

STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

In the Matter of Violations of Article 17 of
the Environmental Conservation Law and
Title 6 of the Official Compilation Of Codes,
Rules and Regulations of the State of New York

MODIFICATION OF ORDER ON CONSENT

DEC File No. R4-2007-1106-158

- by -

Town of Greenville

Respondent

WHEREAS:

1. New York State and the Department of Environmental Conservation have jurisdiction to protect the waters of the State pursuant to Environmental Conservation Law ("ECL") Article 17 and the State Pollutant Discharge Elimination System (SPDES") permit program and applicable regulations.
2. Respondent, Town of Greenville, 76 Ida Smith Lane, Greenville, New York, owns the Town of Greenville Wastewater Treatment Plant, Greenville, New York ("plant")
3. Respondent has a SPDES permit from the Department (Permit # NY0094854) for discharges from the plant.
4. Respondent is subject to Order on Consent R4-2007-1106-158 (effective December 3, 2007) ("Order"), which contains a Schedule of Compliance.
5. Item III of the Schedule of Compliance required Respondent to submit a plan and schedule for the installation of a second polishing sand filter. Respondent submitted a plan and schedule in November 2007, which was approved by the Department. The plan and schedule became enforceable under the Order.
6. Respondent has requested an extension of the compliance dates of the schedule set forth in the November 2007 plan. The Department finds good cause for agreeing to the extension.
7. Respondent has affirmatively waived their right to a hearing in the manner provided by law and has consented to the issuing of this Modification and has agreed to be bound by the terms, provisions, and conditions contained herein.

NOW, being duly advised and having considered this matter, IT IS HEREBY ORDERED THAT:

I. The schedule contained in the November 2007 plan is hereby changed accordingly:

<u>Event</u>	<u>Deadline</u>
<i>Expand filter pit and install filters</i>	<i>January 31, 2009</i>
<i>Filter start-up and fully operational</i>	<i>February 27, 2009</i>

II. The effective date of this Modification shall be the date it is signed by the Department.

III. All terms, provisions, and conditions of the Order remain in effect unless expressly modified in this Modification.

DATED: _____, 2008
Rotterdam, New York

Alexander B. Grannis
Commissioner
New York State Department of
Environmental Conservation

BY:

Eugene J. Kelly
Regional Director
Region 4

CONSENT BY RESPONDENT
Town of Greenville

Respondent hereby consents to the issuing and entering of this Order, waives their right to a hearing herein, and agrees to be bound by the provisions, terms and conditions contained herein.

BY: _____

TITLE: _____

DATE: _____

STATE OF NEW YORK)
)ss.:
COUNTY OF)

On the ___ day of _____ in the year ____ before me, the undersigned, a Notary Public in and for the State, personally appeared, _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public
Qualified in the County of:
My Commission Expires: