



Department of
Environmental
Conservation

State Pollutant Discharge Elimination System (SPDES) DISCHARGE PERMIT

SIC Code:	2084	NAICS Code:	31213	SPDES Number:	NY0272248
Discharge Class (CL):	04			DEC Number:	
Toxic Class (TX):	N			Effective Date (EDP):	EDP
Major-Sub Drainage Basin:	07 - 05			Expiration Date (ExDP):	EDP + 10
Water Index Number:	Not Applicable	Item No.:	-	Modification Dates (EDPM):	
Compact Area:	IJC				

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

PERMITTEE NAME AND ADDRESS						
Name:	Lakewood Vineyards			Attention:	David Stamp Vice-President	
Street:	4024 State Route 14					
City:	Watkins Glen			State:	NY	Zip Code: 14891
Email:	david@lakewoodvineyards.com			Phone:	(607) 742-9379	

is authorized to discharge from the facility described below:

FACILITY NAME, ADDRESS, AND PRIMARY OUTFALL										
Name:	Lakewood Vineyards									
Address / Location:	4024 State Route 14						County:	Schuyler		
City:	Watkins Glen				State:	NY	Zip Code:	14891		
Facility Location:	Latitude:	42 °	25 '	44 " N	& Longitude:	76 °	54 '	19 " W		
Primary Outfall No.:	001	Latitude:	42 °	25 '	50 " N	& Longitude:	76 °	54 '	12 " W	
Outfall Description:	Processed Wine Wastewater		Receiving Water:	Groundwater			Class:	GA	Standard:	GA

in accordance with: effluent limitations; monitoring and reporting requirements; other provisions and conditions set forth in this permit; and 6 NYCRR Part 750-1 and 750-2. The co-permittees subject to one or more conditions of this permit are listed on page 2.

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

DISTRIBUTION:

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

Permit Administrator:		
Address:	6274 East Avon-Lima Road, Avon, NY 14414-9519	
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	LIMITATIONS APPLY	RECEIVING WATER	EFFECTIVE	EXPIRING
001	All Year	Groundwater	EDP	EDP + 10

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
Flow	Daily Maximum	1,600	GPD			Continuous	Estimate		X	1, 2
	Monthly Average	Monitor	GPD							
pH	Daily Minimum	6.0	SU			Monthly	Grab		X	1, 3, 4
	Daily Maximum	9.0	SU							
BOD ₅	Daily Maximum	Monitor	mg/L		lbs/d	Monthly	Grab		X	1, 3, 4
Total Suspended Solids (TSS)	Daily Maximum	Monitor	mg/L		lbs/d	Monthly	Grab		X	1, 3, 4
Total Nitrogen (as N)	Daily Maximum	Monitor	mg/L		lbs/d	Monthly	Grab		X	1, 3, 4, 5
Total Phosphorus (as P)	Daily Maximum	Monitor	mg/L		lbs/d	Monthly	Grab		X	1, 3, 4
Total Dissolved Solids (TDS)	Daily Maximum	Monitor	mg/L			Monthly	Grab		X	1, 3, 4
Visual Site Observation						Monthly				6
Septic Tank Inspection						Biannually				7

FOOTNOTES:

