



Department of
Environmental
Conservation

State Pollutant Discharge Elimination System (SPDES) DISCHARGE PERMIT

SIC Code:	4952	NAICS Code:	221320	SPDES Number:	NY0028525
Discharge Class (CL):	07	DEC Number:	7-2522-00030/00001		
Toxic Class (TX):	N	Effective Date (EDP):	EDP		
Major-Sub Drainage Basin:	07 - 03	Expiration Date (ExDP):	ExDP		
Water Index Number:	Ont. 66-11- P26-37	Item No.:	899 - 217	Modification Dates (EDPM):	
Compact Area:	IJC				

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

PERMITTEE NAME AND ADDRESS					
Name:	Town of Cazenovia		Attention:	James Cunningham, Chief Operator	
Street:	7 Albany Street				
City:	Cazenovia	State:	NY	Zip Code:	13035
Email:	JimCNWT@gmail.com		Phone:	(315) 525-4420	

is authorized to discharge from the facility described below:

FACILITY NAME, ADDRESS, AND PRIMARY OUTFALL										
Name:	Town of Cazenovia Water Pollution Control Facility									
Address / Location:	4500 NYS Route 13						County:	Madison		
City:	Cazenovia				State:	NY	Zip Code:	13035		
Facility Location:	Latitude:	42 °	56 '	31 " N	& Longitude:	75 °	50 '	33 " W		
Primary Outfall No.:	001	Latitude:	42 °	56 '	31 " N	& Longitude:	75 °	50 '	33 " W	
Outfall Description:	Treated Sanitary	Receiving Water:	Chittenango Creek			Class:	C	Standard:	C(T)	

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:

CO BWP - Permit Coordinator
BWP – Permit Writer
CO BWC - SCIS
RWE
RPA
EPA Region II
NYSEFC

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

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 001

OUTFALL	LIMITATIONS APPLY		RECEIVING WATER			EFFECTIVE	EXPIRING			
001	All Year unless otherwise noted		Chittenango Creek			EDP	ExDP			
PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
Flow	Monthly Average	0.95	MGD			Continuous	Recorder	X		
Flow	Daily Maximum	Monitor	MGD			Continuous	Recorder	X		
pH	Daily Minimum	6.0	SU			1/day	Grab		X	
	Daily Maximum	9.0	SU			1/day	Grab			
Temperature	Daily Maximum	Monitor	°C			1/day	Grab	X	X	
CBOD ₅	Monthly Average	25	mg/L	200	lbs/d	2/month	6-hr. Comp.	X	X	1
CBOD ₅	7-Day Average	40	mg/L	320	lbs/d	2/month	6-hr. Comp.		X	
Total Suspended Solids (TSS)	Monthly Average	30	mg/L	240	lbs/d	2/month	6-hr. Comp.	X	X	1
Total Suspended Solids (TSS)	7-Day Average	45	mg/L	360	lbs/d	2/month	6-hr. Comp.		X	
Settleable Solids	Daily Maximum	0.3	mL/L			1/day	Grab		X	
UOD	7-Day Average	76	mg/L	600	lbs/d	2/month	6-hr. Comp.		X	2
Total Kjeldahl Nitrogen (TKN) (as N)	7-Day Average	Monitor	mg/L			2/month	6-hr. Comp.		X	
Ammonia (as N) June 1 st to October 31 st	Monthly Average	7.0	mg/L			2/month	6-hr. Comp.		X	
Nitrite (as N)	Daily Maximum	Monitor	mg/L			1/quarter	6-hr. Comp.		X	
Total Phosphorus (as P)	Monthly Average	Monitor	mg/L	Monitor	lbs/d	2/month	6-hr. Comp.		X	
Total Mercury	Daily Maximum	50	ng/L			1/month	Grab		X	
EFFLUENT DISINFECTION		Limit	Units	Limit	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
Required Seasonal from May 1st - October 31st										
Coliform, Fecal	30-Day Geometric Mean	200	No./100 mL			2/month	Grab		X	
Coliform, Fecal	7-Day Geometric Mean	400	No./100 mL			2/month	Grab		X	
Chlorine, Total Residual	Daily Maximum	0.039	mg/L			1/day	Grab		X	3,4

FOOTNOTES:

1. Effluent shall not exceed 15% of influent concentration values for both CBOD₅ & TSS.
2. Ultimate Oxygen Demand (UOD) shall be computed as follows: $UOD = (1.5 \times CBOD_5) + (4.5 \times TKN)$.

3. This is a final effluent limitation. See [Schedule of Compliance](#) for any applicable interim effluent limitations.
4. 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.

MERCURY MINIMIZATION PROGRAM (MMP) - Type II

1. **General** - The permittee must develop, implement, and maintain a mercury minimization program (MMP), containing the elements set forth below, to reduce mercury effluent levels with the goal of achieving the WQBEL of 0.7 ng/L.
2. **MMP Elements** - The MMP must be a written document and must include any necessary drawings or maps of the facility and/or collection system. Other related documents already prepared for the facility may be used as part of the MMP and may be incorporated by reference. At a minimum, the MMP must include the following elements as described in detail below:
 - a. **Monitoring** - Monitoring at Outfall, influent and other locations tributary to compliance points shall be performed using either USEPA Method 1631 or another sufficiently sensitive method, as approved under 40 CFR Part 136¹. Monitoring of raw materials, equipment, treatment residuals, and other non-wastewater/non-stormwater substances may be performed using other methods as appropriate. Monitoring must be coordinated so that the results can be effectively compared between locations.

Minimum required monitoring is as follows:

- i. **Sewage Treatment Plant Influent and/or Effluent** – The permittee must collect samples at the location(s) and frequency as specified in the SPDES permit limitations table.
 - ii. **Key Locations and Potential Mercury Sources** – The permittee must sample *key locations*, chosen to identify *potential mercury sources*, at least annually. Sampling of discharges from dental facilities in compliance with 6 NYCRR 374.4 is not required.
 - iii. **Hauled Wastes** – The permittee must establish procedures for the acceptance of hauled waste to ensure the hauled waste is not a potential mercury source. Loads which may exceed 500 ng/L,² must receive approval from the Department prior to acceptance.
 - iv. **Decreased Monitoring Requirements** - Facilities with EEQ at or below 12 ng/L are eligible for the following:
 - 1) Reduced requirements, through a permittee-initiated permit modification
 - a) Conduct influent monitoring, sampling semi-annually, in lieu of monitoring within the collection system, such as at *key locations*; and
 - b) Conduct effluent compliance sampling semi-annually.
 - 2) If a facility with reduced requirements reports discharges above 12 ng/L for two of four consecutive effluent samples, the Department may undertake a Department-initiated modification to remove the allowance of reduced requirements.
 - 3) Under the decreased permit requirements, the facility must continue to conduct a status report, as applicable in accordance with 2.c of this MMP, to determine if any waste streams have changed.
 - v. Additional monitoring must be completed as required elsewhere in this permit (e.g., locations tributary to compliance points).
- b. **Control Strategy** - The control strategy must contain the following minimum elements:
 - i. **Pretreatment/Sewer Use Law** - The permittee must review pretreatment program requirements and the Sewer Use Law (SUL) to ensure it is up-to-date and enforceable with applicable permit requirements and will support efforts to achieve a dissolved mercury concentration of 0.70 ng/L in the effluent.
 - ii. **Monitoring and Inventory/Inspections for Outfall** -
 - 1) Monitoring shall be performed as described in 2.a above. As mercury sources are found, the permittee must enforce its sewer use law to track down and minimize these sources.
 - 2) The permittee must inventory and/or inspect users of its system as necessary to support the MMP.

¹ Outfall monitoring must be conducted using the methods specified in Table 8 of *DOW 1.3.10*.

²A level of 0.2 mg/L (200,000 ng/L) or more is considered hazardous per 40 CFR Part 261.11. 500 ng/L is used here to alert the permittee that there is an unusual concentration of mercury and that it will need to be managed appropriately.

