State Pollutant Discharge Elimination System (SPDES) DISCHARGE PERMIT

SIC Code:	**3081/3088**	NAICS Code:	**326113/326191**	SPDES Number:	**NY0001601**
Discharge Class (CL):	**01**			DEC Number:	**9-1464-00031/00004**
Toxic Class (TX):	**T**			Effective Date (EDP):	**EDP**
Major-Sub Drainage Basin:	**01 - 01**			Expiration Date (ExDP):	**ExDP**
Water Index Number:	**Ont 158**	Item No.:	**837.4 - 1**	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:	**Dupont Specialty Products USA, LLC**	Attention:	**Patrick Callahan**		
Street:	**974 Centre Rd**				
City:	**Wilmington**	State:	**DE**	Zip Code:	**19805**
Email:	**Patrick.Callahan@dupont.com**	Phone:	**(716) 879-1774**		

is authorized to discharge from the facility described below:

FACILITY NAME, ADDRESS, AND PRIMARY OUTFALL														
Name:	**Dupont Specialty Products USA, LLC**													
Address / Location:	**3115 River Rd**										County:	**Erie**		
City:	**Buffalo**						State:	**NY**			Zip Code:	**14207**		
Facility Location:		Latitude:	**42**	°	**57**	'	**58**	" N	& Longitude:	**78**	°	**54**	'	**57**	" W
Primary Outfall No.:	**001**	Latitude:	**43**	°	**04**	'	**35**	" N	& Longitude:	**78**	°	**45**	'	**27**	" W
Wastewater Description:	**Stormwater & Non-Contact Cooling Water**	Receiving Water:	**Niagara River**				NAICS:	**326113**	Class:	**A-Special**		Standard:		**A-S**

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

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

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

Permit Administrator:	
Address:	700 Delaware Avenue Buffalo, New York 14209
Signature	Date

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SUMMARY OF ADDITIONAL OUTFALLS

Outfall	Wastewater Description	NAICS Code	Outfall Latitude	Outfall Longitude
002	**Niagara River Intake**	**326113**	**42** ° **57** ' **53** " N	**78** ° **55** ' **28** " W
Receiving Water:	**Niagara River**		Class:	**A-Special**

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DEFINITIONS

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

PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL	DESCRIPTION	RECEIVING WATER	EFFECTIVE	EXPIRING
001	Stormwater & Non-Contact Cooling Water	Niagara River	EDP	ExDP

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location Inf.	Location Eff.	
Flow	Monthly Average	Monitor	MGD			Weekly	Meter	X	X	
Flow	Daily Maximum	Monitor	MGD			Weekly	Meter	X	X	
pH	Daily Minimum	6.0	SU			Weekly	Grab		X	1
	Daily Maximum	9.0	SU							1
Temperature	Daily Maximum	90	ºF			Weekly	Grab		X	1
Total Suspended Solids (TSS)	Daily Maximum	Monitor	mg/L	Monitor	lbs/d	Monthly	24-hr. Comp.		X	1
COD (Net)	Daily Maximum			600	lbs/d	Weekly	24-hr. Comp.		X	1,2
COD (Net)	Monthly Average			300	lbs/d	Weekly	24-hr. Comp.		X	1,2
Total Residual Chlorine (TRC)	Daily Maximum	0.5	mg/L			Weekly	Grab		X	1

EMERGING CONTAMINANTS OUTFALL 001		Action Level	Units	Action Level	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
Perfluorobutanoic Acid (PFBA) CAS No. 375-22-4	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Perfluoropentanoic Acid (PFPeA) CAS No. 2706-90-3	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Perfluorohexanoic Acid (PFHxA) CAS No.307-24-4	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Perfluoroheptanoic Acid (PFHpA) CAS No. 375-85-9	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Perfluorooctanoic Acid (PFOA) CAS No. 335-67-1	Daily Maximum	6.7	ng/L			1/quarter	Grab		X	1,3
Perfluoro-nonanoic Acid (PFNA) CAS No. 375-95-1	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Perfluoro-decanoic Acid (PFDA) CAS No. 335-76-2	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Perfluoroundecanoic Acid (PFUnA) CAS No. 2058-94-8	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Perfluorododecanoic Acid (PFDoA) CAS No. 307-55-1	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Perfluorotridecanoic Acid (PFTriA) CAS No. 72629-94-8	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Perfluorotetradecanoic Acid (PFTeA) CAS No. 376-06-7	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Perfluorobutanesulfonic Acid (PFBS) CAS No. 375-73-5	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Perfluoropentanesulfonic Acid (PFPeS) CAS No. 2706-91-4	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Perfluorohexanesulfonic Acid (PFHxS) CAS No. 355-46-4	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Perfluoroheptanesulfonic Acid (PFHpS) CAS No. 375-92-8	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3

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EMERGING CONTAMINANTS OUTFALL 001		Action Level	Units	Action Level	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
Perfluorooctanesulfonic Acid (PFOS) CAS No. 1763-23-1	Daily Maximum	2.7	ng/L			1/quarter	Grab		X	1.3
Perfluorononanesulfonic Acid (PFNS) CAS No. 68259-12-1	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Perfluorodecanesulfonic Acid (PFDS) CAS No. 335-77-3	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Perfluorododecanesulfonic Acid (PFDoS) CAS No. 79780-39-5	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Perfluorooctanesulfonamide (FOSA) CAS No. 754-91-6	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
N-Methyl Perfluorooctanesulfonamidoacetic Acid (NMeFOSAA) CAS No. 2355-31-9	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
N-Ethyl Perfluorooctanesulfonamidoacetic Acid (NEtFOSAA) CAS No. 2991-50-6	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
1H,1H,2H,2H-Fluorotelomer Sulfonic Acid (4:2 FTS) CAS No. 757124-72-4	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
1H,1H,2H,2H- Fluorotelomer Sulfonic Acid (6:2 FTS) CAS No. 27619-97-2	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
1H,1H,2H,2H- Fluorotelomer Sulfonic Acid (8:2 FTS) CAS No. 39108-34-4	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
N-ethyl Perfluoro-octanesulfon-amide (NEtFOSA) CAS No. 4151-50-2	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
N-Methyl Perfluorooctane Sulfonamide (NMeFOSA) CAS No. 31506-32-8	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
N-Methyl Perfluorooctanesulfonamido Ethanol (NMeFOSE) CAS No. 24448-09-7	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
N-Ethyl Perfluorooctanesulfonamido Ethanol (NEtFOSE) CAS No. 1691-99-2	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
9-Chlorohexadecafluoro-3-Oxanone-1-Sulfonic Acid (9Cl-PF3ONS) CAS No. 756426-58-1	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Hexafluoropropylene Oxide Dimer Acid (HFPO-DA or GenX) CAS No. 13252-13-6	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
11-Chloroeicosafluoro-3-Oxaundecane-1-Sulfonic Acid (11Cl-PF3OUdS) CAS No. 763051-92-9	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
4,8-Dioxa-3h-Perfluorononanoic Acid (ADONA) CAS No. 919005-14-4	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
3-Perfluoropropyl Propanoic Acid (3:3FTCA) CAS No. 356-02-5	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3

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EMERGING CONTAMINANTS OUTFALL 001		Action Level	Units	Action Level	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
2H,2H,3H,3H-Perfluorooctanoic Acid (5:3FTCA) CAS No. 914637-49-3	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
3-Perfluoroheptyl Propanoic Acid (7:3FTCA) CAS No. 812-70-4	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Nonafluoro-3,6-dioxaheptanoic Acid (NFDHA) CAS No. 151772-58-6	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Perfluoro-4-Methoxybutanoic Acid (PFMBA) CAS No. 863090-89-5	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Perfluoro-3-Methoxypropanoic Acid (PFMPA) CAS No. 377-73-1	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3
Perfluoro(2-Ethoxyethane)Sulfonic Acid (PFEESA) CAS No. 113507-82-7	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	1,3

FOOTNOTES:
See next page.