- The parameters listed in the Permit Limits, Levels and Monitoring Table shall become effective immediately upon Construction Completion. The start-up date for Lakewood Vineyards wastewater treatment system shall be documented with a letter from the Permittee to the Regional Water Engineer.
- Flow shall be metered on the water supply line(s). All flows shall be read and recorded daily at approximately the same time each day.
- During the first two years of the wastewater treatment system's operation, all parameters with this footnote shall be sampled monthly. After the first two years of operation, the sampling frequency can be reduced to quarterly with a written request from the permittee.
- Quarterly samples shall be collected in calendar quarters (Q1 – January 1st to March 31st; Q2 – April 1st to June 30th; Q3 – July 1st to September 30th; Q4 – October 1st to December 31st).
- Total Nitrogen (as N) = [Total Kjeldahl Nitrogen (TKN), as N] + [Nitrite (NO₂), as N] + [Nitrate (NO₃), as N].
- The monthly Visual Site Observation shall include checking the area of the wastewater treatment system for problems/nuisance conditions (clogged screen, ponding water, odor, etc.). The monthly Visual Site Observation records shall be available for inspection to verify compliance in accordance with 6 NYCRR Part 750-2.5 Routine monitoring, recording, and reporting. All corrective actions made due to the monthly Visual Site Observation shall be documented as part of the wastewater treatment system's routine record keeping.
- The Septic Tank Inspection shall consist of recording the sludge and scum depth in both septic tanks at least twice per year. The Septic Tank Inspection records shall be available for inspection to verify compliance in accordance with 6 NYCRR Part 750-2.5 Routine monitoring, recording, and reporting. All corrective actions made due to the Septic Tank Inspection shall be documented as part of the wastewater treatment system's routine record keeping.

STORMWATER POLLUTION PREVENTION REQUIREMENTS

NO EXPOSURE CERTIFICATION

The permittee submitted a Conditional Exclusion for No Exposure Form on 12/26/2023, certifying that all industrial activities and materials are completely sheltered from exposure to rain, snow, snowmelt, and/or stormwater runoff. The permittee must maintain a condition of no exposure for the exclusion to remain applicable. If conditions change resulting in the exposure of materials and activities to stormwater, the permittee must notify the Regional Water Engineer. The permittee must recertify a condition of no exposure every five years by completing the "No Exposure Certification Form" found on the NYSDEC website.

