State Pollutant Discharge Elimination System (SPDES) DISCHARGE PERMIT

SIC Code:	**4952**	NAICS Code:	**221329**	SPDES Number:	**NY0020419**
Discharge Class (CL):	**07**			DEC Number:	**9-2942-00009/00001**
Toxic Class (TX):	**T**			Effective Date (EDP):	**EDP**
Major-Sub Drainage Basin:	**03 - 01**			Expiration Date (ExDP):	**ExDP**
Water Index Number:	**Ont 158**	Item No.:	**847 - 4**	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:	**Village of Wilson**	Attention:	**Shawn Galyen Superintendent of Public Works/Chief Operator**		
Street:	**375 Lake Street, PO Box 596**				
City:	**Wilson**	State:	**NY**	Zip Code:	**14172**
Email:	**sgalyen@villageofwilson.org**	Phone:	**(716) 751-9653**		

is authorized to discharge from the facility described below:

FACILITY NAME, ADDRESS, AND PRIMARY OUTFALL														
Name:	**Village of Wilson Sewage Treatment Plant**													
Address / Location:	**109 Ontario St**									County:	**Niagara**			
City:	**Wilson**						State:	**NY**		Zip Code:	**14172**			
Facility Location:		Latitude:	**43**	°	**19**	’	**04**	” N	& Longitude:	**78**	°	**50**	’	**06** ” W
Primary Outfall No.:	**001**	Latitude:	**43**	°	**19**	’	**04**	” N	& Longitude:	**78**	°	**50**	’	**06** ” W
Outfall Description:	**Treated Sanitary**	Receiving Water:	**Lake Ontario**						Class:	**A-S**		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)
NYSEFC (Sara.tully@efc.ny.gov)
Niagara County Health Dept.

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

Contents

SUMMARY OF ADDITIONAL OUTFALLS

Outfall	Wastewater Description	Outfall Latitude	Outfall Longitude
002	**Combined Flow (POTW + ORF)**	**43** ° **19** ' **04** " N	**78** ° **50** ' **06** " W
Receiving Water:	**Lake Ontario**		Class: **A-S**

SUMMARY OF OVERFLOW RETENTION FACILITIES (ORF) OUTFALLS

In accordance with 6 NYCRR Part 750-2.8(b)(2) and 40 CFR 122.41, bypasses of the collection and treatment system without treatment are prohibited except when (1) the bypass is necessary and unavoidable to prevent loss of life, personal injury, public health hazard, environmental degradation, or severe property damage and (2) there is no feasible alternative to the bypass and (3) the permittee complies with the notice requirements in 6 NYCRR Part 750-2.7. Pursuant to ECL 17-0505, ORF outfalls are required to be listed in permit.

The following ORF outfalls constitute approved anticipated bypasses, provided that the permittee maintains compliance with the attached effluent limits, best management practices, compliance schedule, and CMOM Plan. The discharges from the listed ORF is only allowed after the plant's full capacity has been utilized and maximized, and the capacity of the ORF has been reached. The Department reserves the right to modify these requirements.

The following onsite ORF, which discharge from the POTW, have been identified:

Outfall	Type of Discharge	Outfall Latitude					Outfall Longitude					
01A	**On-Site ORF – Internal outfall, blends with waste stream at disinfection and discharges through Outfall 002**	**43**	°	**19**	'	**03**	" N	**78**	°	**50**	'	**07**	" W
Receiving Water:	**Lake Ontario**						Class:	**A-S**					

DEFINITIONS

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

PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL	LIMITATIONS APPLY	RECEIVING WATER	EFFECTIVE	EXPIRING
001	All Year	Lake Ontario/Class A-Special		

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
								Location		
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Inf.	Eff.	
Flow	Monthly Average	0.312	MGD	-	-	Continuous	Recorder	X	-	4
Flow	Daily Maximum	Monitor	MGD	Monitor	MGD	Continuous	Recorder	X	-	4
pH	Range	6.0-9.0	SU	-	-	1/day	Grab	X	X	4
Temperature	Daily Maximum	Monitor	ºC	-	-	1/day	Grab	X	X	-
$CBOD_5$	Monthly Average	25	mg/L	65	lbs/d	1/month	24-hr. Comp.	X	X	1,2,4
$CBOD_5$	7-Day Average	40	mg/L	104	lbs/d	1/month	24-hr. Comp.	-	X	2,4
Total Suspended Solids (TSS)	Monthly Average	30	mg/L	78	lbs/d	1/month	24-hr. Comp.	X	X	1,4
Total Suspended Solids (TSS)	7-Day Average	45	mg/L	117	lbs/d	1/month	24-hr. Comp.	-	X	4
Settleable Solids	Daily Maximum	0.3	mL/L	-	-	1/day	Grab	X	X	4
Dissolved Oxygen	Daily Minimum	Monitor	mg/L	-	-	1/day	Grab	-	X	-
UOD	Monthly Average	Monitor	mg/L	208	lbs/d	1/month	24-hr. Comp.	-	X	2,3
Total Kjeldahl Nitrogen (TKN) (as N)	Monthly Average	Monitor	mg/L	-	-	1/month	24-hr. Comp.	-	X	2
Ammonia (as N) SUMMER Jun 1st -Oct 31st	Monthly Average	Monitor	mg/L	-	-	1/month	24-hr. Comp.	-	X	5
Ammonia (as N) WINTER NOV 1st -MAY 31st	Monthly Average	Monitor	mg/L	-	-	1/month	24-hr. Comp.	-	X	5
Total Phosphorus (as P)	Monthly Average	Monitor	mg/L	Monitor	lbs/d	1/month	Grab	-	X	-

EFFLUENT DISINFECTION Required All Year		Limit	Units	Limit	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
Coliform, Fecal	30-Day Geometric Mean	200	No./ 100 mL	-	-	1 / week	Grab	-	X	4,6
Coliform, Fecal	7-Day Geometric Mean	400	No./ 100 mL	-	-	1 / week	Grab	-	X	4,6
E. coli	30-Day Geometric Mean	Monitor	No./ 100 mL	-	-	1 / week	Grab	-	X	6
E. coli	7-Day Geometric Mean	Monitor	No./ 100 mL	-	-	1 / week	Grab	-	X	6

Footnotes on Next Page

FOOTNOTES:

1. Effluent shall not exceed 15% and 15% of influent concentration values for $CBOD_5$ & TSS respectively.

2. Monitoring results for $CBOD_5$ and TKN shall be used to calculate UOD.

3. Ultimate Oxygen Demand (UOD) shall be computed as follows: UOD = (1.46 × $CBOD_5$) + (4.57 × TKN).

4. The permittee shall also monitor the combined discharge from the ORF and WWTP for the parameters footnoted above, on a daily basis, whenever the ORF is discharging. For grab sampling, a second sample of the combined discharge shall be collected if the daily sample had been collected prior to an ORF discharge. No discharge, except caused by excess flows associated with the design storm for the ORF is permitted. All flows diverted from the headworks of the WWTP to the ORF and all flows discharged from the ORF shall be continuously recorded and totalized. The permittee shall append a summary of all sampling results, including records of flows collected during ORF discharge, as an attachment to the monthly operating report.

5. Reporting for Ammonia has been changed from (as NH3) to (as N) for simpler data reporting, as this is consistent with the laboratory reporting units. Values can be converted using the equation: Ammonia (as N) = Ammonia (as NH3) x 0.8224.

6. Fecal coliform and E. coli should be collected and tested concurrently, to determine the correlation, if any, between the two parameters. See Schedule of Compliance for additional monitoring guidance.

FLOW DISCHARGE PROHIBITIONS, ROUTINE MONITORING REQUIREMENTS AND EFFLUENT LIMITATIONS FOR COMBINED EFFLUENT – WWTP AND ONSITE OVERFLOW RETENTION FACILITY

OUTFALL	LIMITATIONS APPLY:	RECEIVING WATER	EFFECTIVE	EXPIRING
002 Combined Outfall (POTW +ORF)	During ORF Discharges	Lake Ontario/Class A-Special		

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
								Location		
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Inf.	Eff.	
Flow	Monthly Average	Monitor	MGD	-	-	Continuous	Recorder	X	-	1
Flow	Daily Maximum	Monitor	MGD	Monitor	MGD	Continuous	Recorder	X	-	1
pH	Range	6.0-9.0	SU	-	-	1/day	Grab	X	X	2,5
$CBOD_5$	Monthly Average	25	mg/L	65	lbs/d	1/month	24-hr. Comp.	X	X	4,8,9
$CBOD_5$	7-Day Average	40	mg/L	104	lbs/d	1/month	24-hr. Comp.	-	X	4,8,9
Total Suspended Solids (TSS)	Monthly Average	30	mg/L	78	lbs/d	1/month	24-hr. Comp.	X	X	4,8,9
Total Suspended Solids (TSS)	7-Day Average	45	mg/L	117	lbs/d	1/month	24-hr. Comp.	-	X	4,8,9
Settleable Solids	Daily Maximum	0.3	mL/L	-	-	1/day	Grab	X	X	2,4
Floatable Material	Daily Maximum	None				1/day	Visual Observation		X	6,7
Precipitation	Daily Maximum	Monitor	Inches			Hourly	Onsite Rain Gauge			10

EFFLUENT DISINFECTION Required All Year		Limit	Units	Limit	Units	Sample Frequency	Sample Type	Inf.	Eff.	FN
Coliform, Fecal	30-Day Geometric Mean	Monitor	No./ 100 mL	-	-	1 / week	Grab	-	X	3,5
Coliform, Fecal	7-Day Geometric Mean	400	No./ 100 mL	-	-	1 / week	Grab	-	X	3,5

FOOTNOTES:

1. No discharge is permitted except as caused by excess flows above the wet weather capacity of the treatment plant and the ORF. All flows are reported on the monthly operating report. Flow shall be monitored at Internal Outfall 01A prior to blending with Outfall 001.
2. Daily min/max shall be calculated based on the arithmetic mean of samples taken during any calendar day.
3. No./100 mL calculated as the geometric mean of the grab samples taken during each day of overflow.
4. Representative composite samples shall be a composite of grab samples, one taken every EIGHT hours during each day an event is occurring. Sampling shall begin within 30 minutes of the start of discharge from the ORF.
5. Grab samples and visual observation shall be collected a minimum of once every EIGHT hours during each event.