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PERMIT LIMITS, LEVELS AND MONITORING (continued)

OUTFALL	DESCRIPTION	RECEIVING WATER	EFFECTIVE	EXPIRING
002	Niagara River Intake	Niagara River	EDP	ExDP

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location Inf.	Location Eff.	
Flow	Monthly Average	Monitor	MGD			Monthly	Estimate		X	
Flow	Daily Maximum	Monitor	MGD			Monthly	Estimate		X	
pH	Daily Minimum	6.0	SU			Monthly	Grab		X	
	Daily Maximum	9.0	SU							
Temperature	Daily Maximum	90	ºF			Monthly	Grab		X	
Total Suspended Solids (TSS)	Daily Maximum	Monitor	mg/L			Monthly	Grab		X	
Oil and Grease	Daily Maximum	15.0	mg/L			Monthly	Grab		X	

EMERGING CONTAMINANTS OUTFALL 002		Action Level	Units	Action Level	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
Perfluorobutanoic Acid (PFBA) CAS No. 375-22-4	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
Perfluoropentanoic Acid (PFPeA) CAS No. 2706-90-3	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
Perfluorohexanoic Acid (PFHxA) CAS No.307-24-4	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
Perfluoroheptanoic Acid (PFHpA) CAS No. 375-85-9	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
Perfluorooctanoic Acid (PFOA) CAS No. 335-67-1	Daily Maximum	6.7	ng/L			1/quarter	Grab		X	3
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Perfluorotridecanoic Acid (PFTriA) CAS No. 72629-94-8	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
Perfluorotetradecanoic Acid (PFTeA) CAS No. 376-06-7	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
Perfluorobutanesulfonic Acid (PFBS) CAS No. 375-73-5	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
Perfluoropentanesulfonic Acid (PFPeS) CAS No. 2706-91-4	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
Perfluorohexanesulfonic Acid (PFHxS) CAS No. 355-46-4	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
Perfluoroheptanesulfonic Acid (PFHpS) CAS No. 375-92-8	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
Perfluorooctanesulfonic Acid (PFOS) CAS No. 1763-23-1	Daily Maximum	2.7	ng/L			1/quarter	Grab		X	3

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EMERGING CONTAMINANTS OUTFALL 002		Action Level	Units	Action Level	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
Perfluorononanesulfonic Acid (PFNS) CAS No. 68259-12-1	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
Perfluorodecanesulfonic Acid (PFDS) CAS No. 335-77-3	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
Perfluorododecanesulfonic Acid (PFDoS) CAS No. 79780-39-5	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
Perfluorooctanesulfonamide (FOSA) CAS No. 754-91-6	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
N-Methyl Perfluorooctanesulfonamidoacetic Acid (NMeFOSAA) CAS No. 2355-31-9	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
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1H,1H,2H,2H-Fluorotelomer Sulfonic Acid (4:2 FTS) CAS No. 757124-72-4	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
1H,1H,2H,2H- Fluorotelomer Sulfonic Acid (6:2 FTS) CAS No. 27619-97-2	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
1H,1H,2H,2H- Fluorotelomer Sulfonic Acid (8:2 FTS) CAS No. 39108-34-4	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
N-ethyl Perfluoro-octanesulfon-amide (NEtFOSA) CAS No. 4151-50-2	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
N-Methyl Perfluorooctane Sulfonamide (NMeFOSA) CAS No. 31506-32-8	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
N-Methyl Perfluorooctanesulfonamido Ethanol (NMeFOSE) CAS No. 24448-09-7	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
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9-Chlorohexadecafluoro-3-Oxanone-1-Sulfonic Acid (9Cl-PF3ONS) CAS No. 756426-58-1	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
Hexafluoropropylene Oxide Dimer Acid (HFPO-DA or GenX) CAS No. 13252-13-6	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
11-Chloroeicosafluoro-3-Oxaundecane-1-Sulfonic Acid (11Cl-PF3OUdS) CAS No. 763051-92-9	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
4,8-Dioxa-3h-Perfluorononanoic Acid (ADONA) CAS No. 919005-14-4	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
3-Perfluoropropyl Propanoic Acid (3:3FTCA) CAS No. 356-02-5	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3

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EMERGING CONTAMINANTS OUTFALL 002		Action Level	Units	Action Level	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
2H,2H,3H,3H-Perfluorooctanoic Acid (5:3FTCA) CAS No. 914637-49-3	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
3-Perfluoroheptyl Propanoic Acid (7:3FTCA) CAS No. 812-70-4	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
Nonafluoro-3,6-dioxaheptanoic Acid (NFDHA) CAS No. 151772-58-6	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
Perfluoro-4-Methoxybutanoic Acid (PFMBA) CAS No. 863090-89-5	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
Perfluoro-3-Methoxypropanoic Acid (PFMPA) CAS No. 377-73-1	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3
Perfluoro(2-Ethoxyethane)Sulfonic Acid (PFEESA) CAS No. 113507-82-7	Daily Maximum	Monitor	ng/L			1/quarter	Grab		X	3

FOOTNOTES:

1. Stormwater Sampling
   All stormwater sampling shall be in accordance with the New York State Department of Environmental Conservation SPDES Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity Permit Number GP-0-23-001, which states:

   A minimum of one grab sample must be taken from the *stormwater discharge associated with industrial activity* resulting from a storm event with at least 0.1 inch of precipitation (defined as a "measurable" event), providing the interval from the preceding measurable storm is at least 72 hours. The 72-hour storm interval is waived if the preceding measurable storm did not result in a stormwater *discharge* (e.g., a storm event in excess of 0.1 inches may not result in a stormwater *discharge* at some facilities), or if the *owner or operator* is able to document that less than a 72-hour interval is representative for local storm events during the sampling period.

   The grab sample must be taken during the first 30 minutes (or as soon thereafter as practical, but not to exceed one [1] hour) of the *discharge*. If the sampled *discharge* commingles with non-stormwater water, the *owner or operator* must attempt to sample the stormwater *discharge* before it mixes.

2. Single Intake Source Net Limits
   The footnoted parameter is subject to net limits. Each time the outfall is monitored for the parameter, the intake source water must also be monitored by collecting a grab sample for the parameter at a point after mechanical screening/filtration and prior to the addition of any water treatment chemicals. For each parameter, the value reported on the corresponding Discharge Monitoring Report shall be the concentration in the outfall minus the intake concentration. If the source water is not monitored, the intake concentration shall be assumed to be zero. If the intake concentration is greater than the outfall concentration (resulting in a negative net value), the value reported on the Discharge Monitoring Report shall be zero.

3. Emerging Contaminants Action Levels: Upon each exceedance of the Action Level(s) for PFOA and/or PFOS, perform one (1) confirmatory sample within seven (7) days of receiving the results for the parameter(s) exceeded. If confirmed exceedance, notify DEC at emergingcontaminantsdox@dec.ny.gov and initiate minimization program and continuous reporting as outlined in the Schedule of Additional Submittals. All PFAS compound sampling shall use EPA Method 1633.

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SPECIAL CONDITIONS – BTA DETERMINATION

The permittee shall submit a report, for review and approval, that describes the information to be used to support a Best Technology Available (BTA) determination under 6 NYCRR § 704.5 and the Comprehensive Demonstration Study required under 40 CFR § 125.95. At a minimum, this report must include:

1. A description of the facility and the existing cooling water intake structure and cooling system, including design intake velocity;
2. The average net generation of the facility in MWhr measured over the last 5 years, and net capacity of the facility in MW. Both of these parameters must be summarized monthly and annually;
3. A description of the physical and biological conditions in the vicinity of the cooling water intake;
4. Taxonomic identification of all fish and shellfish that are in the vicinity of the intake (including threatened or endangered species) and natural history information on each of these species;
5. A comprehensive list of all historical studies (with a short description of each study) that document impingement, entrainment, or thermal impacts at the facility. The report should discuss the relevance of these historical studies to existing facility or source waterbody conditions;
6. An estimate of impingement and entrainment under current operation, as well as an estimate of baseline and impingement and entrainment when the station is operating at full flow and full capacity;
7. A description of both the proposed or implemented technologies and operational measures to be evaluated in the Comprehensive Demonstration Study;
8. A sampling plan for any new field studies proposed to ensure that sufficient data exists to develop a scientifically valid estimate of impingement mortality and entrainment at Dupont. The sampling plan must include a description of the study area, including the area of influence of the cooling water intake structures, and provide a taxonomic identification of the sampled biological assemblages. The sampling plan must document all methods and quality assurance/quality control procedures for sampling and data analysis.
9. A summary of past or ongoing consultations with appropriate Federal or State fish and wildlife agencies with copies of any written comments received from such consultations.

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SPECIAL CONDITIONS – ZEBRA MUSSEL CONTROL PROGRAM

During the period of treatment for zebra mussel control, the discharges from the permitted facility shall be limited and monitored as specified below:

Minimum Monitoring Requirements:

Outfall Number & Parameter	Discharge Limitations		Units	Measurement Frequency	Sample Type
	Daily Avg.	Daily Max.			
001					
Chlorine, Total Residual	N/A	1.0[1]	mg/L	Daily*	Grab

*Samples shall be collected and analyzed daily for total residual chlorine during periods of chlorine addition for zebra mussel control.

[1]During Chemical Bulk Storage (CBS) inspection testing of the potable water supply sodium hypochlorite storage tanks, scheduled once every five years and coinciding with zebra mussel treatment, residual chlorine concentrations may exceed 1.0 mg/L but shall not exceeded 2.0 mg/L for a period not to exceed five days. Prior notice of CBS inspection testing shall be provided with the 48-hour prior notice for zebra mussel treatment.

The chlorine program for zebra mussel control, submitted by letter dated May 3, 1990 (as amended June 18, 2002) to the Region 9 Office, is approved with the following conditions:

1. Each individual chlorine zebra mussel control treatment shall be limited to a maximum of 18 days of continuous treatment.

2. Chlorine treatments for zebra mussel control shall be limited to a maximum of four treatments annually. Treatments shall be limited to a period prior to and immediately after spawning, following by a maximum of two additional treatments during the rest of the year.

3. Records of chlorine dosage concentration, effluent flow and effluent concentration of total residual chlorine during addition and discharge must be maintained. The flow shall be measured at the frequency specified for flow elsewhere in this permit or at the frequency of the parameter specified above, whichever is more frequent.

4. The Regional Water Engineer shall be notified not less than 48 hours before initiation of a zebra mussel control program.

5. Reports describing the results of the effectiveness of the zebra mussel control program and effluent analysis for total residual chlorine shall be submitted to the Regional Water Engineer within 60 days following each chlorine treatment.