OPERATION AND MAINTENANCE PLAN

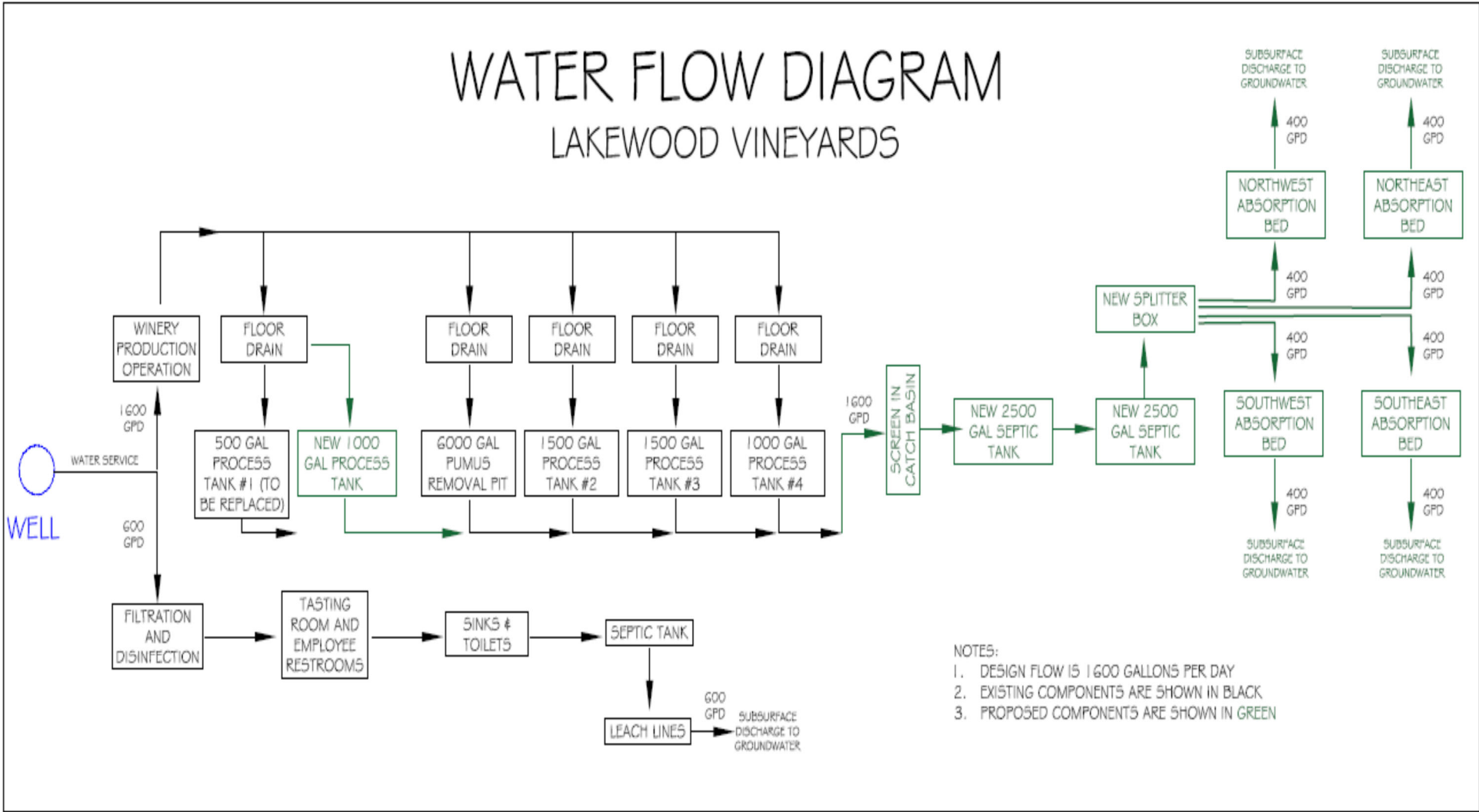
1. **General Standards:** The permittee shall develop, maintain, and implement an Operation and Maintenance Plan.
2. **Compliance Due Date:** In accordance with the Schedule of Submittals, the permittee shall submit an approvable Operation and Maintenance Plan to the Regional Water Engineer for review and approval. The permittee shall begin implementation of the approved Operation and Maintenance Plan within 3 months of Departmental approval. The permittee shall review, update, and modify the Operation and Maintenance Plan as needed or at a minimum annually.
3. **Components of Operation and Maintenance Plan:** The following components, at a minimum, shall be addressed in the development of the Operation and Maintenance Plan. Note that while these components shall be addressed by the permittee, the permittee may address these, and any additional items using organizational and implementation methods applicable to and tailored to their specific system:

- As-Built drawings**
- Manufacture information**
- Standard Operating Procedures**
- Safety Procedures**
- Design and inspection standards**
- Record retention standards and reporting**
- Overflow/Failure Emergency Response Plan**
- System Evaluation and Capacity Assurance Plan**
- Contact information of key personnel**

MONITORING LOCATIONS

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

Grab samples will be collected at the inlet of the new splitter box.



GENERAL REQUIREMENTS

A. The regulations in 6 NYCRR Part 750 are hereby incorporated by reference and the conditions are enforceable requirements under this permit. The permittee shall comply with all requirements set forth in this permit and with all the applicable requirements of 6 NYCRR Part 750 incorporated into this permit by reference, including but not limited to the regulations in paragraphs B through I as follows:

B. General Conditions

- | | |
|--|---|
| 1. Duty to comply | 6 NYCRR 750-2.1(e) & 2.4 |
| 2. Duty to reapply | 6 NYCRR 750-1.16(a) |
| 3. Need to halt or reduce activity not a defense | 6 NYCRR 750-2.1(g) |
| 4. Duty to mitigate | 6 NYCRR 750-2.7(f) |
| 5. Permit actions | 6 NYCRR 750-1.1(c), 1.18, 1.20 & 2.1(h) |
| 6. Property rights | 6 NYCRR 750-2.2(b) |
| 7. Duty to provide information | 6 NYCRR 750-2.1(i) |
| 8. Inspection and entry | 6 NYCRR 750-2.1(a) & 2.3 |