MERCURY MINIMIZATION PROGRAM (MMP) - Type II (continued)

- a) Dental Facilities
 1. The permittee must maintain an inventory of each dental facility.
 2. The permittee must inspect each dental facility at least once every five years to verify compliance with the wastewater treatment operation, maintenance, and notification elements of 6 NYCRR 374.4. Alternatively, the permittee may develop and implement an outreach program,³ which informs users of their responsibilities, and collect the “Amalgam Waste Compliance Report for Dental Dischargers”⁴ form, as needed, to satisfy the inspection requirements. The permittee must conduct the outreach program at least once every five years and ensure the “Amalgam Waste Compliance Report for Dental Dischargers” are submitted by new users, as necessary. The outreach program could be supported by a subset of site inspections.
 3. A file shall be maintained containing documentation demonstrating compliance with 2.b.ii.2)a) above. This file shall be available for review by the Department representatives and copies shall be provided upon request.
 - b) Other *potential mercury sources*
 1. The permittee must maintain an inventory of other *potential mercury sources*.
 2. The permittee must inspect other *potential mercury sources* once every five years. Alternatively, the permittee may develop and implement an outreach program which informs users of their responsibilities as *potential mercury sources*. The permittee must conduct the outreach program at least once every five years. The outreach program should be supported by a subset of site inspections.
 3. A file shall be maintained containing documentation demonstrating compliance with 2.b.ii.2)b) above. This file shall be available for review by the Department representatives and copies shall be provided upon request.
 - iii. Systems with CSO & Type II SSO Outfalls – Permittees must prioritize *potential mercury sources* upstream of CSOs and Type II SSOs for mercury reduction activities and/or controlled-release discharge.
 - iv. Equipment and Materials – Equipment and materials (e.g., thermometers, thermostats) used by the permittee, which may contain mercury, must be evaluated by the permittee. As equipment and materials containing mercury are updated/replaced, the permittee must use mercury-free alternatives, if possible.
 - v. Bulk Chemical Evaluation – For chemicals, used at a rate which exceeds 1,000 gallons/year or 10,000 pounds/year, the permittee must obtain a manufacturer’s certificate of analysis, a chemical analysis performed by a certified laboratory, and/or a notarized affidavit which describes the substances’ mercury concentration and the detection limit achieved. If possible, the permittee must only use bulk chemicals utilized in the wastewater treatment process which contain <10 ppb mercury.
- c. **Annual Status Report** - An annual status report must be developed and maintained on site, in accordance with the [Schedule of Additional Submittals](#), summarizing:
- i. All MMP monitoring results for the previous reporting period;
 - ii. A list of known and *potential mercury sources*
 - 1) If the permittee meets the criteria for MMP Type IV, the permittee must notify the Department for a permittee-initiated modification;
 - iii. All actions undertaken, pursuant to the control strategy, during the previous reporting period;
 - iv. Actions planned, pursuant to the control strategy, for the upcoming reporting period; and
 - v. Progress towards achieving a dissolved mercury concentration of 0.70 ng/L in the effluent (e.g., summarizing reductions in effluent concentrations as a result of the control strategy implementation and/or installation/modification of a treatment system).

³ For example, the outreach program could include education about sources of mercury and what to do if a mercury source is found.

⁴ The form, “Amalgam Waste Compliance Report for Dental Dischargers,” can be found here:
https://www.dec.ny.gov/docs/water_pdf/dentalform.pdf

MERCURY MINIMIZATION PROGRAM (MMP) - Type II (continued)

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

3. MMP Modification - The MMP must be modified whenever:
 - a. Changes at the facility, or within the collection system, increase the potential for mercury discharges;
 - b. Effluent discharges exceed the current permit limitation(s); or
 - c. A letter from the Department identifies inadequacies in the MMP.

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

DEFINITIONS:

Key location – a location within the collection/wastewater system (e.g. including but not limited to a specific manhole/access point, tributary sewer/wastewater connection, or user discharge point) identified by the permittee as a potential mercury source. The permittee may adjust key locations based upon sampling and/or best professional judgement.

Potential mercury source – a source identified by the permittee that may reasonably be expected to have total mercury contained in the discharge. Some potential mercury sources include switches, fluorescent lightbulbs, cleaners, degreasers, thermometers, batteries, hauled wastes, universities, hospitals, laboratories, landfills, Brownfield sites, or raw material storage.

DISCHARGE NOTIFICATION REQUIREMENTS

- (a) The permittee shall install and maintain identification signs at all outfalls to surface waters listed in this permit, unless the Permittee has obtained a waiver in accordance with the Discharge Notification Act (DNA). Such signs shall be installed before initiation of any new discharge location.
- (b) Subsequent modifications to or renewal of this permit does not reset or revise the deadline set forth in (a) above, unless a new deadline is set explicitly by such permit modification or renewal.
- (c) The Discharge Notification Requirements described herein do not apply to outfalls from which the discharge is composed exclusively of storm water, or discharges to ground water.
- (d) The sign(s) shall be conspicuous, legible and in as close proximity to the point of discharge as is reasonably possible while ensuring the maximum visibility from the surface water and shore. The signs shall be installed in such a manner to pose minimal hazard to navigation, bathing or other water related activities. If the public has access to the water from the land in the vicinity of the outfall, an identical sign shall be posted to be visible from the direction approaching the surface water.

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

<p>N.Y.S. PERMITTED DISCHARGE POINT</p> <p>SPDES PERMIT No.: NY_____</p> <p>OUTFALL No. : _____</p> <p>For information about this permitted discharge contact:</p> <p>Permittee Name: _____</p> <p>Permittee Contact: _____</p> <p>Permittee Phone: () - ### - ####</p> <p>OR:</p> <p>NYSDEC Division of Water Regional Office Address:</p> <p>NYSDEC Division of Water Regional Phone: () - ### - ####</p>
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- (e) 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.

MINI INDUSTRIAL PRETREATMENT PROGRAM

Meier's Creek Brewing Co., Inc. are Significant Industrial Users of the permittee's municipal sewerage system. Therefore, the permittee shall comply with the following schedule:

Industrial Survey

By **EDP + 1 month**, the permittee shall submit completed Fast Report On Significant Industries forms for Meier's Creek Brewing Co., Inc.

Develop Procedures

By **EDP + 3 months**, the permittee shall submit documentation of procedures for obtaining and ensuring compliance with applicable standards. Such procedures shall include requirements and schedules for discharge permits, industrial self-monitoring, compliance monitoring of industries by the permittee, ongoing sewage treatment plant (STP) monitoring and an enforcement program. Such procedures shall be equivalent to procedures described or referenced in the document entitled Introduction to the National Pretreatment Program, USEPA, June, 2011, (https://www.epa.gov/npdes/pubs/pretreatment_program_intro_2011.pdf).

Local Sewer Use Law

By **EDP + 6 months**, the permittee shall submit a draft local sewer use law equivalent to the DEC Model Sewer Use Law. Local limits for substance capable of causing SPDES permit violations, endangering municipal employees or limiting sludge disposal options must be included in the local law. Such limits shall be developed in accordance with document entitled Local Limits Development Guidance, US EPA, July 2004, EPA 833-R-04-002A (https://www.epa.gov/npdes/pubs/pretreatment_local_limits.pdf).

Within three (3) months of approval by this Department, the permittee shall submit a copy of the enacted Law accompanied by proof of enactment.

Credit for Work Already Completed

Any of the above required tasks already completed by the permittee need not be repeated. If the permittee believes that a task or task(s) have been satisfactorily completed, documentation of the completed tasks should be submitted to NYSDEC for approval.

Implement Procedures

Within nine (9) months of enactment of its sewer use law, the permittee shall implement the procedures proposed under this schedule and approved by NYSDEC. At a minimum, the following activities shall be undertaken by the permittee:

1. Issue permits including limitations, monitoring requirements, and reporting requirements to its significant industrial users.
2. Enforce the local limits set forth in the POTW local sewer use law.
3. Carry out inspections and monitoring of significant industrial users to determine compliance with categorical standards and local limits.
4. Undertake enforcement actions in accordance with NYSDEC approved procedures.

Reporting Requirements

In accordance with the Schedule of Additional Submittals, the permittee shall submit yearly Fast Report On Significant Industries forms (FROSIs) for each SIU to NYSDEC. **Every third year, on February 28th**, the permittee shall submit Industrial Chemical Survey (ICS) forms completed by all SIUs to NYSDEC. At the same time the permittee shall notify the NYSDEC of any proposed significant changes to its implementing procedures or local sewer use law.