6. This permit modification is issued based on the best environmental and aquatic toxicity information available at this time. This authorization is subject to modification or revocation any time new information becomes available which justifies such modification or revocation.

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STORMWATER POLLUTION PREVENTION REQUIREMENTS

Stormwater discharges at this facility cannot obtain coverage under the current Multi-Sector General Permit (MSGP) (GP-0-23-001). However, the permit includes select requirements consistent with the MSGP.

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BEST MANAGEMENT PRACTICES (BMPs) FOR INDUSTRIAL FACILITIES

Note that for some facilities, especially those with few employees or limited industrial activities, some of the below BMPs may not be applicable. It is acceptable in these cases to indicate "Not Applicable" for the portion(s) of the BMP Plan that do not apply to your facility, along with an explanation.

1. **General** - The permittee shall develop, maintain, and implement a Best Management Practices (BMP) plan to prevent releases of significant amounts of pollutants to the waters of the State through plant site runoff; spillage and leaks; sludge or waste disposal; and stormwater discharges including, but not limited to, drainage from raw material storage. The BMP plan shall be documented in narrative form and shall include the 13 minimum BMPs and any necessary plot plans, drawings, or maps. Other documents already prepared for the facility such as a Safety Manual or a Spill Prevention, Control and Countermeasure (SPCC) plan may be used as part of the plan and may be incorporated by reference. A copy of the current BMP plan shall be submitted to the DEC as required in item (2.) below and a copy must be maintained at the facility and shall be available to authorized DEC representatives upon request.

2. **Compliance Deadlines** - The initial BMP plan was received by the Department on 7/1/24. The BMP plan **shall be reviewed annually** and shall be modified whenever (a) changes at the facility materially increase the potential for releases of pollutants; (b) actual releases indicate the plan is inadequate, or (c) a letter from the DEC identifies inadequacies in the plan. The permittee shall certify in writing, as an attachment to the December Discharge Monitoring Report (DMR), that the annual review has been completed. Subsequent modifications to or renewal of this permit does not reset or revise these deadlines unless a new deadline is set explicitly by such permit modification or renewal.

3. **Facility Review** - The permittee shall review all facility components or systems (including but not limited to material storage areas; in-plant transfer, process, and material handling areas; loading and unloading operations; storm water, erosion, and sediment control measures; process emergency control systems; and sludge and waste disposal areas) where materials or pollutants are used, manufactured, stored or handled to evaluate the potential for the release of pollutants to the waters of the State. In performing such an evaluation, the permittee shall consider such factors as the probability of equipment failure or improper operation, cross-contamination of storm water by process materials, settlement of facility air emissions, the effects of natural phenomena such as freezing temperatures and precipitation, fires, and the facility's history of spills and leaks. The relative toxicity of the pollutant shall be considered in determining the significance of potential releases. The review shall address all substances present at the facility that are identified in the SPDES application Form NY-2C (available at https://www.dec.ny.gov/docs/permits_ej_operations_pdf/form2c.pdf) or that are required to be monitored for by the SPDES permit.

4. **13 Minimum BMPs** - Whenever the potential for a release of pollutants to State waters is determined to be present, the permittee shall identify BMPs that have been established to prevent or minimize such potential releases. Where BMPs are inadequate or absent, appropriate BMPs shall be established. In selecting appropriate BMPs, the permittee shall consider good industry practices and, where appropriate, structural measures such as secondary containment and erosion/sediment control devices and practices. USEPA guidance for development of stormwater elements of the BMP is available in *Developing Your Stormwater Pollution Prevention Plan A Guide for Industrial Operators*, February 2009, EPA 833-B-09-002. As a minimum, the plan shall include the following BMPs:

   1. BMP Pollution Prevention Team
   2. Reporting of BMP Incidents
   3. Risk Identification & Assessment
   4. Employee Training
   5. Inspections and Records
   6. Security
   7. Preventive Maintenance
   8. Good Housekeeping
   9. Materials/Waste Handling, Storage, & Compatibility
   10. Spill Prevention & Response
   11. Erosion & Sediment Control
   12. Management of Runoff
   13. Street Sweeping

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BMPs FOR INDUSTRIAL FACILITIES (continued)

5. **Stormwater Pollution Prevention Plans (SWPPPs) Required for Discharges of Stormwater from Construction Activity to Surface Waters -** A SWPPP shall be developed prior to commencing any construction activity that will result in soil disturbance of one or more acres of uncontaminated area[1]. (Note: the disturbance threshold is 5000 SF in the New York City East of Hudson Watershed). The SWPPP shall conform to the current version of the SPDES General Permit for Stormwater Discharges from Construction Activity (CGP), including the *New York Standards and Specifications for Erosion and Sediment Control* and *New York State Stormwater Management Design Manual.* The permittee shall submit a copy of the SWPPP and any amendments thereto to the local governing body and any other authorized agency having jurisdiction or regulatory control over the construction activity **at least 30 days prior to soil disturbance**. The SWPPP shall be maintained on-site and submitted to the Department only upon request. When a SWPPP is required, a properly completed *Notice of Intent* (NOI) form shall be submitted (available at www.dec.ny.gov/chemical/43133.html) prior to soil disturbance. Note that submission of the NOI is required for informational purposes; the permittee is not eligible for and will not obtain coverage under any SPDES general permit for stormwater discharges. SWPPPs must be developed for subsequent site disturbances in accordance with the above requirements. The permittee is responsible for ensuring that the provisions of each SWPPP are properly implemented.

6. **Required Sampling For "Hot Spot" Identification** - Development of the BMP plan shall include sampling of waste stream segments for the purpose of pollutant "hot spot" identification. The economic achievability of effluent limits will not be considered until plant site "hot spot" sources have been identified, contained, removed or minimized through the imposition of site specific BMPs or application of internal facility treatment technology. For the purposes of this permit condition a "hot spot" is a segment of an industrial facility (including but not limited to soil, equipment, material storage areas, sewer lines etc.) which contributes elevated levels of problem pollutants to the wastewater or stormwater collection system of that facility. For the purposes of this definition, problem pollutants are substances for which treatment to meet a water quality or technology requirement may, considering the results of waste stream segment sampling, be deemed unreasonable. For the purposes of this definition, an elevated level is a concentration or mass loading of the pollutant in question which is sufficiently higher than the concentration of that same pollutant at the compliance monitoring location so as to allow for an economically justifiable removal, isolation, or B.A.T. treatment of wastewaters emanating from the segment.

7. **Facilities with Petroleum or Chemical Bulk Storage (PBS and CBS) Areas** - Compliance must be maintained with all applicable regulations including those involving releases, registration, handling and storage (6 NYCRR 595-599 and 612-614). Stormwater discharges from handling and storage areas should be eliminated where practical.

   A. Spill Cleanup - All spilled or leaked substances must be removed from secondary containment systems as soon as practical and for CBS storage areas within 24 hours, unless written authorization is received from the DEC. The containment system must be thoroughly cleaned to remove any residual contamination which could cause contamination of stormwater and the resulting discharge of pollutants to waters of the State. Following spill cleanup the affected area must be completely flushed with clean water three times and the water removed after each flushing for proper disposal in an on-site or off-site wastewater treatment plant designed to treat such water and permitted to discharge such wastewater. Alternately, the permittee may test the first batch of stormwater following the spill cleanup to determine discharge acceptability. If the water contains no pollutants at concentrations above the applicable effluent limits or Action Levels it may be discharged. Otherwise it must be disposed of as noted above. See *Discharge Monitoring* below for the list of parameters to be sampled for.

   B. Discharge Operation - Stormwater must be removed before it compromises the required containment system capacity. Each discharge may only proceed with the prior approval of the permittee staff person responsible for ensuring SPDES permit compliance. Bulk storage secondary containment drainage systems must be locked in a closed position except when the operator is in the process of draining accumulated stormwater. Transfer area secondary containment drainage systems must be locked in a closed position during all transfers to or from these systems and must not be reopened unless the transfer area is clean of contaminants. Stormwater discharges from secondary containment systems should be avoided during periods of precipitation. A logbook shall be maintained on site noting the date, time and personnel supervising each discharge.

[1] Uncontaminated area means soils which are free of contamination by any toxic or non-conventional pollutants identified in the tables of SPDES Application Form NY-2C. Disturbance of any size contaminated area(s) and the resulting discharge of contaminated stormwater is not authorized by this permit unless the discharge is under State or Federal oversight as part of a remedial program or after review by the Regional Water Engineer; nor is such discharge authorized by any SPDES general permit for stormwater discharges.

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BMPs FOR INDUSTRIAL FACILITIES (continued)

C. Discharge Screening - Prior to each discharge from a secondary containment system the stormwater must be screened for contamination*. All stormwater must be inspected for visible evidence of contamination. Additional screening methods shall be developed by the permittee as part of the overall BMP Plan, e.g. the use of volatile gas meters to detect the presence of gross levels of gasoline or volatile organic compounds. If the screening indicates contamination, the permittee must collect and analyze a representative sample** of the stormwater. If the water contains no pollutants at concentrations above the applicable effluent limits or Action Levels it may be discharged. Otherwise it must either be disposed of in an onsite or off site wastewater treatment plant designed to treat and permitted to discharge such wastewater or the Regional Water Engineer can be contacted to determine if it may be discharged without treatment.