C. Operation and Maintenance

- | | |
|-----------------------------------|--------------------------------------|
| 1. Proper Operation & Maintenance | 6 NYCRR 750-2.8 |
| 2. Bypass | 6 NYCRR 750-1.2(a)(17), 2.8(b) & 2.7 |
| 3. Upset | 6 NYCRR 750-1.2(a)(94) & 2.8(c) |

D. Monitoring and Records

- | | |
|---------------------------|--|
| 1. Monitoring and records | 6 NYCRR 750-2.5(a)(2), 2.5(a)(6), 2.5(c)(1), 2.5(c)(2), & 2.5(d) |
| 2. Signatory requirements | 6 NYCRR 750-1.8 & 2.5(b) |

E. Reporting Requirements

- | | |
|------------------------------|-----------------------------|
| 1. Reporting requirements | 6 NYCRR 750-2.5, 2.7 & 1.17 |
| 2. Anticipated noncompliance | 6 NYCRR 750-2.7(a) |
| 3. Transfers | 6 NYCRR 750-1.17 |
| 4. Monitoring reports | 6 NYCRR 750-2.5(e) |
| 5. Compliance schedules | 6 NYCRR 750-1.14(d) |
| 6. 24-hour reporting | 6 NYCRR 750-2.7(c) & (d) |
| 7. Other noncompliance | 6 NYCRR 750-2.7(e) |
| 8. Other information | 6 NYCRR 750-2.1(f) |

F. Planned Changes

1. The permittee shall give notice to the Department as soon as possible of planned physical alterations or additions to the permitted facility when:
 - a. The alteration or addition to the permitted facility may meet any of the criteria for determining whether facility is a new source in 40 CFR §122.29(b); or
 - b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject either to effluent limitations in the permit, or to notification requirements under 40 CFR §122.42(a)(1); or
 - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

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

G. Sludge Management

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

GENERAL REQUIREMENTS (continued)

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. Additional information required to be submitted by this permit shall be summarized and reported to the Regional Water Engineer.
- C. Annual SPDES Monitoring Reports: An annual report shall be submitted to the Department by February 1st each year. The report shall summarize information for January to December of the previous year and shall be submitted electronically, or in hardcopy format, utilizing the SPDES Annual Report Form available on the Department's website.

Hard copy submission of the Annual Report shall be submitted to the Regional Water Engineer at the address below:

Department of Environmental Conservation
Regional Water Engineer, Region 8
6274 E. Avon-Lima Road, Avon, New York, 14414-9519 Phone: (585) 226-5450

D. Schedule of Additional Submittals:

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

SCHEDULE OF ADDITIONAL SUBMITTALS		
Outfall(s)	Required Action	Due Date
001	<u>ANNUAL SPDES MONITORING REPORT</u> The permittee shall submit an Annual SPDES Monitoring Report each year.	February 1 st
001	<u>OPERATION AND MAINTENANCE PLAN</u> The permittee shall submit an Operation and Maintenance Plan.	EDP + 3 months
001	<u>STORMWATER NO EXPOSURE CERTIFICATION</u> Permittee must recertify every five years a condition of no exposure to stormwater in order to continue to qualify for the no exposure exclusion. The No Exposure Certification Form can be found on the NYSDEC website.	EDP + 5 Years, and every 5 years thereafter

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

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

Permittee: Lakewood Vineyards
Facility: Lakewood Vineyards
SPDES Number: **NY0272248**
USEPA Non-Major/Class 04 Industrial

Date: January 25, 2024
Permit Writer: Bradly J. Chaffee
Water Quality Reviewer: Bradly J. Chaffee
Full Technical Review

SPDES Permit Fact Sheet Lakewood Vineyards

NY0272248



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Summary of Permit Changes

A new State Pollutant Discharge Elimination System (SPDES) permit has been drafted for the Lakewood Vineyards. The changes to the permit are summarized below:

This fact sheet summarizes the information used to determine the effluent limitations (limits) and other conditions contained in the permit. General background information including the regulatory basis for the effluent limitations and other conditions are in the [Appendix](#) linked throughout this fact sheet.

