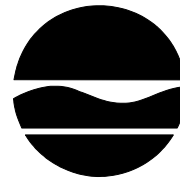


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Technical & Operational Guidance Series (TOGS)

1.2.2

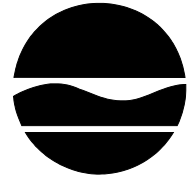
Administrative Procedures and the Environmental Benefit Permit Strategy for Individual SPDES Permits

June 4, 2003

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Date: February 5, 2003

TO: Regional Water Engineers, Bureau Directors, Section Chiefs

SUBJECT: Division of Water Technical and Operational Guidance Series (1.2.2)

ADMINISTRATIVE PROCEDURES AND ENVIRONMENTAL BENEFIT PERMIT STRATEGY FOR INDIVIDUAL SPDES PERMITS

Originators: Mr. Eaton/Mr. Mirabile

Purpose

To update and consolidate procedures for implementing the requirements for discharges authorized under the State Pollutant Discharge Elimination System (SPDES), development of new SPDES permits, and renewing, modifying, priority ranking and tracking existing SPDES permits.

Discussion

The federal Clean Water Act authorized the development of the *National Pollutant Discharge Elimination System* (NPDES) for implementing the requirements for all discharges to surface waters of the United States (NPDES does not cover discharges to ground water). The New York State Department of Environmental Conservation was subsequently charged, under New York State Environmental Conservation Law, to develop and administer the State's program for meeting the requirements of NPDES. This program, which is authorized by the United States Environmental Protection Agency, is referred to as the *State Pollutant Discharge Elimination System* (SPDES).

The SPDES program goes beyond the requirements of the federal NPDES program, in that the SPDES program also regulates discharges to ground waters of the State. The minimum threshold for applicability of SPDES to ground water discharges is 1,000 gallons per day for sanitary wastewater, while discharges which include any industrial wastewater have no minimum threshold. Discharges of less than 1000 gallons per day consisting of only sanitary wastewater are regulated by the New York State Department of Health. The Department is authorized to issue SPDES permits for ground water discharges for a maximum period of 10 years, while permits for discharges to surface waters are issued for a maximum of 5 years.

Administration of the SPDES program is accomplished through the issuance of wastewater discharge permits, including both *general* permits and *individual* permits. General SPDES permits are issued to cover a category of discharges which involve the same or similar types of operations, discharge the same types of pollutants, require the same effluent limitations or operating conditions, require the same or similar monitoring, and do not have a significant impact on the environment, either individually or cumulatively, when carried out in conformance with permit provisions. Discharges for which general SPDES permits are issued include the categories of small sanitary discharges to ground water of 1000 to 10,000 gallons per day (GP-95-01), storm water discharges associated with industrial activity (GP-98-03), storm water discharges associated with construction (GP-93-06), and concentrated animal feeding operations (GP-99-01). Individual SPDES permits are issued to cover a single facility in one location and which is unique with respect to discharge characteristics and other factors. It should be noted that the EBPS applies only to individual SPDES permits and does not apply to the Department's general SPDES permit programs.

The Division of Water manages more than 8,400 active individual SPDES permits for wastewater discharges to surface and ground waters. Of these, about 6,000 are sewage-type non-significant Private/Commercial/Institutional (P/C/I or "02") permits, and about 700 are non-significant industrial permits. Although these two categories of permits account for approximately 80% of the total SPDES permits in New York State, they are responsible for only an estimated 10% of the water pollution generated. The remaining permits (more than 1,700) account for the major portion of water pollution generated and include most discharges which contain toxic constituents.

The SPDES program utilizes a system of classifying all discharges which are subject to individual SPDES permitting, according to size, type and, in some cases, EPA classification. The various categories of discharges include Major, Significant Minor, Non-Significant Minor, and Petroleum Remediation. Also considered in classifying a discharge is whether it is municipal, industrial, commercial, institutional or private.

To effectively deal with the large volume of permits managed by the Division of Water, the *Environmental Benefit Permit Strategy (EBPS)* was developed by the Department and promulgated into law under Chapter 701 of the Laws of 1994. It became effective on August 2, 1994. The EBPS is designed to achieve two crucial objectives: 1) establish a system that provides for timely renewal of SPDES permits and avoids a backlog of pending permit renewal applications; and 2) identify and prioritize permits which have the greatest potential for causing significant environmental harm. Thus, the EBPS system is a program designed for maximizing the efficiency of developing and managing permits in accordance with the Department's SPDES program, while attaining the highest levels of environmental protection.

The EBPS system provides for an *administrative renewal* of each permit, utilizing a streamlined application and assigning an environmental priority for full technical review, followed by a Department-initiated permit modification, when warranted. The prioritization and ranking system uses scoring of factors and variables according to the environmental benefit that will be gained. For example, a permit modification which would result in significantly reducing a water quality violation, water use impairment or a serious environmental problem would generally receive a higher priority for action than a permit modification that would have little or no effect on a standards violation, water use impairment or serious environmental problem. The EBPS system enhances the DOW's ability to improve water quality by directing staff resources to make permit changes with the greatest potential environmental benefits.

This document fully describes the administrative steps for developing new, renewed and modified permits under the SPDES permit program. It also describes the procedures for ranking a permit by calculating a priority score, the documentation pathways used in the permitting process, and the procedures for developing the public notice published annually in the **Environmental Notice Bulletin**, all as part of the EBPS program administered by the Department's Division of Water and Division of Environmental Permits. Other related TOGS can also be referred to for guidance with industrial and municipal permitting. These include all TOGS within the 1.1.x - 1.3.x series.