D. Discharge Monitoring - Unless the discharge from any bulk storage containment system outlet is identified in the SPDES permit as an outfall with explicit effluent and monitoring requirements, the permittee shall monitor the outlet as follows:

(i) *Bulk Storage Secondary Containment Systems:*

(a) The volume of each discharge from each outlet must be monitored. Discharge volume may be calculated by measuring the depth of water within the containment area times the wetted area converted to gallons or by other suitable methods. A representative sample shall be collected of the first discharge* following any cleaned up spill or leak. The sample must be analyzed for pH, the substance(s) stored within the containment area and any other pollutants the permittee knows or has reason to believe are present**.

(b) Every fourth discharge* from each outlet must be sampled for pH, the substance(s) stored within the containment area and any other pollutants the permittee knows or has reason to believe are present.**

(ii) *Transfer Area Secondary Containment Systems:*

The first discharge* following any spill or leak must be sampled for flow, pH, the substance(s) transferred in that area and any other pollutants the permittee knows or has reason to believe are present**.

E. Discharge Reporting - Any results of monitoring required above, excluding screening data, must be submitted to the Department by appending them to the corresponding DMR. Failure to perform the required discharge monitoring and reporting shall constitute a violation of the terms of the SPDES permit.

F. Prohibited Discharges - **In all cases, any discharge which contains a visible sheen, foam, or odor, or may cause or contribute to a violation of water quality is prohibited.** The following discharges are prohibited unless specifically authorized elsewhere in this SPDES permit: spills or leaks, tank bottoms, maintenance wastewaters, wash waters where detergents or other chemicals have been used, tank hydrotest and ballast waters, contained firefighting runoff, fire training water contaminated by contact with pollutants or containing foam or fire retardant additives, and unnecessary discharges of water or wastewater into secondary containment systems.

* Discharge includes stormwater discharges and snow and ice removal. If applicable, a representative sample of snow and/or ice should be collected and allowed to melt prior to assessment.

** If the stored substance is gasoline or aviation fuel then sample for oil & grease, benzene, ethylbenzene, naphthalene, toluene and total xylenes. If the stored substance is kerosene, diesel fuel, fuel oil, or lubricating oil then sample for oil & grease and polynuclear aromatic hydrocarbons (PAHs). The analytical methods selected for monitoring the stored substances are to be the most sensitive in detecting and quantifying the target analytes as approved under 40 CFR Part 136 and in compliance with NYSDOH ELAP certified methods or as directed by the Department. If the substance(s) are listed in the tables of SPDES Application Form NY-2C then sampling is required. Contact the facility inspector for further guidance. In all cases flow and pH monitoring is required.

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MERCURY MINIMIZATION PROGRAM (MMP) - Type IV

On 3/4/24, the permittee submitted a Conditional Exclusion Certification, certifying that the facility does not have any of the mercury sources listed in Part III.A.3. of DOW 1.3.10.

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

    a. Conditional Exclusion Certification - A certification (Appendix D of *DOW 1.3.10*), signed in accordance with 750-1.8 Signature of SPDES forms, must be submitted once every five (5) years to the Regional Water Engineer and to the Bureau of Water Permits certifying that Outfalls 001 and 002 for the facility are neither a mercury source nor receives flows from a mercury source. Criteria to determine if a facility has a mercury source are as follows:

    - The facility is or receives discharge from 1) individually permitted combined sewer overflow (CSOs)[3] communities and/or 2) Type II sanitary sewer overflow (SSO)[4] facilities;
    - One or more effluent samples which exceed 12 ng/L, including samples taken as a result of the SPDES application process;
    - Internal or tributary waste stream samples exceed the GLCA effluent limitation **AND** the final effluent samples are less than the GLCA due primarily to dilution by uncontaminated or less contaminated waste streams. Both components of this criterion may include samples taken as a result of the SPDES application process;
    - A permit application or other information indicates that mercury is handled on site and could be discharged through outfalls;
    - Outfalls which contain legacy mercury contamination;
    - The facility's collection system receives discharges from a dental and/or categorical industrial user (CIU)[5] that may discharge mercury;
    - The facility accepts hauled wastes; or,
    - The facility is defined as a categorical industry that may discharge mercury. This may also include dentists, universities, hospitals, or laboratories which have their own SPDES permit.

    b. Control Strategy - The control strategy must contain the following minimum elements:

    i. Equipment and Materials – Equipment and materials (e.g., thermometers, thermostats) used by the permittee, which may contain mercury, must be evaluated by the permittee. As equipment and materials containing mercury are updated/replaced, the permittee must use mercury-free alternatives, if possible.

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

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

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

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

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

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

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

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

DEFINITIONS:

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

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DISCHARGE NOTIFICATION REQUIREMENTS

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

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

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

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

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

N.Y.S. PERMITTED DISCHARGE POINT

SPDES PERMIT No.: NY_____

OUTFALL No. :____

For information about this permitted discharge contact:

Permittee Name: _____

Permittee Contact: _____

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

OR:

NYSDEC Division of Water Regional Office Address:

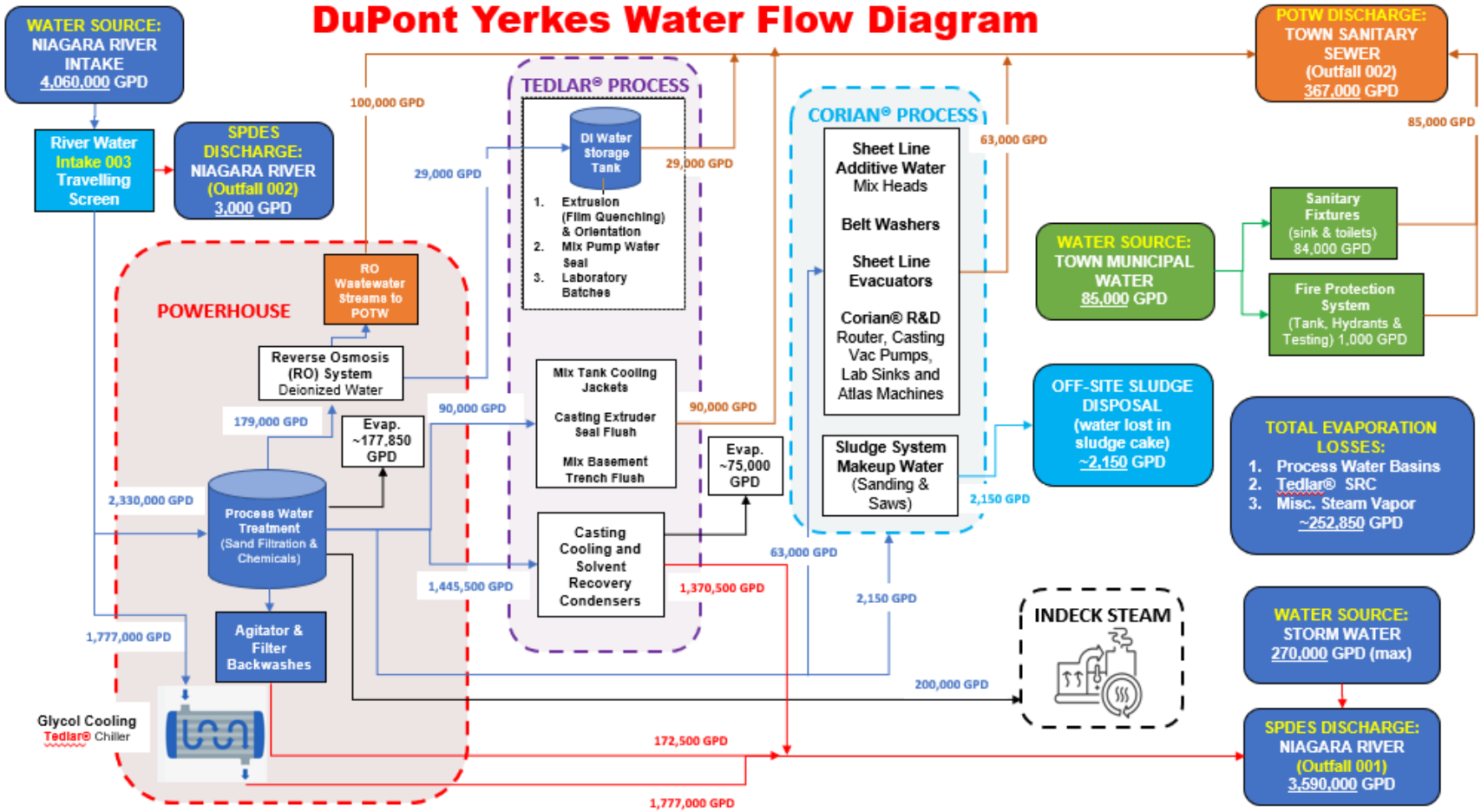
NYSDEC Division of Water Regional Phone: ( ) - ### -####

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

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

MONITORING LOCATIONS

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



GENERAL REQUIREMENTS

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

B. General Conditions

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

C. Operation and Maintenance

1.	Proper Operation & Maintenance	6 NYCRR 750-2.8
2.	Bypass	6 NYCRR 750-1.2(a)(17), 2.8(b) & 2.7
3.	Upset	6 NYCRR 750-1.2(a)(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 for non-POTWs	6 NYCRR 750-2.5, 2.6, 2.7, &1.17
2.	Anticipated noncompliance	6 NYCRR 750-2.7(a)
3.	Transfers	6 NYCRR 750-1.17
4.	Monitoring reports	6 NYCRR 750-2.5(e)
5.	Compliance schedules	6 NYCRR 750-1.14(d)
6.	24-hour reporting	6 NYCRR 750-2.7(c) & (d)
7.	Other noncompliance	6 NYCRR 750-2.7(e)
8.	Other information	6 NYCRR 750-2.1(f)

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

G. SPDES Permit Program Fee
The permittee shall pay to the DEC an annual SPDES permit program fee within 30 days of the date of the first invoice, unless otherwise directed by the DEC, and shall comply with all applicable requirements of ECL 72-0602 and 6 NYCRR Parts 480, 481 and 485. Note that if there is inconsistency between the fees specified in ECL 72-0602 and 6 NYCRR Part 485, the ECL 72-0602 fees govern.