Administrative History

10/6/2022 Lakewood Vineyards submitted a NY-2C permit application.

12/26/2023 Lakewood Vineyards submitted the No Exposure Certification Form for Exclusion from SPDES Stormwater Permitting.

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

Date [After Public Notice (if substantial changes)] The Lakewood Vineyards provided notice in the **Name of Newspaper**. The publications contain information on the public notice process. The public comment period commenced on **Date**.

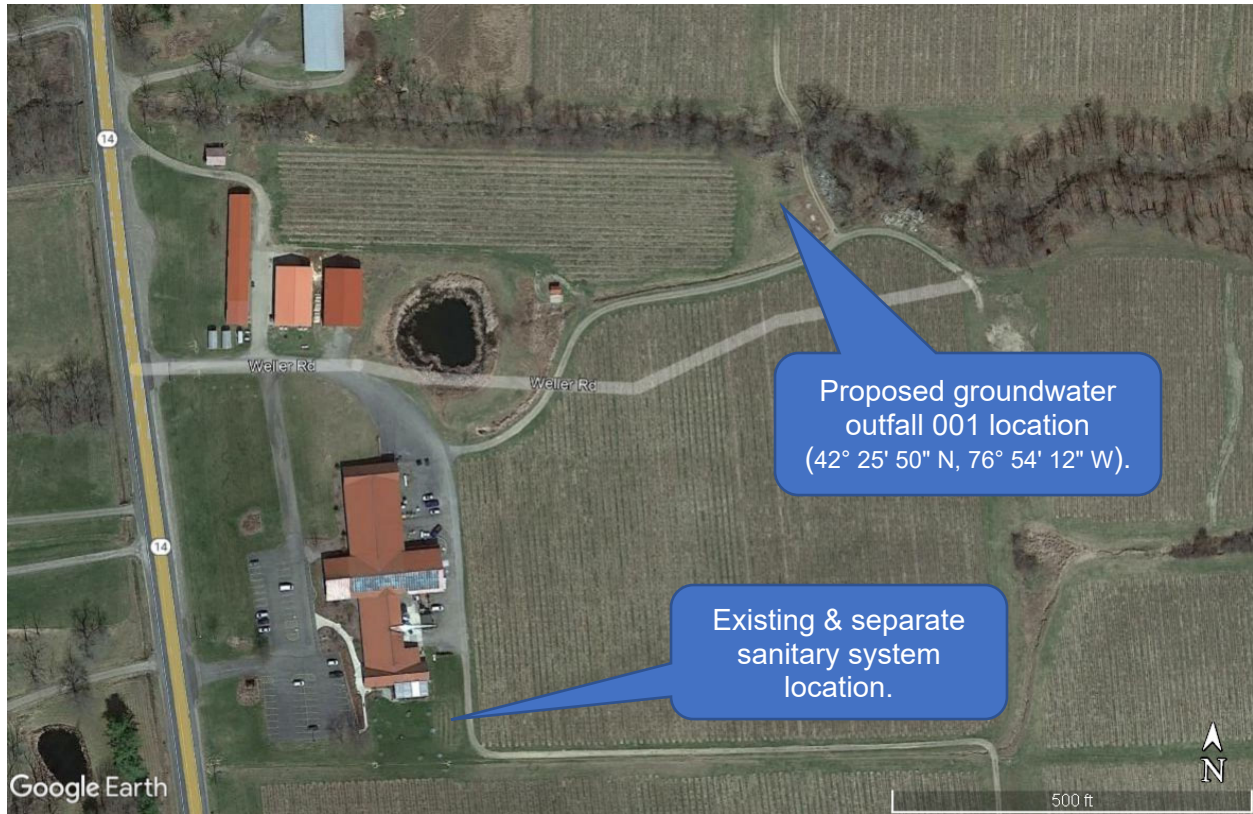
The Notice of Complete Application, published in the [Environmental Notice Bulletin](#) and newspapers, contains information on the public notice process.

