State Pollutant Discharge Elimination System (SPDES) DISCHARGE PERMIT

SIC Code:	**8211**	NAICS Code:	**611110**	SPDES Number:	**NY0024899**
Discharge Class (CL):	**02**			DEC Number:	**7-0532-00019/00001**
Toxic Class (TX):	**N**			Effective Date (EDP):	
Major-Sub Drainage Basin:	**07 - 05**			Expiration Date (ExDP):	
Water Index Number:	**Ont 66-12-35-P197**	Item No.:	**898 - 001**	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:	**Cato Meridian Central School District**	Attention:	**Elizabeth Kupiec**		
Street:	**2851 Route 370**				
City:	**Cato**	State:	**NY**	Zip Code:	**13033**
Email:	**ekupiec@catomeridian.org**	Phone:	**315-626-2429**		

is authorized to discharge from the facility described below:

FACILITY NAME, ADDRESS, AND PRIMARY OUTFALL														
Name:	**Cato Meridian Elementary, Middle, High Schools & Bus Garage**													
Address / Location:	**2851 Route 370**									County:	**Cayuga**			
City:	**Cato**					State:	**NY**			Zip Code:	**13033**			
Facility Location:		Latitude:	**43**	°	**10**	’	**20.6**	” N	& Longitude:	**76**	°	**33**	’	**2.2** ” W
Primary Outfall No.:	**001**	Latitude:	**43**	°	**10**	’	**37**	” N	& Longitude:	**76**	°	**33**	’	**9** ” W
Outfall Description:	**Treated Sanitary**	Receiving Water:	**Unnamed Trib of Parkers Pond**						Class:	**C**		Standard:		**C**

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

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

DISTRIBUTION:
BWP Permit Coordinator (permit.coordinator@dec.ny.gov)
BWP Permit Writer
RWE
RPA
EPA Region II (Region2_NPDES@epa.gov)
NYSEFC (Nancy.myers@efc.ny.gov)

Permit Administrator:	
Address:	625 Broadway Albany, NY 12233-1750

Signature	Date

SUMMARY OF ADDITIONAL OUTFALLS

Outfall	Wastewater Description	Outfall Latitude	Outfall Longitude
003	**Treated Sanitary**	**43** ° **10** ' **24.4** " N	**76** ° **33** ' **0.4** " W
Receiving Water:	**Groundwater, no effluent monitoring required**		Class: **GA**
Outfall	Wastewater Description	Outfall Latitude	Outfall Longitude
006	Treated Sanitary	**43** ° **10** ' **23** " N	**76** ° **32** ' **58** " W
Receiving Water:	**Unnamed Tributary to Parkers Pond**		Class: **C**
Outfall	Wastewater Description	Outfall Latitude	Outfall Longitude
007	Treated Sanitary	**43** ° **10** ' **26.34** " N	**76** ° **32** ' **55.27** " W
Receiving Water:	**Unnamed Tributary of Parkers Pond**		Class: **C**

DEFINITIONS

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

PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL	LIMITATIONS APPLY	RECEIVING WATER	EFFECTIVE	EXPIRING
001	All Year	Unnamed Tributary of Parkers Pond	EDP	At startup of Outfall 007 Treatment System

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location Inf.	Location Eff.	
Flow	Monthly Average	6,500	GPD	-	-	Continuous	Estimate		X	
pH	Daily Minimum	6.5	SU	-	-	Quarterly	Grab		X	
	Daily Maximum	8.5	SU	-	-					
Temperature	Daily Maximum	Monitor	ºF	-	-	Quarterly	Grab		X	
BOD_5	Monthly Average	5	mg/L	-	-	Quarterly	Grab		X	
Total Suspended Solids (TSS)	Monthly Average	10	mg/L	-	-	Quarterly	Grab		X	
Settleable Solids	Daily Maximum	0.1	mL/L	-	-	Quarterly	Grab		X	
Dissolved Oxygen	Daily Minimum	7.0	mg/L	-	-	Quarterly	Grab		X	
Ammonia (as N) (Summer/Winter)	Monthly Average	1.2/1.8	mg/L	-	-	Quarterly	Grab		X	6
Total Phosphorus (as P)	Monthly Average	1.0	mg/L	-	-	Quarterly	Grab		X	
Oil & Grease	Daily Maximum	15	mg/L	-	-	Quarterly	Grab		X	
Benzene	Daily Maximum	10	ug/L	-	-	Quarterly	Grab		X	
Toluene	Daily Maximum	100	ug/L	-	-	Quarterly	Grab		X	
Xylene	Daily Maximum	65	ug/L	-	-	Quarterly	Grab		X	

EFFLUENT DISINFECTION Required All Year		Limit	Units	Limit	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
Coliform, Fecal	30-Day Geometric Mean	200	No./ 100 mL	-	-	Quarterly	Grab		X	
Coliform, Fecal	7-Day Geometric Mean	400	No./ 100 mL	-	-	Quarterly	Grab		X	
Chlorine, Total Residual	Daily Maximum	0.03	mg/L	-	-	Quarterly	Grab		X	1,2

Footnotes Continued on Next Page

OUTFALL	LIMITATIONS APPLY	RECEIVING WATER	EFFECTIVE	EXPIRING
006	All Year	Unnamed Tributary of Parkers Pond	EDP	At startup of Outfall 007 Treatment System

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location Inf.	Location Eff.	
Flow	Monthly Average	17,000	GPD	-	-	Continuous	Estimate		X	
pH	Daily Minimum	6.5	SU	-	-	Quarterly	Grab		X	
	Daily Maximum	8.5	SU	-	-					
Temperature	Daily Maximum	Monitor	ºF	-	-	Quarterly	Grab		X	
BOD_5	Monthly Average	5	mg/L	-	-	Quarterly	Grab		X	
Total Suspended Solids (TSS)	Monthly Average	10	mg/L	-	-	Quarterly	Grab		X	
Settleable Solids	Daily Maximum	0.1	mL/L	-	-	Quarterly	Grab		X	
Dissolved Oxygen	Daily Minimum	7.0	mg/L	-	-	Quarterly	Grab		X	
Ammonia (as N) (Summer/Winter)	Monthly Average	1.2/1.8	mg/L	-	-	Quarterly	Grab		X	6
Total Phosphorus (as P)	Monthly Average	1.0	mg/L	-	-	Quarterly	Grab		X	
Oil & Grease	Daily Maximum	15	mg/L	-	-	Quarterly	Grab		X	

EFFLUENT DISINFECTION Required All Year		Limit	Units	Limit	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
Coliform, Fecal	30-Day Geometric Mean	200	No./ 100 mL	-	-	Quarterly	Grab		X	
Coliform, Fecal	7-Day Geometric Mean	400	No./ 100 mL	-	-	Quarterly	Grab		X	
Chlorine, Total Residual	Daily Maximum	0.03	mg/L	-	-	Quarterly	Grab		X	1,2

OUTFALL	LIMITATIONS APPLY	RECEIVING WATER	EFFECTIVE	EXPIRING
007	All Year	Unnamed Tributary of Parkers Pond	At startup of Outfall 007 Treatment System	ExDP