H. Water Treatment Chemicals (WTCs)
New or increased use and discharge of a WTC requires prior DEC review and authorization. At a minimum, the permittee must notify the DEC in writing of its intent to change WTC use by submitting a completed *WTC Notification Form* for each proposed WTC. The DEC will review that submittal and determine if a SPDES permit modification is necessary or whether WTC review and authorization may proceed 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 DEC. Examples of WTCs include biocides, coagulants, conditioners, corrosion inhibitors, defoamers, deposit control agents, flocculants, scale inhibitors, sequestrants, and settling aids.

1. WTC use shall not exceed the rate explicitly authorized by this permit or otherwise authorized by the DEC.
2. The permittee shall maintain a logbook of all WTC use, noting for each WTC the date, time, exact location, and amount of each dosage, and, the name of the individual applying or measuring the chemical. The logbook must also document that adequate process controls are in place to ensure excessive levels of WTCs are not used.
3. The permittee shall submit a completed WTC Annual Report Form each year that they use and discharge WTCs. This form shall be submitted in electronic format and attached to either the December DMR or the annual monitoring report required below. The *WTC Notification Form and WTC Annual Report Form* are available from the DEC's website at: http://www.dec.ny.gov/permits/93245.html

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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 month reporting period in accordance with the DMR Manual available on DEC's website.

DMRs must be submitted electronically using the electronic reporting tool (NetDMR) specified by DEC. Instructions on the use of NetDMR can be found at: How To Complete And Submit Discharge Monitoring Reports (DMRs) - NYSDEC. **Hardcopy paper DMRs will only be accepted if a waiver from the electronic submittal requirements has been granted by DEC to the facility.**

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 9
700 Delaware Avenue, Buffalo, NY 14209

D. Schedule of Additional Submittals:

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

Outfall(s)	SCHEDULE OF ADDITIONAL SUBMITTALS - Required Action	Due Date
All	BMP PLAN The permittee shall review the completed BMP plan, submitted to this DEC on 7/1/2024, on an annual basis. The BMP plan shall be modified whenever: (a) changes at the facility materially increase the potential for releases of pollutants, (b) actual releases indicate the plan is inadequate, or (c) a letter from the DEC identifies inadequacies in the plan. The permittee shall certify in writing, as an attachment to the December Discharge Monitoring Report (DMR), that the annual review has been completed. All BMP plan revisions must be submitted to the Regional Water Engineer within 30 days.	EDP + 6 Months, Annually thereafter on January 28th
All	BTA DETERMINATION The permittee shall submit a report, for review and approval, that describes the information to be used to support a Best Technology Available (BTA) determination under 6 NYCRR § 704.5 and the Comprehensive Demonstration Study required under 40 CFR § 125.95. At a minimum, this report must include the items laid out on page 8.	EDP + 9 months
All	MERCURY MINIMIZATION PLAN 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

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Outfall(s)	SCHEDULE OF ADDITIONAL SUBMITTALS - Required Action	Due Date
All	MERCURY - CONDITIONAL EXCLUSION CERTIFICATION The permittee must submit a mercury conditional exclusion certification every five years in order to maintain MMP Type IV status.	3/4/2029 and every 5 years thereafter
All	EMERGING CONTAMINANT (EC) MINIMIZATION PROGRAM The permittee shall initiate track down of potential sources by utilizing the "Emerging Contaminants Investigation Checklist for Industrial Facilities" available at Emerging Contaminants In NY's Waters - NYSDEC.	Confirmation of initial Action Level exceedance
	The permittee shall continue track down of potential sources and submit reports summarizing: a. All EC monitoring results taken to date; b. A list of known and potential EC sources; c. All actions taken to reduce EC contaminants; and d. Proposed next steps, including implementation of the following BMPs where applicable: i. Product elimination or substitution; ii. Equipment decontamination or replacement where PFAS products have historically been used; iii. Where PFAS cannot be eliminated, isolate contaminated waste stream and investigate potential treatment options.	12 months after initiating track down and every 6 months thereafter until effluent falls below action levels for at least 12 months or until further notified by the Department

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.

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SPDES Permit Fact Sheet
Dupont Specialty Products USA, LLC
NY0001601

Contents

Summary of Permit Changes

A State Pollutant Discharge Elimination System (SPDES) EBPS permit renewal has been drafted for Dupont Specialty Products USA, LLC. The changes to the permit are summarized below:

- Updated permit format, definitions, and general conditions;
- Updated SIC code from 9999 to 3081 and 3088;
- Added new BMP requirements;
- Changed the temperature limit from 95°F to 90°F at Outfall 001;
- Added a temperature limit of 90°F at Outfall 002;
- Added a daily maximum flow monitoring requirement at Outfall 001;
- Added a TSS concentration monitoring requirement at Outfall 001;
- Changed the TSS sample frequency to monthly at Outfall 001; and
- Added a requirement for emerging contaminant monitoring with Action Levels for PFOA and PFOS.

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

2/1/2003 The last full technical review was performed and the SPDES permit became effective with a new five-year term and expiration date of 7/1/2005. The 2003 permit has formed the basis of this permit.

The permit was administratively renewed in 2005, 2010, 2015, and 2020. The current permit administrative renewal is effective until 6/30/2025.

9/25/2023 DEC issued a Request for Information (RFI) to modify and renew the SPDES permit due to the facility's EBPS score[1]. At the time of the RFI, the facility had an EBPS score of 235 and ranking of 1.

3/4/2024 The Dupont Specialty Products USA, LLC submitted a NY-2C permit application.

1/9/2025 A timely and sufficient renewal application was submitted. The current permit shall remain in effect after the 6/30/2025 expiration date under the State Administrative Procedure Act (SAPA).

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

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

Facility Information

This is an industrial facility (SIC codes 3018, 3088) that produces plastics. Effluent consists solely of stormwater and non-contact cooling water, and therefore, the effluent limit guidelines for the plastics molding and forming industry do not apply. The current treatment system includes the following treatment units:

- Sand Filters
- Reverse Osmosis

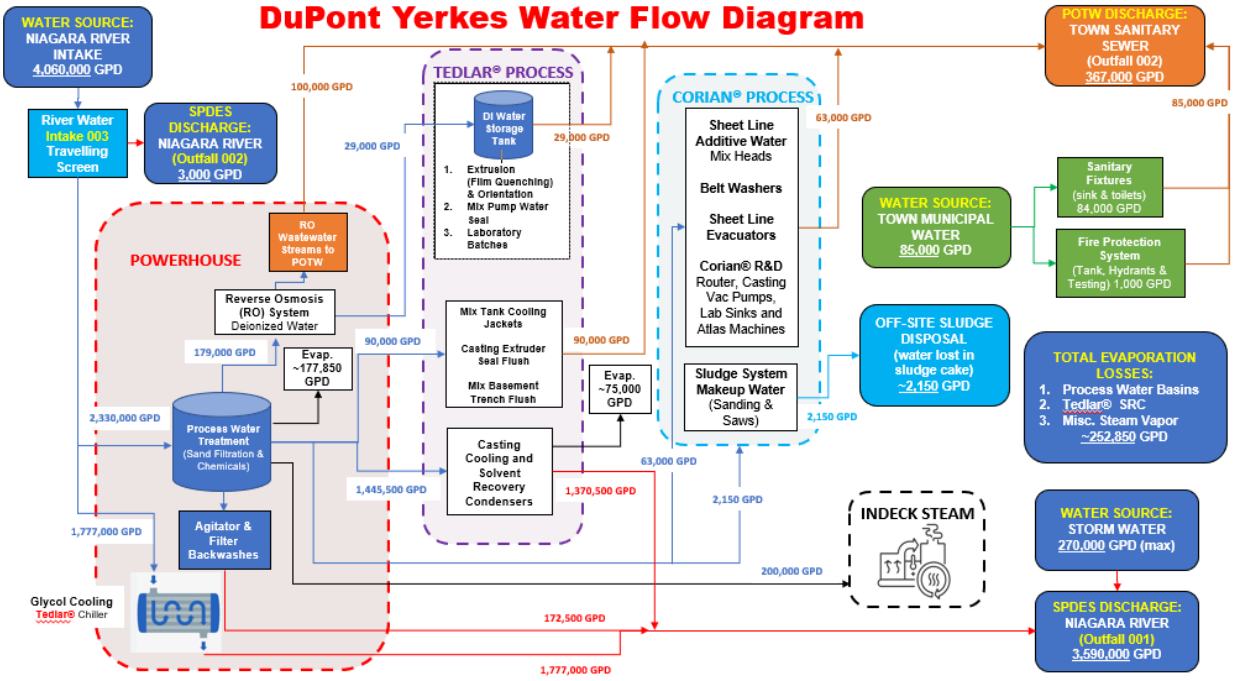
Sludge is discharged to sanitary sewers.