TOGS 1.2.2 - ADMINISTRATIVE PROCEDURES AND THE ENVIRONMENTAL BENEFIT PERMIT STRATEGY FOR INDIVIDUAL PERMITS

Table of Contents

ACRONYMS LIST	<u>PAGE</u>
I. WASTEWATER DISCHARGE CATEGORIES	1
A. Industrial Discharge	1
B. Municipal Discharge	1
C. Private/Commercial/Institutional (P/C/I) Discharge	1
II. PERMIT CLASSIFICATIONS	2
A. Major Permit	2
B. Significant Minor Permit	2
C. Non-Significant Minor Permit	3
D. Petroleum Remediation Permit	3
III. PERMIT RECLASSIFICATIONS	3
A. EPA “Major” Class to EPA “Non-Major” Class, EPA “Non-Major” Class to EPA “Major” Class	3
B. “Significant Minor” Class to “Non-Significant” or “Petroleum Remediation Class”	3
C. “Non-Significant” or “Petroleum Remediation” Class to “Significant Minor Class”	3
IV. PERMIT RANKING UNDER THE ENVIRONMENTAL BENEFIT PERMIT STRATEGY	4
A. Key Terms In The EBPS	4
Priority Ranking Factors for SPDES Permit Modifications	4
Water Quality Enhancement Multipliers	4
Permit Longevity Score	5
B. EBPS Ranking Procedures and Formulas	5
C. EBPS Priority Ranking List and Public Notice	7
D. Mass Modifications	8
<u>TABLES</u>	
Table 1 - Priority Ranking Factors and Values for SPDES Permits Under the EBPS	6
Table 2 - Water Quality Enhancement Descriptions and Multipliers for SPDES Permits Under the EBPS	7

TABLE OF CONTENTS

(Continued)

<u>APPENDICES</u>	<u>PAGE</u>
1 - PERMIT PROCESSING PROCEDURES	9
Effective Periods of SPDES Permits	9
New Permits (First Time Applications)	9
Permit Reissuances	11
Permit Renewals	11
Renewals for Permit Classification Codes 01, 03, 04, 05, 07, 09 & 10	11
Renewals for Permit Classification Code 02	12
Permittee-Initiated Permit Modifications	13
Department-Initiated Permit Modifications	13
2 - DISCHARGE NOTIFICATION ACT PROCEDURES	15
General Information	15
Major Discharger Permits	16
DNA Procedures for New Major Permits	16
DNA Procedures for Modification of Major Permits	16
DNA Procedures for Renewal of Major Permits	16
Waiver Request Procedures (Major Permits Only)	17
Non-Major Discharger Permits	17
DNA Procedures for New Non-Major Permits	17
DNA Procedures for Modification of Non-Major Permits	17
DNA Procedures for Renewal of Non-Major Permits	18
Notice of Waiver Procedures (Non-Major Permits Only)	18
<u>ATTACHMENTS</u>	
1 - SPDES Permit Classification Diagram	19
2 - Number Of SPDES Permits By Region/Class For Surface (S) And Ground Water (G) Discharges	20
3 - SPDES Priority Ranking Work Sheet	21
4 - Guidance For Use Of Permit Priority Ranking Factors	23
5 - Bioaccumulative And Persistent Substances	25
6 - EBPS Public Notice And Sample Priority Ranking List (first 2 pages only)	26
7 - Summary of Technical Deficiencies Form	28
8 - SPDES Notice/Renewal Application/Permit	29
Instructions For Permit Renewal	30
Background	31
SPDES Permit Self Evaluation List	32
SPDES Renewal Application Questionnaire	34
Request For SPDES Application Forms	35
9 - SPDES Notice/Renewal Application/Permit (for 02 Permittees Only)	36
Instructions For Permit Renewal (for 02 Permittees Only)	37
Questionnaire (P/C/Is - 02 Permittees Only)	38

TABLE OF CONTENTS

(Continued)

<u>ATTACHMENTS (Continued)</u>	<u>PAGE</u>
10 - Cover Letter For Information Request Package	39
11 - Notice Of Waiver Form	41
12 - Waiver Request Form	43
13 - Discharge Notification Act Permit Pages For New Major Permits	44
14 - Discharge Notification Act Permit Page For All Permittees Already Complying With The DNA	46
15 - Discharge Notification Act Permit Page For Renewed Major Permits Not Yet Complying With The DNA	48
16 - Discharge Notification Act Permit Pages For New Non-Major Permits	50
17 - Discharge Notification Act Permit Page For Modified Non-Major Permits	52
18 - Sample DNA Acknowledgment Letter	54

ACRONYMS LIST

BAT - Best Available Technology Economically Achievable

BCT - Best Conventional Pollutant Control Technology

BPJ - Best Professional Judgement

BWP - Bureau of Water Permits

CSO - Combined Sewer Overflow

DART - Department Application Review Tracking system

DMR - Discharge Monitoring Report

DNA - Discharge Notification Act

DOW - Division of Water

EBPS - Environmental Benefit Permit Strategy

ECL - Environmental Conservation Law

EDP - Effective Date of Permit

ENB - Environmental Notice Bulletin

EP - Division of Environmental Permits

EPA - United States Environmental Protection Agency

ExDP - Expiration Date of Permit

ICS - Individual Control Strategy

MGD - million gallons per day

NPDES - National Pollutant Discharge Elimination System

NSPS - New Source Performance Standard

PWP - Priority Water Problem

RWE - Regional Water Engineer

SEQRA - State Environmental Quality Review Act

SIC - Standard Industrial Code

SPDES - State Pollutant Discharge Elimination System

SSO - Sanitary Sewer Overflow

STP - Sewage Treatment Plant

TMDL - Total Maximum Daily Loading

UPA - Uniform Procedures Act

WLA - Waste load allocation

WQ - Water quality

I - WASTEWATER DISCHARGE CATEGORIES

The SPDES program places municipal, industrial, and private/commercial/institutional facilities into separate discharge categories for the purpose of identifying specific requirements for permit development and compliance. The following are descriptions of the various categories of wastewater discharges which are managed under the SPDES system. See Attachment 1 - **SPDES Permit Classification Diagram** for the relation between discharge categories and permit classifications (discussed in the following section), and Attachment 2 - **Number of SPDES Permits by Region/Class for Surface (S) and Ground Water (G) Discharges** for the numbers of various permits by classification, type and Department Region.