6. Visual observation is required within 30 minutes of the start of discharge, and a minimum of once every EIGHT hours during each event.
7. Report the number of days during the month where at least one visual observation indicates the presence of floatable material. The number of days during the month where at least one visual observation indicates the presence of floatable material shall be summarized and reported on the monthly operating report.
8. The seven-day average shall be calculated as the average of the results for each of the discharge days over the seven-day period. For example, if the ORF discharges for three days [or any part of a day] during the period, the average of the three days would constitute the seven-day average for the purposes of compliance.
9. Percent removal shall be calculated by subtracting the measured effluent concentration of the combined discharge from the ORF and the treatment system from the measured influent concentration and dividing the result by the influent concentration. Effluent shall not exceed 15% and 15% of influent concentration values for $CBOD_5$ & TSS respectively.
10. The permittee shall report daily and monthly total precipitation values in the monthly operating report.

SPECIAL CONDITIONS FOR OPERATION OF OVERFLOW RETENTION FACILITY

a) The permittee shall monitor the effluent from the ORF for all permitted parameters cited above at the specified monitoring frequency and sample type. This data and the sampling information required by the "Permit Limits, Levels and Monitoring" table above, shall be submitted with the monthly DMRs.

b) The facilities shall be operated in conjunction with the tributary sewer system, pump stations and the POTW treatment plant to maximize pollutant removal.

c) The contents of the ORF (i.e. captured wastewater) shall not be delivered to the POTW Treatment Plant at a rate which would exceed the peak daily or peak hourly flow or loading.

d) The permittee shall not discharge from the ORF through Outfall 01A unless either the peak hourly flow or the maximum daily design flow of the treatment process are exceeded. The peak hydraulic capacity at the WWTP is 1.0 MGD.

e) Flow shall not be delivered to the POTW treatment plant at a rate that will cause an upset as defined by 6 NYCRR Part 750-2, "Operating in Accordance with a SPDES Permit."

f) **Wet Weather Operation Plan**
The permittee shall develop and implement a Wet Weather Operation Plan (WWOP). The WWOP shall outline the optimum operational procedures to transition from dry weather operation mode to wet weather operation mode, and back to dry weather operation mode. These procedures shall be used to optimize the treatment of the maximum volume of wet weather flows possible at the treatment plant during wet weather events, while minimizing discharges through the permitted overflow retention facility (ORF) and meeting the effluent limitations in this permit. The WWOP shall be submitted to the NYSDEC Regional Water Engineer and to the Bureau of Water Permits in accordance with the Schedule of Submittals.

MERCURY MINIMIZATION PROGRAM (MMP) - Type IV

On 04/18/2023, the permittee submitted a Conditional Exclusion Certification, certifying that the facility does not have any of the mercury sources listed in Part III.A.3. of DOW 1.3.10.

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

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

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

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

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

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

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

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

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

   i. Review of criteria to determine if the facility has a potential mercury source;
      a. If the permittee no longer meets the criteria for MMP Type IV, the permittee must notify the Department 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 Department representatives and copies must be provided upon request in accordance with 6 NYCRR 750-2.1(i) and 750-2.5(c)(4).

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

   The Department 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.

DISCHARGE NOTIFICATION REQUIREMENTS

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

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

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

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

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

N.Y.S. PERMITTED DISCHARGE POINT

SPDES PERMIT No.: NY_____

OUTFALL No. :____

For information about this permitted discharge contact:

Permittee Name: _____

Permittee Contact: _____

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

OR:

NYSDEC Division of Water Regional Office Address:

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

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

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

SCHEDULE OF COMPLIANCE

a) The permittee shall comply with the following schedule:

Outfall(s)	Compliance Action	Compliance Date[5]
001	**BACTERIAL ASSESSMENT STUDY (BAS)** The permittee shall commence a side-by-side analysis of fecal coliform and Escherichia coli (E. coli) for a period of two recreational seasons[6]. The permittee must select a sufficiently sensitive method from 40 CFR Part 136 to measure E. coli concentrations. The goal of this study is to identify whether compliance with fecal coliform effluent limitations also ensures compliance with the seasonal E. coli effluent water quality standards under 6 NYCRR 703.4.	
	Interim Progress Report The permittee shall provide a status update on the Summary Report. The Progress Report shall include all raw data collected to date.	EDP + 9 Months, and every 9 Months thereafter until completion of the BAS
	Summary Report The permittee shall submit an approvable[7] summary report outlining the results of the BAS. If the BAS indicates that compliance with fecal coliform effluent limitations will ensure compliance with E. coli water quality standards, the permittee should indicate that no upgrades are required and include a certification statement that the existing system and operation is sufficient to achieve compliance with the water quality standards for E. coli. On acceptance of the permittee's certification the Schedule of Compliance items listed under "Disinfection Improvements" are deemed complete and no further action is required. The permittee may also submit, under separate cover, a permittee-initiated modification request for modification of the monitoring requirements. If the BAS indicates that compliance with fecal coliform effluent limitations is not sufficient for attainment with E. coli water quality standards, the Schedule of Compliance items listed under "Disinfection Improvements" must be completed.	EDP + 24 Months
	DISINFECTION IMPROVEMENTS If the BAS indicates that compliance with fecal coliform effluent limitations is not sufficient for attainment with E. coli water quality standards, the summary report should include potential treatment improvements or alternatives that may achieve compliance and comply with the 6 NYCRR	EDP + 24 Months

[5] 6 NYCRR 750-1.14 (a)
[6] May 1 – October 31.
[7] 6 NYCRR 750 1.2 (a)(8).

Outfall(s)	Compliance Action	Compliance Date[5]
	703.4 requirements and effluent limitations for Total Residual Chlorine, if applicable. **Preliminary Engineering Report** The permittee shall submit an approvable Preliminary Engineering Report (PER) that meets the requirements of the EFC/DEC Engineering Report Outline (https://www.dec.ny.gov/permits/6054.html). The report shall describe treatment alternatives or other control mechanisms (i.e., pretreatment program / Sewer Use Law) that may be used to comply with the final effluent limitation(s) for *Total Residual Chlorine and E. coli.* **Interim Progress Report** The permittee shall provide a status update on the disinfection improvements.	EDP + 34 months, and every 9 months thereafter until complete construction
	Design Documents The permittee shall submit approvable[2] Design Documents including a Basis of Design Report (BODR), Plans, Specifications, and Construction Schedule for the selected alternative that will ensure compliance with final effluent limitation(s) for *Total Residual Chlorine and E. coli*.	EDP + 37 months
	Complete Construction The permittee shall provide a Certificate of Completion[8] to the Department that the disposal system has been fully completed in accordance with the approved Design Documents.	EDP + 54 months
Unless noted otherwise, the above actions are one-time requirements. The permittee may certify compliance with the final effluent limitations at any time in lieu of completing required Compliance Action.		

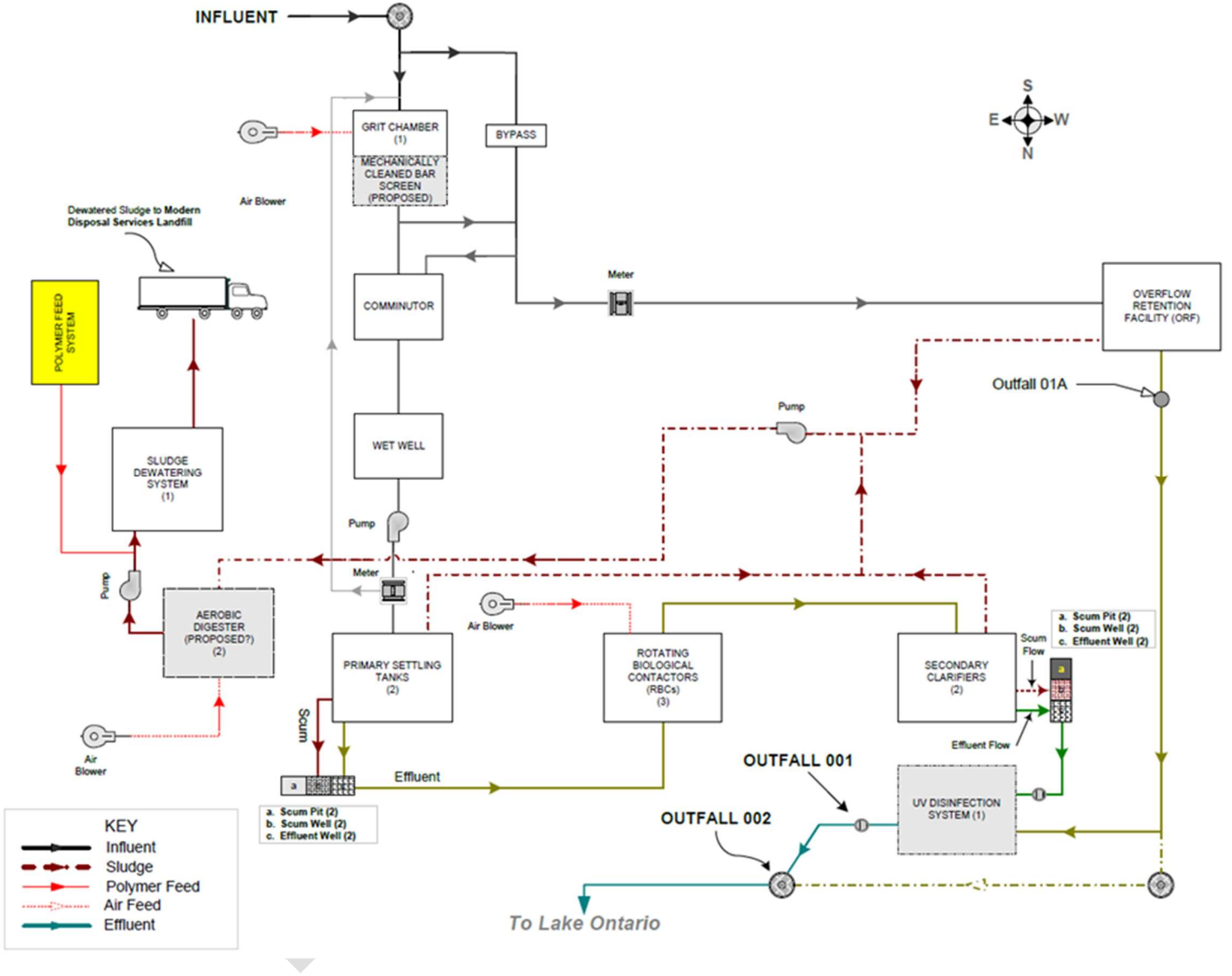
b) The permittee shall submit a Report of Non-Compliance Event form with each of the above schedule dates no later than 14 days following each elapsed date, unless conditions require more immediate notice as prescribed in 6 NYCRR Part 750-1.2(a) and 750-2. All notifications shall be sent to the locations listed under the section of this permit entitled RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS. Each notice of non-compliance shall include the following information:
   1. A short description of the non-compliance;
   2. A description of any actions taken or proposed by the permittee to comply with the elapsed schedule requirements without further delay and to limit environmental impact associated with the non-compliance;
   3. Any details which tend to explain or mitigate an instance of non-compliance; and
   4. An estimate of the date the permittee will comply with the elapsed schedule requirement and an assessment of the probability that the permittee will meet the next scheduled requirement on time.