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
								Location		
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Inf.	Eff.	
Flow	Monthly Average	15,700	GPD	-	-	Continuous	Meter		X	
pH	Daily Minimum	6.5	SU	-	-	Quarterly	Grab		X	
	Daily Maximum	8.5	SU	-	-					
Temperature	Daily Maximum	Monitor	ºF	-	-	Quarterly	Grab		X	
BOD_5	Monthly Average	5	mg/L	0.65	lb/d	Quarterly	Grab		X	
Total Suspended Solids (TSS)	Monthly Average	10	mg/L	1.3	lb/d	Quarterly	Grab		X	
Settleable Solids	Daily Maximum	0.1	mL/L	-	-	Quarterly	Grab		X	
Dissolved Oxygen	Daily Minimum	7.0	mg/L	-	-	Quarterly	Grab		X	
Ammonia (as N) (Summer/Winter)	Monthly Average	1.2/1.8	mg/L	0.16/0.24	lb/d	Quarterly	Grab		X	6
Total Phosphorus (as P)	Monthly Average	1.0	mg/L	-	-	Quarterly	Grab		X	
Oil & Grease	Daily Maximum	15	mg/L	-	-	Quarterly	Grab		X	

EFFLUENT DISINFECTION Required All Year		Limit	Units	Limit	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
Coliform, Fecal	30-Day Geometric Mean	200	No./ 100 mL	-	-	Quarterly	Grab		X	
Coliform, Fecal	7-Day Geometric Mean	400	No./ 100 mL	-	-	Quarterly	Grab		X	
Chlorine, Total Residual	Daily Maximum	0.03	mg/L	-	-	Quarterly	Grab		X	1,2

FOOTNOTES:

1. Sampling and reporting for total residual chlorine are only necessary if chlorine is used for disinfection, elsewhere in the treatment process, or the facility otherwise has reasonable potential to discharge chlorine. Otherwise, the permittee shall report NODI-9 on the DMR.

2. This is a Compliance Level. The calculated WQBEL is 0.005 mg/l.

3. Limits for Outfall 007 parameters shall become effective upon startup of Outfall 007 and associated treatment systems. The permittee shall notify the Department at least 30 day prior to the scheduled startup and within 24 hours following the actual startup of Outfall 007. See the schedule of additional submittal for details.

4. Quarterly samples shall be collected in calendar quarters (Q1 – January 1st to March 31st; Q2 – April 1st to June 30th; Q3 – July 1st to September 30th; Q4 – October 1st to December 31st).

5. Effluent samples shall be taken and reported on DMRs for all outfalls which discharge during any period of time during a given quarter. Effluent sampling shall be coordinated appropriately in conjunction with the startup of Outfall 007 and closure of Outfalls 001 and 006.

6. For the sake of effluent limit designation, April – September shall be considered “Summer” months and October – March shall be considered “Winter” months.

DISCHARGE NOTIFICATION REQUIREMENTS

(a) The permittee shall install and maintain identification signs at all outfalls to surface waters listed in this permit, unless the Permittee has obtained a waiver in accordance with the Discharge Notification Act (DNA). Such signs shall be installed before initiation of any new discharge location.

(b) Subsequent modifications to or renewal of this permit does not reset or revise the deadline set forth in (a) above, unless a new deadline is set explicitly by such permit modification or renewal.

(c) The Discharge Notification Requirements described herein do not apply to outfalls from which the discharge is composed exclusively of storm water, or discharges to ground water.

(d) The sign(s) shall be conspicuous, legible and in as close proximity to the point of discharge as is reasonably possible while ensuring the maximum visibility from the surface water and shore. The signs shall be installed in such a manner to pose minimal hazard to navigation, bathing or other water related activities. If the public has access to the water from the land in the vicinity of the outfall, an identical sign shall be posted to be visible from the direction approaching the surface water.

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

N.Y.S. PERMITTED DISCHARGE POINT

SPDES PERMIT No.: NY_____

OUTFALL No. :____

For information about this permitted discharge contact:

Permittee Name: _____

Permittee Contact: _____

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

OR:

NYSDEC Division of Water Regional Office Address:

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

(e) Upon request, the permittee shall make available electronic or hard copies of the sampling data to the public. In accordance with the RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS page of your permit, each DMR shall be maintained (either electronically or as a hard copy) on record for a period of five years.

(f) The permittee shall periodically inspect the outfall identification sign(s) in order to ensure they are maintained, are still visible, and contain information that is current and factually correct. Signs that are damaged or incorrect shall be replaced within 3 months of inspection.

SCHEDULE OF COMPLIANCE

a) The permittee shall comply with the following schedule:

Outfall(s)	Compliance Action	Compliance Date[1]
	COMPLETE CONSTRUCTION The permittee shall provide a Construction Completion Certification[2] to the Department that the Outfall 007 disposal system has been fully completed in accordance with the approved Design Documents.	EDP + 24 Months

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

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

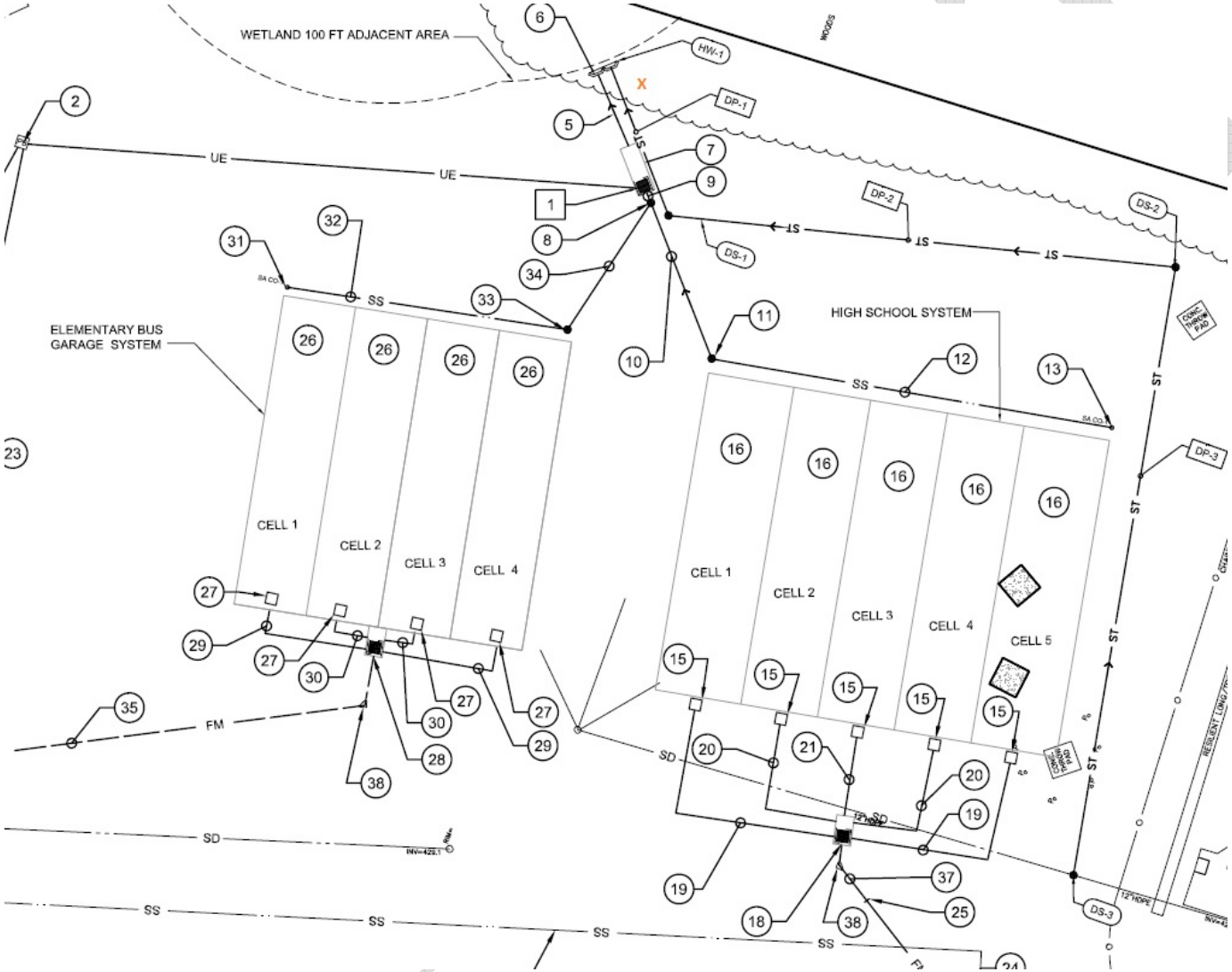
c) The permittee shall submit copies of any document required by the above schedule of compliance to the NYSDEC Regional Water Engineer and to the Bureau of Water Permits.