A. *Industrial Discharge* - The discharge of liquid, gaseous, solid or waste substances, or a combination thereof, resulting from any process of industry, manufacturing, trade or business or from the development or recovery of any natural resources, which may cause or might reasonably be expected to cause pollution of waters of the State in contravention of the standards adopted as provided by Article 17 of the Environmental Conservation Law (ECL). The following examples are provided to help define the scope of facilities creating an industrial discharge:

- Animal feeding operations
- Mining and silviculture operations
- Solid waste management facilities
- Water treatment plants, including municipally owned/operated facilities (to treat raw water for potable, industrial, or other uses)
- Power generation stations
- Cooling water discharges
- Groundwater remediation operations
- Pharmaceutical research facilities
- Manufacturing operations

Note that this definition of “industrial discharge” is more comprehensive than the Regulatory Fee Program definition of “industrial facility” found in Title 6 of ECL, in that more discharges are included in this definition.

B. *Municipal Discharge* - The discharge of municipal sewage from a publicly owned treatment works (POTW). (Note: ***Municipal Sewage*** is defined as wastewater composed of residential sewage, primarily originating from facilities not owned by a municipality, with or without the admixture of industrial wastewater. ***Publicly Owned Treatment Works (“POTW”)*** is defined as any device or system used in the treatment (including recycling and reclamation) of municipal sewage which is owned by a municipality. This definition includes sewers, pipes, or other conveyances only if they convey wastewater to a POTW providing treatment. It should be noted that a discharge of domestic sewage treated by a municipally owned treatment works, for a single or small building complex, is not considered a “municipal discharge” (see C below).

C. *Private/Commercial/Institutional (P/C/I) Discharge* - The discharge of primarily domestic sewage with or without infiltration and inflow and without the admixture of industrial waste, or a discharge specifically identified below. A P/C/I discharge will generally refer to wastewaters generated by a single facility or building complex under single ownership and may or may not be publicly owned. In addition, for a discharge to be considered a “P/C/I” discharge, there can be no addition of industrial waste to the domestic sewage, and it can have no other separate industrial waste discharge outfalls. The following examples of P/C/I discharges include, but are not limited to:

- Parks
- Comfort stations

Marinas
Community centers
Correctional facilities
Educational facilities
Hospitals, rehabilitation and psychiatric centers
Scavenger waste sites
Domestic sewage from airports, garages and industrial facilities
Restaurants
Apartment and condominium complexes
Mobile home parks
Shopping Centers

II - PERMIT CLASSIFICATIONS

The following designations and descriptions are used for the various categories of SPDES permits and their associated SPDES classifications (refer to Attachment 1 - **SPDES Permit Classification Diagram**).

- A. **Major Permit** - This type of SPDES permit is included in a list of permits which is closely audited by the EPA. A Major permit *generally* applies to an industrial or municipal discharge which is relatively large in volume and/or has “toxicity potential” as described in the EPA **NPDES Permit Rating Worksheet**. Industrial and municipal discharges qualify for EPA Major status by meeting the following criteria:

Industrial - Class 03: Achieving 80 or more points on a **NPDES Permit Rating Worksheet**.

Municipal - Class 05:

- 1.0 MGD or greater - Always an EPA “Major” (New York)
- 0.5 MGD to 1.0 MGD - Usually an EPA Major

NOTE: < 0.5 MGD - Not an EPA “Major”

Regardless of the above criteria, a permit is not an EPA “Major” unless it is so listed by the EPA. Since the CWA and EPA regulate only discharges to surface water, a “Major” permit can cover only a discharge to surface water.

- B. **Significant Minor Permit** - The EPA considers any discharge which is not a “Major” discharge to be a “Minor” discharge. An EPA “Minor” discharge can only be a discharge to surface water, since NPDES does not regulate discharges to ground water. In New York State, however, ECL and the SPDES regulations also address discharges to ground water. Therefore, the Department considers discharges (to either surface water or ground water) which are not EPA “Major” discharges, and which also are not identified by a Regional Water Engineer (RWE) as “Non-Significant,” as “Significant Minor” discharges. Additionally, a discharge is classified as “Significant Minor” if it contains or has the potential to contain toxics (and is not an EPA Major discharge), or if routine inspection and/or monitoring is necessary. “Significant Minor” discharge permits have the following classifications:

Industrial - Class 01

Municipal - Class 07

P/C/I - Class 09

C. **Non-Significant Minor Permit** - This type of SPDES permit is determined by the RWE to pose a minimal water quality risk and does not contain limitations for *Priority Pollutants* or other toxic constituents. **Form NY-2C** (Tables 6 -10) can be referred to for the lists of *Priority Pollutants* and toxic substances. In general, the DOW will not conduct routine inspection or monitoring of these facilities. The DOW will, however, respond to complaints and water quality problems at “Non-Significant Minor” facilities, and the Regions may choose to provide some technical assistance to these facilities at their discretion. A “Non-Significant Minor” permit may cover a discharge to either surface water or ground water. “Non-Significant Minor” permits have the following classifications:

Industrial - Class 04

P/C/I - Class 02

D. **Petroleum Remediation Permit** - This type of SPDES permit is issued for oil and gasoline spill cleanups. A “Petroleum Remediation” permit may cover a discharge to either surface water or ground water. They are issued for either a short duration or long duration and may require intensive Department oversight and supervision as a matter of procedure. “Petroleum Remediation” permits have the following classification:

Industrial - Class 10

III - PERMIT RECLASSIFICATIONS

It is possible to *reclassify* a permit from one classification to another in certain circumstances. This involves issuing a minor permit modification. The possible reclassifications and procedures for achieving them include the following:

A. **EPA “Major” Class to EPA “Non-Major” Class, EPA “Non-Major” Class to EPA “Major” Class**

Although infrequent, it is possible that the EPA will change the classification of a municipal or industrial facility from Major to Non-Major, or Non-Major to Major. If this occurs, the Department is notified of such change, change the discharge class on page one of the permit and the reporting requirements on the last page (Recording, Reporting and Additional Monitoring Requirements) of the permit.