Outfall 001 has an average discharge flow of 3,590,000 gallons per day (gpd). Outfall 002 has an average discharge flow of 3,000 gpd.

Cooling Water Intake Structure (CWIS) Biological Monitoring

The facility currently uses a once-through cooling system to withdraw water from the Niagara River using a cooling water intake structure and is subject to the criteria governing thermal charges under 6 NYCRR Part 704.5.

Site Overview



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 7/1/2019 to 6/30/2024. Appendix Link

Interstate Water Pollution Control Agencies

Outfalls 001 and 002 are located within the Great Lakes watershed and International Joint Commission (IJC) compact area which places additional requirements in the SPDES permit. Appendix Link

Receiving Water Information

The facility discharges via the following outfalls:

Outfall No.	SIC Code	Wastewater Type	Receiving Water
001	3088, 3081	Treated Stormwater and Non-Contact Cooling Water	Niagara River, Class A Special
002	3088, 3081	Niagara River Intake	Niagara River, Class A Special

Reach Description:

Gage Information

Name	Value
USGS Station Number	04216060
Station Name	NIAGARA RIVER AT ANDERSON PARK AT BUFFALO, NY
Station Type	Miscellaneous
Latitude	42.91478
Longitude	-78.90309
NWIS Latitude	42.91477979
NWIS Longitude	-78.9030923
Is regulated?	false
Agency	United States Geological Survey

See the Outfall and Receiving Water Summary Table and Appendix for additional information.

Impaired Waterbody Information

The Niagara River segment (PWL No. 0101-0006) was first listed on the 1998 New York State Section 303(d) List of Impaired/TMDL Waters as impaired due to PCBs. Additional impairments were added in 2002 and 2006 for PAHs and pesticides, respectively. The segment continues to be listed as of the 2020-2022 NYS Section 303(d) List. A TMDL has not been developed to address the impairment and therefore, there are no applicable wasteload allocations (WLAs) for this facility.

Critical Receiving Water Data & Mixing Zone

Consistent with TOGS 1.3.1 for large rivers, the acute and chronic dilution ratios are limited to a max of 50:1 and 100:1, respectively.

Dilution Ratio = (Facility Flow + Low Flow) / Facility Flow

Outfall No.	Acute Dilution Ratio A(A)	Chronic Dilution Ratio A(C)	Human, Aesthetic, Wildlife Dilution Ratio (HEW)	Basis
001	50:1	100:1	100:1	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.

USEPA Effluent Limitation Guidelines (ELGs) Applicable to Facility

Best Practicable Control Technology Currently Available (BPT), Best Conventional Pollutant Control Technology (BCT), Best Available Technology Economically Achievable (BAT), and New Source Performance Standards (NSPS) limitations are based on Effluent Limitation Guidelines developed by USEPA for specific industries[2]. The Plastics Molding and Forming Effluent Guidelines are not applicable to this facility since no process wastewater is discharged. Appendix Link

Anti-backsliding

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

Antidegradation

The permit contains effluent limitations which ensure that the best usages of the receiving waters will be maintained. The Notice of Complete Application published in the Environmental Notice Bulletin contains information on the State Environmental Quality Review (SEQR)[3] determination.
Appendix Link

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 new.

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

Best Management Practices (BMPs) for Industrial Facilities

In accordance with 6 NYCRR 750-1.14(f) and 40 CFR 122.44(k), the permittee is required to develop and implement a BMP plan that prevents, or minimizes the potential for, the release of toxic or hazardous pollutants to state waters. The BMP plan requires annual review by the permittee.

Stormwater Pollution Prevention Requirements

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

Stormwater discharges at this facility require coverage under an individual SPDES permit and cannot obtain coverage under the current Multi-Sector General Permit (MSGP) (GP-0-23-001). However, the permit includes select requirements consistent with the MSGP. This requirement is new.

Mercury[4]

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

The facility is a Class 01 industrial facility in the Great Lakes Basin without a mercury source. On 3/4/24, the permittee submitted a Conditional Exclusion Certification, certifying that the facility does not have any of the mercury sources listed in Part III.A.3. of DOW 1.3.10 and the effluent measured <12 ng/L. Therefore, consistent with DOW 1.3.10, the permit includes requirements for the implementation of MMP Type IV and does not include mercury effluent limitations. The Schedule of Additional Submittals includes a mercury minimization plan annual status report (maintained onsite), and re-certification of the exclusion every five years. As part of the re-certification, the effluent must be sampled and continue to measure <12 ng/L. This requirement is new.

Appendix Link

Emerging Contaminant Monitoring

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

Required Sampling: Given the emerging nature of these contaminants; the USEPA's addition of PFOA and PFOS to the hazardous substance list under CERCLA; the USEPA's addition of PFOA and PFOS to the recommended contaminant monitoring list for state fish advisory programs; and pursuant to 6 NYCRR 750-1.14(f), the Department is imposing Action Levels, and minimization programs when there is confirmation those Action Levels are exceeded. This requirement is being imposed for the protection of the downstream receiving waterbody and to gather additional data needed to support establishment of TBELs.

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

Based on the available data and detections of PFOA and PFOS, Action Levels set at the human health Guidance Values (GV) of 6.7 ng/L and 2.7 ng/L, respectively, are specified with monitoring required for the remaining 38 PFAS compounds pursuant to 6 NYCRR Part 750-1.13(b). Monitoring requirements are also consistent with guidance released in EPA memos dated April 28, 2022, and December 5, 2022. Please see the Pollutant Summary Table below for more information.

Schedule of Additional Submittals

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

- Updated BMP Plan
- BTA Determination
- Mercury Minimization Plan and Conditional Exclusion Certification

Special Conditions

Zebra Mussel Control Program

During periods of treatment for zebra mussel control, discharges from the permitted facility shall be limited and monitored, with additional requirements for Total Residual Chlorine. This requirement is continued from the previous permit.

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	43° 04' 35" N	78° 45' 27" W	Niagara River	A Spcl	Ont 158 PWL: 0101-0006	01/01	-	-	40,278	-	3.59	50:1	100:1	100:1
002	42° 57' 53" N	78° 55' 28" W	Niagara River	A Spcl	Ont 158 PWL: 0101-0006	01/01	-	-	-	-	3000 GPD	-	-	-

POLLUTANT SUMMARY TABLE

Outfall 001

Outfall #	001	**Description of Wastewater:** Storm Water and Non-Contact Cooling Water **Type of Treatment:** Sand filtration and reverse osmosis													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[5]	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
General Notes: Existing discharge data from July 2019 to June 2024 was obtained from Discharge Monitoring Reports provided by the permittee. All applicable water quality standards were reviewed for development of the WQBELs. The standard and WQBEL shown below represent the most stringent.															
Flow Rate	MGD	Monthly Avg	Monitor	2.4 Min 3.6 Avg 5.0 Max	59 / 0	-	-	No alterations that will impair the waters for their best usages.					703.2	-	Monitor 750-1.13
	Flow will continue to be monitored for informational purposes and to calculate pollutant loadings. The previous permit included flow monitoring as a daily average, which has been adjusted to a monthly average.														
pH	SU	Minimum	6.0	6.6 Actual Min	59 / 0	**6.0**	40 CFR 133.102	-	-	6.5 – 8.5	Range	-	703.3	-	TBEL
		Maximum	9.0	8.3 Actual Max	59 / 0	**9.0**									
	Consistent with TOGS 1.2.1, TBELs reflect the available treatment technology listed in Attachment C. Given the available dilution, an effluent limitation equal to the TBEL is protective of the WQS.														

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

Outfall #	001	**Description of Wastewater:** Storm Water and Non-Contact Cooling Water														
		Type of Treatment: Sand filtration and reverse osmosis														
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[5]	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Temperature	°F	Daily Max	90	84.0 Actual Max	59 / 0	-	TOGS 1.2.1	-	**(Non-Trout): The water temperature at the surface of a stream shall not be raised to more than 90F at any point and... shall not be raised or lowered to more than 5F over the temperature that existed before the addition.**				704.2	-	WQBEL
	Consistent with 6 NYCRR 750-1.13(a), monitoring is required and may be used to inform future permitting decisions. The limit of 90°F is continued from the previous permit.														
Total Suspended Solids (TSS)	mg/L	Monthly Avg	-	-	-	30	TOGS 1.2.1	-	None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages.				703.2	-	Monitor
	lbs/d	Monthly Avg	Monitor	445	59 / 0	-									
	Consistent with TOGS 1.2.1, TBELs reflect the available treatment technology listed in Attachment C. The monitoring requirement is continued from the previous permit.														
Chemical Oxygen Demand (COD) (net)	mg/L	Monthly Avg	-	-	-	-	-	-	Dissolved Oxygen=6.0 mg/l (Surrogate Standard)			-	703.3	-	TBEL
		Daily Max	-	-	-	-	-					-			
	lbs/d	Monthly Avg	300	154.4	59/59	**300**	-					-			
		Daily Max	600	551.9	59/59	**600**	-					-			
	Due to the large volume of water in the Niagara River and available dilution, a WQBEL is not required to meet the D.O. standard. The TBELs are continued from the previous permit.														
Total Residual Chlorine (TRC)	mg/L	Daily Max	0.5	0.18	59 / 0	2.0	TOGS 1.2.1	-	-	0.005	A(C)	**0.50**	703.5	-	WQBEL
	The WQBEL is carried over from the previous permit.														

