the DEC through the "Emerging Contaminants Survey for POTWs" found at: Emerging Contaminants In NY's Waters - NYSDEC. The template, instructions for the laboratory, and chain of custody form are also available at this link.<br><br>If results indicate the presence of Emerging Contaminants, the permittee shall initiate track down of potential sources by completing the "Emerging Contaminants Investigation Checklist for POTWs" available at the above link.<br>The DEC may periodically request updates or additional monitoring to check progress on track down investigations. Elements of the checklist may be used as permit conditions in future permit modifications. | EDP or EDPM + 18 months<br><br>Within 90 days of DEC written notification |
| | WATER TREATMENT CHEMICAL (WTC) ANNUAL REPORT FORM<br>The permittee shall submit a completed WTC Annual Report Form each year that Water Treatment Chemicals are used. The form shall be attached to the December DMR. | December DMR (January 28th) |
| | ANNUAL FLOW CERTIFICATION<br>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 28th) |
| | MERCURY - CONDITIONAL EXCLUSION CERTIFICATION<br>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. | 12/9/2030, and every 5 years thereafter |
| | MERCURY MINIMIZATION PLAN<br>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***<br>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
# Town of Newfield
# Town of Newfield
# NY0110752

## Summary of Permit Changes

State Pollutant Discharge Elimination System (SPDES) permit has been drafted for the Town of Newfield. The changes to the permit are summarized below:

- Updated permit format, definitions, and general conditions
- Added a requirement for implementation of a Type IV Mercury Minimization Program.
- Added a requirement for implementation of an Emerging Contaminant Short-Term Monitoring Program.
- Added a requirement for submittal of a Water Treatment Chemical Annual Report Form.
- Removed a requirement for an 85% removal rate for BOD5 and TSS, as this requirement was previously included by mistake. Sampling for this requirement can not reasonably be expected due to the nature of the subsurface treatment system.

**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

5/1/2010 The last full technical review was performed and the SPDES permit became effective with a new term and expiration date of 3/31/2014. The 2010 permit has formed the basis of this permit.
The permit was administratively renewed in 2014 and expired on 3/31/2024 due to a failure of the permit holder to submit the renewal paperwork.

1/14/2025 The Town of Newfield submitted a NY-2A permit application.

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 wastewater. The collection system consists of separate sewers.

The current .03 MGD treatment system consists of:

- Septic tanks, located at each residence.
- (5) Pumpstations
- (2) Community Settling Tanks.
- Dosing Chamber
- Absorption Fields
- 1 Groundwater Monitoring Well

Septage and grease are pumped from the residential septic tanks and community settling tanks and hauled to a local wastewater treatment plant for disposal.

The primary outfall (Outfall 001T) is sampled at the dosing tank prior to subsurface discharge to the absorption fields. Outfall 001W is sampled from a monitoring well located downgradient from the absorption fields.

The facility does not have any planned improvements.

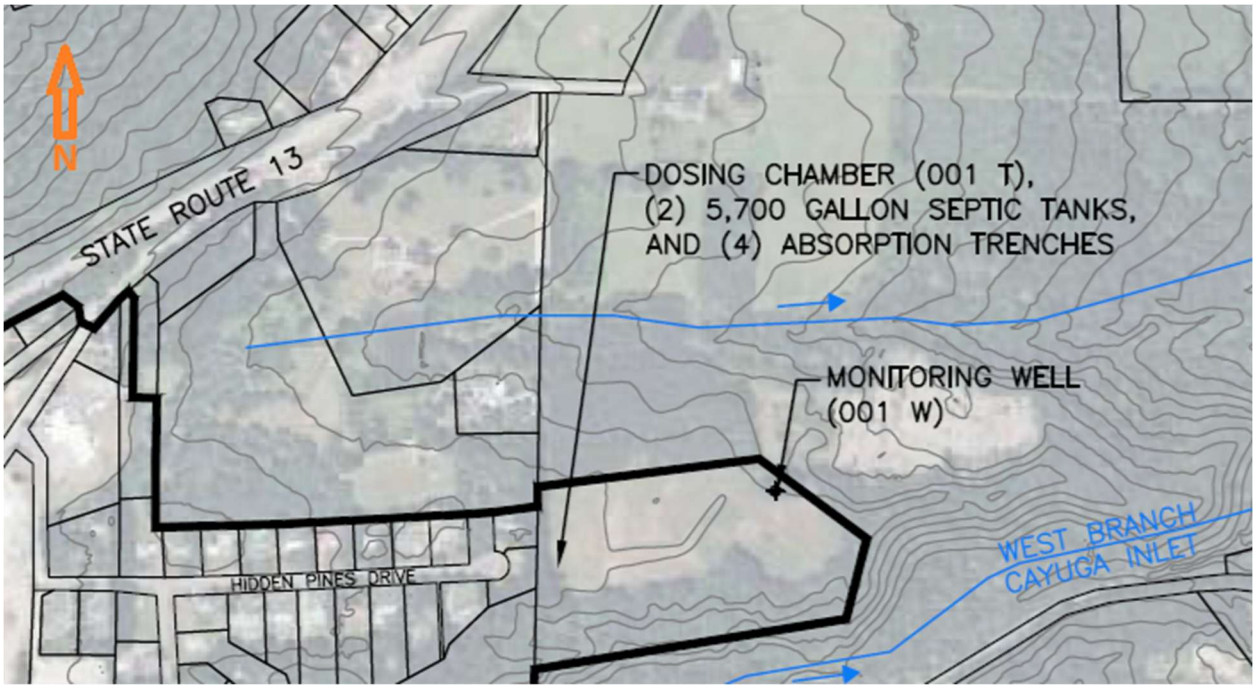
The facility accepts wastewater from the following municipalities:

| Municipality | POSS # or SPDES # | Collection System |
|---|---|---|
| Town of Newfield | NY0110752 | Separate |
| | | |