Facility Information

This is an industrial facility (SIC code(s) 2084) that produces wine. Effluent consists of processed wine wastewater. The proposed wastewater treatment system will consist of an inline screen, two 2,500-gallon septic tanks in series with an effluent filter, and four gravel absorption trench beds for the groundwater discharge.

Any solid waste wine production byproducts will be composted, and land applied in the vineyards. Sludge from the septic tanks will be land applied in the vineyards according to their land application permit.

Site Overview



Receiving Water Information

The facility proposes to discharge via the following outfalls:

Outfall No.	SIC Code	Wastewater Type	Receiving Water
001	2084	Processed Wine Wastewater	Groundwater, Class GA

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

Critical Receiving Water Data & Mixing Zone

The facility discharges to groundwater, Class GA, via four gravel absorption trench beds. The effluent limitations for Outfall 001 were developed with no dilution, based on groundwater quality standards found in 6 NYCRR 703.5 and TOGS 1.1.1 (Part I) and groundwater effluent standards contained in 6 NYCRR 703.6 and TOGS 1.1.1 (Part II). Critical receiving water data are listed in the [Pollutant Summary Table](#) at the end of this fact sheet.

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](#).

Antidegradation

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

Stormwater Pollution Prevention Requirements

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

On 12/26/2023, the permittee submitted a Conditional Exclusion for No Exposure Form, certifying that all industrial activities and materials are completely sheltered from exposure. This condition must be maintained for the exclusion to remain applicable. The schedule of submittals also includes a due date for re-certification every five years as required by 40 CFR 122.26(g)(iii). This requirement is new.

Schedule(s) of Additional Submittals

A schedule of additional submittals has been included for the following:

- Annual SPDES Monitoring Report
- Operation and Maintenance Plan
- Stormwater No Exposure Certification

¹ As prescribed by 6 NYCRR Part 617

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 Full Technical Review

OUTFALL AND RECEIVING WATER SUMMARY TABLE

Outfall	Latitude	Longitude	Receiving Water Name	Water Class	Water Index No. / Priority Waterbody Listing (PWL) No.	Major / Sub Basin	Hardness (mg/l)	1Q10 (MGD)	7Q10 (MGD)	30Q10 (MGD)	Critical Effluent Flow (GPD)	Dilution Ratio		
												A(A)	A(C)	HEW
001	42° 25' 50" N	76° 54' 12" W	Groundwater	GA	-	07/05	NA	-	-	-	1,600	-	-	-

POLLUTANT SUMMARY TABLE

Outfall 001

Outfall #	001	Description of Wastewater: Process wastewater from wine production.														
		Type of Treatment: Stainless steel screen (1/8" openings), two 2,500-gallon septic tanks in series with an effluent filter, and four 50'x15' gravel absorption beds.														
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement	
			Permit Limit	Existing Effluent Quality	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis for WQBEL			
General Notes: This is a new permit with no available existing data. All applicable water quality standards were reviewed for development of the WQBELs. The standard and WQBEL shown below represent the most stringent.																
Flow Rate	GPD	Daily Max	-	-	-	1,600	750-1.13	Narrative: No alterations that will impair the waters for their best usages.						703.2	-	TBEL
		Monthly Avg.	-	-	-	Monitor									-	TBEL
The flow limit is set at the design flow of the wastewater treatment facility.																
pH	SU	Minimum	-	-	-	6.0	TOGS 1.2.1	-	-	6.5 – 8.5	Range	6.5 - 8.5	703.3	-	WQBEL	
		Maximum	-	-	-	9.0		Consistent with TOGS 1.2.1, TBELs reflect the available treatment technology listed in Attachment C. Given the available dilution is not available, an effluent limitation equal to the WQS is appropriate.								
5-day Biochemical Oxygen Demand (BOD ₅)	mg/L	Daily Max	-	-	-	Monitor	750-1.13							-	Monitor	
		Consistent with 6 NYCRR Part 750-1.13 monitoring is required and may be used to inform future permitting decisions. This is a new permit requirement.														
Total Suspended	mg/L	Daily Max	-	-	-	Monitor	750-1.13							-	Monitor	