Outfall 001

Emerging Contaminants Outfall 001

Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[6]	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Notes: See Emerging Contaminant Monitoring section above. Effluent samples were analyzed for the 40 PFAS compounds and 1,4-Dioxane.															
Perfluoro-butanoic Acid (PFBA)	ng/L	Daily Max	-	2.2 Actual Max	3/0	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-pentanoic Acid (PFPeA)	ng/L	Daily Max	-	2.21 Actual Max	3/0	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-hexanoic Acid (PFHxA)	ng/L	Daily Max	-	2.01 Actual Max	3/0	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-heptanoic Acid (PFHpA)	ng/L	Daily Max	-	1.2 Actual Max	3/0	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-octanoic Acid (PFOA)	ng/L	Daily Max	-	2.74 Actual Max	3/0	**6.7** Action Level	BPJ	-	0.0822	6.7	H(WS)	No Reasonable Potential	TOGS 1.1.1	-	Action Level
	The projected instream concentration was calculated using the maximum measured effluent concentration of 2.74 ng/L, a multiplier of 3, the HEW dilution ratio, and an assumed negligible upstream ambient concentration. The multiplier was selected from EPA's Technical Support Document Chapter 3.3 to account for the number of samples. A comparison of the projected instream concentration to the guidance value indicates no reasonable potential to cause or contribute to a water quality violation. However, due to the presence of PFOA and the need to protect downstream waters, an action level has been established at the human health guidance value, the lowest regulatory value available. See the Emerging Contaminant section for more information.														
Perfluoro-nonanoic Acid (PFNA)	ng/L	Daily Max	-	0.579	1/2	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-decanoic Acid (PFDA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-undecanoic Acid (PFUnA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														

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

Emerging Contaminants Outfall 001

Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[6]	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Perfluoro-dodecanoic Acid (PFDoA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-tridecanoic Acid (PFTriA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-tetradecanoic Acid (PFTeA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-butanesulfonic Acid (PFBS)	ng/L	Daily Max	-	0.878 Actual Max	3/0	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-pentanesulfonic Acid (PFPeS)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-hexanesulfonic Acid (PFHxS)	ng/L	Daily Max	-	0.773 Actual Max	3/0	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-heptanesulfonic Acid (PFHpS)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-octanesulfonic Acid (PFOS)	ng/L	Daily Max	-	2.15 Actual Max	3/0	**2.7** Action Level	BPJ	-	0.0645	2.7	H(WS)	No Reasonable Potential	TOGS 1.1.1	-	Action Level
	The projected instream concentration was calculated using the maximum measured effluent concentration of 2.15 ng/L, a multiplier of 3, the HEW dilution ratio, and an assumed negligible upstream ambient concentration. The multiplier was selected from EPA's Technical Support Document Chapter 3.3 to account for the number of samples. A comparison of the projected instream concentration to the guidance value indicates no reasonable potential to cause or contribute to a water quality violation. However, due to the presence of PFOS, industrial category, and the need to protect downstream waters, an action level has been established at the human health guidance value, the lowest regulatory value available. See the Emerging Contaminant section for more information.														
Perfluoro-nonanesulfonic Acid (PFNS)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-decanesulfonic Acid (PFDS)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														

Emerging Contaminants Outfall 001

Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[6]	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Perfluoro-dodecane-sulfonic Acid (PFDoS)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-octane-sulfonamide (FOSA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
N-methyl Perfluoro-octanesulfon-amidoacetic Acid (NMeFOSAA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
N-ethyl Perfluoro-octanesulfon-amidoacetic Acid (NEtFOSAA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
4:2 Fluorotelomer Sulfonic Acid (FTS)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
6:2 Fluorotelomer Sulfonic Acid (FTS)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
8:2 Fluorotelomer Sulfonic Acid (FTS)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
N-ethyl Perfluoro-octanesulfon-amide (NEtFOSA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														

Emerging Contaminants Outfall 001

Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[6]	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
N-methyl Perfluoro-octanesulfon-amide (NMeFOSA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
N-methyl Perfluoro-octanesulfon-amidoethanol (NMeFOSE)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
N-ethyl Perfluoro-octanesulfon-amidoethanol (NEtFOSE)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
9-Chlorohexadeca-fluoro-3-oxanonane-1-sulfonic Acid (9Cl-PF3ONS)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Hexafluoro-propylene Oxide Dimer Acid (HFPO-DA or GenX)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
11-Chloroeicosafluoro-3-oxaundecane-1-sulfonic Acid (11Cl-PF3OUdS)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
4,8-Dioxa-3H-perfluorononanoic Acid (ADONA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														

Emerging Contaminants Outfall 001

Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[6]	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
3-Perfluoropropyl Propanoic Acid (3:3 FTCA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
2H,2H,3H,3H-Perfluoro-octanoic Acid (5:3 FTCA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
3-Perfluoroheptyl Propanoic Acid (7:3 FTCA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Nonafluoro-3,6-dioxaheptanoic Acid (NFDHA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-4-methoxy-butanoic Acid (PFMBA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-3-methoxy-propanoic Acid (PFMPA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro(2-ethoxyethane)sulfonic Acid (PFEESA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
1,4-Dioxane	µg/L	Daily Max	-	0.255	1/2	-	-	-	0.00765	0.35	H(WS)	No Reasonable Potential	TOGS 1.1.1	-	No Limitation
	The projected instream concentration was calculated using the maximum measured effluent concentration of 0.255 ug/L, a multiplier of 3, the HEW dilution ratio, and an assumed negligible upstream ambient concentration. The multiplier was selected from EPA's Technical Support Document Chapter 3.3 to account for the number of samples. A comparison of the projected instream concentration to the guidance value indicates no reasonable potential to cause or contribute to a water quality violation. Therefore, no limitation or monitoring is required.														

Outfall 002

Outfall #	002	**Description of Wastewater:** Niagara River Intake **Type of Treatment:** Traveling Screen													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data: Permit Limit	Existing Discharge Data: Existing Effluent Quality[7]	Existing Discharge Data: # of Data Points Detects / Non-Detects	TBELs: Limit	TBELs: Basis	Water Quality Data & WQBELs: Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis	ML	Basis for Permit Requirement
General Notes: Existing discharge data from July 2019 to June 2024 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	GPD	Monthly Avg	Monitor	3000 Min 3000 Avg 3000 Max	59 / 0	-	-	No alterations that will impair the waters for their best usages.					703.2	-	Monitor 750-1.13
Flow will continue to be monitored for informational purposes and to calculate pollutant loadings. The previous permit included flow monitoring as a daily average, which has been adjusted to a monthly average.															
pH	SU	Minimum	6.0	6.6 Actual Min	59 / 0	**6.0**	40 CFR 133.102	-	-	6.5 – 8.5	Range	-	703.3	-	TBEL
		Maximum	9.0	8.3 Actual Max	59 / 0	**9.0**									
Consistent with TOGS 1.2.1, TBELs reflect the available treatment technology listed in Attachment C. Given the available dilution, an effluent limitation equal to the TBEL is protective of the WQS.															
Temperature	°F	Daily Max	-	-	-	-	TOGS 1.2.1	-	**(Non-Trout): The water temperature at the surface of a stream shall not be raised to more than 90F at any point and... shall not be raised or lowered to more than 5F over the temperature that existed before the addition.**				704.2	-	WQBEL
Consistent with 6 NYCRR 750-1.13(a), monitoring is required and may be used to inform future permitting decisions. A limit of 90°F has been added to the permit. This requirement is new.															
Total Suspended Solids (TSS)	mg/L	Monthly Avg	-	-	-	30	40 CFR 133.102	-	None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages.				703.2	-	Monitor
	lbs/d	Monthly Avg	Monitor	445	59 / 0	-									
The monitoring requirement is continued from the previous permit.															
Additional Pollutants Detected															
Oil and Grease	mg/L	Daily Max	15	7.0	1 / 0	**15**	TOGS 1.2.1	No residue attributable to sewage, industrial wastes or other wastes, nor visible oil film nor globules of grease.				-	-		TBEL
The TBEL represents the model technology BPJ limit for oil separation.															