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

[8] 6 NYCRR 750-2.10 (c)

MONITORING LOCATIONS

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



GENERAL REQUIREMENTS

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

B. General Conditions

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

C. Operation and Maintenance

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

D. Monitoring and Records

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

E. Reporting Requirements

1.	Reporting requirements	6 NYCRR 750-2.5, 2.7 & 1.17
2.	Anticipated noncompliance	6 NYCRR 750-2.7(a)
3.	Transfers	6 NYCRR 750-1.17
4.	Monitoring reports	6 NYCRR 750-2.5(e)
5.	Compliance schedules	6 NYCRR 750-1.14(d)
6.	24-hour reporting	6 NYCRR 750-2.7(c) & (d)
7.	Other noncompliance	6 NYCRR 750-2.7(e)
8.	Other information	6 NYCRR 750-2.1(f)
9.	Additional conditions applicable to a POTW	6 NYCRR 750-2.9

F. Planned Changes

1. The permittee shall give notice to the Department as soon as possible of planned physical alterations or additions to the permitted facility when:

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

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

GENERAL REQUIREMENTS (continued)

2. Notification Requirement for POTWs
   All POTWs shall provide adequate notice to the Department and the USEPA of the following:

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

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

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

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

I. Water Treatment Chemicals (WTCs)
   New or increased use and discharge of a WTC requires prior Department review and authorization. At a minimum, the permittee must notify the Department in writing of its intent to change WTC use by submitting a completed *WTC Notification Form* for each proposed WTC. The Department will review that submittal and determine if a SPDES permit modification is necessary or whether WTC review and authorization may proceed outside of the formal permit administrative process. The majority of WTC authorizations do not require SPDES permit modification. In any event, use and discharge of a WTC shall not proceed without prior authorization from the Department. Examples of WTCs include biocides, coagulants, conditioners, corrosion inhibitors, defoamers, deposit control agents, flocculants, scale inhibitors, sequestrants, and settling aids.
   1. WTC use shall not exceed the rate explicitly authorized by this permit or otherwise authorized in writing by the Department.
   2. The permittee shall maintain a logbook of all WTC use, noting for each WTC the date, time, exact location, and amount of each dosage, and, the name of the individual applying or measuring the chemical. The logbook must also document that adequate process controls are in place to ensure that excessive levels of WTCs are not used.
   3. The permittee shall submit a completed WTC Annual Report Form each year that they use and discharge WTCs. This form shall be submitted in electronic format and attached to either the December DMR or the annual monitoring report required below. The *WTC Notification Form and WTC Annual Report Form* are available from the Department's website at: http://www.dec.ny.gov/permits/93245.html

RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS

A. The monitoring information required by this permit shall be retained for a period of at least five years from the date of the sampling for subsequent inspection by the Department or its designated agent.

B. Discharge Monitoring Reports (DMRs): Completed DMR forms shall be submitted for each 1 month reporting period in accordance with the DMR Manual available on Department's website.

DMRs must be submitted electronically using the electronic reporting tool (NetDMR) specified by NYSDEC. Instructions on the use of NetDMR can be found at https://www.dec.ny.gov/chemical/8461.html. **Hardcopy paper DMRs will only be accepted if a waiver from the electronic submittal requirements has been granted by DEC to the facility.**

Attach the monthly "Wastewater Facility Operation Report" (form 92-15-7) and any required DMR attachments electronically to the DMR or with the hardcopy submittal.

The first monitoring period begins on the effective date of this permit, and, unless otherwise required, the reports are due no later than the 28th day of the month following the end of each monitoring period.

C. Additional information required to be submitted by this permit shall be summarized and reported to the Regional Water Engineer and Bureau of Water Permits at the following addresses:

Department of Environmental Conservation
Division of Water, Bureau of Water Permits
625 Broadway, Albany, New York 12233-3505 Phone: (518) 402-8111

Department of Environmental Conservation
Regional Water Engineer, Region 9
700 Delaware Avenue, Buffalo, NY 14209 Phone: (716) 841-7070

700 Delaware Avenue, Buffalo, NY 14209

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

E. Schedule of Additional Submittals:

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

SCHEDULE OF ADDITIONAL SUBMITTALS		
Outfall(s)	**Required Action**	**Due Date**
	EMERGING CONTAMINANT SHORT-TERM MONITORING PROGRAM The permittee shall collect grab samples of both the influent and effluent from the facility's treatment system(s) associated with the identified outfall for Per-and Polyfluoroalkyl Substances (PFAS) and 1,4-Dioxane (1,4-D), unless permittee receives written notification from the Department during this time that sampling can be discontinued. Samples must be analyzed utilizing EPA draft analytical method 1633 and EPA Method 8270D SIM or 8270E SIM, respectively. The samples must represent normal discharge conditions and treatment operations and shall be obtained on a quarterly basis for at least 4 consecutive quarters, unless written notification from the Department indicates otherwise. The results shall be reported through the "Emerging Contaminants Survey for POTWs" found at: https://www.dec.ny.gov/chemical/127939.html. The permittee shall initiate track down of potential sources by completing the "Emerging Contaminants Investigation Checklist for POTWs" available at the above link. The Department may periodically request updates and/or additional monitoring to check progress on track down investigations. Elements of the checklist may be used as permit conditions in future permit modifications.	EDP or EDPM + 14 months Within 90 days of DEC written notification
	WATER TREATMENT CHEMICAL (WTC) ANNUAL REPORT FORM The permittee shall submit a completed WTC Annual Report Form each year that Water Treatment Chemicals are used. The form shall be submitted with the annual monitoring report.	December 30th annually thereafter
	ANNUAL FLOW CERTIFICATION The permittee shall submit an Annual Flow Certification form each year in accordance with 750-2.9(C)(4). The form shall be attached to the February DMR or submitted through nForm.	February DMR (March 28th)
	WET WEATHER OPERATIONS PLAN (WWOP) The permittee shall submit an updated Wet Weather Operation Plan (WWOP). The WWOP shall outline the optimum operational procedures to transition from dry weather operation mode to wet weather operation mode, and back to dry weather operation mode. These procedures shall be used to optimize the treatment of the maximum volume of wet weather flows possible at the treatment plant during wet weather events, while minimizing discharges through the permitted overflow retention facility (ORF) and meeting the effluent limitations in this permit.	EDP + 6 months
	STORMWATER NO EXPOSURE CERTIFICATION Permittee must recertify every five years a condition of no exposure to stormwater in order to continue to qualify for the no exposure exclusion. The No Exposure Certification Form can be found on the NYSDEC website.	4/18/2028, and every 5 years thereafter
	MERCURY - CONDITIONAL EXCLUSION CERTIFICATION Permittee must submit a mercury conditional exclusion certification every five years in order to maintain MMP Type IV status. As part of the certification the permittee will be required to sample the effluent and measure <12 ng/L.	4/18/2028 and every 5 years thereafter
	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

SCHEDULE OF ADDITIONAL SUBMITTALS		
Outfall(s)	**Required Action**	**Due Date**
	CMOM ANNUAL REPORT The permittee shall submit an annual report describing all actions taken in the preceding year.	12/31, Annually

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

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

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

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

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

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

SPDES Permit Fact Sheet
Village of Wilson
Village of Wilson Sewage Treatment Plant
NY0020419

Contents

Summary of Permit Changes

A State Pollutant Discharge Elimination System (SPDES) EBPS permit renewal has been drafted for the Village of Wilson Sewage Treatment Plant (STP). The changes to the permit are summarized below:

Additions

- WWTP aerial imagery, engineering, and flow diagrams
- E. coli monitoring and side-by-side analysis
- Requirement for emerging contaminant monitoring
- Mercury monitoring requirements

Modifications

- Updated permit format, definitions, and general conditions
- Replaced year-round Ammonia limit with separate seasonal (Summer and Winter) limits
- Changed Ammonia limits from (as NH3) to (as N)
- Removed Enterococci monitoring requirements
- Removed Total Residual Chlorine limit (UV Disinfection)
- Removed Outfall 003 (Type I SSO)
- Reclassified facility from EPA Municipal (Class 05) to Municipal (Class 07)
- Remove “Action Levels” from Outfall 002 monitoring requirements.