[1] 6 NYCRR 750-1.14 (a)
[2] 6 NYCRR 750-2.10 (c)

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:

Outfall 007 Effluent: X



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)

F. Planned Changes

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

GENERAL REQUIREMENTS (continued)

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

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 Department, and shall comply with all applicable requirements of ECL 72-0602 and 6 NYCRR Parts 480, 481 and 485. Note that if there is inconsistency between the fees specified in ECL 72-0602 and 6 NYCRR Part 485, the ECL 72-0602 fees govern.

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

1. WTC use shall not exceed the rate explicitly authorized by this permit or otherwise authorized in writing by the Department.
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 Department'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 Department or its designated agent.

B. Discharge Monitoring Reports (DMRs): Completed DMR forms shall be submitted for each 3 month reporting period in accordance with the DMR Manual available on Department's website.

DMRs must be submitted electronically using the electronic reporting tool (NetDMR) specified by NYSDEC. Instructions on the use of NetDMR can be found at https://www.dec.ny.gov/chemical/8461.html. **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 7
5786 Widewaters Parkway, Syracuse, NY 13214-1867 Phone: (315) 426-7500

D. Schedule of Additional Submittals:

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

SCHEDULE OF ADDITIONAL SUBMITTALS		
Outfall(s)	**Required Action**	**Due Date**
007	PUBLIC NOTIFICATION Permittee shall install identification signs at Outfall 007. The signs shall be placed at or near the outfalls and be easily readable by the public and follow the guidelines contained in this permit. Upon installation of the Outfall 007 sign(s), an email notification shall be provided to the Regional Water Engineer.	EDP + 24 months
007	Outfall 007 Planned Startup Notification Permittee shall provide an email notification of scheduled date for the startup of Outfall 007.The email notification shall be provided to the Regional Water Engineer and NetDMR@DEC.NY.GOV.	30 days prior to Outfall 007 startup
007	Outfall 007 Actual Startup Notification Permittee shall provide an email notification of the actual startup of Outfall 007. The email notification shall be provided to the Regional Water Engineer and NetDMR@DEC.NY.GOV.	Within 24 hours of Outfall 007 startup.

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

E. Monitoring and analysis shall be conducted using sufficiently sensitive test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

F. More frequent monitoring of the discharge(s), monitoring point(s), or waters of the State than required by the permit, where analysis is performed by a certified laboratory or where such analysis is not required to be performed by a certified laboratory, shall be included in the calculations and recording of the data on the corresponding DMRs.

G. Calculations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

H. Unless otherwise specified, all information recorded on the DMRs shall be based upon measurements and sampling carried out during the most recently completed reporting period.

I. Any laboratory test or sample analysis required by this permit for which the State Commissioner of Health issues certificates of approval pursuant to section 502 of the Public Health Law shall be conducted by a laboratory which has been issued a certificate of approval. Inquiries regarding laboratory certification should be directed to the New York State Department of Health, Environmental Laboratory Accreditation Program.

SPDES Permit Fact Sheet
Cato-Meridian Central School District
Cato- Meridian Central School District K-12 School Buildings and Bus Garage
NY0024899


NEW
YORK
STATE
Department of
Environmental
Conservation

Contents

Summary of Permit Changes

A new State Pollutant Discharge Elimination System (SPDES) permit has been drafted for the Cato- Meridian Central School District K-12 School Buildings and Bus Garage. The changes to the permit are summarized below:

- Updated permit format, definitions, and general conditions.
- Added Outfall 007, which is being implemented to eventually replace existing Outfalls 001 and 006 and associated treatment systems.
- Added a Compliance Schedule Item to complete construction of Outfall 007 treatment systems within 24 months of the effective date of this permit.
- Added a requirement for year-round disinfection requirements at all Outfalls.
- Added a requirement for installation of a SPDES Outfall 007 Identification Sign and notifications of Outfall 007 startup within the "Schedule of Additional Submittals".
- The monitoring requirement for TKN has been removed as it was determined the ammonia effluent limit is sufficiently protective.

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

7/21/2018 The last full technical review was performed and the SPDES permit became effective with a new five-year term and expiration date of 6/30/2023. The 2018 permit, along with all subsequent modifications,has formed the basis of this permit.

The permit was administratively renewed in 2023. The current permit administrative renewal is effective until 6/30/2028.

1/15/2025 The Cato-Meridian Central School District submitted a request to modify the permit to facilitate the planned wastewater treatment system improvements.

Date [After Public Notice (if substantial changes)] DEC published a notice of complete application in the Environmental Notice Bulletin (ENB).

Date [After Public Notice (if substantial changes)] The Cato-Meridian Central School District provided notice in the Name of Newspaper. The publications contain information on the public notice process. The public comment period commenced on Date.

Date [After Public Notice (if hearing)] A public comment hearing was held.

Date [After Public Notice (if comments received)] Comment period closed. All substantive comments have been addressed in the responsiveness summary developed as part of the permit finalization.

Date [If Re-Noticed] Following evaluation of the timely comments received, DEC staff determined that substantial changes to the draft permit and fact sheet were necessary. A notice of revised draft permit and fact sheet were published in the ENB and the Name of Newspaper.

Date [If Re-Noticed] The comment period for the revised draft permit closed. All substantive comments have been addressed in a responsiveness summary developed as part of the permit finalization.

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 an institutional facility that currently discharges treated wastewater from three separate outfalls:

Outfall 001 currently discharges treated wastewater consisting of non-detergent vehicle washwater & snowmelt from the bus garage, sanitary wastewater from the bus garage, and 2/3 of sanitary wastewater from the elementary school. The wastewater is treated by an oil-water separator, septic tanks, a single-pass sandfilter, and chlorine disinfection prior to discharge to an unnamed tributary of Parkers Pond.

Outfall 003 currently treats sanitary wastewater from 1/3 of the elementary school and the middle school using septic tanks and a groundwater discharge to leachfields.

Outfall 006 currently discharges sanitary wastewater originating from the high school. The wastewater is treated by a septic tank, single pass sandfilter, chlorine disinfection, prior to discharge to a tributary of Parkers Pond (this tributary is different than the tributary which Outfall 001 discharges to).