All pretreatment reports shall be submitted to the offices listed on the monitoring, recording and reporting page of this permit.

Continuation

Unless noted otherwise, compliance actions required by the pretreatment mini schedule are one-time requirements. The permittee shall comply with the compliance actions to the satisfaction of the Department. When this permit is administratively renewed by NYSDEC letter entitled "**SPDES NOTICE/RENEWAL APPLICATION/PERMIT**", the permittee is not required to repeat the submissions. The due dates are independent from the effective date of the permit stated in the letter of "**SPDES NOTICE/RENEWAL APPLICATION/PERMIT**."

SCHEDULE OF COMPLIANCE

a) The permittee shall comply with the following schedule:

Outfall(s)	Compliance Action	Compliance Date ⁵
001	INTERIM PROGRESS REPORT⁶ The permittee shall provide a status update on the <i>Preliminary Engineering Report</i> for the treatment plant and/or operational upgrades needed to comply with final effluent limitation for total residual chlorine.	EDP + 9 Months
001	PRELIMINARY ENGINEERING REPORT The permittee shall submit an approvable ⁷ Preliminary Engineering Report (PER) that meets the requirements of the EFC/DEC Engineering Report Outline (https://www.dec.ny.gov/permits/6054.html). The report shall describe treatment alternatives or other control mechanisms (i.e., pretreatment program / Sewer Use Law) that may be used to comply with the final effluent limitation for total residual chlorine. If the permittee instead submits a letter as described in footnote (d) of this section, and the Department accepts the letter, then the further interim progress reports, Design Documents, and construction completion certificate are no longer required.	EDP + 12 Months
001	INTERIM PROGRESS REPORT The permittee shall provide a status update for the <i>Design Documents</i> .	EDP + 21 Months
001	DESIGN DOCUMENTS The permittee shall submit approvable ⁷ Design Documents including a Basis of Design Report (BODR), Plans, Specifications, and Construction Schedule for the selected alternative that will ensure compliance with final effluent limitation for total residual chlorine.	EDP + 24 Months
001	INTERIM PROGRESS REPORT The permittee shall provide a status update for <i>Complete Construction</i> .	EDP + 33 Months EDP + 42 Months EDP + 51 Months
001	COMPLETE CONSTRUCTION The permittee shall provide a Certificate of Completion ⁸ to the Department that the disposal system has been fully completed in accordance with the approved Design Documents.	EDP + 54 Months
001	COMMENCE OPERATION Following receipt of Department acceptance of Certificate of Completion, the permittee shall comply with the final effluent limitation described in this permit for total residual chlorine. Interim limit expires.	Upon Department Acceptance
Unless noted otherwise, the above actions are one-time requirements.		

Table continued on next page.

⁵ 6 NYCRR 750-1.14 (a)

⁶ 6 NYCRR 750-1.14 (b)

⁷ 6 NYCRR 750 1.2 (a)(8)

⁸ 6 NYCRR 750-2.10 (c)

SCHEDULE OF COMPLIANCE (cont'd)

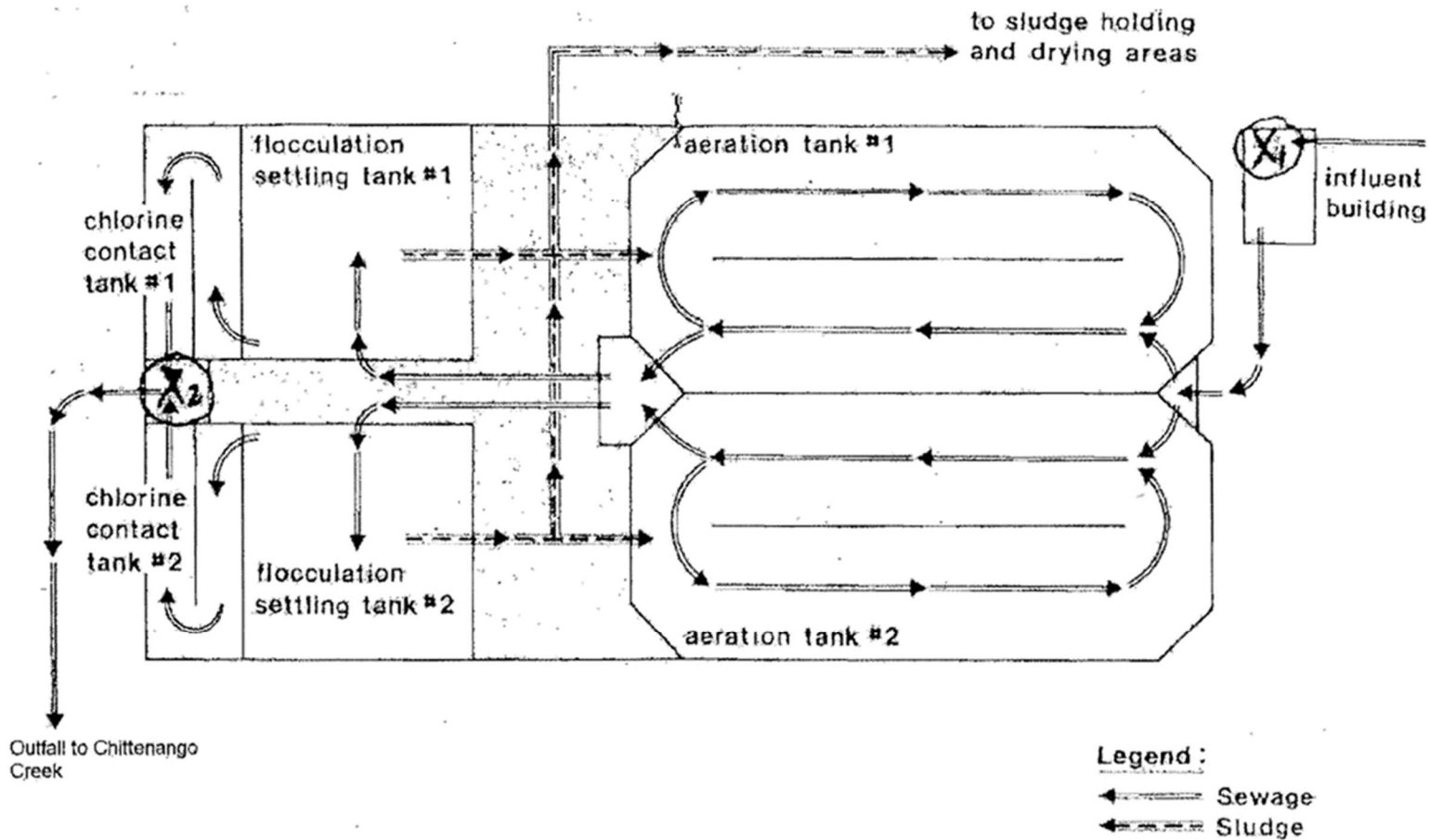
OUTFALL	PARAMETER	INTERIM EFFLUENT LIMIT					MONITORING REQUIREMENTS				Notes
		Type	Limit	Unit	Limit	Unit	Sample Frequency	Sample Type	Location		
									Inf.	Eff.	
001	Total Residual Chlorine (TRC)	Daily Maximum	0.3	mg/L	-	-	1/day	Grab	-	X	1
Notes:	1. Sampling and reporting for total residual chlorine 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.										

- b) The permittee shall submit a written notice of compliance or non-compliance 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 such compliance or non-compliance notification 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.
- d) 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.
- e) Up to EDP + 12 months, the due date of the Preliminary Engineering Report, the permittee may state in a letter to the NYSDEC Regional Water Engineer and to the Bureau of Water Permits that compliance with the final effluent limitation for total residual chlorine is achievable without modification to the facility, and the soonest date the compliance with the limit is expected to be achievable. Upon Department acceptance of such a letter, the final effluent limitation for total residual chlorine shall become effective, and the Schedule of Compliance will be considered complete.