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

Administrative History

9/1/2014 The last full technical review was performed and the SPDES permit became effective with a new five-year term and expiration date of 8/31/2019. The 2014 permit and subsequent modifications have formed the basis of this permit.

10/1/2014 A minor modification was issued to address typographical errors and a request to extend the due date for Total Copper sampling requirements.

11/21/2018 The current permit was extended pursuant to SAPA[1].

1/17/2023 Department reclassified facility from USEPA Major Class 05 Municipal to Non-Major Class 07 Municipal.

1/18/2023 Department issued a Request for Information (RFI) to modify and renew the SPDES permit due to the facility’s EBPS score[2]. At the time of the RFI, the facility had an EBPS score of 130 and ranking of 418 out of 13,453.

4/18/2023 The Village of Wilson submitted a NY-2A permit application.

[1] State Administrative Procedures Act Section 401(2) and 6 NYCRR 621.11(*l*)
[2] Pursuant to 6 NYCRR 750-1.18 and NYS Environmental Benefit Permit Strategy (EBPS)

5/31/2023 The Department requested the following additional information to support the NY-2A application:
- Low Level Mercury sample analyzed using EPA Method 1631E
- Additional images to supplement Detailed Mixing Zone Form.

7/6/2023 The Village submitted additional requested information.

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

Facility Information

This facility is a publicly owned treatment works that receives flow from domestic users, with effluent consisting of treated sanitary sewer. The collection system consists of combined sewers. The facility does not have any significant industrial users (SIUs).

The current 0.312 MGD treatment plant consists of:
- Preliminary Treatment: Bar Screen, Grit Screw, and Aerated Grit Chamber
- Primary Treatment: Primary clarifiers
- Secondary Treatment: RBC (Rotating Biological Contactor) units
- Tertiary Treatment: Final clarifiers
- Disinfection: Ultraviolet Disinfection

Sludge is dewatered by a belt filter press and disposed of at the Modern Disposal Services Landfill, along with collected raw grit inflow.

The primary outfall (Outfall 001) is an extended pipe discharge with a multiport diffuser.

The facility does not have any planned improvements.
The facility accepts wastewater from the following municipalities:

Municipality	POSS # or SPDES #	Collection System
Village of Wilson	NY0020419	Separate

The permittee has known Type I Sanitary Sewer Overflow (SSO) discharges. Type I SSOs are classified as permanent emergency overflow structures which are intended only for emergency discharges and are typically located at pump stations or the headworks of the treatment plant. **This Type I SSO is not authorized[3] and has been removed from the permit**. Each discharge event is evaluated against emergency discharge criteria and must be reported in accordance with the Sewage Pollution Right to Know Act (SPRTK)[4].

The facility has the following Type I SSO outfall(s):
- SSO Outfall 003 – Emergency Overflow: Manhole #51 at Harbor St. and Ontario St.

The permittee also has known Type II Sanitary Sewer Overflow (SSO) discharges. Type II SSOs are classified as discharges of partially treated sewage from an onsite Overflow Retention Facility (ORF) (Internal outfall 01A). ORFs are wastewater storage facilities designed to retain excessive flows that would otherwise be bypassed. The ORF was constructed in 1960 and is designed to

[3] Exceptions noted in 6 NYCRR 750-2.8(b)(2) and 40 CFR § 122.41(m)(4)(i)
[4] NYS Environmental Conservation Law Section 17-0826-a and 6 NYCRR 750-2.7

capture excess water when the facility's hydraulic capacity of 1.04 MGD is surpassed (design capacity 0.312 MGD). The excess flow passes through aerated grit chamber and comminutor units, then is diverted to two "excess clarifiers" constituting the facility's ORF. The excess flow is blended, via Outfall 002, with treated facility effluent prior to the UV disinfection system. Discharge from the ORF is prohibited except as noted in 6 NYCRR 750-2.8(b)(2) and 40 CFR 122.41. Discharge from the ORF is blended with the treated effluent from primary Outfall 001.

Site Overview

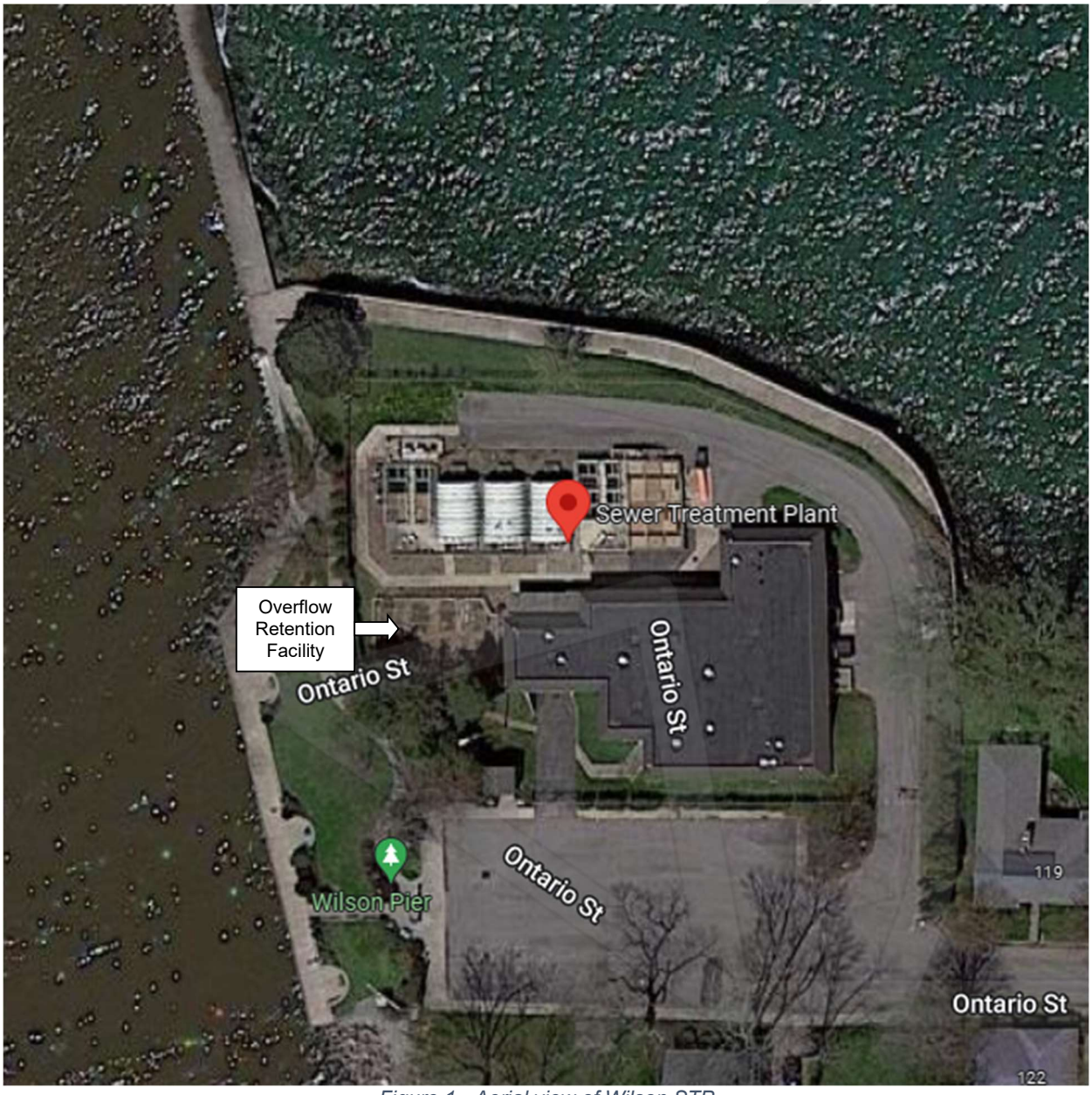


Figure 1 - Aerial view of Wilson STP

Figure 2 - Aerial view with Outfall 003 (Type I SSO – removed from permit)