B. **“Significant Minor” Class to “Non-Significant” Class**

Change the discharge class on page one of the permit and the reporting requirements on the last page (Recording, Reporting and Additional Monitoring Requirements) of the permit. To comply with 40 CFR Part 122.44(i)(2), monitoring results for discharges to surface waters must be submitted no less than once per year. For Non-Significant discharges to surface waters, the box on the last page that requires an annual report to be submitted to the Region should be checked. For Non-Significant discharges to ground waters, the box on the last page should be checked if the RWE believes that it is necessary.

C. **“Non-Significant” or “Petroleum Remediation” Class to “Significant Minor” Class**

Change the discharge class on page one of the permit and the reporting requirements on the last page (Recording, Reporting and Additional Monitoring Requirements) of the permit. For Significant discharges to surface waters, the box on the last page that requires Discharge Monitoring Reports to be submitted to the Bureau of Water Compliance Programs and the Regional Water Engineer should be checked.

IV - PERMIT RANKING UNDER THE ENVIRONMENTAL BENEFIT PERMIT STRATEGY

Priority ranking of SPDES permits generally occurs following permit renewal utilizing information provided by the applicant in the renewal application, information received in the form of public comments following a public notice of intent to renew or modify a permit, and information collected by the Department. **The EBPS is an ongoing process which takes place throughout the year.** *Department-initiated* (but not permittee-initiated) permit modifications are the heart of the ***Environmental Benefit Permit Strategy*** (EBPS). The purpose of the EBPS is to ensure that those permits whose discharges pose the greatest potential risk to the environment or are significantly overdue for modification, or are otherwise in substantial need of modification, receive the most expedient attention. The EBPS process is used for this purpose by determining a numerical rank for each permit which reflects its relative priority for modification. The process is initiated by completing a **SPDES Priority Ranking WorkSheet** (Attachment 3). Included in the EBPS process for calculating priority ranks are *Priority Ranking Factors*, a *Permit Priority Longevity Score*, and *Water Quality Enhancement Multipliers*, all required for developing a final permit ranking.

Final rankings for EPA-Major and Significant Minor permits are determined by the office having responsibility for the particular permit, usually the Department's Central Office BWP. Final rankings for Non-Major permits can be determined by either the Department's Regional Offices or the Central Office, depending on who is responsible for drafting the permit. Regardless of whether a permit is Major, Significant Minor, or Minor, the general public, the permittee, and all Department staff always have the opportunity to provide input into a permit's final ranking during the scoring process.

In addition, the ECL requires that an update of the permit priority rankings be published annually. To meet this requirement, the **Priority Ranking List** is published each April in the **Environmental Notice Bulletin** (ENB). This process is discussed in detail in the following sections of this TOGS.

A. Key Terms In The EBPS

Priority Ranking Factors - *Priority Ranking Factors* for SPDES permit modifications consist of thirteen possible factors (reasons or justifications) describing the *initial* considerations of why a permit may need to be modified. Each factor is a generic condition or element with a numeric value ranging from two to ten points, reflecting the factor's relative "importance" for modifying a permit. These conditions or elements describe a variety of non-related considerations, and include: conformance with other programs or initiatives; monitoring or studies; required change in strategy due to water body reclassification; and compliance problems. In addition, a companion document entitled **Guidance For Use Of Permit Priority Ranking Factors** is used to assist with the evaluation of the ranking factors. See Table 1 for a listing of all *Priority Ranking Factors* and Attachment 4 for the **Guidance For Use Of Permit Priority Ranking Factors**.

Water Quality Enhancement Multipliers - *Water Quality Enhancement Multipliers* are also factors which are used to "enhance" the *Priority Ranking Factors*, reflecting more environmentally-weighted considerations. Their purpose is to integrate into the final ranking score the relative effect of a modification on the environment. For example, *Water Quality Enhancement Multipliers* consider whether a facility is a sole source or one of several sources of a pollutant, whether a modification will result in an improvement in water quality or elimination of a violation, and the relative magnitude of impact that a modification will have on the environment. It should be noted that *Water Quality Enhancement Multipliers* apply to both surface and ground water bodies. See Table 2 for a listing of the *Water Quality Enhancement Multipliers*.

Permit Longevity Score - The *Permit Longevity Score* adds a certain number of points to the priority ranking score of a particular permit for each year that has elapsed since the last time the permitted facility was required to submit a Long Form SPDES permit application together with comprehensive effluent sampling. Points for the *Permit Priority Longevity Score* are tiered and reflect which Department office the permit was drafted in. The *Permit Priority Longevity Score* adds 5 points per year for Major permits and 3 points per year for non-Major permits. A *Permit Priority Longevity Score* is generally not assigned for Class 02 and 04 permits.

B. EBPS Ranking Procedures and Formulas

Using a **SPDES Priority Ranking Work Sheet** (Attachment 3), the following steps are taken to calculate the *Total Permit Priority Score*:

1. A total of thirteen *Priority Ranking Factors* from Table 1 (below) are evaluated, and all factors which apply to the permit being modified are listed on the **SPDES Priority Ranking Work Sheet**. Attachment 4 should be referred to for guidance in evaluating the possible permit *Priority Ranking Factors* in Table 1. Attachment 5 can also be referred to for the list of *Bioaccumulative/Persistent Toxic Substances* when considering *Priority Ranking Factor 5a*.
2. A *Factor Value* for each *Priority Ranking Factor* listed is placed in the appropriate column on the **SPDES Priority Ranking Work Sheet**. The *Factor Value* is then multiplied by a *Water Quality Enhancement Multiplier*, listed in Table 2 (below), resulting in a *Factor Score* for each *Priority Ranking Factor*.
3. *Permit Priority Longevity Score* points are then calculated by multiplying 5 (for permit classes 03 and 05) or 3 (for permit classes 01, 07, 09 and 10) times the number of years since the permittee last filed a **Long Form Application**, with sampling. Generally, do not perform this calculation for 02 and 04 permits.
4. The sum of the *Factor Scores* from the **Continuation Sheet** (second page of the **SPDES Priority Ranking Work Sheet**) is then placed in the box labeled **Total Factor Score from continuation sheet**.
5. Sum all *Factor Scores* and the *Permit Priority Longevity Score* to obtain the *Total Work Sheet Priority Score*.
6. Occasionally, several individuals may be involved in completing **SPDES Priority Ranking Work Sheets** for a particular permit. For example, a Regional DOW inspector, Regional DOW engineer and Central Office DOW engineer may all complete a **SPDES Priority Ranking Work Sheet** for a particular facility. In this case, all **non-overlapping** *Priority Ranking Factors* from all **SPDES Priority Ranking Work Sheets** are summed and added to the *Permit Priority Longevity Score* for determining the *Total Worksheet Priority Score*. The higher the *Total Worksheet Priority Score* is, the higher the permit's rank will be on the **EBPS Priority Ranking List**. The Department office (Central or Regional Office) responsible for writing the permit makes the final determination on priority. Appeals of priority rankings are handled by the Division Director's Office.
7. When a permit's priority rank is established (including updating), the BWP places the score (with specific *Priority Ranking Factors*) in the Fee System database maintained by the DOW Central Office.

The above process can be summarized with the following formulas:

Factor Score = [Factor Value per Priority Ranking Factor] x [Environmental Multiplier]

Longevity Score = [5 (Major) or 3 (Non-Major)] x [No. years since filing a Long Form Application, with sampling]

Total Work Sheet Priority Score = sum of Factor Scores + Longevity Score

Total Permit Priority Score = sum of Non-Overlapping Work Sheet Scores

Table 1

Priority Ranking Factors and Values for SPDES Permits Under the EBPS

FACTOR NO.	PERMIT PRIORITY FACTORS	FACTOR VALUE
1	Permit needs to be modified to conform to the State CSO/SSO Strategy	Primary 10 Secondary 5
2	Permit needs modification as part of a Department initiative (e.g., watershed TMDL implementation, multimedia permitting, DNA, etc.)	Primary 10 (High) Secondary 5 (Medium)
3	Permit needs to be modified to add industrial pretreatment requirements	Primary 10 Secondary 5
4	Permit needs to be modified to add industrial Best Management Practice (BMP), Pollutant Minimization Program (PMP), or storm water requirements	Primary 10 Secondary 5
5	Permit needs to be modified for one effluent limit parameter. (Rate separately for each parameter; both surface and groundwater) a. Bioaccumulative/Persistent Toxic (PCB, Dioxin, etc. - Refer to Attachment 5) b. Parameter change for completed stream reclassification, new WQ standard or important substance relative to water quality c. Other minor parameter (e.g. water treatment chemicals, pH, temperature, suspended solids, action level, etc., not associated with water quality)	10 5 2
6	Permit needs to be adjusted for a new wastewater treatment technology requirement for a parameter not identified in No. 5 above: a. New EPA technology regulation; BAT, BCT or NSPS b. Change in BPJ evaluation	5 2
7	Permit needs to be adjusted due to Consent Order or Permit Non-Compliance Issue	10
8	Permit is for an existing facility which triggers antidegradation	5
9	Permit appears on an EPA 304(I) toxic list and requires an Individual Control Strategy (ICS)	5
10	Permit is a municipal STP project on the State Revolving Fund loan list	5
11	Permit needs toxicity testing	5
12	Permit generated substantial public concern	10
13	Permit is a power plant needing modification for fish impingement or other fish and wildlife studies	10

Table 2

Water Quality Enhancement Descriptions and Multipliers for SPDES Permits Under the EBPS

Water Quality Enhancement	Multiplier
The facility is the sole source or a major source of the pollutant and modification of the SPDES permit is likely to cause a major improvement to water quality; will eliminate a WQ standard(s) violation as determined by a TMDL analysis resulting in a WLA, will eliminate a water use impairment as identified by the PWP list; or correct other important environmental problems.	10
The facility is one of several sources of the pollutant; modification of the SPDES permit will result in reduction of contribution to a water body with a WQ standard(s) violation as determined by a TMDL analysis resulting in a WLA; will reduce a water use impairment as identified by the PWP list; the WQ standard(s) violation or use impairment will not be eliminated by the modification.	5
Modification will have little or no effect on a WQ standard(s) violation, water use impairment or serious environmental problem.	1

C. EBPS Priority Ranking List and Public Notice

The EBPS system requires the Department to put out for public notice annually the **EBPS Priority Ranking List**. The purpose of the **EBPS Priority Ranking List** is to give the public an opportunity to comment on the suitability of the priority ranking score and to provide additional information that may affect a change to a permit’s score.

The **EBPS Priority Ranking List** shows the priority ranking *scores*, indicating which permits are due for full application submittal by the permittee, full technical review by the DOW, and Department-initiated modification of the SPDES permit when warranted. This determination is made by completing a **SPDES Priority Ranking Work Sheet** for a facility (as described above). The higher the *Total Worksheet Priority Score*, the higher the priority for full technical review and modification. The **EBPS Priority Ranking List** is formulated by developing separate sub-lists for Central Office permits and permits originating in each Regional Office, for a total of ten sub-lists to be combined into one **EBPS Priority Ranking List** for publication. When the **EBPS Priority Ranking List** is complete, it is published annually in the ENB in April. See Attachment 6 for an example of an **EBPS Public Notice and Priority Ranking List** (first 2 pages only).

Publication of the **EBPS Public Notice and Priority Ranking List** is the responsibility of the BWP. Before publication, a number of internal administrative steps are involved in its development. These are summarized as follows:

1. In February, the BWP’s Biological Systems Section, Chemical Systems Section, and Physical Systems Section, as well as all Regional Offices, review the permit rankings of the permits for which they are responsible.
2. Re-scoring may be done at any time the office that drafts the permits receives input that would change a permit’s priority. However, permits must be re-scored after notice of administrative renewal, and upon issuance of a Department-initiated permit modification. Re-scoring of permits is done using a **SPDES Priority Ranking Work Sheet** for each facility which needs updating.