MONITORING LOCATIONS

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

X_1 = Influent sampling location
 X_2 = Effluent sampling location
(END of Chlorine Contact Tanks)



GENERAL REQUIREMENTS

- A. The regulations in 6 NYCRR Part 750 are hereby incorporated by reference and the conditions are enforceable requirements under this permit. The permittee shall comply with all requirements set forth in this permit and with all the applicable requirements of 6 NYCRR Part 750 incorporated into this permit by reference, including but not limited to the regulations in paragraphs B through I as follows:
- B. General Conditions
- | | |
|--|---|
| 1. Duty to comply | 6 NYCRR 750-2.1(e) & 2.4 |
| 2. Duty to reapply | 6 NYCRR 750-1.16(a) |
| 3. Need to halt or reduce activity not a defense | 6 NYCRR 750-2.1(g) |
| 4. Duty to mitigate | 6 NYCRR 750-2.7(f) |
| 5. Permit actions | 6 NYCRR 750-1.1(c), 1.18, 1.20 & 2.1(h) |
| 6. Property rights | 6 NYCRR 750-2.2(b) |
| 7. Duty to provide information | 6 NYCRR 750-2.1(i) |
| 8. Inspection and entry | 6 NYCRR 750-2.1(a) & 2.3 |
- C. Operation and Maintenance
- | | |
|-----------------------------------|--------------------------------------|
| 1. Proper Operation & Maintenance | 6 NYCRR 750-2.8 |
| 2. Bypass | 6 NYCRR 750-1.2(a)(17), 2.8(b) & 2.7 |
| 3. Upset | 6 NYCRR 750-1.2(a)(94) & 2.8(c) |
- D. Monitoring and Records
- | | |
|---------------------------|--|
| 1. Monitoring and records | 6 NYCRR 750-2.5(a)(2), 2.5(a)(6), 2.5(c)(1), 2.5(c)(2), & 2.5(d) |
| 2. Signatory requirements | 6 NYCRR 750-1.8 & 2.5(b) |
- E. Reporting Requirements
- | | |
|---|-----------------------------|
| 1. Reporting requirements | 6 NYCRR 750-2.5, 2.7 & 1.17 |
| 2. Anticipated noncompliance | 6 NYCRR 750-2.7(a) |
| 3. Transfers | 6 NYCRR 750-1.17 |
| 4. Monitoring reports | 6 NYCRR 750-2.5(e) |
| 5. Compliance schedules | 6 NYCRR 750-1.14(d) |
| 6. 24-hour reporting | 6 NYCRR 750-2.7(c) & (d) |
| 7. Other noncompliance | 6 NYCRR 750-2.7(e) |
| 8. Other information | 6 NYCRR 750-2.1(f) |
| 9. Additional conditions applicable to a POTW | 6 NYCRR 750-2.9 |
- F. Planned Changes
1. 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)

2. Notification Requirement for POTWs

All POTWs shall provide adequate notice to the Department and the USEPA of the following:

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

POTWs shall submit a copy of this notice to the United States Environmental Protection Agency, at the following address:

U.S. EPA Region 2, Clean Water Regulatory Branch, 290 Broadway, 24th Floor, New York, NY 10007-1866

G. Sludge Management

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

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 one (1) 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. Bypass and Sewage Pollutant Right to Know Reporting: In accordance with the Sewage Pollutant Right to Know Act (ECL § 17-0826-a), Publicly Owned Treatment Works (POTWs) are required to notify DEC and Department of Health within two hours of discovery of an untreated or partially treated sewage discharge and to notify the public and adjoining municipalities within four hours of discovery. Information regarding reporting and other requirements of this program may be found on the Department's website. In addition, POTWs are required to provide a five-day incident report and supplemental information to the DEC in accordance with Part 750-2.7(d) by utilizing the Division of Water Report of Noncompliance Event form unless waived by DEC on a case-by-case basis.

- E. Schedule of Additional Submittals:

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

SCHEDULE OF ADDITIONAL SUBMITTALS		
Outfall(s)	Required Action	Due Date
001	<u>WATER TREATMENT CHEMICAL (WTC) ANNUAL REPORT FORM</u> The permittee shall submit a completed WTC Annual Report Form each year that Water Treatment Chemicals are used. The form shall be attached to the December DMR.	December DMR (January 28 th)
001	<u>ANNUAL FLOW CERTIFICATION</u> The permittee shall submit an Annual Flow Certification form each year in accordance with 750-2.9(C)(4). The form shall be attached to the February DMR or submitted through nForm.	February DMR (March 28 th)

SCHEDULE OF ADDITIONAL SUBMITTALS		
Outfall(s)	Required Action	Due Date
001	<u>MERCURY MINIMIZATION PROGRAM</u> The permittee must complete and maintain onsite an annual mercury minimization status report in accordance with the requirements of this permit.	Maintained Onsite EDP + 12 months, annually thereafter
001	<u>MINI PRETREATMENT PROGRAM – INITIAL FROSI</u> Submit completed Fast Report On Significant Industries forms (FROSI) for each SIU to the Department.	EDP + 1 month
001	<u>MINI PRETREATMENT PROGRAM – DEVELOP PROCEDURES</u> Submit documentation of procedures for obtaining and ensuring compliance with applicable standards. See Mini Pretreatment Program Schedule for more details.	EDP + 3 months
001	<u>MINI PRETREATMENT PROGRAM – DRAFT LOCAL SEWER USE LAW</u> Submit a draft local sewer use law equivalent to the DEC Model Sewer Use Law.	EDP + 6 months
001	<u>MINI PRETREATMENT PROGRAM – LOCAL SEWER USE LAW</u> Submit a copy of the enacted local sewer use law accompanied by proof of enactment.	3 months after Department approval
001	<u>MINI PRETREATMENT PROGRAM – ANNUAL FROSI</u> Submit completed Fast Report On Significant Industries forms (FROSI) for each SIU to the Department, or notification letter that no new significant industrial users have been added.	February 28 th of each year
001	<u>MINI PRETREATMENT PROGRAM – Industrial Chemical Survey (ICS) Forms</u> Submit Industrial Chemical Survey forms completed by all SIUs to the Department. Notify the Department of any proposed significant changes to its implementing procedures or local sewer use law.	February 28 th , 2024 and every three years thereafter

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

Additional table below.

Permittee: Town of Cazenovia
Facility: Cazenovia Water Pollution Control Facility
SPDES Number: NY0028525
USEPA Non-Major/Class 07 Municipal

Date: June 29, 2023 v.1.15
Permit Writer: Peter Maier
Water Quality Reviewer: Evan Walters
Full Technical Review

SPDES Permit Fact Sheet Town of Cazenovia Cazenovia Water Pollution Control Facility NY0028525

DRAFT



Department of
Environmental
Conservation

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Summary of Permit Changes

A State Pollutant Discharge Elimination System (SPDES) EBPS permit renewal has been drafted for the Cazenovia Water Pollution Control Facility. The changes to the permit are summarized below:

- Updated permit format, definitions, and general conditions
- Reclassified facility from a Class 05 to a Class 07 “Significant Minor”
- Removed “Outfall 002 – STP Bypass” as a permitted outfall
- Reduced the total residual chlorine effluent limit from monitor only to 0.039 mg/L and included [Schedule of Compliance](#) requirements
- Reduced monthly average summer ammonia limit from 8.6 mg/L to 7.0 mg/L as N
- Added daily max mercury limit of 50 ng/L and [Mercury Minimization Plan](#) (MMP) Type II requirements
- Added phosphorus monthly average monitoring requirement
- Added nitrite and daily maximum flow monitoring requirement
- Revised averaging period for TKN from daily maximum to 7-day average
- Discontinued ambient streamflow monitoring, influent pH monitoring, influent settleable solids monitoring, and influent TKN monitoring
- Revised mass loading limits to two significant figures
- New short-term monitoring requirements for emerging contaminants in the [Schedule of Additional Submittals](#)
- New [Mini Industrial Pretreatment](#) requirements

This factsheet 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 factsheet.

Administrative History

- 9/1/1990 The last full technical review was performed and the SPDES permit became effective with a new five-year term and expiration date of 9/1/1995. The 1990 permit, along with all subsequent modifications, has formed the basis of this permit.
- The permit was administratively renewed in 1995, 2000, 2005, 2010, and 2015. The 2015 permit administrative renewal was effective until 8/31/2020. Since 2020, the permit has been SAPA¹ extended.
- 2/17/2004 Permit was modified (Department-initiated modification) to update the General Conditions section of the permit.
- 7/1/2008 Permit was modified (Department-initiated modification) to include a new seasonal ammonia limit.
- 10/22/2008 Permit was modified (Department-initiated modification) to correct a typographical error relating to the averaging period for settleable solids sampling.
- 1/1/2018 Permit ownership was transferred from Madison County to the Town of Cazenovia.