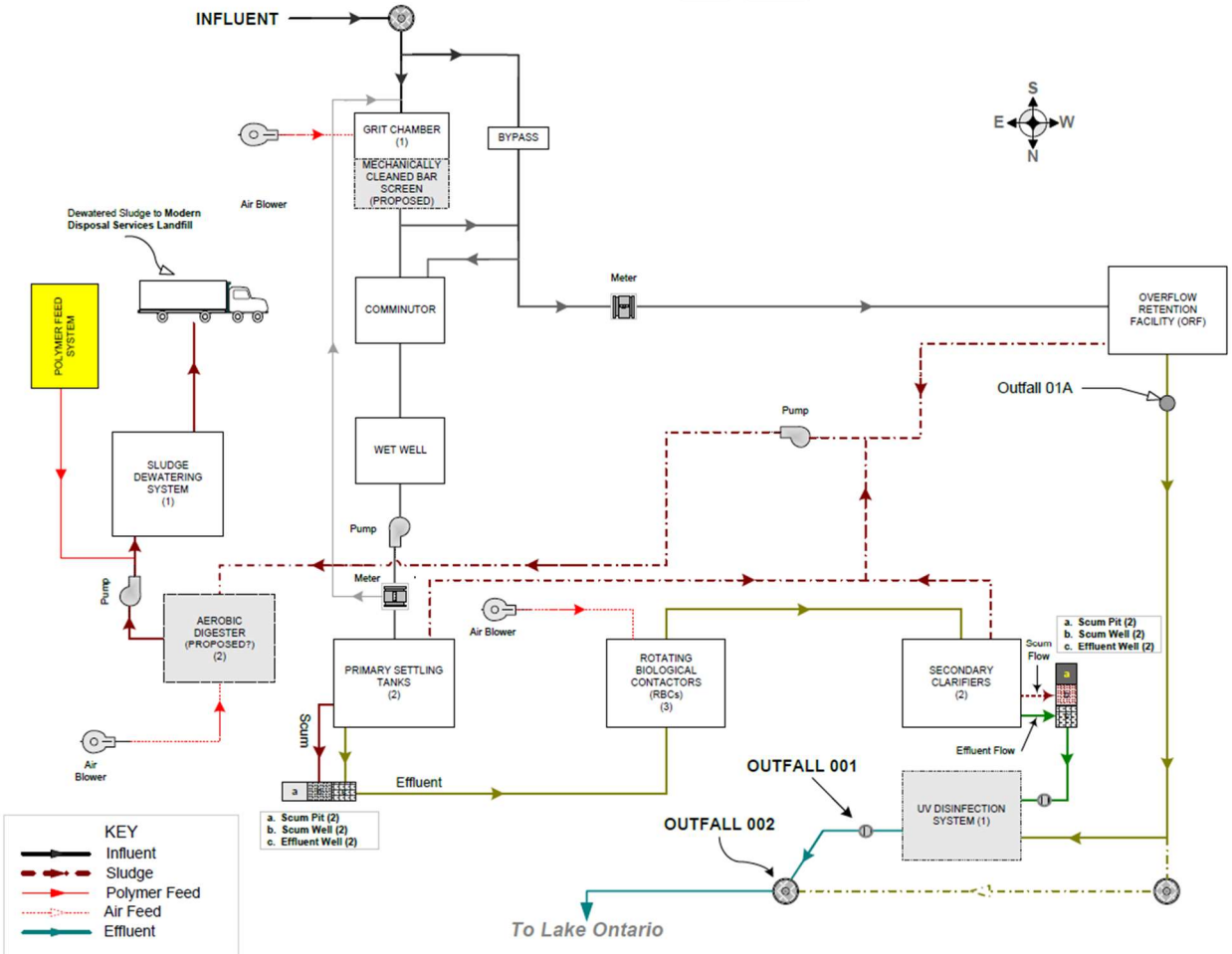


Figure 3 - Facility flow diagram

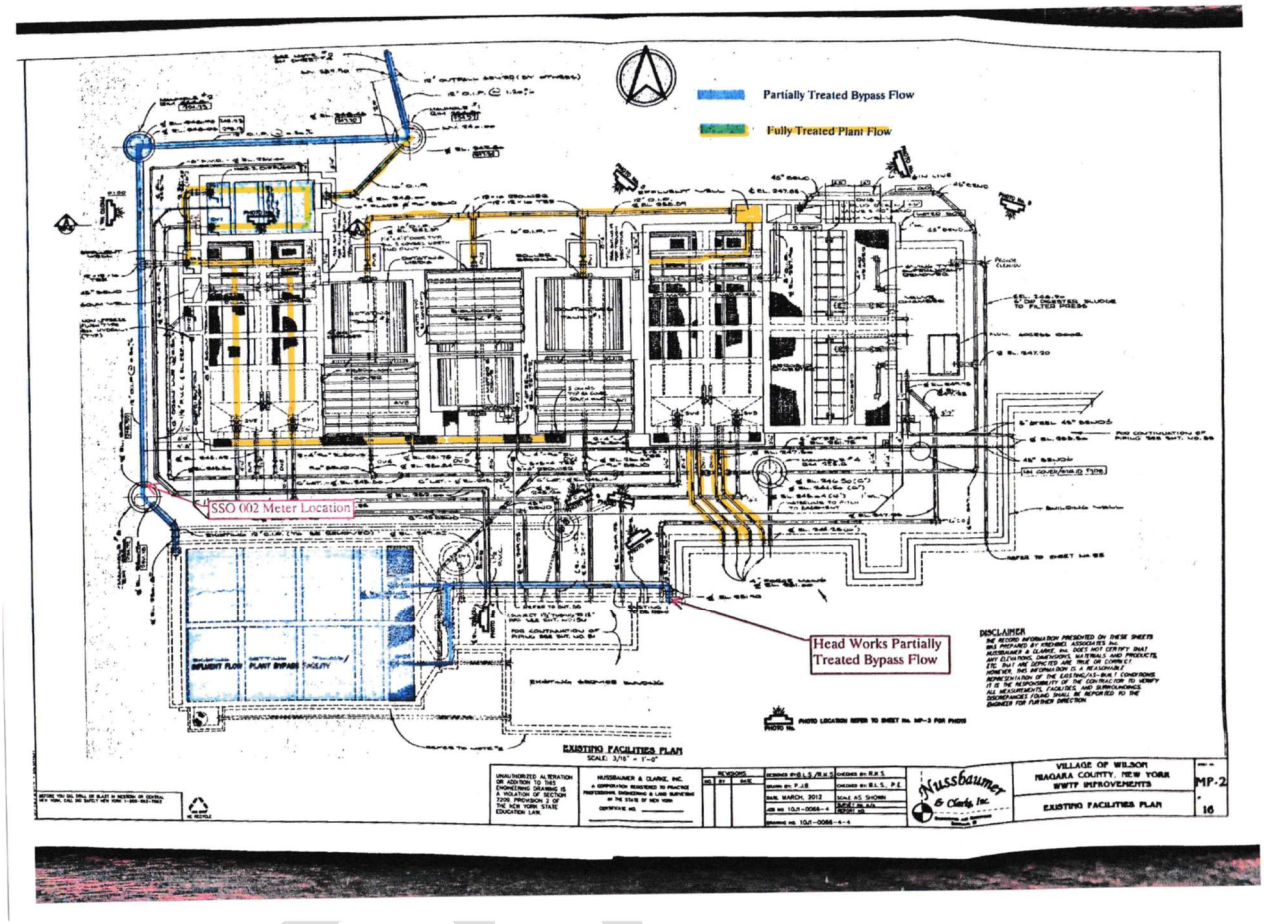
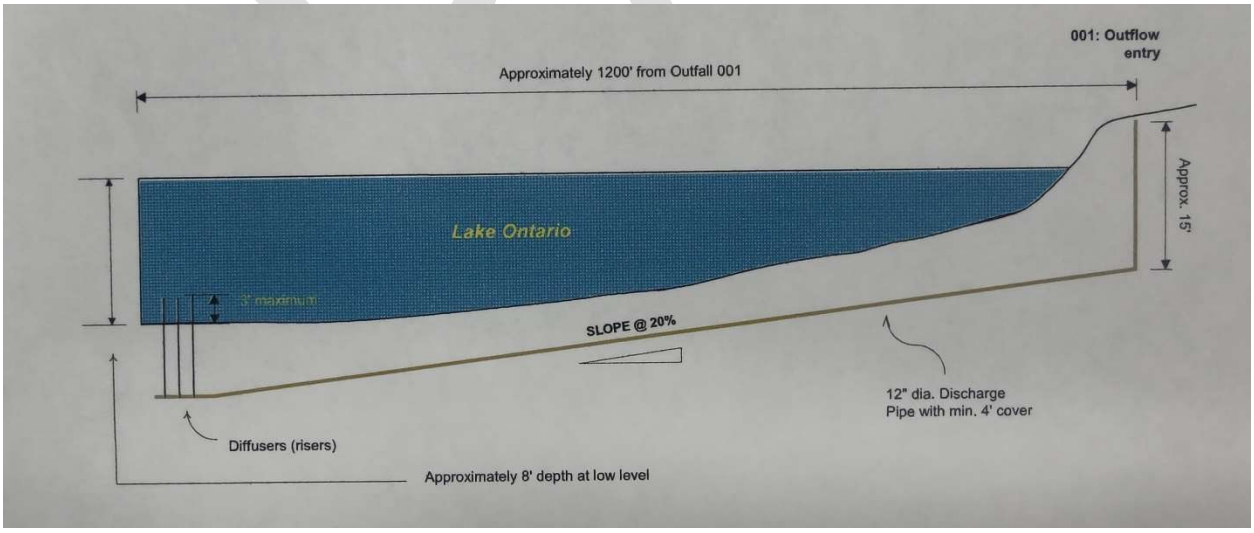


Figure 4 - WWTP overview and flow diagram



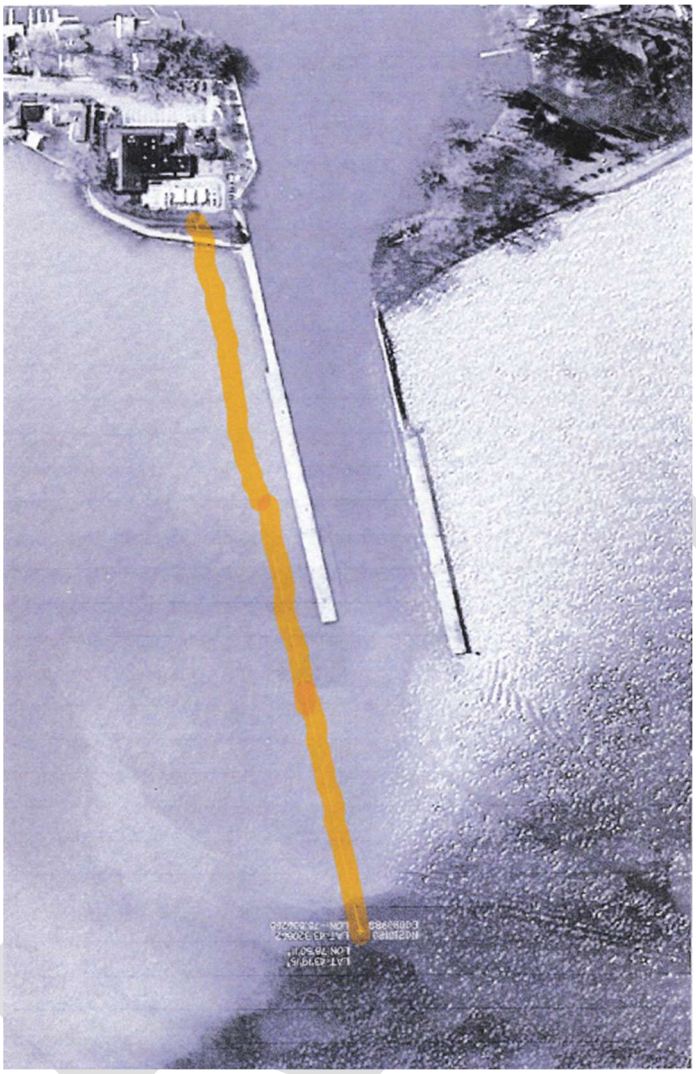


Figure 5 - Outfall 001 discharge pipe

Enforcement History

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

Existing Effluent Quality

The Pollutant Summary Table presents the existing effluent quality and effluent limitations. The existing effluent quality was determined from Discharge Monitoring Reports submitted by the permittee for the period 1/1/2018 to 1/1/2023 and the NY-2A application submitted by the permittee on 4/18/2023. Appendix Link