3. All new priority ranking information is sent to the BWP for entry into the Fee System database, the computerized permit database maintained by the DOW. After all updating data are entered, the priority rankings are automatically adjusted by the Fee System database.
4. Once priority rankings are complete, a separate document file is created for the list for each Region and the Central Office. Because it is anticipated that only ten percent of all permits can be addressed for modification in a given year, only the upper ten percent of all permits within a particular Region and the Central Office are published in the ENB. Therefore, the lower ninety percent of each Regional and Central Office ranking list is deleted from the document file lists.
5. Using the word processing program, each document file list (Central Office and Regional list) is adjusted for the public notice to show only the fields (column headings) for **Score, SPDES#, Region, Permittee Name, and Facility Name.**
6. Once the word processing manipulations are complete for each separate document file list (Regions and Central Office), they are combined into one document file (while keeping the priority ranking lists separate) for the public notice and transmitted to the ENB for publication.

The Priority Ranking Lists must be published in the ENB during April of each year. Once published, the lists should be stored for reproduction, as requests for lists will occasionally be received from the public.

D. Mass Modifications

The Department may choose to modify permits of similar type to include similar or identical provisions in large numbers. This may be necessary to implement provisions of law or regulations that apply to large numbers of permits (e.g. implementing the Discharge Notification Act). When this strategy is chosen, the action is considered to have a priority weighted by the number of modifications to be made. If the modification would have a priority score of five for a single permit, the total priority score for the mass modification would be five times the number of permits that need to be modified.

/s/

Sandra Allen, Director
Division of Water

Appendix 1 - Permit Processing Procedures

Effective Periods of SPDES Permits

The maximum effective period for SPDES permits for discharges to surface waters is five years. The maximum effective period for SPDES permits for discharges to ground waters is ten years. These effective periods apply for all permit issuing scenarios, including new permits, renewed permits, and modified permits.

New Permits (First-Time Applications)

The Division of Environmental Permits (EP) within each Region receives all new permit applications, except for certain project categories managed in the EP Central Office. The EP Regional Office logs the application into the Department Application Review Tracking (DART) system, which assigns a Department application identification number. The DART system is a computer database that serves as a tracking system and work management tool for permit applications subject to the requirements of the Uniform Procedures Act (UPA). EP determines administrative completeness for each application, assigns a SPDES permit number, and has lead responsibility for coordinating review among involved Department programs and for assuring compliance with the requirements of the UPA and the State Environmental Quality Review Act (SEQRA). If the application is determined to be incomplete, for any reason, it is EP's responsibility to prepare and transmit to the applicant the *Notice of Incomplete Application*. If determined complete, the EP Regional Office sends the application to the RWE for a determination of technical completeness and preparation of draft or final permit and accompanying fact sheets by either the RWE or the DOW Central Office.

It should be noted that an application for a SPDES permit can be denied by the Department for reasons set forth in the UPA or SPDES regulations. When a permit is denied, the DOW sends a determination for denial to EP, which then notifies the applicant of such determination.

Primary responsibility for classifying an industrial, municipal or P/C/I permit as Significant, Significant Minor, Non-Significant Minor, or Petroleum Remediation lies with the RWE. Consideration is first given to the Standard Industrial Code (SIC) for the facility, and the discharge category under SPDES, i.e., industrial, municipal or P/C/I. During this step, the RWE considers, in addition to the facility characteristics, the potential for a discharge to create serious problems including, but not limited to: nuisance conditions, impact on water supply or bathing area, contamination of sole source, primary or principal aquifers, or significant public concern. Also a prime consideration is the need to limit *Priority Pollutants* and other toxic constituents. The RWE may also base the determination of permit classification on specific knowledge of the discharge.

The classification of the discharge is the primary factor in deciding if a permit should be drafted in the Regional Office (a "decentralized" permit) or Central Office (a "centralized" permit) Bureau of Water Permits (BWP). If the RWE determines that the permit should be centralized, the application is sent to the BWP for permit drafting. If the RWE determines that the permit should be decentralized, the permit application remains with the Region for permit drafting. **TOGS 1.2.3 - DECENTRALIZATION OF TECHNICAL PERMIT DRAFTING AUTHORITY** addresses this topic in detail.

Specific procedures for processing new permit applications and finalizing new permits are as follows:

1. All new permit applications are received by the appropriate EP Regional Office, where a review of *administrative* completeness takes place. At this time, EP also initiates SEQRA review. EP evaluates the project for possible environmental impacts and determines if additional information is necessary to determine significance under SEQRA. Other permit jurisdictions are identified. EP sends the *Notice of Incomplete Application* if additional information is required.

2. When a permit application is considered administratively complete and sufficient for technical review to commence, the EP Regional Office transmits it to the RWE. EP relays concerns/questions and other permit jurisdictions to DOW.
3. The RWE makes the initial determinations for: a) Facility classification; b) - Whether the permit is centralized or decentralized*
4. If the determination is for a centralized permit, the RWE transmits the application to the BWP, noting who will be the EP permit analyst and any EP questions. If additional time beyond that allowed by UPA will be necessary to process the application, BWP notifies EP and EP requests a time extension. BWP also notifies the RWE who will be the permit writer.
5. The DOW (Region or CO) determines *technical* completeness* of the application. If the permit writer (Region or CO) determines that the application is not technically complete, the permit writer should develop and transmit a *Summary of Technical Deficiencies* (Attachment 7) directly to the EP permit analyst, for subsequent transmittal to the permittee. The permit writer should use the *Summary of Technical Deficiencies* form to maintain a consistent format between all Department Regions and the CO. If the *Summary of Technical Deficiencies* is developed in the Central Office, a copy should be sent to the appropriate RWE for information purposes. A copy should also be transmitted via email to EP, in the event this will facilitate modification for their purposes.

Once the permit writer transmits the *Summary of Technical Deficiencies* back to EP, it is appended to the *Notice of Incomplete Application* and sent to the permit applicant. The UPA completeness time frame stops when EP sends out this notice.