The facility accepts wastewater from the following significant industrial users (SIUs):

| Significant Industrial User (SIU) | SIC Code | Categorical Reference (if applicable to 40 CFR) |
|---|---|---|
| None | N/A | N/A |
| | | |

## 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 11/1/2020 to 5/31/2025.

### Interstate Water Pollution Control Agencies

Outfall(s) 001T and 001W are located within the Great Lakes watershed and International Joint Commission (IJC) compact area and are subject to 40 CFR Part 132 . Appendix Link

## Receiving Water Information

The facility discharges via the following outfalls:

| Outfall No. | SIC Code | Wastewater Type | Receiving Water |
|---|---|---|---|
| 001T | 4952 | Treated Sanitary Sewage | Groundwater, Class GA |
| 001W | 4952 | Groundwater Monitoring Well | Groundwater, Class GA |

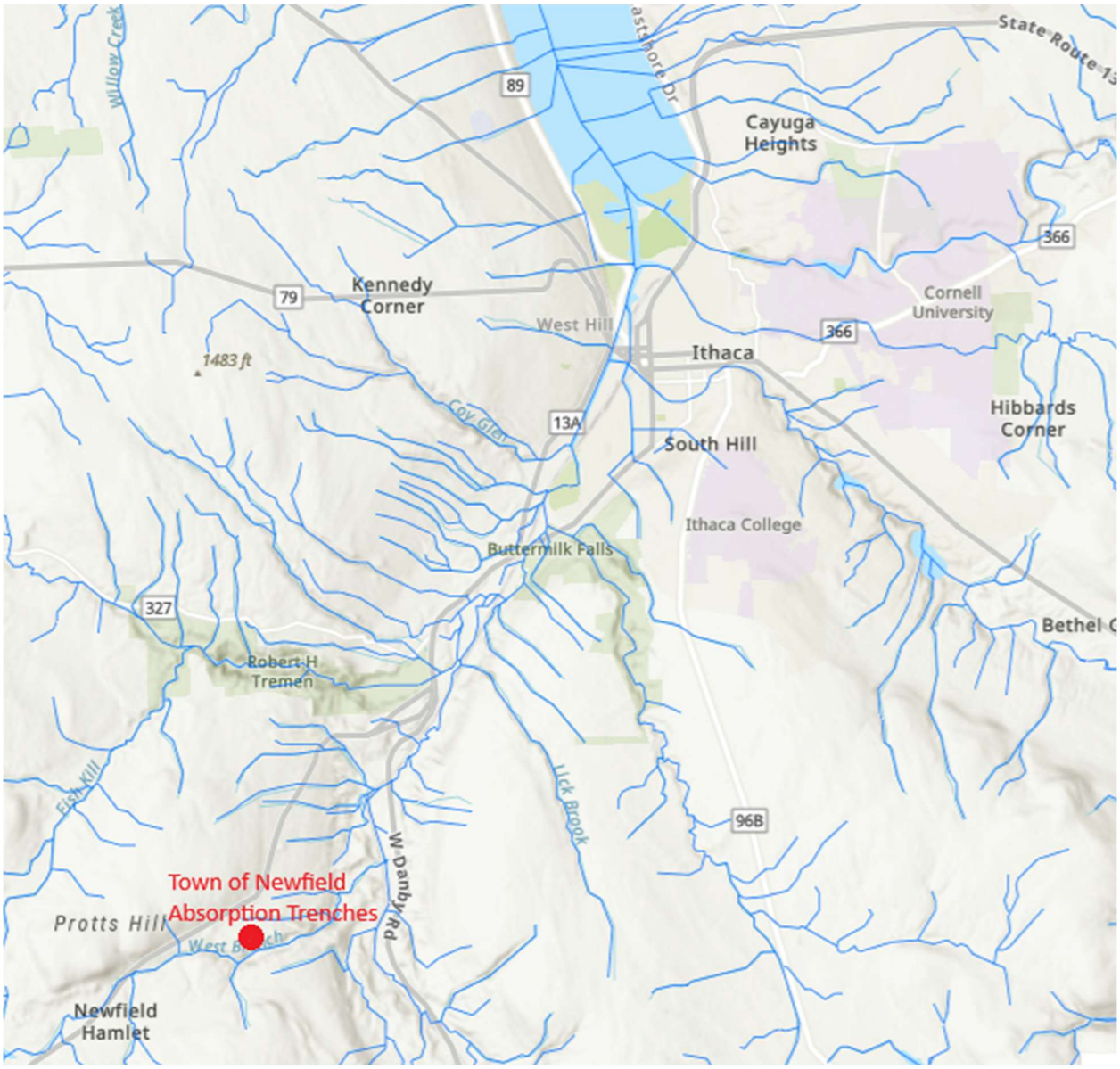
The stream segment (PWL No. 0705-0040, Cayuga Lake – Southern End) was listed on the 2020/2022 New York State Section 303(d) List of Impaired/TMDL Waters as impaired due to Total Phosphorous. In 2024, a TMDL was approved for the stream segment. The TMDL addresses the following pollutants: phosphorous.

The stream segment (PWL No. 0705-0059, Cayuga Inlet Upper and Tribs)) was first listed on the 2022 New York State Section 303(d) List of Impaired/TMDL Waters as impaired due to pH. A TMDL has not been developed to address the impairment and, therefore, there are no applicable wasteload allocations (WLAs) for this facility.

The Town of Newfield Wastewater Treatment System discharges to groundwater located near the Cayuga Inlet, Upper and Tribs stream segment. Since this is a discharge to groundwater, there are no effluent limits for phosphorous associated with the Cayuga Lake TMDL.

**Reach Description:**

The facility discharges to groundwater, Class GA, via septic tanks & absorption trenches. The effluent limitations for Outfall 001 T were developed with no dilution, based on groundwater quality standards found in 6 NYCRR 703.5 and TOGS 1.1.1 (Part I) and groundwater effluent limitations contained in 6 NYCRR 703.6 and TOGS 1.1.1 (Part II).




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 industries[1]. For this facility there are no promulgated effluent guidelines. 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. The previous permit included a requirement of 85% removal for BOD5 and TSS concentration. This is being removed as that requirement was previously included by mistake. The Town of Newfield Treatment System utilizes septic tanks located at each residence and leachfields. In order to calculate percent removal, “influent” samples would need to be taken upstream of the septic tanks and “effluent” samples would need to be taken downstream of the leachfields, it is not reasonable to expect this be completed. Furthermore, the permit does not include a BOD5 or TSS effluent limit, as this is a discharge of residential sanitary wastewater to the subsurface, and a percent removal requirement is not needed.

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.

## Mercury[3]

The multiple discharge variance (MDV) for mercury provides the framework for DEC to require mercury monitoring and mercury minimization programs (MMPs), through SPDES permitting. Appendix Link

The facility is a discharge class 07 permit holder located within the Great Lakes Basin. On 12/9/2025, the permittee submitted a Conditional Exclusion Certification, certifying that the facility does not have any of the mercury sources listed in Part III.A.3. of DOW 1.3.10 and the effluent measured <12 ng/L. Therefore, consistent with DOW 1.3.10, the permit includes requirements for the implementation of MMP Type IV and does not include mercury effluent limitations. The Schedule of Additional Submittals includes a mercury minimization plan annual status report (maintained onsite), and re-certification of the exclusion every five years. As part of the re-

[1] As promulgated under 40 CFR Parts 405 - 471
[2] As prescribed by 6 NYCRR Part 617
[3] In accordance with DOW 1.3.10 Mercury – SPDES Permitting & Multiple Discharge Variance (MDV), December 31, 2025.

certification, the effluent must be sampled and continue to measure <12 ng/L. This requirement is new.

## Schedule of Compliance

No schedule of compliance is being included in this SPDES Permit.

## Emerging Contaminant Monitoring

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

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

The DEC will consider this information and progress made to track down and reduce or eliminate the source of the identified pollutants in determining if a permit modification is needed.

Appendix Link

## Schedule of Additional Submittals

### *Emerging Contaminant Short-term Monitoring*

Please see above discussion of emerging contaminants.

### *WTC Annual Report*

In accordance with 6 NYCRR 750-1.13(a), to determine compliance with effluent limitations and water quality standards, the permit requires submission of an annual report each year that the permittee uses and discharges WTCs. The permittee must summarize all WTC use for the prior calendar year, January 1 through December 31, and attach it either to the December DMR or annual monitoring report required by the permit. More information is located on the DEC's website under SPDES Permitting of Water Treatment Chemicals.

### *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.

### *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.

### *Mercury Minimization Plan (MMP) and Status Report*

Please see above discussion of MMP and Status Report.

# OUTFALL AND RECEIVING WATER SUMMARY TABLE

| Outfall | Latitude | Longitude | Receiving Water Name | Water Class | Water Index No. / Priority Waterbody Listing (PWL) No. | Major / Sub Basin | Hardness (mg/L) | 1Q10 (CFS) | 7Q10 (CFS) | 30Q10 (CFS) | Critical Effluent Flow (MGD) | Dilution Ratio | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | A(A) | A(C) | HEW |
| 001 T | 42° 21' 57" N | 76° 34' 30" W | Groundwater | GA | (Nearest Waterbody) Ont 66-12-P296-75 PWL: 0705-0059 | 07/05 | - | - | - | - | 0.03 | 1:1 | 1:1 | 1:1 |
| 001 W | 42° 21' 57.8" N | 76° 34' 24.1" W | Groundwater | GA | (Nearest Waterbody) Ont 66-12-P296-75 PWL: 0705-0059 | 07/05 | - | - | - | - | - | - | - | - |

# POLLUTANT SUMMARY TABLE

## Outfall 001 T

| **Outfall #** | 001 T | **Description of Wastewater:** Treated Sanitary Sewage | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | **Type of Treatment:** Septic Tank and Absorption Fields | | | | | | | | | | | | | | |
| Effluent Parameter | Units | Averaging Period | Existing Discharge Data | | | TBELs | | Water Quality Data & WQBELs | | | | | | ML | Basis for Permit Requirement |
| | | | Permit Limit | Existing Effluent Quality[4] | # of Data Points Detects / Non-Detects | Limit | Basis | Ambient Bkgd. Conc. | Projected Instream Conc. | WQ Std. or GV | WQ Type | Calc. WQBEL | Basis | | |
| **General Notes:** Existing discharge data from 11/1/2020 to 5/31/2025 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 | **0.03** | 0.03 Actual Average | 10/0 | 0.03 | Design Flow | No alterations that will impair the waters for their best usages. | | | | | 703.2 | - | Design Flow |
| | The flow limit has been set at the design flow of the wastewater treatment facility. | | | | | | | | | | | | | | |
| pH | SU | Minimum | **6.0** | 6.79 Actual Min | 10/0 | 6.0 | 40 CFR 133.102 | - | - | 6.5 – 8.5 | Range | - | 703.3 | - | TBEL |
| | | Maximum | **9.0** | 7.83 Actual Max | 9/1 | 9.0 | | | | | | | | | |

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

| Outfall # | 001 T | **Description of Wastewater:** Treated Sanitary Sewage<br>**Type of Treatment:** Septic Tank and Absorption Fields | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Effluent Parameter | Units | Averaging Period | Existing Discharge Data | | | TBELs | | Water Quality Data & WQBELs | | | | | | ML | Basis for Permit Requirement |
| | | | Permit Limit | Existing Effluent Quality[4] | # of Data Points Detects / Non-Detects | Limit | Basis | Ambient Bkgd. Conc. | Projected Instream Conc. | WQ Std. or GV | WQ Type | Calc. WQBEL | Basis | | |
| | Consistent with TOGS 1.3.3 for POTWs, TBELs reflect secondary treatment standards. | | | | | | | | | | | | | | |
| Temperature | °C | Daily Max | - | 17.8 Actual Max | 2/0 | - | - | - | - | | | | 704.2 | - | **No Limitation** |
| | This is a discharge to groundwater and an effluent limit and monitoring requirements are not included in this permit. | | | | | | | | | | | | | | |
| Dissolved Oxygen (DO) | mg/L | Daily Min | - | - | - | - | - | - | - | - | - | - | 703.3 | - | **No Limitation** |
| | This is a discharge to groundwater and an effluent limit and monitoring requirement are not included in this permit. | | | | | | | | | | | | | | |
| 5-day Biochemical Oxygen Demand ($BOD_5$) | mg/L | Monthly Avg | **Monitor** | 142.9 | 10 /0 | 30 | 40 CFR 133.102 | - | See Dissolved Oxygen for Surrogate Standard | | | - | 703.3 | - | **Monitor** |
| | | 7 Day Avg | - | - | - | 45 | 40 CFR 133.102 | | | | | - | | | |
| | lbs/d | Monthly Avg | - | - | - | - | - | | | | | - | | | |
| | | 7 Day Avg | - | - | - | - | - | | | | | - | | | |
| | % Rem | Minimum | - | - | - | 85 | 40 CFR 133.102 | | | | | - | | | |
| | This is a discharge to groundwater and monitoring of BOD5 shall be continued. Please note that the 85% removal requirement for this parameter will be removed, as it was included in the previous SPDES permit by mistake. This is a discharge to groundwater through absorption trenches and an 85% removal requirement is not required nor is there an appropriate upstream & downstream sampling location to verify this. | | | | | | | | | | | | | | |
| Total Suspended Solids (TSS) | mg/L | Monthly Avg | **Monitor** | 67.3 | 9 /1 | 30 | 40 CFR 133.102 | - | None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages. | | | | 703.2 | - | **Monitor** |
| | | 7 Day Avg | - | - | - | 45 | 40 CFR 133.102 | | | | | | | | |
| | lbs/d | Monthly Avg | - | - | - | - | - | | | | | | | | |
| | | 7 Day Avg | - | - | - | - | - | | | | | | | | |
| | % Rem | Minimum | - | - | - | 85 | 40 CFR 133.102 | | | | | | | | |
| | This is a discharge to groundwater and monitoring of TSS shall be continued. Please note that the 85% removal requirement for this parameter will be removed, as it was included in the previous SPDES permit by mistake. This is a discharge to groundwater through absorption trenches and an 85% removal requirement is not required nor is there an appropriate upstream & downstream sampling location to verify this. | | | | | | | | | | | | | | |

| **Outfall #** | 001 T | **Description of Wastewater:** Treated Sanitary Sewage<br>**Type of Treatment:** Septic Tank and Absorption Fields | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Effluent Parameter | Units | Averaging Period | Existing Discharge Data | | | TBELs | | Water Quality Data & WQBELs | | | | | | ML | Basis for Permit Requirement |
| | | | Permit Limit | Existing Effluent Quality[4] | # of Data Points Detects / Non-Detects | Limit | Basis | Ambient Bkgd. Conc. | Projected Instream Conc. | WQ Std. or GV | WQ Type | Calc. WQBEL | Basis | | |
| Settleable Solids | mL/L | Daily Max | **Monitor** | 2.3 (Avg) | 9 /1 | Monitor | - | - | None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages | | | | 703.2 | - | **Monitor** |
| | This is a discharge to groundwater and an effluent limit is not being required, a monitoring requirement is being continued. | | | | | | | | | | | | | | |
| Nitrogen, Ammonia (as N)<br><br>SUMMER 6/1 – 10/31 | mg/L | Monthly Avg | - | - | - /- | - | - | - | - | - | - | - | 703.5 | - | **No Limitation** |
| | lb/d | Monthly Avg | - | - | - | - | - | - | - | - | - | - | | | |
| | This is a discharge to groundwater and an effluent limit and monitoring requirement are not included in this permit. | | | | | | | | | | | | | | |
| Nitrogen, Ammonia (as N)<br>WINTER 11/1 – 5/31 | mg/L | Monthly Avg | - | - | - /- | - | - | - | - | - | - | - | 703.5 | - | **No Limitation** |
| | lb/d | Monthly Avg | - | - | - | - | - | - | - | - | - | - | | | |
| | This is a discharge to groundwater and an effluent limit and monitoring requirement are not included in this permit. | | | | | | | | | | | | | | |
| Total Phosphorus | mg/L | Monthly Avg | **Monitor** | 13.4 | 10 /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 | - | **Monitor** |
| | This is a discharge to groundwater and an effluent limit is not included in this permit. Monitoring will continue to be required. | | | | | | | | | | | | | | |
| Total Mercury | ng/L | Daily Max | - | 7.79 (Max) | 2/0 | - | - | - | - | 0.7 | H(FC) | 50 | GLCA | - | DOW 1.3.10 |
| | ng/L | 12 MRA | - | - | - | - | - | - | - | - | - | 12 | - | - | **No Limitation** |
| | See Mercury section of this fact sheet.<br>The facility is a discharge class 07 permit holder located within the Great Lakes Basin. On 12/9/2025, the permittee submitted a Conditional Exclusion Certification, certifying that the facility does not have any of the mercury sources listed in Part III.A.3. of DOW 1.3.10 and the effluent measured <12 ng/L. Therefore, consistent with DOW 1.3.10, the permit includes requirements for the implementation of MMP Type IV and does not include mercury effluent limitations. | | | | | | | | | | | | | | |
| Coliform, Fecal | #/100 ml | 30d Geo Mean | - | - | - /- | 200 | TOGS 1.3.3 | - | The monthly geometric mean, from a minimum of five examinations, shall not exceed 200. | | | | 703.4 | - | **No Limitation** |
| | | 7d Geo Mean | - | - | - /- | 400 | TOGS 1.3.3 | - | | | | | | | |