Interstate Water Pollution Control Agencies

Outfall(s) 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	4952	Treated Sanitary Sewage	Lake Ontario, Class A
002	4952	Combined POTW + ORF Discharge	Lake Ontario, Class A

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

Impaired Waterbody Information

The Lake Ontario segment (PWL No. 0301-0071) was first listed on the 2012 New York State Section 303(d) List of Impaired/TMDL Waters as impaired due to Fecal Coliform from Agricultural, Municipal, and other sources. The segment continues to be listed as of the 2018 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

The Wilson STP discharges into Lake Ontario. The Department allows for mixing zones, consistent with 40 CFR §131.13 and TOGS 1.3.1. Mixing zones must be limited in size and extent so that the impacts to the receiving water body are short-lived in duration. Special requirements also exist for dischargers to the Great Lakes Basin. Mixing zones in open waters of the Great Lakes follow requirements specific to 40 CFR § 132. These requirements are also included in TOGS 1.3.1.

A Mixing Zone Demonstration was completed in August 2005 for the previous SPDES permit. The August 2005 Demonstration was completed using CORMIX modeling, which allowed for calculation of near-field and far-field dilutions and associated discharge concentrations for a diffuser or pipe discharging into a lake. The CORMIX model estimated near-field/far-field dilutions of 14:1 and 20:1, corresponding to acute and chronic dilution, respectively. The dilution for Human Health/Esthetic/Wildlife (HEW) is applicable to the chronic dilution. These dilutions were applied in developing water quality-based limits for conventional parameters (20:1) and toxics (14:1 and 20:1, acute and chronic dilution; metals, toxic parameters).

Outfall No.	Acute Dilution Ratio A(A)	Chronic Dilution Ratio A(C)	Human, Aesthetic, Wildlife Dilution Ratio (HEW)	Basis
001	20:1	14:1	20:1	CORMIX

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.

Whole Effluent Toxicity (WET) Testing

Per TOGS 1.3.2: POTWs discharging less than 1.0 MGD and without a pretreatment program are not required to do WET testing. None of the seven criteria that are indicative of potential toxicity are applicable to this facility; therefore, WET testing is not included in the permit.
Appendix Link

Anti-backsliding

The effluent limitations contained in the permit are at least as stringent as the previous permit limitations 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)[5] 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 being continued from the previous permit.

Stormwater Pollution Prevention Requirements

On 4/18/2023, the permittee submitted a Conditional Exclusion for No Exposure Form, certifying that all industrial activities and materials are completely sheltered from exposure. This condition must be maintained for the exclusion to remain applicable. The schedule of submittals also includes a due date for re-certification every five years as required by 40 CFR 122.26(g)(iii). This requirement is being continued from the previous permit.

Mercury

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

The facility is a municipal (07) located in the Great Lakes Basin and does not have any known mercury sources. On 4/18/2023, 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.

[5] As prescribed by 6 NYCRR Part 617

Biennial Pollutant Scan

Three effluent samples for parameters must be submitted with an NY-2A Application[6]. The permit includes a requirement to perform biennial sampling (once every two years) of the WWTP effluent for the parameters in the NY-2A Application, Tables A – D. This requirement ensures the data is representative of effluent conditions over the permit term and will be available for the next application submittal and permit review. This is a new permit requirement.

Schedule(s) of Compliance

A Schedule of Compliance is included[7] in the permit based on a reasonable finding of the following (Appendix Link):

- Permittee cannot immediately comply with the WQBEL.
- Water quality standards will be met by the end of the Compliance Schedule
- Compliance with the final WQBEL is required as soon as possible

Items included in the Schedule of Compliance:

- ***E. coli***
  Submittal of a Bacterial Assessment Study (BAS) for ***Escherichia coli* (*E. coli*)**. The permittee will conduct a side-by-side analysis of fecal coliform and E. coli for a period of two recreational seasons. The BAS will identify whether compliance with fecal coliform effluent limitations also ensures compliance with E. coli effluent limitations under 6 NYCRR 703.4. The permittee will also submit a BAS report to the Department, including sampling data, detailing the findings of the BAS.

Schedule(s) of Additional Submittals

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

- Emerging Contaminant Short Term Monitoring Program
- WTC Annual Report
- Wet Weather Operations Plan
- Stormwater No Exposure Certification
- MMP (maintain on site)
- FROSI and ICS forms
- CMOM Annual Report

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 NYSDEC Division of Water web page: https://www.dec.ny.gov/chemical/127939.html.

[6] Pursuant to 40 CFR 122.21(j)(4)(vi).
[7] Pursuant to 6 NYCRR 750-1.14

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

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

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

Permittee: Village of Wilson
Facility: Village of Wilson Sewage Treatment Plant
SPDES Number: NY0020419
USEPA Non-Major/Class 07 Municipal

Date: February 7, 2025 v.1.13
Permit Writer: Warren Bautista
Water Quality Reviewer: Warren Bautista
Full Technical Review

OUTFALL AND RECEIVING WATER SUMMARY TABLE

Outfall	Latitude	Longitude	Receiving Water Name	Water Class	Water Index No. / Priority Waterbody Listing (PWL) No.	Major / Sub Basin	Hardness (mg/l)	Critical Effluent Flow (MGD)	Dilution Ratio		
									A(A)	A(C)	HEW
001	43° 19' 04" N	78° 50' 06" W	Lake Ontario	A	Ont (Portion 20) PWL: 0301-0071	03 / 01	73.7[8]	0.312	20:1	14:1	20:1
002								-			

POLLUTANT SUMMARY TABLE

Outfall 001

Outfall # 001	001	**Description of Wastewater:** Treated Sanitary Sewage													
		Type of Treatment: Grit Removal, Primary Clarification, Rotating Biological Contactors (RBCs) Final Clarification, UV Disinfection													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[9]	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis for WQBEL		
General Notes: Existing discharge data from 1/1/2018 to 1/1/2023 was obtained from Discharge Monitoring Reports provided by the permittee. All applicable water quality standards were reviewed for development of the WQBELs. The standard and WQBEL shown below represent the most stringent.															
Flow Rate	MGD	Monthly Avg	0.312	0.22 Actual Average	59/0	0.312	Design Flow TOGS 1.3.3	Narrative: No alterations that will impair the waters for their best usages.					6 NYCRR 703.2	-	TBEL
	Consistent with TOGS 1.3.3, a monthly average flow limitation equal to the average daily design capacity of the treatment plant is specified.														
pH	SU	Minimum	6.0	6.8 actual min	59/0	6.0	TOGS 1.3.3	7.9[10]	-	6.5 – 8.5	Range	6.5 - 8.5	6 NYCRR 703.3	-	TBEL
		Maximum	9.0	8.3 actual max	59/0	9.0									
	Consistent with TOGS 1.3.3 for POTWs, TBELs reflect secondary treatment standards. Given the available dilution an effluent limitation equal to the TBEL is reasonably protective of the WQS. Effluent limitations equal to the TBEL are protective of water quality.														

[8] Ambient hardness data obtained from DOW Monitoring Data. One sample collected

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

[10] Ambient pH obtained from DOW Monitoring Data.

Outfall # 001	001	**Description of Wastewater:** Treated Sanitary Sewage **Type of Treatment:** Grit Removal, Primary Clarification, Rotating Biological Contactors (RBCs) Final Clarification, UV Disinfection													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data: Permit Limit	Existing Discharge Data: Existing Effluent Quality[9]	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 for WQBEL	ML	Basis for Permit Requirement
Temperature	°C	Daily Max	Monitor	26	59/0	Monitor	TOGS 1.3.3	Narrative					6 NYCRR 704.2	-	Monitor
	Consistent with 6 NYCRR 750-1.13(a), monitoring is required and may be used to inform future permitting decisions. This requirement is continued from the previous permit.														
Ultimate Oxygen Demand (UOD) SUMMER 6/1 – 9/30	mg/L	Monthly Avg	Monitor	31	20/0	Monitor	6 NYCRR 750-1.13	See Dissolved Oxygen					6 NYCRR 703.3	-	TBEL
	lbs/d	Monthly Avg	208	54	20/0	208	Antibacksliding								
	The DO concentration was modeled using the Streeter-Phelps Equations. The model demonstrated that current limitations are protective of water quality, therefore, the UOD limitation is redundant. Consistent with NYCRR 750-1.11 – the existing effluent limitations from previous permit have been maintained pursuant to antibacksliding requirements.														
Dissolved Oxygen	mg/L	Daily Min	Monitor	3 Actual Min	59/0	Monitor	6 NYCRR 750-1.13	7.6	6.8 Critical Point	(Non-Trout) 4.0 mg/L	Narrative	No Reasonable Potential (RP)	6 NYCRR 703.3	-	No Limitation
(DO)	The DO concentration was modeled using the Streeter-Phelps equations and the following assumptions: Effluent DO = 0 mg/L (Assumed minimum) Effluent $CBOD_5$ = 40 mg/L (existing permit limit), Effluent NOD = 17.8 mg/L (Derived from the maximum reported TKN in the DMRs). The model demonstrated that DO standards are maintained and consequently WQBELs for DO are unnecessary.														
5-day Carbonaceous Biochemical Oxygen Demand ($CBOD_5$)	mg/L	Monthly Avg	25	12	59/0	25	40 CFR 133 TOGS 1.3.3	-	See Dissolved Oxygen			No RP	6 NYCRR 703.3	-	TBEL
		7 Day Avg	40	20	59/0	40	40 CFR 133 TOGS 1.3.3					No RP			
	lbs/d	Monthly Avg	65	21	59/0	65	Antibacksliding					No RP			
		7 Day Avg	104	34	59/0	104	Antibacksliding					No RP			
	% Rem	Minimum	-	94 Average	59/0	85	40 CFR 133 TOGS 1.3.3					-			