- 2/28/2020 The current permit was allowed to stay in effect pursuant to SAPA¹.
- 7/20/2022 Department issued a Request for Information (RFI) to modify and renew the SPDES permit due to the facility's EBPS score². At the time of the RFI, the facility had an EBPS score of 390 and a rank of 7 for EBPS-scored facilities statewide.
- 10/18/2022 The Town of Cazenovia submitted a NY-2A permit application and supporting materials to the Department.

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

Facility Information

This wastewater facility is a publicly owned treatment works that receives flow from domestic and industrial users (one brewery and the town water treatment plant's backwash). The majority of effluent consists of treated sanitary wastewater. The collection system consists of separate sewers serving the Town and Village of Cazenovia as well as a small section of the Town of Nelson. The facility was re-classified from a Class 05 (EPA Major) to a Class 07 (EPA Non-Major) facility since the new permit does not contain limits for toxic parameters and the design flow is less than 1.0 MGD.

The current 0.95 MGD treatment plant consists of:

- Bar screens, manual grit removal
- Secondary Treatment: Activated sludge (oxidation ditch), settling tank
- Disinfection: Chlorination with hypochlorite (seasonal), dechlorination with sodium bisulfate (seasonal)

Sludge is aerobically digested, belt pressed, and disposed of at the Madison County Landfill. Grit is also disposed of at the Madison County Landfill.

The facility does not have any planned improvements.

The town classifies the abovementioned brewery as a non-categorical Significant Industrial User (SIU) and has issued a local permit to control the brewery's discharge to the treatment plant. The facility has also been given a new requirement for a [Mini Industrial Pre-treatment Program](#).

Significant Industrial User (SIU)	SIC Code	Categorical Reference (if applicable to 40 CFR)
Meier's Creek Brewing Co., Inc.	2082	N/A

The primary outfall (Outfall 001) consists of a 24" diameter pipe discharging over a sloped concrete spillway to the Chittenango Creek, Class C(T).

¹ State Administrative Procedures Act Section 401(2) and 6 NYCRR 621.11(f)

² Pursuant to 6 NYCRR 750-1.18 and NYS Environmental Benefit Permit Strategy (EBPS)



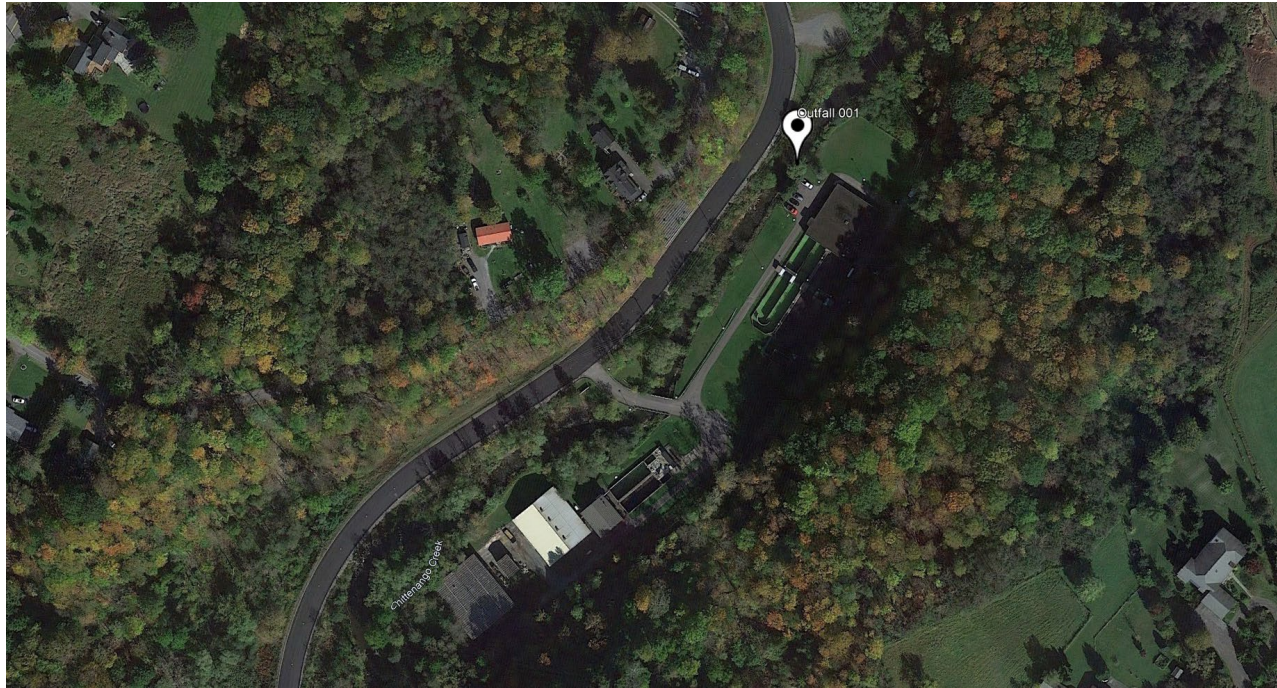
Outfall 001 (Source: Town of Cazenovia, NY-2A Application)

The permittee also has a Sanitary Sewer Overflow (SSO) discharge at Outfall 002. This outfall is listed in the facility's previous SPDES permits as an "STP Bypass" that only receives preliminary screening while bypassing the rest of the treatment system. Outfall 002 also discharges to Chittenango Creek. Outfall 002 is considered a Type I SSO and is classified as a permanent emergency overflow structure intended only for emergency discharges. As such, Outfall 002 is not authorized³ to discharge and has been removed from the permit. Each discharge event from Outfall 002 will be evaluated against emergency discharge criteria and must be reported in accordance with the [Sewage Pollution Right to Know Act](#) (SPRTK)⁴.

³ Exceptions noted in 6 NYCRR 750-2.8(b)(2) and 40 CFR § 122.41(m)(4)(i)

⁴ NYS Environmental Conservation Law Section 17-0826-a and 6 NYCRR 750-2.7

Site Overview



Enforcement History

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

Existing Effluent Quality

The [Pollutant Summary Table](#) presents the existing effluent quality and effluent limitations. The existing effluent quality was determined from Discharge Monitoring Reports and the application submitted by the permittee for the period 5/2018 to 3/2023. [Appendix Link](#)

Interstate Water Pollution Control Agencies

Outfall 001 is located within the Great Lakes watershed and International Joint Commission (IJC) compact area. [Appendix Link](#)

Receiving Water Information

The facility discharges via the following outfall(s):

Outfall No.	SIC Code	Wastewater Type	Receiving Water
001	4952	Treated Sanitary and Process Wastewater	Chittenango Creek Class C(T)
002	Outfall 002 – WWTP Emergency Bypass (no longer authorized in the permit)		

Reach Description: Chittenango Creek is tributary to Oneida Lake and part of the Lake Ontario watershed. The segment of Chittenango Creek at the point of discharge is classified as C(T) (6 NYCRR 899.4 – Table I – Item 217).

In-stream hardness was calculated to be 410 mg/L (as CaCO₃), as the average of 8 samples taken from RIBS station 07-CHIT-3.4 from 6/2019 to 9/2020. The station is ~30 miles downstream of the facility. Consistent with Chapter 3 of USEPA’s Water Quality Standards Handbook (EPA 823-B-17-001), the default maximum hardness of 400 mg/L has been used to calculate water quality standards.