It should be noted that *informal* non-written requests for clarifications may be made directly by the permit writer to the permit applicant, but should be made with the permit applicant's knowledge that such informal communications do not restart the UPA time frames. It is imperative that the permit writer exercise caution in obtaining technical clarification informally, to avoid having the permit applicant control (through delay in applicant response time) Department review time and risk exceeding a UPA time frame, as this could result in a determination of completeness by default. To avoid this possibility, the permit writer should take into consideration how far along in the UPA time frame the application review has proceeded, and use judgement in setting a deadline for the permit applicant to respond with requested information. The permit writer should strongly consider (verbally) including a deadline for response. Information submitted as a result of an informal request should be submitted to EP in addition to DOW so that both files are accurate and the SEQRA record is based on the actual project.

6. If the application is complete:
 - The DOW develops the draft permit
 - EP completes SEQRA review
 - EP develops a *Notice Of Complete Application*
7. EP sends the *Notice Of Complete Application* and draft permit to the permittee requiring publication of the notice in a newspaper of general circulation for the area in which the project is located and also publishes the *Notice Of Complete Application* in the ENB with a minimum 30-day comment period.
8. The EP and DOW consider comments of the applicant and interested parties, and determine if a public hearing is necessary.
9. If a hearing is held, it is held in accordance with Part 624 and Department procedures for hearings.
10. Public comments are reviewed by the DOW and EP and a responsiveness summary is prepared and distributed.
11. The permit is finalized by the DOW after comments or other requirements are addressed.

12. The final permit is issued by EP (*usually* the Regional Office).

* See **TOGS 1.2.3 - Decentralization Of Technical Permit Drafting Authority** to determine which categories of permits are assigned to Regional Offices for technical review.

Permit “Reissuances”

Starting in the early 1980's, the Department “indefinitely extended” the term for Non-Significant Minor P/C/I (Class 02) permits, for administrative expediency. This decision recognized that a wastewater discharge in this class is a minor and insignificant impact on the environment. The Department is now taking action to re-certify authority to discharge for indefinitely extended permits to establish a new permit term and require periodic renewal.

Permittees are required to submit a signed application for a permit and to answer questions regarding the status of their discharge and wastewater treatment system. After satisfying the procedural requirements of the UPA, including public notice, permits are **reissued** with the same provisions contained in the extended permit but with a new permit term (effective date and expiration date.) Discharge Notification Act requirements are also addressed during a permit reissuance (see Appendix 2). Permit reissuances are administered in the Central Office by the BWP and EP. Reissued permits are subject to the same renewal procedures as other SPDES permits.

Permit Renewals

The 1972 Clean Water Act requires permits to be renewed every five years (maximum) for *EPA-delegated* permits (permits for discharges to surface waters). In addition, the ECL requires non-delegated permits (discharges to ground waters) to be renewed every ten years (maximum).

Prior to the implementation of the EBPS, SPDES permit renewal included administrative and technical review plus public notification and comment on a draft permit. Permit renewals under the EBPS involve an abbreviated application, *administrative* review of the existing permit, and public notice and comment for evaluation in determining a permit priority ranking. (Technical review for renewed permits is scheduled based upon the discharge priority ranking.) Permit renewals involve BWP notification to permittees of the requirement to submit a renewal application, EP receipt and completeness review of the submitted application, public notice and receipt of comments, and final decision on permit renewal. Discharge Notification Act requirements are also addressed during all permit renewals (see Appendix 2). All permit renewals are administered in the Central Office.

In describing SPDES permit renewals, it is necessary to differentiate between 02 dischargers and all other discharge permit classifications, as the 02 permit renewal forms are slightly different than those used for all other types of permits.

Procedures for permit renewal, also referred to as “short-form renewal,” are summarized as follows. *It should be noted that, in certain instances of documented serious non-compliance, or where a facility is not discharging, the Department may require a long form application for renewals.*

Renewals for Permit Classification Codes 01, 03, 04, 05, 07, 09 & 10

1. Approximately 9 months before the Expiration Date of Permit (ExDP), the BWP sends a packet (see Attachment 8) containing the following forms to the permittee:
 - C **SPDES Notice/Renewal Application/Permit** - Part 1 is completed by the BWP before transmittal.
 - C **SPDES Renewal Application Questionnaire**
 - C **Request For SPDES Application Forms**

This package also contains INSTRUCTIONS, BACKGROUND, and PERMIT EVALUATION TEST.

The above packet of is commonly referred to as a “short form application.” Note, however, that in a case where a serious non-compliance event is known to have taken place or is still occurring, the Department may chose to require the applicant to complete a full application for permit renewal.

2. The **Notice/Renewal Application/Permit** and **SPDES Renewal Questionnaire** are returned by the permittee to the EP Central Office, with Part 2 of the application form completed and signed, and the entire **SPDES Renewal Application Questionnaire** filled out.

NOTE: In the case of non-response on the part of the permittee, the following steps are taken by the Department:

- < EP issues a second notice to the permittee approximately 6 months before expiration of the permit.
 - < If there is still no response by the permittee, EP refers the matter to the RWE for follow-up action including: determining if the discharge continues in existence; identifying present ownership of the facility; and when appropriate, undertaking enforcement.
3. EP reviews the application and questionnaire in making a determination of application sufficiency. If the forms are not complete, a *Notice of Incomplete Application* is transmitted to the permittee.
 4. EP publishes the consolidated *Notice of Complete Application* for renewal and the Department’s intent to issue a renewed permit with no substantive changes in permit provisions in the ENB. A 30-day public comment period is provided by this notice.
 5. If there are no substantive or significant comments, EP issues a Cover Sheet which renews the existing permit and is intended to be stapled to the top of the existing permit. A copy is sent to the BWP, the Regional Permit Administrator, and RWE.

If there are any substantive comments, they are factored into the priority scoring for the permit or, in limited circumstances where the comments justify immediate permit modification, the permit is referred to a permit writer for revision and notice of a Department-initiated modification.