The facility is planning the following upgrades/improvements:

- Outfall 001 (Bus Garage and 2/3 of Elementary School) & Newly Proposed Outfall 007: The un-lined subsurface single pass sand filter will be abandoned in place. Vehicles will no longer be washed at the bus garage. The oil-water separator will be removed and trench drains within the bus garage will convey water associated with dripping vehicles and snow-melt to a holding tank to be temporarily stored for off-site disposal. A new septic tank, enhanced treatment unit, dosing station, and single-pass buried sandfilter will be installed in a new location. Effluent from the new sandfilter will be combined with sandfilter effluent from the high-school prior to being conveyed to a common ultraviolet disinfection system. Upon startup of the new treatment system, Outfall 001 will be removed from the permit. Treated wastewater from the bus-garage, 2/3's of the elementary school, and the highschool will be sampled at a newly created combined Outfall 007.
- Outfall 006 (Highschool) & Newly Proposed Outfall 007: The existing Outfall 006 treatment system, consisting of a septic tank, single-pass sandfilter, and chlorine-disinfection will be taken out of service. It will be replaced with a new grease trap, septic tank, dosing station, enhanced treatment unit, and single pass sandfilter. The sandfilter effluent will be combined with effluent from the new bus garage/elementary school sandfilter prior to treatment by a new ultraviolet disinfection system. The combined effluent from these

treatment systems will discharge and be sampled at a new outfall (Outfall 007) located on the same un-named tributary to which Outfall 001 currently discharges. The currently utilized Outfall 006 discharges to a different unnamed tributary than Outfall 001. Upon startup of the new highschool treatment system, Outfall 006 will be removed from the permit.

- Outfall 003 (Middleschool and 1/3 of Elementary School) and its associated treatment system will continue to be utilized by the school and will remain within the permit.

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 submitted by the permittee for the period 1/1/2021 to 5/31/2024.

Interstate Water Pollution Control Agencies

Outfall(s) 001, 003, 006, and 007 are located within the Great Lakes watershed and International Joint Commission (IJC) compact area. Appendix Link

Receiving Water Information

The facility discharges via the following outfalls:

Outfall No.	SIC Code	Wastewater Type	Receiving Water
001	8211	Treated Sanitary Sewage	Unnamed Tributary of Parkers Pond, Class C
003	8211	Treated Sanitary Sewage	Groundwater, Class GA
006	8211	Treated Sanitary Sewage	Unnamed Tributary of Parkers Pond, Class C
007(proposed)	8211	Treated Sanitary Sewage	Unnamed Tributary of Parkers Pond, Class C

Impaired Waterbody Information

The stream segment (PWL No. 0701-0037) is not listed on the 2020/2022 New York State Section 303(d) List of Impaired/TMDL Waters, and therefore, there are no applicable wasteload allocations (WLAs) for this discharge.

Critical Receiving Water Data & Mixing Zone

Outfall No.	Acute Dilution Ratio A(A)	Chronic Dilution Ratio A(C)	Human, Aesthetic, Wildlife Dilution Ratio (HEW)	Basis
001	1:1	1:1	1:1	TOGS 1.3.1
003	N/A	N/A	N/A	Groundwater
006	1:1	1:1	1:1	TOGS 1.3.1
007	1:1	1:1	1:1	TOGS 1.3.1

Intermittent stream effluent limits (ISEL) have been applied because outfalls are located on unnamed ditches with drainage areas less than 25 acres. Consistent with TOGS 1.3.1, the water quality standards will be applied as end-of-pipe limitations with no mixing or dilution.

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 is not included in the permit. Appendix Link

Anti-backsliding

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

Appendix Link

Antidegradation

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

[1] As promulgated under 40 CFR Parts 405 - 471
[2] As prescribed by 6 NYCRR Part 617

Discharge Notification Act Requirements

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

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

Schedule of Compliance

A Schedule of Compliance is being included[3] for the following items (Appendix Link):

- The permittee shall provide a Construction Completion Certification[4] to the Department that the Outfall 007 disposal system has been fully completed in accordance with the approved Design Documents.

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Schedule of Additional Submittals

A schedule of additional submittals has been included for the following (Appendix Link):

- PUBLIC NOTIFICATION: Permittee shall install identification signs at Outfall 007. The signs shall be placed at or near the outfalls and be easily readable by the public and follow the guidelines contained in this permit.
- Outfall 007 Planned Startup Notification: Permittee shall provide an email notification of scheduled date for the startup of Outfall 007.The email notification shall be provided to the Regional Water Engineer and NetDMR@DEC.NY.GOV.
- Outfall 007 Actual Startup Notification: Permittee shall provide an email notification of the actual startup of Outfall 007. The email notification shall be provided to the Regional Water Engineer and NetDMR@DEC.NY.GOV.

[3] Pursuant to 6 NYCRR 750-1.14
[4] 6 NYCRR 750-2.10 (c)

Permittee: Cato-Meridian Central School District Date: January 30, 2025 v.1.25
Facility: Cato- Meridian Central School District K-12 School Buildings and Bus Garage
Permit Writer: Matthew Russo
SPDES Number: NY0024899 Water Quality Reviewer: Edward Schneider
USEPA Non-Major/Class 02 PCI Full Technical Review

OUTFALL AND RECEIVING WATER SUMMARY TABLE

Outfall	Latitude	Longitude	Receiving Water Name	Water Class	Water Index No. / Priority Waterbody Listing (PWL) No.	Major / Sub Basin	Hardness (mg/l)	1Q10 (MGD)	7Q10 (MGD)	30Q10 (MGD)	Critical Effluent Flow (GPD)	Dilution Ratio		
												A(A)	A(C)	HEW
001	43° 10' 37" N	76° 33' 09" W	Unnamed Tributary to Parkers Pond	C	Ont 66-12-35-P197 PWL: 0701-0037	07/05	-	Intermittent			6,500	1:1	1:1	1:1
003	43° 10' 24.4" N	76° 33' 0.4" W	Groundwater	GA	-	07/05	-	-	-	-	Design Flow	-	-	-
006	43° 10' 23" N	76° 32' 58" W	Unnamed Tributary to Parkers Pond	C	Ont 66-12-35-P197 PWL: 0701-0037	07/05	-	Intermittent			17,000	1:1	1:1	1:1
007	43° 10' 28" N	76° 32' 54" W	Unnamed Tributary to Parkers Pond	C	Ont 66-12-35-P197 PWL: 0701-0037	07/05	-	Intermittent			15,700	1:1	1:1	1:1

POLLUTANT SUMMARY TABLE

Outfall 001

Outfall #	001	**Description of Wastewater:** Bus Garage and Elementary School Sanitary Wastewater														
		Type of Treatment: Oil/Water Separator, Septic Tanks(s),Sand Filter, Chlorine Disinfection, De-chlorination														
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 1/1/2021 to 5/31/2024 was obtained from Discharge Monitoring Reports. All applicable water quality standards were reviewed for development of the WQBELs. The standard and WQBEL shown below represent the most stringent. The technology based effluent limitations (TBELs) were developed from TOGS 1.2.1 Attachment C.																
Flow Rate	GPD	30 Day Avg	Monitor Only	No Data	-	**6500**	Design Flow	No alterations that will impair the waters for their best usages.					703.2	-	Design Flow	
	The flow limit is set at the design flow of the wastewater treatment facility.															
pH	SU	Minimum	6.5	6.6 Actual Min	14	6.0		-	-	**6.5 – 8.5**	Range	6.5 - 8.5	703.3	-	WQBEL	

[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	**Description of Wastewater:** Bus Garage and Elementary School Sanitary Wastewater
		Type of Treatment: Oil/Water Separator, Septic Tanks(s),Sand Filter, Chlorine Disinfection, De-chlorination

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		
		Maximum	8.5	9.1 Actual Max	14	9.0	40 CFR 133.102								
	Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. As such, the water quality standards will be applied as end-of-pipe limitations with no mixing or dilution. These limitations are more stringent than the secondary treatment standards under 40CFRPart 133.102.														
Temperature	°C	Monthly Avg	No limit or monitoring requirement	No data	0/0	-	-	-	The water temperature at the surface of a stream shall not be raised to more than 90F at any point and... shall not be raised or lowered to more than 5F over the temperature that existed before the addition. (704.2)				-	-	**Monitor**
	Consistent with 6 NYCRR 750-1.13(a), monitoring is required and may be used to inform future permitting decisions. This requirement is new.														
Dissolved Oxygen (DO)	mg/L	Daily Min	7	8.26 (Avg)	14/0	-	-	-	-	4.0 mg/L (703.3)		**7.0**	TOGS 1.3.1	-	WQBEL
(DO)	Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. These limits represent the highest degree of treatment that can reasonably be achieved by a wastewater treatment facility treating domestic type waste.														
5-day Biochemical Oxygen Demand (BOD_5)	mg/L	Daily Max	5	7.8 (Avg)	3/3	30 mg/L Monthly Avg 45 mg/L 7-day Avg	40 CFR 133.102	-	DO=4.0 mg/L (Surrogate Standard) 703.3			**5.0**	TOGS 1.3.1	-	WQBEL
	lbs/d	Daily Max	-	-	-	-	-					**0.27**			
	% Rem	Minimum	-	-	-	85	40 CFR 133.102					-			

Outfall #	001	**Description of Wastewater:** Bus Garage and Elementary School Sanitary Wastewater
		Type of Treatment: Oil/Water Separator, Septic Tanks(s),Sand Filter, Chlorine Disinfection, De-chlorination

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		
	Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. These limits represent the highest degree of treatment that can reasonably be achieved by a wastewater treatment facility treating domestic type waste. These limits are more stringent than the secondary treatment standards under 40CFR Part 133.102.														
Total Suspended Solids (TSS)	mg/L	Daily Max	10	11.9 (Avg)	5/1	30 mg/L Monthly Avg 45 mg/L 7-day Avg	40 CFR 133.102	-	None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages.			**10.0**	TOGS 1.3.1	-	WQBEL
	lbs/d	Daily Max	-	-	-	-	-					**0.54**			
	% Rem	Minimum	-	-	-	85	40 CFR 133.102					-			
	Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. These limits represent the highest degree of treatment that can reasonably be achieved by a wastewater treatment facility treating domestic type waste. These limits are more stringent than the secondary treatment standards under 40CFR Part 133.102.														
Settleable Solids	mL/L	Daily Max	0.1	0.19 (Avg)	8/6	**0.1**	TOGS 1.3.3	-	None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages (703.2)				703.2	-	TBEL
	Consistent with TOGS 1.3.3, a facility with a sand filter should be capable of achieving less than 0.1 mL/L.														
Nitrogen, Ammonia	mg/L	Monthly Avg	1.2	4.35	2/0	-	-	-	-	1.2	A(C)	**1.2**	703.5	-	WQBEL

Outfall #	001	**Description of Wastewater:** Bus Garage and Elementary School Sanitary Wastewater **Type of Treatment:** Oil/Water Separator, Septic Tanks(s),Sand Filter, Chlorine Disinfection, De-chlorination

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		
(as N)	lb/d	Monthly Avg	-	-	-	-	-	-	-	-	-	**0.065**			
SUMMER 6/1 – 10/31	Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. As such, the water quality standards will be applied as end-of-pipe limitations with no mixing or dilution. A temperature of 25°C (default value) and a pH of 7.5 SU (default value). As the stream is intermittent no ambient background concentrations for ammonia does not exist.														
Nitrogen, Ammonia (as N)	mg/L	Monthly Avg	1.8	2.17	6/0	-	-	-	-	1.8	A(C)	**1.8**	703.5	-	WQBEL
	lb/d	Monthly Avg	-	-	-	-	-	-	-	-	-	**0.098**			
WINTER 11/1 – 5/31	Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. As such, the water quality standards will be applied as end-of-pipe limitations with no mixing or dilution. A temperature of 10°C (default value) and a pH of 7.5 SU (default value). As the stream is intermittent no ambient background concentrations for ammonia does not exist.														
Total Phosphorus	mg/L	Monthly Avg	**1.0**	0.53 (Avg)	7/1	-	-	-	None in amounts that will result in growths of algae, weeds and slimes that will impair the waters for their best usages.				703.2	-	WQBEL
	The facility is located within the upstream of a ponded waterbody Parker Pond Ont. 66-12-35-P 197 to be protective of water quality a phosphorus limit is continued.														
Total Mercury	ng/L	Daily Max	-	-	-	-	-	-	-	0.7	H(FC)	50	GLCA	-	DOW 1.3.10
	ng/L	12 MRA	-	-	-	-	-	-	-	-	-	12	-	-	DOW 1.3.10
	The Mercury multiple discharge variance (MDV) is not applicable for Class 02 or 04 facility. There will be no mercury monitoring requirements.														
Coliform, Fecal	#/100 ml	30d Geo Mean	200	365 (Avg)	2/0	**200**	TOGS 1.3.3	-	The monthly geometric mean, from a minimum of five examinations, shall not exceed 200.				703.4	-	TBEL
		7d Geo Mean	400	365 (Avg)	2/0	**400**	TOGS 1.3.3	-							
	Consistent with TOGS 1.3.3, effluent disinfection is required year-round because it is necessary to protect public health. Fecal coliform effluent limitations equal to the TBEL are specified.														

Outfall #	001	**Description of Wastewater:** Bus Garage and Elementary School Sanitary Wastewater **Type of Treatment:** Oil/Water Separator, Septic Tanks(s),Sand Filter, Chlorine Disinfection, De-chlorination													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[5]	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Total Residual Chlorine (TRC)	mg/L	Daily Max	0.02	0.27 (Avg)	1/0	2.0	TOGS 1.3.3	-	-	0.005	A(C)	0.005	703.5	**0.03**	ML
	Year-round effluent disinfection is being added to the permit. Due to the low dilution, the calculated WQBEL is less than the TBEL and less than the minimum level of detection. Therefore, an effluent limitation equal to the minimum level of detection of 0.030 mg/L is appropriate. As chlorine is a common chemical in water treatment chemicals to allow for operational flexibility a TRC limit is recommend going forward. The ML for TRC was recently increased during EPA's Method Update Rule for 40 CFR 136 from 0.02 mg/L to 0.03 mg/L. As such, the increase from 0.02 to 0.03 mg/L does not violate anti-backsliding requirements.														
Additional Pollutants Detected															
Oil & Grease	mg/L	Daily Max	15	5 (Avg)	5/9	15	TOGS 1.2.1	-	No residue attributable to sewage, industrial wastes or other wastes, nor visible oil film nor globules of grease.				703.2	-	TBEL
	Consistent with TOGS 1.2.1, TBELs reflect the available treatment technology listed in Attachment C. Given the available dilution, an effluent limitation equal to the TBEL is protective of the WQS.														
Benzene	ug/L	Daily Max	10	2.57 (Avg)	0/14	-	-	-	-	10	H(FC)	**10**	703.5	-	WQBEL
	Please note, discharge of wastewater associated with vehicle washbays/floor drains is planned to cease following facility upgrades. When facility upgrade is completed, the limits will be removed.														
Toluene	ug/L	Daily Max	100	2.57	0/14	-	-	-	-	100	A(C)	**100**	TOGS 1.1.1	-	WQBEL
	Please note, discharge of wastewater associated with vehicle washbays/floor drains is planned to cease following facility upgrades. When facility upgrade is completed, the limits will be removed.														
Xylene	ug/L	Daily Max	65	2.29	0/14	-	-	-	-	65	A(C)	**65**	TOGS 1.1.1	-	WQBEL
	Please note, discharge of wastewater associated with vehicle washbays/floor drains is planned to cease following facility upgrades. When facility upgrade is completed, the limits will be removed.														

Outfall #	006	**Description of Wastewater: Highschool Sanitary Wastewater**													
		Type of Treatment: Septic Tank, Sandfilter, Chlorine Disinfection, De-chlorination													
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		
General Notes: Existing discharge data from 1/1/2021 to 5/31/2024 was obtained from Discharge Monitoring Reports. All applicable water quality standards were reviewed for development of the WQBELs. The standard and WQBEL shown below represent the most stringent. The technology based effluent limitations (TBELs) were developed from TOGS 1.2.1 Attachment C.															
Flow Rate	GPD	30 Day Avg	17,000	No Data	0	**17,000**	Design Flow	No alterations that will impair the waters for their best usages.					703.2	-	Design Flow
pH	SU	Minimum	6.5	6.9 Actual Min	14/0	6.0	40 CFR 133.102	-	-	6.5 – 8.5	Range	**6.5 - 8.5**	703.3	-	WQBEL
		Maximum	8.5	8.0 Actual Max	14/0	9.0									
	Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. As such, the water quality standards will be applied as end-of-pipe limitations with no mixing or dilution. These limitations are more stringent than the secondary treatment standards under 40CFRPart 133.102.														
Temperature	°C	Monthly Avg	No limit or monitoring requirement	-	0/0	-	-	-	The water temperature at the surface of a stream shall not be raised to more than 90F at any point and... shall not be raised or lowered to more than 5F over the temperature that existed before the addition. (704.2)				704.2	-	**Monitor**
	Consistent with 6 NYCRR 750-1.13(a), monitoring is required and may be used to inform future permitting decisions. This requirement is new.														
Dissolved Oxygen (DO)	mg/L	Daily Min	7	7.81 (Avg)	14/0	-	-	-	-	4.0 mg/L (703.3)		**7.0**	TOGS 1.3.1	-	WQBEL
(DO)	Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. These limits represent the highest degree of treatment that can reasonably be achieved by a wastewater treatment facility treating domestic type waste.														
5-day	mg/L	Daily Max	5	4.48 (Avg)	4/4	30 mg/L	40 CFR 133.102	-	See Dissolved Oxygen			**5**	TOGS 1.3.1	-	WQBEL

[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)

Outfall #	006	**Description of Wastewater: Highschool Sanitary Wastewater**													
		Type of Treatment: Septic Tank, Sandfilter, Chlorine Disinfection, De-chlorination													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data: Permit Limit	Existing Discharge Data: Existing Effluent Quality[6]	Existing Discharge Data: # of Data Points Detects / Non-Detects	TBELs: Limit	TBELs: Basis	Water Quality Data & WQBELs: Ambient Bkgd. Conc.	Water Quality Data & WQBELs: Projected Instream Conc.	Water Quality Data & WQBELs: WQ Std. or GV	Water Quality Data & WQBELs: WQ Type	Water Quality Data & WQBELs: Calc. WQBEL	Water Quality Data & WQBELs: Basis	ML	Basis for Permit Requirement
Biochemical Oxygen Demand (BOD_5)						Monthly Avg 45 mg/L 7-day Avg									
	lbs/d	Daily Max				-	-					**0.71**			
	% Rem	Minimum	-	-	-	85	40 CFR 133.102					-			
	Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. These limits represent the highest degree of treatment that can reasonably be achieved by a wastewater treatment facility treating domestic type waste. These limits are more stringent than the secondary treatment standards under 40CFR Part 133.102.														
Total Suspended Solids (TSS)	mg/L	Daily Max	10	4.0 (Avg)	1/7	30 mg/L Monthly Avg 45 mg/L 7-day Avg	40 CFR 133.102	-	None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages.			**10**	TOGS 1.3.1	-	WQBEL
	lbs/d	Daily Max	-	-	-	-	-					**1.42**			
	% Rem	Minimum	-	-	-	85	40 CFR 133.102					-			
	Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. These limits represent the highest degree of treatment that can reasonably be achieved by a wastewater treatment facility treating domestic type waste. These limits are more stringent than the secondary treatment standards under 40CFR Part 133.102.														
Settleable Solids	mL/L	Daily Max	0.1	0.1 (Avg)	14/0	0.1	TOGS 1.3.3	-	None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages			-	703.2	-	TBEL
	Consistent with TOGS 1.3.3, a facility with a sand filter should be capable of achieving less than 0.1 mL/L.														

Outfall #	006	**Description of Wastewater: Highschool Sanitary Wastewater**													
		Type of Treatment: Septic Tank, Sandfilter, Chlorine Disinfection, De-chlorination													
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		
Nitrogen, Ammonia (as N)	mg/L	Monthly Avg	1.2	0.2	0/2	-	-	-	-	1.2	A(C)	**1.2**	703.5	-	WQBEL
	lb/d	Monthly Avg	-	-	-	-	-	-	-	-	-	**0.17**			
SUMMER 6/1 – 10/31	Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. As such, the water quality standards will be applied as end-of-pipe limitations with no mixing or dilution. A temperature of 25°C (default value) and a pH of 7.50 SU (default). As the stream is intermittent no ambient background concentrations for ammonia does not exist.														
Nitrogen, Ammonia (as N)	mg/L	Monthly Avg	1.8	0.37	3/6	-	-	-	-	1.8	A(C)	**1.8**	703.5	-	WQBEL
	lb/d	Monthly Avg	-	-	-	-	-	-	-	-	-	**0.26**			
WINTER 11/1 – 5/31	Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. As such, the water quality standards will be applied as end-of-pipe limitations with no mixing or dilution. A temperature of 10°C (default value) and a pH of 7.50 SU (default As the stream is intermittent no ambient background concentrations for ammonia does not exist.														
Total Phosphorus	mg/L	Monthly Avg	**1.0**	2.4 (Avg)	8/0	-	-	-	None in amounts that will result in growths of algae, weeds and slimes that will impair the waters for their best usages.				703.2	-	WQBEL
	The facility is located within the upstream of a ponded waterbody Parker Pond Ont. 66-12-35-P 197 to be protective of water quality a phosphorus limit is continued.														
Total Mercury	ng/L	Daily Max	-	-	-	-	-	-	-	0.7	H(FC)	50	GLCA	-	DOW 1.3.10
	ng/L	12 MRA	-	-	-	-	-	-	-	-	-	12	-	-	DOW 1.3.10
	The Mercury multiple discharge variance (MDV) is not applicable for Class 02 or 04 facility. There will be no mercury monitoring requirements.														
Coliform, Fecal	#/100 ml	30d Geo Mean	200	25 (Avg)	2 /0	**200**	TOGS 1.3.3	-	The monthly geometric mean, from a minimum of five examinations, shall not exceed 200.				703.4	-	TBEL
		7d Geo Mean	400	25 (Avg)	2 /0	**400**	TOGS 1.3.3	-							
	Consistent with TOGS 1.3.3, effluent disinfection is required year-round because it is necessary to protect public health. Fecal coliform effluent limitations equal to the TBEL are specified.														

Outfall #	006	**Description of Wastewater: Highschool Sanitary Wastewater**													
		Type of Treatment: Septic Tank, Sandfilter, Chlorine Disinfection, De-chlorination													
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		
Total Residual Chlorine (TRC)	mg/L	Daily Max	0.02	0.14 (Avg)	1/0	2.0	TOGS 1.3.3	-	-	0.005	A(C)	0.005	703.5	**0.03**	ML
	Year-round effluent disinfection is being added to the permit. Due to the low dilution, the calculated WQBEL is less than the TBEL and less than the minimum level of detection. Therefore, an effluent limitation equal to the minimum level of detection of 0.030 mg/L is appropriate. As chlorine is a common chemical in water treatment chemicals to allow for operational flexibility a TRC limit is recommend going forward. The ML for TRC was recently increased during EPA's Method Update Rule for 40 CFR 136 from 0.02 mg/L to 0.03 mg/L. As such, the increase from 0.02 to 0.03 mg/L does not violate anti-backsliding requirements.														
Oil & Grease	mg/L	Daily Max	15	5 (Avg)	5/9	**15**	TOGS 1.2.1	-	No residue attributable to sewage, industrial wastes or other wastes, nor visible oil film nor globules of grease.				703.2	-	TBEL
	Consistent with TOGS 1.2.1, TBELs reflect the available treatment technology listed in Attachment C. Given the available dilution, an effluent limitation equal to the TBEL is protective of the WQS.														
Ultimate Oxygen Demand	mg/L	Monthly Average	36	10.6 (Avg)	5/0	-	-	-	-	-	-	-	-	-	-
	Controlled by BOD_5 and ammonia limit, going forward this can be removed.														
TKN	mg/L	Monthly Average	Monitor	0.50 (Avg)	6/0	-	-	-	-		--	-	-	-	-
	Controlled by ammonia limit, going forward this can be removed.														
		-	-	-	-	-	-	-	-	-	-	-	-	-	-

Outfall #	007	**Description of Wastewater:** Bus Garage, Elementary School, & Highschool Sanitary Wastewater
		Type of Treatment: Grease Trap, Septic Tank(s), Enhanced Treatment Units, Sand Filters, Ultraviolet Disinfection

Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[7]	# 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: Outfall 007 is a newly proposed outfall and there is no existing discharge data. Outfall 007 combines treated sanitary wastewater from the elementary school/bus garage (previously Outfall 001) and high school (previously Outfall 006). New treatment systems are proposed to replace the treatment systems currently serving existing Outfalls 001 and 006. The new systems will convey wastewater to a common UV disinfection system prior to discharge at Outfall 007. Existing outfalls 001 and 006 will be removed from service following startup of Outfall 007. All applicable water quality standards were reviewed for development of the WQBELs. The standard and WQBEL shown below represent the most stringent. The technology based effluent limitations (TBELs) were developed from TOGS 1.2.1 Attachment C.														
Flow Rate	GPD	30 Day Avg	Monitor Only	No Data	-	**15,700**	Design Flow	No alterations that will impair the waters for their best usages.					703.2	-	Design Flow
	The flow limit is set at the design flow of the wastewater treatment facility.														
pH	SU	Minimum	-	- Actual Min	-	6.0	40 CFR 133.102	-	-	**6.5 – 8.5**	Range	6.5 - 8.5	703.3	-	WQBEL
		Maximum	-	- Actual Max	-	9.0									
	Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. As such, the water quality standards will be applied as end-of-pipe limitations with no mixing or dilution. These limitations are more stringent than the secondary treatment standards under 40CFRPart 133.102.														
Temperature	°C	Monthly Avg	-	-	-	-	-	-	The water temperature at the surface of a stream shall not be raised to more than 90F at any point and... shall not be raised or lowered to more than 5F over the temperature that existed before the addition. (704.2)				-	-	**Monitor**
	Consistent with 6 NYCRR 750-1.13(a), monitoring is required and may be used to inform future permitting decisions. This requirement is new.														
Dissolved Oxygen (DO)	mg/L	Daily Min	-	-	-	-	-	-	-	4.0 mg/L (703.3)		**7.0**	TOGS 1.3.1	-	WQBEL
(DO)	Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. These limits represent the highest degree of treatment that can reasonably be achieved by a wastewater treatment facility treating domestic type waste.														

[7] 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 #	007	**Description of Wastewater:** Bus Garage, Elementary School, & Highschool Sanitary Wastewater
		Type of Treatment: Grease Trap, Septic Tank(s), Enhanced Treatment Units, Sand Filters, Ultraviolet Disinfection

Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[7]	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
5-day Biochemical Oxygen Demand (BOD_5)	mg/L	Daily Max	-	-	-	30 mg/L Monthly Avg 45 mg/L 7-day Avg	40 CFR 133.102	-	DO=4.0 mg/L (Surrogate Standard) 703.3			**5.0**	TOGS 1.3.1	-	WQBEL
	lbs/d	Daily Max	-	-	-	-	-					**0.65**			
	% Rem	Minimum	-	-	-	85	40 CFR 133.102					-			
	Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. These limits represent the highest degree of treatment that can reasonably be achieved by a wastewater treatment facility treating domestic type waste. These limits are more stringent than the secondary treatment standards under 40CFR Part 133.102.														
Total Suspended Solids (TSS)	mg/L	Daily Max	-	-	-	30 mg/L Monthly Avg 45 mg/L 7-day Avg	40 CFR 133.102	-	None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages.			**10.0**	TOGS 1.3.1	-	WQBEL
	lbs/d	Daily Max	-	-	-	-	-					**1.3**			
	% Rem	Minimum	-	-	-	85	40 CFR 133.102					-			
	Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. These limits represent the highest degree of treatment that can reasonably be achieved by a wastewater treatment facility treating domestic type waste. These limits are more stringent than the secondary treatment standards under 40CFR Part 133.102.														

Outfall #	007	**Description of Wastewater:** Bus Garage, Elementary School, & Highschool Sanitary Wastewater **Type of Treatment:** Grease Trap, Septic Tank(s), Enhanced Treatment Units, Sand Filters, Ultraviolet Disinfection

Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[7]	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Settleable Solids	mL/L	Daily Max	-	-	-	**0.1**	TOGS 1.3.3	-	None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages (703.2)				703.2	-	TBEL
	Consistent with TOGS 1.3.3, a facility with a sand filter should be capable of achieving less than 0.1 mL/L.														
Nitrogen, Ammonia (as N) SUMMER 6/1 – 10/31	mg/L	Monthly Avg	-	-	-	-	-	-	-	1.2	A(C)	**1.2**	703.5	-	WQBEL
	lb/d	Monthly Avg	-	-	-	-	-	-	-	-	-	**0.16**			
	Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. As such, the water quality standards will be applied as end-of-pipe limitations with no mixing or dilution. A temperature of 25°C (default value) and a pH of 7.5 SU (default value). As the stream is intermittent ambient background concentrations for ammonia does not exist.														
Nitrogen, Ammonia (as N) WINTER 11/1 – 5/31	mg/L	Monthly Avg	-	-	-	-	-	-	-	1.8	A(C)	**1.8**	703.5	-	WQBEL
	lb/d	Monthly Avg	-	-	-	-	-	-	-	-	-	**0.24**			
	Consistent with TOGS 1.3.1, intermittent stream effluent limits (ISEL) are applied to effluent discharges to streams where little or no streamflow is available for dilution. As such, the water quality standards will be applied as end-of-pipe limitations with no mixing or dilution. A temperature of 10°C (default value) and a pH of 7.5 SU (default value). As the stream is intermittent ambient background concentrations for ammonia does not exist.														
Total Phosphorus	mg/L	Monthly Avg	-	-	-	-	-	-	None in amounts that will result in growths of algae, weeds and slimes that will impair the waters for their best usages.				703.2	-	WQBEL
	The facility is located within the upstream of a ponded waterbody Parker Pond Ont. 66-12-35-P 197 to be protective of water quality a phosphorus limit of **1 mg/L** is continued.														

Outfall #	007	**Description of Wastewater:** Bus Garage, Elementary School, & Highschool Sanitary Wastewater **Type of Treatment:** Grease Trap, Septic Tank(s), Enhanced Treatment Units, Sand Filters, Ultraviolet Disinfection													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[7]	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Total Mercury	ng/L	Daily Max	-	-	-	-	-	-	-	0.7	H(FC)	50	GLCA	-	DOW 1.3.10
	ng/L	12 MRA	-	-	-	-	-	-	-	-	-	12	-	-	DOW 1.3.10
	The Mercury multiple discharge variance (MDV) is not applicable for Class 02 or 04 facility. There will be no mercury monitoring requirements.														
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	-	TBEL
		7d Geo Mean	-	-	-	**400**	TOGS 1.3.3	-							
	Consistent with TOGS 1.3.3, effluent disinfection is required year-round because it is necessary to protect public health. Fecal coliform effluent limitations equal to the TBEL are specified.														
Total Residual Chlorine (TRC)	mg/L	Daily Max	-	-	-	2.0	TOGS 1.3.3	-	-	0.005	A(C)	0.005	703.5	**0.03**	ML
	Year-round effluent disinfection is being added to the permit. Due to the low dilution, the calculated WQBEL is less than the TBEL and less than the minimum level of detection. Therefore, an effluent limitation equal to the minimum level of detection of 0.030 mg/L is appropriate. As chlorine is a common chemical in water treatment chemicals to allow for operational flexibility a TRC limit is recommend going forward. The ML for TRC was recently increased during EPA's Method Update Rule for 40 CFR 136 from 0.02 mg/L to 0.03 mg/L. As such, the increase from 0.02 to 0.03 mg/L does not violate anti-backsliding requirements.														
Oil & Grease	mg/L	Daily Max	-	-	-	**15**	TOGS 1.2.1	-	No residue attributable to sewage, industrial wastes or other wastes, nor visible oil film nor globules of grease.				703.2	-	TBEL
	Consistent with TOGS 1.2.1, TBELs reflect the available treatment technology listed in Attachment C. Given the available dilution, an effluent limitation equal to the TBEL is protective of the WQS.														

Appendix: Regulatory and Technical Basis of Permit Authorizations

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

Regulatory References

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

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

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

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

Outfall and Receiving Water Information

Impaired Waters

The NYS 303(d) List of Impaired/TMDL Waters identifies waters where specific best usages are not fully supported. The state must consider the development of a Total Maximum Daily Load (TMDL) or other strategy to reduce the input of the specific pollutant(s) that restrict waterbody uses, in order to restore and protect such uses. SPDES permits must include effluent limitations necessary to implement a waste load allocation (WLA) of an EPA-approved TMDL (6 NYCRR 750-1.11(a)(5)(ii)), if applicable. In accordance with 6 NYCRR 750-1.13(a), permittees discharging to waters which are on the list but do not yet have a TMDL developed may be required to perform additional monitoring for the parameters causing the impairment. Accurate monitoring data is needed

to determine the existing capabilities of the wastewater treatment plants and to assure that WLAs are allocated equitably.

Interstate Water Pollution Control Agencies

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

Existing Effluent Quality

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

Permit Requirements

Basis for Effluent Limitations

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

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

Anti-backsliding

Anti-backsliding requirements are specified in the CWA sections 402(o) and 303(d)(4), ECL 17-0809, and regulations at 40 CFR 122.44(*l*) and 6 NYCRR 750-1.10(c) and (d). Generally, the relaxation of effluent limitations in permits is prohibited unless one of the specified exceptions applies, which will be cited on a case-by-case basis in this fact sheet. Consistent with current case law[8] and USEPA interpretation[9] 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.

[8] American Iron and Steel Institute v. Environmental Protection Agency, 115 F.3d 979, 993 n.6 (D.C. Cir. 1997)
[9] 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 Department determines the technology-based effluent limitations (TBELs) and then evaluates the water quality expected to result from technology controls to determine if any exceedances of water quality criteria in the receiving water might result. If there is a reasonable potential for exceedances of water quality criteria to occur, water quality-based effluent limitations (WQBELs) are developed. A WQBEL is designed to ensure that the water quality standards of receiving waters are met. In general, the CWA requires that the effluent limitations for a particular pollutant are the more stringent of either the TBEL or WQBEL.

Technology-based Effluent Limitations (TBELs) for Industrial Facilities

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

USEPA Effluent Limitation Guidelines (ELGs) Applicable to Facility

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

Best Professional Judgement (BPJ)

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

Technology-based Effluent Limitations (TBELs)

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

achievable 7-day (weekly) average value is equal to 1.5 times the 30-day average value calculated above. Equivalent secondary treatment applies to those facilities where the principal treatment process is either a trickling filter or a waste stabilization pond; the treatment works provides significant biological treatment of municipal wastewater; and, the effluent concentrations consistently achievable through proper operation and maintenance of the facility cannot meet traditional secondary treatment requirements. There are no federal technology-based standards for toxic pollutants from POTWs. A statistical analysis of existing effluent data, as described in TOGS 1.2.1, may be used to establish other performance-based TBELs.

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

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

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

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

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

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

Water Quality-Based Effluent Limitations (WQBELs)

In addition to the TBELs, permits must include additional or more stringent effluent limitations and conditions, including those necessary to protect water quality. CWA sections 101 and 301(b)(1)(C), 40 CFR 122.44(d)(1), and 6 NYCRR Parts 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 Part 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 6NYCRR 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.

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 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; 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 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 DEC has determined that the MDV is consistent with the protection of public health, safety, and welfare. During the effective period of this MDV, any increased risks to human health are mitigated by fish consumption advisories issued periodically by the NYSDOH.

All surface water SPDES permittees are eligible for authorization by the MDV provided they meet the requirements specified in DOW 1.3.10.

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 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,

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

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.

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.