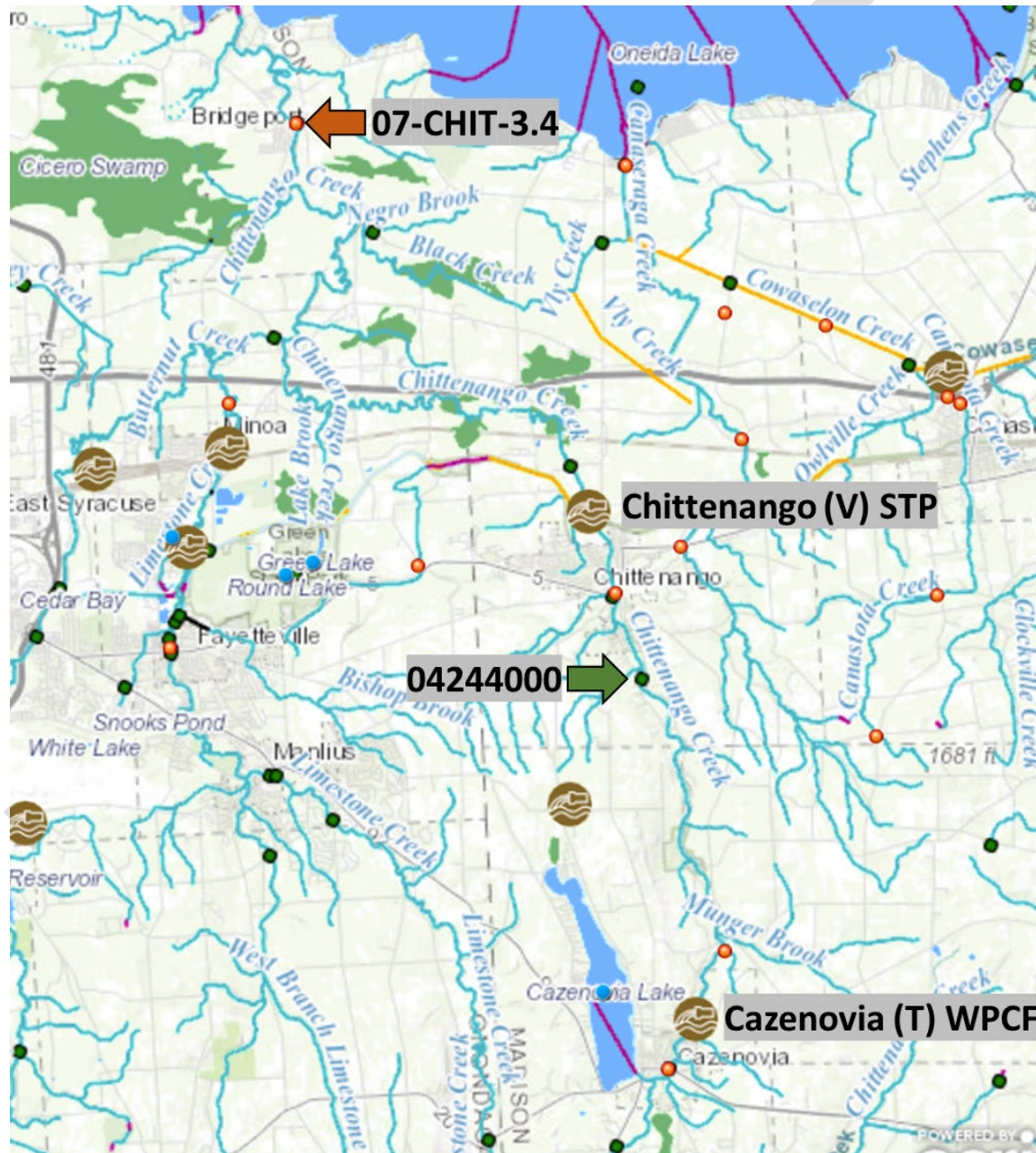


Figure 1: Map showing Chittenango Creek and significant facilities including: Town of Cazenovia Water Pollution Control Facility, USGS gage 04244000 (~7.5 miles downstream), Village of Chittenango Sewage Treatment Plant (~10 miles downstream), and RIBS station 07-CHIT-3.4, (~30 miles downstream).

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

Critical Receiving Water Data

The low flow condition for the Chittenango Creek was obtained from a drainage basin ratio analysis with USGS gage station 04244000 located near Chittenango, NY (~7.5 miles downstream from the facility). The 1Q10, 7Q10 and 30Q10 flows at the gage were found from the USGS Hydrologic Toolbox software and an analysis of data from 1991 to 2022. The corresponding flows at the facility were found using a drainage basin ratio analysis, detailed below.

DRAINAGE BASIN RATIO	1Q10	7Q10	30Q10
Gage Name	CHITTENANGO CREEK NEAR CHITTENANGO NY		
Gage ID Number	04244000		
Low Flow at Gage (cfs)	13.3	14.4	17.9
Drainage Area at Gage (mi ²)	67.7	67.7	67.7
Drainage Area at Facility (mi ²)	47	47	47
Drainage Basin Ratio (facility / gage)	0.7	0.7	0.7
Calculated Flow at Facility (cfs)	9.26	10.0	12.4

The 1Q10, 7Q10, and 30Q10 flows were used to calculate the acute, chronic, and human, aesthetic, wildlife (HEW) dilution ratios, respectively.

$$\text{Dilution Ratio} = (\text{Facility Flow} + \text{Low Flow}) / \text{Facility Flow}$$

Outfall No.	Acute Dilution Ratio A(A)	Chronic Dilution Ratio A(C)	Human, Aesthetic, Wildlife Dilution Ratio (HEW)	Basis
001	7.3	7.8	9.4	TOGS 1.3.1

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](#).

Anti-backsliding

To be consistent with 6 NYCRR Part 750-2.5(e)(2), the loading limits for total suspended solids and CBOD₅ have been increased to reflect rounding to two (2) significant figures (concentration limits are unaffected). Backsliding is allowable under 6 NYCRR Part 750-1.10(C)(2)(ii).

[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)⁵ determination.

[Appendix Link](#)

⁵ 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 being continued from the previous permit.

Temperature Requirements for Municipal Discharges to Trout Streams

For municipal discharges to streams classified as trout (T) or trout spawning (TS), the Department has reviewed the dilution and maximum reported effluent temperature. The facility does not have a reasonable potential to cause or contribute to an excursion above the thermal criteria of 6 NYCRR 704. Therefore, the permit continues the monitoring requirement for temperature year-round.

Mercury⁶

The multiple discharge variance (MDV) for mercury provides the framework for NYSDEC to require mercury monitoring and mercury minimization programs (MMPs), through SPDES permitting. The facility is located within the Great Lakes drainage basin, is classified as a Class 07 significant minor facility, and is expected to be a mercury source (various dental facilities are in the sewershed). As such, the permit includes requirements for the implementation of MMP Type II. [Appendix Link](#)

Based on 3 data point(s) of "ND", <0.449 ng/L and 0.543 ng/L, collected as part of the application, the facility is expected to meet the new daily maximum permit limit of 50 ng/L (with monthly sampling frequency). The limit represents the general level currently achievable (GLCA). The data collected will be used to establish an additional 12-month rolling average effluent limit during the next permit review.

A mercury minimization program consisting of the following is also required:

- Additional monitoring of key locations, as defined in the MMP
- Control strategy for implementation of the MMP
- Annual status report (maintained onsite)

Mini Industrial Pretreatment Program

The permittee is required to develop and implement a Mini-Pretreatment Program because it serves Significant Industrial Users (SIUs). The program requires development and implementation of an industrial user compliance program, submission of user information, modification of local sewer use law (if necessary), and periodic reporting. [Appendix Link](#)

Schedule(s) of Compliance

A Schedule of Compliance is being included⁷ for the following items ([Appendix Link](#)):

- Compliance period for attainment of the final effluent limit for total residual chlorine (TRC)
 - A major modification to the treatment facility and/or operations may be needed and could take a significant amount of time to properly plan, design, fund, and construct
 - Note: The interim limit for TRC of 0.3 mg/L, represents the existing maximum effluent limit (existing limit is based on ambient stream flow).

⁶ In accordance with DOW 1.3.10 Mercury – SPDES Permitting & Multiple Discharge Variance (MDV), December 30, 2020.

⁷ Pursuant to 6 NYCRR 750-1.14

- Submittal of an approvable engineering report (preliminary report) summarizing the facility upgrades needed to comply with the final effluent limitation for TRC. The report must meet the requirements of the [EFC/DEC Engineering Report Outline](#).
- Submittal of approvable engineering design documents, including a basis of design report (BODR) with the details of the upgrades needed to comply with the final effluent limitation.

Schedule(s) of Additional Submittals

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

- Water Treatment Chemical (WTC) Annual Report Form
- Annual Flow Certification
- Mercury Minimization Plan (required to be maintained on site)
- Mini Pretreatment Program:
 - Initial FROSI (Fast Report on Significant Industries). One-time submission.
 - Develop Procedures - Documentation of procedures for obtaining and ensuring compliance with applicable standards. One-time submission.
 - Draft Local Sewer Use Law. One-time submission.
 - Annual FROSI. Annual submission.
 - Industrial Chemical Survey. Triennial submission.