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Outfall #	001	Description of Wastewater: Process wastewater from wine production.													
		Type of Treatment: Stainless steel screen (1/8" openings), two 2,500-gallon septic tanks in series with an effluent filter, and four 50'x15' gravel absorption beds.													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis for WQBEL		
Solids (TSS)	Consistent with 6 NYCRR Part 750-1.13 monitoring is required and may be used to inform future permitting decisions. This is a new permit requirement.														
Total Nitrogen, (as N)	mg/L	Daily Max	-	-	-	Monitor	750-1.13							-	Monitor
Consistent with 6 NYCRR Part 750-1.13 monitoring is required and may be used to inform future permitting decisions. This is a new permit requirement.															
Total Phosphorus	mg/L	Daily max	-	-	-	Monitor	750-1.13							-	Monitor
Consistent with 6 NYCRR Part 750-1.13 monitoring is required and may be used to inform future permitting decisions. This is a new permit requirement.															
Total Dissolved Solids (TDS)	mg/L	Daily Max	-	-	-	Monitor	750-1.13							-	Monitor
Consistent with 6 NYCRR Part 750-1.13 monitoring is required and may be used to inform future permitting decisions. This is a new permit requirement.															
Visual Site Observation	-	Monthly	-	-	-	Monitor	750-1.13							-	Monitor
Visual site observations are required to verify the wastewater treatment system is functioning properly.															
Septic Tank Inspection (sludge & scum)	-	Biannually	-	-	-	Monitor	750-1.13							-	Monitor
All septic tanks installed as part of this wastewater treatment system shall be inspected by the permittee for sludge and scum buildup, at a minimum of once per year.															

Appendix: Regulatory and Technical Basis of Permit Authorizations

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

Regulatory References

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

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

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

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

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.

Antidegradation Policy

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

Effluent Limitations

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

Technology-based Effluent Limitations (TBELs) for Industrial Facilities

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

USEPA Effluent Limitation Guidelines (ELGs) Applicable to Facility

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

Best Professional Judgement (BPJ)

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

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

TBELs aim to prevent pollution by requiring a minimum level of effluent quality that is attainable using demonstrated technologies for reducing discharges of pollutants or pollution into the waters of the United

States. Requirements for discharges from industrial facilities to groundwater are summarized in TOGS 1.2.1. In accordance with TOGS 1.2.1, for facilities discharging to groundwater:

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

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

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

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

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

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

Minimum Level of Detection

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

Monitoring Requirements

CWA section 308, 40 CFR 122.44(i), 6 NYCRR 750-1.13, and 750-2.5 require that monitoring be included in permits to determine compliance with effluent limitations. Additional effluent monitoring may also be required to gather data to determine if effluent limitations may be required. The permittee is responsible for conducting the monitoring and reporting results on Discharge Monitoring Reports (DMRs). The permit contains the monitoring requirements for the facility. Monitoring frequency is based on the minimum sampling necessary to adequately

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Facility: Lakewood Vineyards
SPDES Number: **NY0272248**
USEPA Non-Major/Class 04 Industrial

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Permit Writer: Bradly J. Chaffee
Water Quality Reviewer: Bradly J. Chaffee
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monitor the facility's performance and characterize the nature of the discharge of the monitored flow or pollutant. Variable effluent flows and pollutant levels may be required to be monitored at more frequent intervals than relatively constant effluent flow and pollutant levels (6 NYCRR 750-1.13). For industrial facilities, sampling frequency is based on guidance provided in TOGS 1.2.1. For municipal facilities, sampling frequency is based on guidance provided in TOGS 1.3.3.

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

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.