Outfall # 001	001	**Description of Wastewater:** Treated Sanitary Sewage **Type of Treatment:** Grit Removal, Primary Clarification, Rotating Biological Contactors (RBCs) Final Clarification, UV Disinfection

Effluent Parameter	Units	Averaging Period	Existing Discharge Data: Permit Limit	Existing Discharge Data: Existing Effluent Quality[9]	Existing Discharge Data: # of Data Points Detects / Non-Detects	TBELs: Limit	TBELs: Basis	Water Quality Data & WQBELs: Ambient Bkgd. Conc.	Water Quality Data & WQBELs: Projected Instream Conc.	Water Quality Data & WQBELs: WQ Std. or GV	Water Quality Data & WQBELs: WQ Type	Water Quality Data & WQBELs: Calc. WQBEL	Water Quality Data & WQBELs: Basis for WQBEL	ML	Basis for Permit Requirement
	Consistent with 40 CFR Part 133 and TOGS 1.3.3 for POTWs, TBELs reflect secondary treatment standards. See justification for Dissolved Oxygen. The downstream DO concentration was modeled using the Streeter-Phelps equations and the following assumptions: Effluent DO = 0 mg/L (Assumed minimum) Effluent CBOD = 37.6 mg/L (Derived from permittee submitted data), Effluent $CBOD_5$ = 40 mg/L (existing permit limit), Effluent NOD = 17.8 mg/L (Derived from the maximum reported TKN in the DMRs). The model showed that DO standards are maintained and consequently WQBELs for BOD_5 are unnecessary and the TBELs are protective of water quality. Effluent limitations equal to the TBEL are protective of water quality. .														
Total Suspended Solids (TSS)	mg/L	Daily Max	30	9.2	59/0	30	TOGS 1.3.3	-	Narrative: None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages.				6 NYCRR 703.2	-	TBEL
		7 Day Avg	45	12	59/0	45	TOGS 1.3.3								
	lbs/d	Daily Max	78	18	59/0	78	Antibacksliding								
		7 Day Avg	117	26	59/0	117	Antibacksliding								
	% Rem	Minimum	85	89 Actual Min	59/0	85	TOGS 1.3.3								
	Consistent with TOGS 1.3.3 for POTWs, TBELs reflect secondary treatment standards. Given that adequate dilution is available, an effluent limitation equal to the TBEL, and consistent with TOGS 1.3.3, is reasonably protective of water quality standards. Effluent limitations equal to the TBEL are protective of water quality.														
Settleable Solids	mL/L	Daily Max	0.3	0.15	60/0	0.3	TOGS 1.3.3	-	Narrative: None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages				6 NYCRR 703.2	-	Select
	Consistent with TOGS 1.3.3, the effluent limitation is equal to the TBEL of 0.3 mL/L for POTWs providing secondary treatment without filtration. Given that adequate dilution is available the TBEL is protective of water quality.														
Nitrogen, Ammonia, Total (as N) SUMMER June 1st – Oct. 31st	mg/L	Monthly Avg	Monitor	1.5 (as NH3) 1.2 (as N)	25/0	Monitor	6 NYCRR 750-1.13	0.08	0.25	2.0	H(WS)	No RP	6 NYCRR 703.5	-	TBEL

Outfall # 001	001	**Description of Wastewater:** Treated Sanitary Sewage **Type of Treatment:** Grit Removal, Primary Clarification, Rotating Biological Contactors (RBCs) Final Clarification, UV Disinfection													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[9]	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis for WQBEL		
	lb/d	Monthly Avg	Monitor	3.0 (as NH3) 2.5 (as N)	25/0	Monitor	6 NYCRR 750-1.13	-	-	-	-	No RP			
	The projected instream concentration was calculated using the maximum reported effluent concentration of 1.4 mg/L (as N) and a multiplier of 1.27 to account for number of samples. The WQBEL was calculated using the water quality standard from 703.5, an ambient concentration of 0.08 mg/L and application of the HEW dilution ratio. No concentration limitation is specified since the projected instream concentration is less than the water quality standard. Limits and data displayed above have been converted from ammonia (as NH_3) to (as N). Reporting for Ammonia has been changed from (as NH_3) to (as N) for simpler data reporting, as this is consistent with the laboratory reporting units. Values can be converted using the equation: Ammonia (as N) = Ammonia (as NH_3) x 0.8224. Consistent with 6 NYCRR 750-1.13(a), monitoring is required and may be used to inform future permitting decisions. This requirement is continued from the previous permit.														
Nitrogen, Ammonia, Total (as N) WINTER Nov. 1st – May 31st	mg/L	Monthly Avg	Monitor	1.1 (as NH3) 0.9 (as N)	34/0	Monitor	6 NYCRR 750-1.13	0.11	0.24	2.0	H(WS)	No RP	6 NYCRR 703.5	-	TBEL
	lb/d	Monthly Avg	Monitor	1.9 (as NH3) 1.6 (as N)	34/0	Monitor	6 NYCRR 750-1.13	-	-	-	-	No RP			
	The projected instream concentration was calculated using the maximum reported effluent concentration of 1.2 mg/L (as N) and a multiplier of 1.16 to account for number of samples. The WQBEL was calculated using the water quality standard from 703.5, an ambient concentration of 0.11 mg/L and application of the HEW dilution ratio. No concentration limitation is specified since the projected instream concentration is less than the water quality standard. Limits and data displayed above have been converted from ammonia (as NH3) to (as N). Reporting for Ammonia has been changed from (as NH3) to (as N) for simpler data reporting, as this is consistent with the laboratory reporting units. Values can be converted using the equation: Ammonia (as N) = Ammonia (as NH3) x 0.8224. Consistent with 6 NYCRR 750-1.13(a), monitoring is required and may be used to inform future permitting decisions. This requirement is continued from the previous permit.														
Total Kjeldahl Nitrogen (TKN)	mg/L	Monthly Avg	Monitor	3.6	59/0	Monitor	6 NYCRR 750-1.13	-	-	-	-	-	-	-	Monitor

Outfall # 001	001	**Description of Wastewater:** Treated Sanitary Sewage **Type of Treatment:** Grit Removal, Primary Clarification, Rotating Biological Contactors (RBCs) Final Clarification, UV Disinfection													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data: Permit Limit	Existing Discharge Data: Existing Effluent Quality[9]	Existing Discharge Data: # of Data Points Detects / Non-Detects	TBELs: Limit	TBELs: Basis	Water Quality Data & WQBELs: Ambient Bkgd. Conc.	Water Quality Data & WQBELs: Projected Instream Conc.	Water Quality Data & WQBELs: WQ Std. or GV	Water Quality Data & WQBELs: WQ Type	Water Quality Data & WQBELs: Calc. WQBEL	Water Quality Data & WQBELs: Basis for WQBEL	ML	Basis for Permit Requirement
	There is no numeric water quality standard for TKN. This parameter is necessary to calculate UOD and therefore it will remain in the permit.														
Total	mg/L	Monthly Avg	Monitor	6.7	60/0	Monitor	6 NYCRR 750-1.13	Narrative					6 NYCRR 703.2	-	TBEL
Phosphorus	lb/d	Monthly Avg	Monitor	10	60/0	Monitor	6 NYCRR 750-1.13								
	Consistent with TOGS 1.3.3, POTWs discharging to the Great Lakes with a design flow and average flow less than 1.0 MGD do not require numeric Phosphorus limitations. Monitoring is proposed for future analysis.														
Total Mercury	ng/L	12 MRA	-	3.6	10/0	-	EEQ	-	-	0.7	H(FC)	12	-	-	DOW 1.3.10
	See Mercury section of this factsheet.														
Coliform, Fecal	#/100 ml	30d Geo Mean	200	123	54/2	200	TOGS 1.3.3	-	Narrative				6 NYCRR 703.4	-	TBEL
		7d Geo Mean	400	213	54/2	400	TOGS 1.3.3	-							
Consistent with TOGS 1.3.3, effluent disinfection is required year-round due to the class of the receiving waterbody. Fecal coliform effluent limitations equal to the TBEL are specified. Significant outliers in discharge data were removed to calculate existing effluent quality (EEQ) consistent with average discharge quality. Effluent limitations equal to the TBEL are protective of water quality.															
E. coli	#/100 ml	30d Geo Mean	-	-	-	Monitor	6 NYCRR 750-1.13	-	-	126			6 NYCRR 703.4	-	TBEL
		7d Geo Mean	-	-	-	Monitor	6 NYCRR 750-1.13	-	-	410					
This pollutant was not sampled as part of the application. The Beaches Environmental Assessment and Coastal Health Act of 2000 (BEACH Act) criterion standards for Escherichia coli (E. coli) were adopted by NY and became effective November 1, 2019. As such, there is an applicable standard for the receiving waterbody's classification. E. coli is a subset of fecal coliform bacteria. Effective disinfection and compliance with fecal coliform limitations are expected to ensure compliance with the E. coli standard. A side-by-side analysis of fecal coliform and E. coli for a period of two recreational seasons is proposed.															
Total Residual Chlorine (TRC)	mg/L	Daily Max	2.0	-	-	2.0	TOGS 1.3.3	-	-	0.7	A(C)	-	6 NYCRR 703.5	-	**Discontinued**
	TRC monitoring in the previous 2014 permit applied only during the period of system upgrade to UV disinfection and ceased once upgrades were completed. Chlorine is no longer used at the WWTP; the permit requirement will therefore be discontinued.														