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

Outfall 002

Emerging Contaminants Outfall 002

Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[8]	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Notes: See Emerging Contaminant Monitoring section above. Effluent samples were analyzed for the 40 PFAS compounds and 1,4-Dioxane.															
Perfluoro-butanoic Acid (PFBA)	ng/L	Daily Max	-	1.88 Actual Max	3/0	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-pentanoic Acid (PFPeA)	ng/L	Daily Max	-	1.78	3/0	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-hexanoic Acid (PFHxA)	ng/L	Daily Max	-	1.61 Actual Max	3/0	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-heptanoic Acid (PFHpA)	ng/L	Daily Max	-	0.895 Actual Max	3/0	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-octanoic Acid (PFOA)	ng/L	Daily Max	-	1.92 Actual Max	3/0	**6.7** Action Level	BPJ	-	0.0576	6.7	H(WS)	No Reasonable Potential	TOGS 1.1.1	-	Action Level
	The projected instream concentration was calculated using the maximum measured effluent concentration of 1.92 ng/L, a multiplier of 3, the HEW dilution ratio, and an assumed negligible upstream ambient concentration. The multiplier was selected from EPA's Technical Support Document Chapter 3.3 to account for the number of samples. A comparison of the projected instream concentration to the guidance value indicates no reasonable potential to cause or contribute to a water quality violation. However, due to the presence of PFOA and the need to protect downstream waters, an action level has been established at the human health guidance value, the lowest regulatory value available. See the Emerging Contaminant section for more information.														
Perfluoro-nonanoic Acid (PFNA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-decanoic Acid (PFDA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-undecanoic Acid (PFUnA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														

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

Emerging Contaminants Outfall 002

Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[8]	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Perfluoro-dodecanoic Acid (PFDoA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-tridecanoic Acid (PFTriA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-tetradecanoic Acid (PFTeA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-butanesulfonic Acid (PFBS)	ng/L	Daily Max	-	0.71 Actual Max	3/0	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-pentanesulfonic Acid (PFPeS)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-hexanesulfonic Acid (PFHxS)	ng/L	Daily Max	-	0.758 Actual Max	3/0	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-heptanesulfonic Acid (PFHpS)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-octanesulfonic Acid (PFOS)	ng/L	Daily Max	-	1.85 Actual Max	3/0	**2.7** Action Level	BPJ	-	0.0555	2.7	H(WS)	No Reasonable Potential	TOGS 1.1.1	-	Action Level
	The projected instream concentration was calculated using the maximum measured effluent concentration of 1.85 ng/L, a multiplier of 3, the HEW dilution ratio, and an assumed negligible upstream ambient concentration. The multiplier was selected from EPA's Technical Support Document Chapter 3.3 to account for the number of samples. A comparison of the projected instream concentration to the guidance value indicates no reasonable potential to cause or contribute to a water quality violation. However, due to the presence of PFOS, industrial category, and the need to protect downstream waters, an action level has been established at the human health guidance value, the lowest regulatory value available. See the Emerging Contaminant section for more information.														
Perfluoro-nonanesulfonic Acid (PFNS)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-decanesulfonic Acid (PFDS)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														

Emerging Contaminants Outfall 002

Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[8]	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Perfluoro-dodecane-sulfonic Acid (PFDoS)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-octane-sulfonamide (FOSA)	ng/L	Daily Max	-	0.473	1/2	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
N-methyl Perfluoro-octanesulfon-amidoacetic Acid (NMeFOSAA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
N-ethyl Perfluoro-octanesulfon-amidoacetic Acid (NEtFOSAA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
4:2 Fluorotelomer Sulfonic Acid (FTS)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
6:2 Fluorotelomer Sulfonic Acid (FTS)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
8:2 Fluorotelomer Sulfonic Acid (FTS)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
N-ethyl Perfluoro-octanesulfon-amide (NEtFOSA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														

Emerging Contaminants Outfall 002

Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[8]	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
N-methyl Perfluoro-octanesulfon-amide (NMeFOSA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
N-methyl Perfluoro-octanesulfon-amidoethanol (NMeFOSE)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
N-ethyl Perfluoro-octanesulfon-amidoethanol (NEtFOSE)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
9-Chlorohexadeca-fluoro-3-oxanonane-1-sulfonic Acid (9Cl-PF3ONS)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Hexafluoro-propylene Oxide Dimer Acid (HFPO-DA or GenX)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
11-Chloroeicosafluoro-3-oxaundecane-1-sulfonic Acid (11Cl-PF3OUdS)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
4,8-Dioxa-3H-perfluorononanoic Acid (ADONA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														

Emerging Contaminants Outfall 002

Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[8]	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
3-Perfluoropropyl Propanoic Acid (3:3 FTCA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
2H,2H,3H,3H-Perfluoro-octanoic Acid (5:3 FTCA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
3-Perfluoroheptyl Propanoic Acid (7:3 FTCA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Nonafluoro-3,6-dioxaheptanoic Acid (NFDHA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-4-methoxy-butanoic Acid (PFMBA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro-3-methoxy-propanoic Acid (PFMPA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
Perfluoro(2-ethoxyethane)sulfonic Acid (PFEESA)	ng/L	Daily Max	-	ND	0/3	-	-	-	-	-	-	-	-	-	Monitor
	Monitoring has been added to support establishment of future standards or TBELs.														
1,4-Dioxane	µg/L	Daily Max	-	0.0859	2/1	-	-	-	0.00258	0.35	H(WS)	No Reasonable Potential	TOGS 1.1.1	-	No Limitation
	The projected instream concentration was calculated using the maximum measured effluent concentration of 0.0859 ug/L, a multiplier of 3, the HEW dilution ratio, and an assumed negligible upstream ambient concentration. The multiplier was selected from EPA's Technical Support Document Chapter 3.3 to account for the number of samples. A comparison of the projected instream concentration to the guidance value indicates no reasonable potential to cause or contribute to a water quality violation. Therefore, no limitation or monitoring is required.														

Appendix: Regulatory and Technical Basis of Permit Authorizations

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

Regulatory References

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

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

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

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

Outfall and Receiving Water Information

Impaired Waters

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

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

Interstate Water Pollution Control Agencies

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

Existing Effluent Quality

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

Permit Requirements

Basis for Effluent Limitations

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

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

Anti-backsliding

Anti-backsliding requirements are specified in the CWA sections 402(o) and 303(d)(4), ECL 17-0809, and regulations at 40 CFR 122.44(*l*) and 6 NYCRR 750-1.10(c) and (d). Generally, the relaxation of effluent limitations in permits is prohibited unless one of the specified exceptions applies, which will be cited on a case-by-case basis in this fact sheet. Consistent with current case law[9] and USEPA interpretation[10] 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.

[9] American Iron and Steel Institute v. Environmental Protection Agency, 115 F.3d 979, 993 n.6 (D.C. Cir. 1997)
[10] U.S. EPA, Water Quality Standards; Establishment of Numeric Criteria for Priority Toxic Pollutants for the State of California; 65 Fed. Reg. 31682, 31704 (May 18, 2000); Proposed Water Quality Guidance for the Great Lakes System, 58 Fed. Reg. 20802, 20837 & 20981 (April 16, 1993)

Antidegradation Policy

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

Effluent Limitations

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

Technology-based Effluent Limitations (TBELs) for Industrial Facilities

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

USEPA Effluent Limitation Guidelines (ELGs) Applicable to Facility

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

Best Professional Judgement (BPJ)

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

Water Quality-Based Effluent Limitations (WQBELs)

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

discharge and in downstream waters and must be consistent with any applicable WLA which may be in effect through a TMDL for the receiving water. These and other requirements are summarized in TOGS 1.1.1, 1.3.1, 1.3.2, 1.3.5 and 1.3.6. The DEC considers a mixing zone analysis, critical flows, and reasonable potential analysis when developing a WQBEL.

Mixing Zone Analyses

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

Critical Flows

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

Reasonable Potential Analysis (RPA)

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

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

2) identify water quality criteria applicable to these pollutants;

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

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

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

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

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

Whole Effluent Toxicity (WET) Testing:

WET tests use small vertebrate and invertebrate species to measure the aggregate toxicity of an effluent. There are two different durations of toxicity tests: acute and chronic. Acute toxicity tests measure survival over a 96-hour test exposure period. Chronic toxicity tests measure reductions in survival, growth, and reproduction over a 7-day exposure. TOGS 1.3.1 includes guidance for determining when aquatic toxicity testing should be included in SPDES permits. The authority to require toxicity testing is in 6NYCRR 702.9. TOGS 1.3.2 describes the procedures which should be followed when determining whether to include toxicity testing in a SPDES permit and how to implement a toxicity testing program. Per TOGS 1.3.2, WET testing may be required when any one of the following seven criteria are applicable:

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

Minimum Level of Detection

Pursuant to 40 CFR 122.44(i)(1)(iv) and 6 NYCRR 750-2.5(d), SPDES permits must contain monitoring requirements using sufficiently sensitive test procedures approved under 40 CFR Part 136. A method is "sufficiently sensitive" when the method's minimum level (ML) is at or below the level of the effluent limitation established in the permit for the measured pollutant parameter; or the lowest ML of the analytical methods

approved under 40 CFR Part 136. The ML represents the lowest level that can be measured within specified limitations of precision and accuracy during routine laboratory operations on most effluent matrices. When establishing effluent limitations for a specific parameter (based on technology or water quality requirements), it is possible that the calculated limitation will fall below the ML established by the approved analytical method(s). In these instances, the calculated limitation is included in the permit with a compliance level set equal to the ML of the most sensitive method.

Monitoring Requirements

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

Other Conditions

Mercury

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

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

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.

Best Management Practices (BMP) for Industrial Facilities

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