- **Emerging Contaminant Short-Term Monitoring Program**

Emerging Contaminants, such as PFOA, PFOS, and 1,4-D, have been used in a wide variety of consumer and industrial product as well as in manufacturing processes for decades. Because many of these contaminants exhibit anti-degradation properties, their presence in wastewater can remain a concern for years following their discontinued use. For more information on emerging contaminants, please see the NYSDEC Division of Water web page: <https://www.dec.ny.gov/chemical/127939.html>

Pursuant to 6 NYCRR Part 750-1.13(b), the permit includes a short-term monitoring program to evaluate the effluent discharge levels of Per-and Polyfluoroalkyl Substances (PFAS) and 1,4-Dioxane.

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

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

OUTFALL AND RECEIVING WATER SUMMARY TABLE

Outfall	Latitude	Longitude	Receiving Water Name	Water Class	Water Index No. / Priority Waterbody Listing (PWL) No.	Major / Sub Basin	Hardness (mg/L)	1Q10 (MGD)	7Q10 (MGD)	30Q10 (MGD)	Critical Effluent Flow (MGD)	Dilution Ratio		
												A(A)	A(C)	HEW
001	42° 56' 19" N	42° 56' 19" W	Chittenango Creek	C(T)	Ont.-66-11-P26-37 PWL: 0703-0025	07 / 03	400 ⁸	6.0	6.5	8.0	0.95	7.3	7.8	9.4

POLLUTANT SUMMARY TABLE - Outfall 001

Outfall #	001															
	Description of Wastewater: Treated Sanitary															
Type of Treatment: Bar screens, grit removal, oxidation ditch, chlorination, dechlorination																
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement	
			Permit Limit	Existing Effluent Quality ⁹	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis for WQBEL			
General Notes: Existing discharge data from 5/2018 to 3/2023 was obtained from Discharge Monitoring Reports provided by the permittee. All applicable water quality standards were reviewed for development of the WQBELs. The standard and WQBEL shown below represent the most stringent.																
Flow Rate	MGD	30 Day Avg	0.95	0.61 Actual Average	59/0	0.95	Design Flow	Narrative: No alterations that will impair the waters for their best usages.						6 NYCRR 703.2	-	TBEL
	MGD	Daily Max	N/A	0.95 Actual Maximum	59/0	Monitor	750-1.13 Monitor									Monitor
The monthly average flow limit is set at the design flow of the wastewater treatment facility, consistent with the previous permit. A new daily maximum monitoring is included in the new permit for informational purposes.																
pH	SU	Minimum	6.0	6.6 Min	59/0	6.0	40 CFR 133.102	8.0 ¹⁰	-	6.5 – 8.5	Range	-	6 NYCRR 703.3	-	TBEL	
	SU	Maximum	9.0	8.8 Max	59/0	9.0									9.0	
Consistent with TOGS 1.3.3 for POTWs, TBELs reflect secondary treatment standards. Given the available dilution, the existing effluent limitation is protective of the WQS and will remain. Note that influent monitoring for this parameter is being discontinued.																

⁸ See discussion in [Receiving Water Information](#) section.

⁹ Existing Effluent Quality: 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)

¹⁰ Ambient pH obtained from the average of 13 samples taken from RIBS station 07-CHIT-3.4 from 1986-2020.

Outfall #	001	Description of Wastewater: Treated Sanitary													
		Type of Treatment: Bar screens, grit removal, oxidation ditch, chlorination, dechlorination													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁹	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis for WQBEL		
Dissolved Oxygen (DO) SUMMER 6/1 – 10/31	mg/L	Daily Min	-	-	-	-	-	-	5.7 Critical Point	(T) 5.0 mg/L	Narrative	No Reasonable Potential	6 NYCRR 703.3	-	No Limitation or Monitoring
	The downstream DO concentration was modeled using the Streeter-Phelps equations and the following assumptions: Effluent DO = 2.0 mg/L (assumed value consistent with TOGS 1.3.1D), Effluent UOD = 76 mg/L (previous permit limit). The model included the Village of Chittenango STP (NY0021539) located ~10 miles downstream, which was outside the influence of Cazenovia's discharge. The model showed that DO standards are maintained and consequently WQBELs for DO and CBOD ₅ are unnecessary and the existing UOD limit is protective of water quality.														
5-day Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	mg/L	Monthly Avg	25	3.6	55/4	25	40 CFR 133.102	-	See Dissolved Oxygen	No Reasonable Potential	6 NYCRR 703.3	-	TBEL		
		7 Day Avg	40	4.3	55/4	40									
	lbs/d	Monthly Avg	198	23	59/0	200									
		7 Day Avg	317	41	59/0	320									
% Rem	Minimum	85	100	59/0	85										
Consistent with TOGS 1.3.3 for POTWs, TBELs reflect secondary treatment standards and will remain. The loading limitation has been adjusted to two significant digits (see discussion on Anti-backsliding). See justification for Dissolved Oxygen.															
Ultimate Oxygen Demand (UOD)	mg/L	7 Day Avg	76	18	59/0	-	-	-	See Dissolved Oxygen	No Reasonable Potential	6 NYCRR 703.3	-	Anti-backsliding		
	lbs/d	7 Day Avg	600	116	59/0	-	-								
The existing UOD limits reflect the design capacity of the facility and were established in the Central New York Water Quality Management Program adopted by the Central New York Regional Planning and Development Board in 1980. The existing limits are protective of water quality and will remain due to anti-backsliding. See justification for Dissolved Oxygen.															
Total Suspended Solids (TSS)	mg/L	30 Day Avg	30	6.2	50/9	30	40 CFR 133.102	-	Narrative: None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages.	6 NYCRR 703.2	-	TBEL			
		7 Day Avg	40	8.1	50/9	45									
	lbs/d	30 Day Avg	238	37	59/0	240									
		7 Day Avg	317	65	59/0	320									
% Rem	Minimum	85	99	59/0	85										
Consistent with TOGS 1.3.3 for POTWs, TBELs reflect secondary treatment standards. Given that adequate dilution is available, an effluent limitation equal to the TBEL, and consistent with TOGS 1.3.3, is protective of water quality standards. The loading limitation has been adjusted to two significant digits (see discussion on Anti-backsliding).															

Outfall #	001	Description of Wastewater: Treated Sanitary														
		Type of Treatment: Bar screens, grit removal, oxidation ditch, chlorination, dechlorination														
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement	
			Permit Limit	Existing Effluent Quality ⁹	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis for WQBEL			
Settleable Solids	mL/L	Daily Max	0.3	29	59/0	0.3	TOGS 1.3.3	-	Narrative: None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages				6 NYCRR 703.2	-	TBEL	
	Consistent with TOGS 1.3.3, the existing effluent limitation is equal to the TBEL of 0.3 mL/L for POTWs providing secondary treatment without filtration. Given that adequate dilution is available, the TBEL is protective of water quality and will remain. Note that influent monitoring for this parameter is being discontinued.															
Nitrogen, Ammonia (as N)	mg/L	30 Day Avg	8.6	0.62	25/0	-	-	0.036*	-	0.77	A(C)	7.0	6 NYCRR 703.5	-	WQBEL	
	The WQBEL was calculated using the water quality standard, an ambient concentration of 0.036 mg/L* and application of the HEW dilution ratio (TOGS 1.3.1E). The existing permit limit is greater than the calculated WQBEL and is being decreased to protect water quality.															
	The WQS for Ammonia was determined from TOGS 1.1.1 from a summer pH of 8.0 SU (calculated from RIBS station 07-CHIT-3.4 data) and a temperature of 25°C (assumed value and consistent with TOGS 1.3.1E). *Ambient concentration for summertime is the average of 5 samples taken from RIBS station 07-CHIT-3.4 from 8/2019-9/2020. Note: This station is ~30 miles downstream of Outfall 001. The ambient concentration is less than the typical assumed ambient value of 0.1 mg/L found in TOGS 1.3.1D.															
Nitrogen, Ammonia (as N)	mg/L	30 Day Avg	-	-	-	-	-	0.082*	-	1.9	A(C)	No Reasonable Potential	6 NYCRR 703.5	-	No Limitation	
	The existing permit does not have a specified ammonia limit for the winter season and therefore no performance data is available. The WQS for Ammonia was determined from TOGS 1.1.1 from a winter pH of 7.5 SU and a temperature of 10°C (both assumed values and consistent with TOGS 1.3.1E). The WQBEL was calculated using the WQS, the assumed ambient concentration, and application of the HEW dilution ratio (TOGS 1.3.1E). The calculated WQBEL of 17 mg/L is above the expected performance of the facility, and no winter limitation or monitoring is being required at this time.															
	*Ambient concentration for wintertime is an assumed value from TOGS 1.3.1E.															
Nitrogen, TKN (as N)	mg/L	7 Day Avg	N/A	1.8 avg	55/4	Monitor	750-1.13 Monitor	-	-	-	-	-	-	-	Monitor	
	mg/L	Daily Maximum	Monitor	2.6	55/4	-	-	-	-	-	-	-	-	-	Discontinued	
	There is no water quality standard for TKN for discharges to Class C waterbodies. Monitoring of TKN is necessary for the UOD calculation and will remain. This monitoring now has an averaging period of 7-day average to be consistent with the averaging period for ultimate oxygen demand. Note that influent monitoring for this parameter is being discontinued.															
Temperature	°C	Daily Max	Monitor	21 Max	59/0	Monitor	750-1.13 Monitor	-	Narrative (Trout): No discharge at a temperature over 70°F (21°C) shall be permitted at any time to streams classified for trout				6 NYCRR 704.2	-	Monitor	
	See the Temperature Requirements for Municipal Discharges to Trout Streams section for a full discussion. Temperature monitoring requirements will remain.															