| **Outfall #** | 001 T | **Description of Wastewater:** Treated Sanitary Sewage | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | **Type of Treatment:** Septic Tank and Absorption Fields | | | | | | | | | | | | | | |
| Effluent Parameter | Units | Averaging Period | Existing Discharge Data | | | TBELs | | Water Quality Data & WQBELs | | | | | | ML | Basis for Permit Requirement |
| | | | Permit Limit | Existing Effluent Quality[4] | # of Data Points Detects / Non-Detects | Limit | Basis | Ambient Bkgd. Conc. | Projected Instream Conc. | WQ Std. or GV | WQ Type | Calc. WQBEL | Basis | | |
| | This is a discharge to groundwater and an effluent limit and monitoring requirement are not included in this permit. | | | | | | | | | | | | | | |
| Total Residual Chlorine (TRC) | mg/L | Daily Max | - | - | - /- | 2.0 | TOGS 1.3.3 | - | - | - | - | - | - | - | **No Limitation** |
| | This is a discharge to groundwater and an effluent limit and monitoring requirement are not included in this permit. | | | | | | | | | | | | | | |
| **Additional Pollutants Detected** | | | | | | | | | | | | | | | |
| Copper | mg/L | Monthly Avg | **1.0** | 0.08 | 10/0 | - | - | - | - | 1.0 | H(WS) | 1.0 | TOGS 1.1.1 | - | WQBEL |
| | As discussed within TOGS 1.1.1, Part II, Section B, the maximum allowable concentration listed in Table 5, of 1 mg/L, is being continued. | | | | | | | | | | | | | | |
| Nitrate (as NO3) | mg/L | Monthly Avg | **Monitor** | 0.095 | 5/2 | - | - | - | - | 20 | H(WS) | 20 | TOGS 1.1.1 | - | Monitor |
| | As discussed within TOGS 1.1.1, Part II, Section B, the maximum allowable concentration listed in Table 5 is 20 mg/L. Based on a CV of 0.6, a reasonable potential multiplier of 2 was assumed, and there is no reasonable potential for the WQBEL to be exceeded. Monitoring will be continued within this permit. | | | | | | | | | | | | | | |
| Oil & Grease | mg/L | Monthly Avg | **15** | 10.7 (Avg) | 9/1 | 15 | TOGS 1.2.1 | - | - | - | - | 15 | TOGS 1.1.1 | - | WQBEL |
| | As discussed within TOGS 1.1.1, Part II, Section B, the maximum allowable concentration listed in Table 5, of 15 mg/L, is being continued. | | | | | | | | | | | | | | |

## Outfall 001 W

| **Outfall #** | 001 W | **Description of Wastewater:** Groundwater<br>**Type of Treatment:** Groundwater following treatment through 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[5] | # of Data Points Detects / Non-Detects | Limit | Basis | Ambient Bkgd. Conc. | Projected Instream Conc. | WQ Std. or GV | WQ Type | Calc. WQBEL | Basis | | |
| **General Notes:** Existing discharge data from 11/1/2020 to 5/31/2025 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. | | | | | | | | | | | | | | | |
| Total Organic Carbon | mg/L | Monthly Avg | - | 2.68 (AVG) | 3/2 | - | - | - | | | | | | - | - |
| | Groundwater monitoring for all parameters is being continued from the previous permit. | | | | | | | | | | | | | | |
| Fecal Coliform | Col/100 mL | Monthly Avg | - | <1 | 0/5 | - | - | - | - | | | - | | - | - |
| | Groundwater monitoring for all parameters is being continued from the previous permit. | | | | | | | | | | | | | | |
| Copper | mg/L | Monthly Avg | - | 0.007 (Max) | 1/ 4 | - | - | - | - | - | - | - | - | - | - |
| | Groundwater monitoring for all parameters is being continued from the previous permit. | | | | | | | | | | | | | | |
| Iron | mg/L | Monthly Avg | - | 0.84 (Avg) | 5/ 0 | - | - | - | - | - | - | - | - | - | - |
| | Groundwater monitoring for all parameters is being continued from the previous permit. | | | | | | | | | | | | | | |
| Nitrate (as NO3) | mg/L | Monthly Avg | - | - | - | - | - | - | - | - | - | - | - | - | - |
| | Groundwater monitoring for all parameters is being continued from the previous permit. | | | | | | | | | | | | | | |
| pH (max) | SU | Monthly Avg | - | 7.5 (Max) | 3/0 | - | - | - | - | - | - | - | - | - | - |
| | Groundwater monitoring for all parameters is being continued from the previous permit. | | | | | | | | | | | | | | |
| pH (min) | SU | Monthly Avg | - | 2.75 (Min) | 4/0 | - | - | - | - | - | - | - | - | - | - |
| | Groundwater monitoring for all parameters is being continued from the previous permit. | | | | | | | | | | | | | | |
| Phosphorous | mg/L | Monthly Avg | - | 0.045 (Max) | 1/4 | - | - | - | - | - | - | - | - | - | - |
| | Groundwater monitoring for all parameters is being 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)

| Outfall # | 001 W | **Description of Wastewater:** Groundwater |
|---|---|---|
| | | **Type of Treatment:** Groundwater following treatment through 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[5] | # of Data Points Detects / Non-Detects | Limit | Basis | Ambient Bkgd. Conc. | Projected Instream Conc. | WQ Std. or GV | WQ Type | Calc. WQBEL | Basis | | |
| Zinc | mg/L | Monthly Avg | - | <.01 (Max) | 1/4 | - | - | - | - | - | - | - | - | - | - |
| | Groundwater monitoring for all parameters is being continued from the previous permit. | | | | | | | | | | | | | | |

## Outfall 001 T EMERGING CONTAMINANTS

**Emerging Contaminants: Outfall # 001 T**

| 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. Influent samples were analyzed for the 40 PFAS compounds and 1,4-Dioxane. | | | | | | | | | | | | | | | |
| Perfluoro-butanoic Acid (PFBA) | ng/L | Daily Max | - | 3.89 | 1/0 | - | - | - | - | - | - | - | - | - | **No Limitation** |
| | Based on available data, no additional monitoring is required at this time. | | | | | | | | | | | | | | |
| Perfluoro-pentanoic Acid (PFPeA) | ng/L | Daily Max | - | 8.96 | 1/0 | - | - | - | - | - | - | - | - | - | **No Limitation** |
| | Based on available data, no additional monitoring is required at this time. | | | | | | | | | | | | | | |
| Perfluoro-hexanoic Acid (PFHxA) | ng/L | Daily Max | - | 12 | 1/0 | - | - | - | - | - | - | - | - | - | **No Limitation** |
| | Based on available data, no additional monitoring is required at this time. | | | | | | | | | | | | | | |
| Perfluoro-heptanoic Acid (PFHpA) | ng/L | Daily Max | - | 0.625 | 1/0 | - | - | - | - | - | - | - | - | - | **No Limitation** |
| | Based on available data, no additional monitoring is required at this time. | | | | | | | | | | | | | | |
| | ng/L | Daily Max | - | 1.86 Actual Max | 1/0 | - | - | - | - | 6.7 | H(WS) | - | TOGS 1.1.1 | - | **No Limitation** |

[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)

**Emerging Contaminants: Outfall # 001 T**

| 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-octanoic Acid (PFOA) | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| Perfluoro-nonanoic Acid (PFNA) | ng/L | Daily Max | - | 0.92 | 1/0 | - | - | - | - | - | - | - | - | - | **No Limitation** |
| | Based on available data, no additional monitoring is required at this time. | | | | | | | | | | | | | | |
| Perfluoro-decanoic Acid (PFDA) | ng/L | Daily Max | - | 0.557 | 1/0 | - | - | - | - | - | - | - | - | - | **No Limitation** |
| | Based on available data, no additional monitoring is required at this time. | | | | | | | | | | | | | | |
| Perfluoro-undecanoic Acid (PFUnA) | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | **No Limitation** |
| | Based on available data, no additional monitoring is required at this time. | | | | | | | | | | | | | | |
| 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. | | | | | | | | | | | | | | |
| Perfluoro-tridecanoic Acid (PFTriA) | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | **No Limitation** |
| | Based on available data, no additional monitoring is required at this time. | | | | | | | | | | | | | | |
| Perfluoro-tetradecanoic Acid (PFTeA) | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | **No Limitation** |
| | Based on available data, no additional monitoring is required at this time. | | | | | | | | | | | | | | |
| Perfluoro-butanesulfonic Acid (PFBS) | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | **No Limitation** |
| | 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. | | | | | | | | | | | | | | |

**Emerging Contaminants: Outfall # 001 T**

| 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-octanesulfonic Acid (PFOS) | ng/L | Daily Max | - | 2.86 Actual Max | 1/0 | **10** Action Level | BPJ MCL | - | - | 2.7 | H(WS) | 2.7 | TOGS 1.1.1 | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| Perfluoro-nonanesulfonic Acid (PFNS) | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| Perfluoro-decanesulfonic Acid (PFDS) | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| Perfluoro-dodecane-sulfonic Acid (PFDoS) | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| Perfluoro-octane-sulfonamide (FOSA) | ng/L | Daily Max | - | 0.236 | 1/0 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| N-methyl Perfluoro-octanesulfon-amidoacetic Acid (NMeFOSAA) | ng/L | Daily Max | - | 0.633 | 1/0 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| N-ethyl Perfluoro-octanesulfon-amidoacetic Acid (NEtFOSAA) | ng/L | Daily Max | - | 0.861 | 1/0 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| 4:2 Fluorotelomer Sulfonic Acid (FTS) | ng/L | Daily Max | - | ND | 1/0 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| 6:2 Fluorotelomer Sulfonic Acid (FTS) | ng/L | Daily Max | - | ND | 1/0 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |

**Emerging Contaminants: Outfall # 001 T**

| 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 | | |
| 8:2 Fluorotelomer Sulfonic Acid (FTS) | ng/L | Daily Max | - | ND | 1/0 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| N-ethyl Perfluoro-octanesulfon-amide (NEtFOSA) | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| N-methyl Perfluoro-octanesulfon-amide (NMeFOSA) | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| N-methyl Perfluoro-octanesulfon-amidoethanol (NMeFOSE) | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| N-ethyl Perfluoro-octanesulfon-amidoethanol (NEtFOSE) | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| 9-Chlorohexadeca-fluoro-3-oxanonane-1-sulfonic Acid (9Cl-PF3ONS) | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| Hexafluoro-propylene Oxide Dimer Acid (HFPO-DA or GenX) | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | No Limitation |

**Emerging Contaminants: Outfall # 001 T**

| 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 | | |
| 11-Chloroeicosafluoro-3-oxaundecane-1-sulfonic Acid (11Cl-PF3OUdS) | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| 4,8-Dioxa-3H-perfluorononanoic Acid (ADONA) | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| 3-Perfluoropropyl Propanoic Acid (3:3 FTCA) | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| 2H,2H,3H,3H-Perfluoro-octanoic Acid (5:3 FTCA) | ng/L | Daily Max | - | 37.6 | 1/0 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| 3-Perfluoroheptyl Propanoic Acid (7:3 FTCA) | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| Nonafluoro-3,6-dioxaheptanoic Acid (NFDHA) | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| Perfluoro-4-methoxy-butanoic Acid (PFMBA) | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| Perfluoro-3-methoxy-propanoic Acid (PFMPA) | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |

**Emerging Contaminants: Outfall # 001 T**

| 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(2-ethoxyethane)sulfonic Acid (PFEESA) | ng/L | Daily Max | - | ND | 0/1 | - | - | - | - | - | - | - | - | - | No Limitation |
| | An emerging contaminant short-term monitoring program is being required for Per-and Polyfluoroalkyl Substances (PFAS). | | | | | | | | | | | | | | |
| 1,4-Dioxane | µg/L | Daily Max | - | <1 | 1/0 | - | - | - | - | 0.35 | - | - | TOGS 1.1.1 | - | **No Limitation** |
| | An emerging contaminant short-term monitoring program is being required for 1,4 – Dioxane. | | | | | | | | | | | | | | |

# 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 95$^{th}$ (monthly average) and 99$^{th}$ (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 law[7] and USEPA interpretation[8] 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.

[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)

## Antidegradation Policy

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

## Effluent Limitations

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

### *Technology-based Effluent Limitations (TBELs) for Industrial Facilities*

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

#### *USEPA Effluent Limitation Guidelines (ELGs) Applicable to Facility*

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

#### *Best Professional Judgement (BPJ)*

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

### *Technology-based Effluent Limitations (TBELs)*

CWA sections 301(b)(1)(B) and 304(d)(1), 40 CFR 133.102, ECL section 17-0509, and 6 NYCRR 750-1.11 require technology-based controls, known as secondary treatment. These and other requirements are summarized in TOGS 1.3.3. Where the TBEL is more stringent than the WQBEL, the TBEL is applied as a limit in accordance with TOGS 1.3.3. Equivalent secondary treatment, as defined in 40 CFR 133.105, allow for effluent limitations of the more stringent of the consistently achievable concentrations or monthly/weekly averages of 45/65 mg/L, and the minimum monthly average of at least 65% removal. Consistently achievable concentrations are defined in 40 CFR 133.101(f) as the 95$^{th}$ percentile value for the 30-day (monthly) average effluent quality achieved by the facility in a period of two years. The achievable 7-day (weekly) average value is equal to 1.5 times the 30-day average value calculated

above. Equivalent secondary treatment applies to those facilities where the principal treatment process is either a trickling filter or a waste stabilization pond; the treatment works provides significant biological treatment of municipal wastewater; and, the effluent concentrations consistently achievable through proper operation and maintenance of the facility cannot meet traditional secondary treatment requirements. There are no federal technology-based standards for toxic pollutants from POTWs. A statistical analysis of existing effluent data, as described in TOGS 1.2.1, may be used to establish other performance-based TBELs.

### *Technology-based Effluent Limitations (TBELS) for Discharges to Groundwater*

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

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

### *Technology-based Effluent Limitations (TBELS) for Industrial Facilities to Groundwater*

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

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

### *Water Quality-Based Effluent Limitations (WQBELs)*

In addition to the TBELs, permits must include additional or more stringent effluent limitations and conditions, including those necessary to protect water quality. CWA sections 101 and 301(b)(1)(C), 40 CFR 122.44(d)(1), and 6 NYCRR 750-1.11 require that permits include limitations for all pollutants or parameters which are or may be discharged at a level which may cause or contribute to an exceedance of any State water quality standard adopted pursuant to NYS ECL 17-0301. Additionally, 6 NYCRR 701.1 prohibits the discharge of pollutants that will cause impairment of the best usages of the receiving water as specified by the water classifications at the location of discharge and at other locations that may be affected by such discharge. Water quality standards can be found under 6 NYCRR Parts 700-704. The limitations must be stringent enough to ensure that water quality standards are met at the point of discharge and in downstream waters and must be consistent with any applicable WLA which may be in effect through a TMDL for the receiving water. These and other requirements are summarized in TOGS

1.1.1, 1.3.1, 1.3.2, 1.3.5 and 1.3.6. The DEC considers a mixing zone analysis, critical flows, and reasonable potential analysis when developing a WQBEL.

*Mixing Zone Analyses*

In accordance with TOGS 1.3.1., the DEC may perform additional analysis of the mixing condition between the effluent and the receiving waterbody. Mixing zone analyses using plume dispersion modeling are conducted in accordance with the following:
"EPA Technical Support Document for Water Quality-Based Toxics Control" (March 1991); EPA Region VIII's "Mixing Zones and Dilution Policy" (December 1994); NYSDEC TOGS 1.3.1, "Total Maximum Daily Loads and Water Quality-Based Effluent Limitations" (July 1996); "CORMIX v11.0" (2019).

*Critical Flows*

In accordance with TOGS 1.2.1 and 1.3.1, WQBELs are developed using dilution ratios that relate the critical low flow condition of the receiving waterbody to the critical effluent flow. The critical low flow condition used in the dilution ratio will be different depending on whether the limitations are for aquatic or human health protection. For chronic aquatic protection, the critical low flow condition of the waterbody is typically represented by the 7Q10 flow and is calculated as the lowest average flow over a 7-day consecutive period within 10 years. For acute aquatic protection, the critical low flow condition is typically represented by the 1Q10 and is calculated as the lowest 1-day flow within 10 years. However, NYSDEC considers using 50% of the 7Q10 to be equivalent to the 1Q10 flow. For the protection of human health, the critical low flow condition is typically represented by the 30Q10 flow and is calculated as the lowest average flow over a 30-day consecutive period within 10 years. However, NYSDEC considers using 1.2 x 7Q10 to be equivalent to the 30Q10. The 7Q10 or 30Q10 flow is used with the critical effluent flow to calculate the dilution ratio. The critical effluent flow can be the maximum daily flow reported on the permit application, the maximum of the monthly average flows from discharge monitoring reports for the past three years, or the facility design flow. When more than one applicable standard exists for aquatic or human health protection for a specific pollutant, a reasonable potential analysis is conducted for each applicable standard and corresponding critical flow to ensure effluent limitations are sufficiently stringent to ensure all applicable water quality standards are met as required by 40 CFR 122.44(d)(1)(i). For brevity, the pollutant summary table reports the results of the most conservative scenario.

*Reasonable Potential Analysis (RPA)*

The Reasonable Potential Analysis (RPA) is a statistical estimation process, outlined in the 1991 USEPA Technical Support Document for Water Quality-based Toxics Control (TSD), Appendix E. This process uses existing effluent quality data and statistical variation methodology to project the maximum amounts of pollutants that could be discharged by the facility. This projected instream concentration (PIC) is calculated using the appropriate ratio and compared to the water quality standard (WQS). When the RPA process determines the WQS may be exceeded, a WQBEL is required. The procedure for developing WQBELs includes the following steps:

1) identify the pollutants present in the discharge(s) based upon existing data, sampling data collected by the permittee as part of the permit application or a short-term high intensity monitoring program, or data gathered by the DEC;

2) identify water quality criteria applicable to these pollutants;

3) determine if WQBELs are necessary (i.e. reasonable potential analysis (RPA)). The RPA will utilize the procedure outlined in Chapter 3.3.2 of EPA's Technical Support Document (TSD). As outlined in the TSD, for parameters with limited effluent data the RPA may include multipliers to account for effluent variability; and,

4) calculate WQBELs (if necessary). Factors considered in calculating WQBELs include available dilution of effluent in the receiving water, receiving water chemistry, and other pollutant sources.

The DEC uses modeling tools to estimate the expected concentrations of the pollutant in the receiving water and develop WQBELs. These tools were developed in part using the methodology referenced above. If the estimated concentration of the pollutant in the receiving water is expected to exceed the ambient water quality standard or guidance value (i.e. numeric interpretation of a narrative water quality standard), then there is a reasonable potential that the discharge may cause or contribute to an exceedance of any State water quality standard adopted pursuant to NYS ECL 17-0301. If a TMDL is in place, the facility's WLA for that pollutant is applied as the WQBEL.

For carbonaceous and nitrogenous oxygen demanding pollutants, the DEC uses a model which incorporates the Streeter-Phelps equation. The equation relates the decomposition of inorganic and organic materials along with oxygen reaeration rates to compute the downstream dissolved oxygen concentration for comparison to water quality standards.

The Division of Water has been using the TMDL approach in permit limit development for the control of toxic substances. Since the early 1980's, the loading capacity for specific pollutants has been determined for each drainage basin. Water quality-limiting segments and pollutants have been identified, TMDLs, wasteload allocations and load allocations have been developed, and permits with water quality-based effluent limits have been issued. In accordance with TOGS 1.3.1, the Division of Water implements a Toxics Reduction Strategy which is committed to the application of the TMDL process using numeric, pollutant-specific water quality standards through the Watershed Approach. The Watershed Approach accounts for the cumulative effect of multiple discharges of conservative toxic pollutants to ensure water quality standards are met in downstream segments.

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

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

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

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

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

### *Whole Effluent Toxicity (WET) Testing:*

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

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

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

### *Minimum Level of Detection*

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

## Monitoring Requirements

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

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.

## Requirements for Combined Sewer Overflows (CSOs)

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

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

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

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

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

## Other Conditions

### Mercury

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

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

There have been a number of changes to DOW 1.3.10, December 2020 (e.g., the criteria for mercury sources, the MMP Decision tree, and the MMPs themselves) which could result in less stringent effluent limitations. There are now criteria to determine if a facility has sources of mercury. Additionally, the types of MMPs have been restructured. MMP Type IV is appropriate for facilities that are not sources of mercury. A similar MMP type was not included in the 2010 or 2015 versions of DOW 1.3.10. DOW 1.3.10, Figure 1, is a decision

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

tree, which includes the criteria used to determine if a facility has source of mercury and which MMP is appropriate for a facility.

## Schedules of Compliance

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

## Emerging Contaminants

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

## Schedule(s) of Additional Submittals

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

## Best Management Practices (BMP) for Industrial Facilities

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

## Pollutant Minimization Programs

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

## Mini Industrial Pretreatment Program

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

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