Permittee: Village of Wilson
Facility: Village of Wilson Sewage Treatment Plant
SPDES Number: NY0020419
USEPA Non-Major/Class 07 Municipal

Date: February 7, 2025 v.1.13
Permit Writer: Warren Bautista
Water Quality Reviewer: Warren Bautista
Full Technical Review

POLLUTANT SUMMARY TABLE

Outfall 002

Outfall # 002	002	**Description of Wastewater:** Combined Treated and Partially Treated Sanitary Sewage (POTW + ORF)													
		Type of Treatment: Grit Removal, Comminutor, Primary Clarification, Disinfection													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[11]	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis for WQBEL		
General Notes: Existing discharge data from 1/1/2018 to 1/1/2023 was obtained from Discharge Monitoring Reports (DMRs) provided by the permittee. No discharge from the ORF was recorded in the DMRs for this time period. Monitoring requirements for parameters listed below are being continued from the previous (2014) permit and obtained from Appendix J of TOGS 1.3.3. No discharge except as caused by excess flows which result from storm events that exceed the design capacity of the ORF. All flows diverted to the ORF from the headworks of the WWTP and all flows discharged into and from the ORF shall be continuously recorded and totalized. All flow records shall be summarized and reported on the monthly operating report. 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	7 Day Avg	Monitor	-	-	Monitor	TOGS 1.3.3	-					-	-	Monitor
		Daily Max	Monitor	-	-	Monitor								-	Monitor
	No discharge except as caused by excess flows which result from storm events that exceed the design capacity of the ORF. Flow will continue to be monitored for informational purposes and to calculate pollutant loadings.														
pH	SU	Minimum	6.0	-	-	6.0	TOGS 1.3.3	7.9[12]	-	-	-	-	-	-	TBEL
		Maximum	9.0	-	-	9.0									
	pH requirements are reflective of existing effluent limitations for Outfall 001 that are protective of water quality.														
5-day	mg/L	Monthly Avg	25	-	-	25	TOGS 1.3.3	-	-			-	703.3	-	TBEL
Carbonaceous Biochemical		7 Day Avg	40	-	-	40	TOGS 1.3.3					-			
($CBOD_5$)	% Rem	Minimum	85	-	-	85	TOGS 1.3.3					-			
	Consistent with and TOGS 1.3.3 for POTWs, TBELs reflect secondary treatment standards.														

[11] Existing Effluent Quality: Daily Max = 99% lognormal; Monthly Avg = 95% lognormal (for datasets with ≤3 nondetects); Daily Max = 99% delta-lognormal; Monthly Avg = 95% delta-lognormal (for datasets with >3 nondetects)
[12] Ambient pH obtained from DOW Monitoring Data.

Outfall # 002	002	**Description of Wastewater:** Combined Treated and Partially Treated Sanitary Sewage (POTW + ORF)													
		Type of Treatment: Grit Removal, Comminutor, Primary Clarification, Disinfection													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality[11]	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis for WQBEL		
Total Suspended Solids	mg/L	Monthly Avg	30	-	-	30	TOGS 1.3.3	-	Narrative				703.2	-	TBEL
	% Rem	Minimum	85	-	-	85	TOGS 1.3.3								
	Consistent with TOGS 1.3.3 for POTWs, TBELs reflect secondary treatment standards.														
Settleable Solids	mL/L	Daily Max	0.3	-	-	0.3	TOGS 1.3.3	-	Narrative				703.2	-	TBEL
	Consistent with TOGS 1.3.3, the effluent limitation is equal to the TBEL of 0.3 mL/L for POTWs providing secondary treatment without filtration. Given that adequate dilution is available the TBEL is reasonably protective of WQS.														
Coliform, Fecal	#/100 ml	Daily Max	Monitor	-	-	Monitor	6 NYCRR 750-1.13	-	Narrative				6 NYCRR 703.4	-	TBEL
		7d Geo Mean	400	-	-	400	Antibacksliding	-							
	Consistent with TOGS 1.3.3, effluent disinfection is required year-round due to the class of the receiving waterbody. Fecal coliform effluent limitations equal to the TBEL are specified. Effluent limitations equal to the TBEL are protective of water quality.														
Floatable Material	n/a (Visual)	Monthly Avg	Monitor	-	-	Monitor	6 NYCRR 750-1.13	-	Narrative				6 NYCRR 703.2	-	TBEL
	Per TOGS 1.3.3 - The discharge of floating solids, oil and grease, or solids of sewage origin which cause deposition in the receiving waters, is a violation of the NYS Narrative Water Quality Standards contained in Part 703.														
Precipitation	Inches	Hourly	Monitor	-	-	Monitor	6 NYCRR 750-1.13	-	-				-	-	Monitor
	Precipitation shall be monitored to determine the rain events which trigger the discharge from the ORF.														

Appendix: Regulatory and Technical Basis of Permit Authorizations

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

Regulatory References

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

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

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

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

Outfall and Receiving Water Information

Impaired Waters

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

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

Interstate Water Pollution Control Agencies

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

Existing Effluent Quality

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

Permit Requirements

Basis for Effluent Limitations

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

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

Anti-backsliding

Anti-backsliding requirements are specified in the CWA sections 402(o) and 303(d)(4), ECL 17-0809, and regulations at 40 CFR 122.44(*l*) and 6 NYCRR 750-1.10(c) and (d). Generally, the relaxation of effluent limitations in permits is prohibited unless one of the specified exceptions applies, which will be cited on a case-by-case basis in this factsheet. Consistent with current case law[13] and USEPA interpretation[14] 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.

[13] American Iron and Steel Institute v. Environmental Protection Agency, 115 F.3d 979, 993 n.6 (D.C. Cir. 1997)
[14] 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 and/or Best Management Practices (BMPs). CWA sections 301(b) and 402, ECL sections 17-0509, 17-0809 and 17-0811, and 6 NYCRR 750-1.11 require technology-based controls on effluents. TBELs are set based upon an evaluation of New Source Performance Standards (NSPS), Best Available Technology Economically Achievable (BAT), Best Conventional Pollutant Control Technology (BCT), Best Practicable Technology Currently Available (BPT), and/or Best Professional Judgment (BPJ).

USEPA Effluent Limitation Guidelines (ELGs) Applicable to Facility

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

Best Professional Judgement (BPJ)

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

Technology-based Effluent Limitations (TBELs)

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

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

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

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

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

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

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

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

Water Quality-Based Effluent Limitations (WQBELs)

In addition to the TBELs, permits must include additional or more stringent effluent limitations and conditions, including those necessary to protect water quality. CWA sections 101 and 301(b)(1)(C), 40 CFR 122.44(d)(1), and 6 NYCRR Parts 750-1.11 require that permits include limitations for all pollutants or parameters which are or may be discharged at a level which may cause or contribute to an exceedance of any State water quality standard adopted pursuant to NYS ECL 17-0301. Water quality standards can be found under 6 NYCRR Parts 700-704. The limitations must be stringent enough to ensure that water quality standards are met and must be consistent with any applicable WLA which may be in effect through a TMDL for the receiving water. These and other requirements are summarized in TOGS 1.1.1, 1.3.1, 1.3.2, 1.3.5 and 1.3.6. The Department considers a mixing zone analysis, critical flows, and reasonable potential analysis when developing a WQBEL.

Mixing Zone Analyses

In accordance with TOGS 1.3.1., the Department 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 Department;

2) identify water quality criteria applicable to these pollutants;

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

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

The Department uses modeling tools to estimate the expected concentrations of the pollutant in the receiving water and develop WQBELs. These tools were developed in part using the

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

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

A Watershed Maximum Daily Load (WMDL) may be developed by the Department to account for the cumulative effect of multiple discharges of conservative toxic pollutants to ensure water quality standards are met in downstream segments. The WMDL uses a simple dilution model, assuming full mix in the receiving stream, to calculate the maximum allowable pollutant load that can be discharged and still meet water quality standards during critical low flow in downstream segments such as those with sensitive receptors (e.g. public water supply) or higher water classification. WQBELs are established to ensure that the cumulative mass load from point source discharges does not exceed the maximum allowable load to ensure permit limits are protective of water quality.

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

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

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

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

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

Whole Effluent Toxicity (WET) Testing:

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

include toxicity testing in a SPDES permit and how to implement a toxicity testing program. Per TOGS 1.3.2, WET testing may be required when any one of the following seven criteria are applicable:

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

Minimum Level of Detection

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

Monitoring Requirements

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

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

Requirements for Combined Sewer Overflows (CSOs)

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

CWA Section 402(q) requires that each permit for a discharge from a municipal combined storm and sanitary sewer shall conform to EPA's Combined Sewer Overflow Control Policy.[1] The CSO Control Policy identifies specific requirements for Phase I and Phase II permits. Phase I permits must include requirements for the

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

implementation of the Nine Minimum Controls (NMCs) and development of the Long-Term CSO Control Plan (LTCP).

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

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

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

Other Conditions

Mercury

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

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

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

Schedules of Compliance

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

Schedule(s) of Additional Submittals

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

Best Management Practices (BMP) for Industrial Facilities

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

Pollutant Minimization Programs

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

Mini Industrial Pretreatment Program

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

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