Permittee: Town of Cazenovia
 Facility: Cazenovia Water Pollution Control Facility
 SPDES Number: NY0028525
 USEPA Non-Major/Class 07 Municipal

Date: June 29, 2023 v.1.15
 Permit Writer: Peter Maier
 Water Quality Reviewer: Evan Walters
 Full Technical Review

Outfall #	001	Description of Wastewater: Treated Sanitary																		
		Type of Treatment: Bar screens, grit removal, oxidation ditch, chlorination, dechlorination																		
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement					
			Permit Limit	Existing Effluent Quality ⁹	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis for WQBEL							
Stream Flow	CFS	Daily Maximum	Monitor	30 Min	82 Avg	30/0	-	-	-	-	-	-	-	-	-	Discontinued				
				115 Max													Daily stream flow monitoring during the disinfection season is being discontinued as it is no longer needed to control the total residual chlorine limit. See justification for TRC limit below.			
Coliform, Fecal	#/100 mL	30d Geo Mean	200	7.7	28/2	200	TOGS 1.3.3	-	Narrative: The monthly geometric mean, from a minimum of five examinations, shall not exceed 200.				6 NYCRR 703.4	-	TBEL					
		7d Geo Mean	400	70	27/3	400	TOGS 1.3.3	-	Consistent with TOGS 1.3.3, effluent disinfection will continue seasonally due to the class of the receiving waterbody. Fecal coliform limits equal to the TBEL will continue to be required. The disinfection season has been adjusted to start and end on the 1 st of the month, instead of the 15 th .											
Total Residual Chlorine (TRC)	mg/L	Daily Max	*	1.4 Max**	29/1	2.0	TOGS 1.3.3	-	-	0.005	A(C)	0.039	6 NYCRR 703.5	0.03	WQBEL					
			Effluent disinfection is currently required seasonally and will remain a permit requirement. The WQBEL was calculated by multiplying the WQS by the chronic dilution ratio. Due to the available dilution, the existing monitoring requirement is being replaced by a new effluent limitation equal to the calculated WQBEL. A Schedule of Compliance item has been included for TRC. *Existing seasonal permit limit varies from 0.1, 0.2, and 0.3 mg/L based on ambient streamflow. **Average TRC value for the past five years is 0.24 mg/L with measurements commonly as low as 0.06 mg/L.																	
Additional Pollutants Detected																				
Total Mercury	ng/L	-	-	0.54 Max	2/1	-	-	-	-	0.7	H(FC)	50	GLCA	-	DOW 1.3.10					
				See Mercury section of this factsheet .																
Nitrate (as N)	mg/L	-	-	5.19 Max	3/0	-	-	-	-	-	-	-	-	-	No Limitation or Monitoring					
				A numeric water quality standard for nitrate does not exist for Class C waterbodies. Therefore, no limitation or monitoring requirement is needed.																
Nitrite (as N)	mg/L	-	-	ND	3/0	Monitor	750-1.13 Monitor	-	-	0.020	A(C) Trout	No Reasonable Potential	6 NYCRR 703.5	-	Monitor					
				Nitrite was detected in the effluent during the application sampling period in September 2022. Nitrite is an intermediate species in the nitrification process and the Department requested additional sampling of this parameter. An additional three (3) samples were taken in June 2023 and all three sampling results were non-detect. The differing sampling results may be attributed to flow originating from Cazenovia College, which has since permanently closed. To obtain additional information on the nitrification process occurring in the oxidation ditch, quarterly sampling for nitrites in the effluent is being added to the permit. Data will be evaluated during the next permit review to determine if future limits or monitoring are necessary.																

Permittee: Town of Cazenovia
 Facility: Cazenovia Water Pollution Control Facility
 SPDES Number: NY0028525
 USEPA Non-Major/Class 07 Municipal

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Outfall #	001	Description of Wastewater: Treated Sanitary													
		Type of Treatment: Bar screens, grit removal, oxidation ditch, chlorination, dechlorination													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁹	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis for WQBEL		
Total Dissolved Solids (TDS)	mg/L	-	-	667 Max	3/0	-	-	-	256	500	A(C)	No Reasonable Potential	6 NYCRR 703.3	-	No Limitation or Monitoring
	Total dissolved solids was detected in the effluent as reported in the NY-2A application. The projected instream concentration was calculated using the maximum effluent concentration of 667 mg/L and an assumed negligible ambient upstream concentration. A multiplier, as recommended in EPA's Technical Support Document Chapter 3.3, of 3.0 was applied to the projected effluent to account for the number of samples as well as the chronic dilution ratio. A comparison of the projected instream concentration to the WQS indicates no reasonable potential to cause or contribute to a WQS violation. Therefore, no limitation or monitoring is required.														
Total Phosphorus	mg/L	-	-	1.8 Max	3/0	Monitor	TOGS 1.3.6	-	Narrative: None in amounts that will result in growths of algae, weeds and slimes that will impair the waters for their best usages.			-	-	Monitor	
	lbs/d	-	-	-	-	Monitor	TOGS 1.3.6	-				-		Monitor	
Consistent with TOGS 1.3.6, for facilities discharging within the Great Lakes watershed with an intermediate ponded waterbody (Oneida Lake), phosphorus monitoring has been added. The information will be used to establish a baseline phosphorus load from the facility.															

Appendix: Regulatory and Technical Basis of Permit Authorizations

The Appendix is meant to supplement the factsheet 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 factsheet:

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 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 wasteload allocations (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, and/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 factsheet. Consistent with current case law¹¹ and USEPA interpretation¹² 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.

¹¹ American Iron and Steel Institute v. Environmental Protection Agency, 115 F.3d 979, 993 n.6 (D.C. Cir. 1997)

¹² 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)

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.

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. 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 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 Department considers a mixing zone analysis, critical flows, and reasonable potential analysis when developing a WQBEL.

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 Department;
- 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 Department 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 Department 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.

A Watershed Maximum Daily Load (WMDL) may be developed by the Department to account for the cumulative effect of multiple discharges of conservative toxic pollutants to ensure water quality standards are met in downstream segments. The WMDL uses a simple dilution model, assuming full mix in the receiving stream, to calculate the maximum allowable pollutant load that can be discharged and still meet water quality standards during critical low flow in downstream segments

such as those with sensitive receptors (e.g. public water supply) or higher water classification. WQBELs are established to ensure that the cumulative mass load from point source discharges does not exceed the maximum allowable load to ensure permit limits are protective of water quality.

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.

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 Department 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.

Schedules of Compliance

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

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.

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 Department, 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.

DRAFT