6. *If necessary*, EP will, coincident with renewal, modify the existing permit to include the DNA pages (discussed below) with the final permit before transmitting to the permittee.

Renewals for Permit Classification Code 02

Renewal of 02 Class permits follows the same procedures as above for “non-02” permits, except that the **SPDES Notice/Renewal Application/Permit** form is slightly different than that for non-02s, a **P/C/I Questionnaire** is included in the packet rather than a **SPDES Renewal Application Questionnaire**, and the **Request For SPDES Application Forms** is not included. See Attachment 9 for the renewal packet which is mailed to Class 02 permittees.

Permittee-Initiated Permit Modifications

A permit modification may be initiated by a permittee at any time. For example, the permittee may request an adjustment to or addition of an effluent parameter due to a change in process, a relaxation to lessen or eliminate a permit limit or monitoring requirement, or modification of reporting requirements.

Under the UPA, decisions on permit modification are generally to be made within 15 calendar days of receipt of such request, unless the Department determines that an application for modification is to be treated as a new application per criteria contained in the UPA (all discharges to surface waters are treated as “new” for the purposes of the UPA), or if the modification is for an EPA-delegated SPDES permit that must be treated as a new application as a federal requirement. If it is determined to treat the application as new and it is a UPA Major, EP publishes a *Notice of Complete Application*, identifying the proposed permit changes and the availability of the draft permit, in the ENB and a newspaper in general circulation for the area in which the facility is located. EP has lead responsibility for coordinating review among involved Department programs and for compliance with the requirements of the UPA and SEQRA.

Procedures for permittee-initiated permit modifications are the same as those for new permits, although this type of action is less likely to trigger full SEQRA or technical review. Refer to these procedures under **New Permits (First-Time Applications)** above for the detailed steps involved with addressing a permittee-initiated permit modification.

Department-Initiated Permit Modifications

A Department-initiated permit modification is preceded by a full technical review of the existing permit and information provided by the permittee on facility operations and wastewater treatment, at the Department’s request. The Department makes its information request when the priority ranking score meets the working threshold, i.e., the score in which the Department begins working on permit modifications. Examples of situations which may increase a permittee’s priority ranking include a change in a receiving water’s classification, a change in a categorical limit, a change in BPJ, a change to an existing water quality standard, changes to other regulatory or program requirements, or significant or chronic non-compliance by a permittee.

It should be noted that Department-initiated modifications are *priority*-driven. The order in which permits are modified are determined by the priority ranking score in the **EBPS Priority Ranking List**. The UPA does not affect this process until the public notice of the proposed modification, as indicated below. EP has lead responsibility for coordinating review among involved Department programs and for compliance assurance with the requirements of the UPA and SEQRA.

Procedures for full technical review and Department-initiated permit modifications are summarized as follows:

1. The BWP (for a centralized permit) or the RWE (for a decentralized permit) mails to the permittee an information request package which includes a cover letter (see Attachment 10) and one or more of the following forms, as applicable:
 - EBPS SPDES PRIORITY RANKING WORK SHEET
 - Application Form NY-2A for Municipal Facilities
 - EPA Form 2B - NPDES - Concentrated Animal Feeding Operations
 - Application Supplement for EPA Form 2B
 - Application Form NY-2C for Industrial Facilities
 - EPA Application Form 2E - Facilities Which Do Not Discharge Process Wastewater
 - EPA Form 2F - NPDES - Application for Permit to Discharge Storm Water Discharges Associated with Industrial Activity

2. The permittee sends the completed form to the DOW permit writer (either Central or Regional Office), as required by the information request.
3. The appropriate DOW office performs a full technical review and determines if permit modifications are necessary. If *modifications are not necessary*, the DOW (either Central or Regional Office) transmits a letter to the permittee notifying them that no modification is necessary. If modifications are necessary, the DOW develops them and does the following:
 - < If a Centralized permit, the DOW Central Office transmits the draft modifications to the DOW Regional Office for comment. If the DOW Regional Office has comments, these are resolved with the DOW Central Office, and the DOW Regional Office transmits the draft permit with Fact Sheet to the EP Regional Office for follow-up action (No. 4). If the DOW Regional Office has no comments, that office transmits the draft permit with Fact Sheet directly to the EP Regional Office for follow-up action (No. 4).
 - < If a Regional permit, the DOW Regional Office formulates the modifications and transmits the draft permit with Fact Sheet directly to EP Regional Office for follow-up action (No. 4).
4. After receipt of a draft permit, EP sends the permittee a letter and a copy of the draft modifications (if any) communicating the Department's intent to modify the permittee's permit. The letter includes the reasons for modification (if any), and the permittee's right to submit comments and/or request a hearing should he or she find the permit changes unacceptable. For a delegated permit where the new requirements will be less stringent than those in the existing permit, EP publishes a *Notice of Intent to Modify*, identifying the proposed permit changes and the availability of the draft permit in the ENB and a newspaper in general circulation for the area in which the facility is located. The DOW is responsible for the cost of newspaper publication. A minimum 30-day comment period is required.
5. The permittee is required under the UPA to respond to the draft modifications within 30 days of the date of the Department's letter notifying the permittee of the proposed changes. The permittee has the following choices after receiving the draft modifications:
 - Request an extension of the comment period
 - Make a statement against the draft modifications
 - Request a hearing
 - Accept the draft modifications
 - Make no response (considered a de facto acceptance)
6. The permit is finalized by the DOW after comments or other requirements are addressed (there may be additional iterations to the draft modifications).
7. The modified permit is issued by the EP Regional Office.

Appendix 2 - Discharge Notification Act Procedures

General Information

The Discharge Notification Act (DNA) was enacted by the New York State Legislature as a means to provide notice to boaters, fishermen, swimmers, and all other members of the public, of the presence of a wastewater discharge to a surface water and possible contact with contaminated wastewater. It became effective on October 1, 1996.

The DNA requires that a sign be posted near the outfall of a discharge and that a data repository (for DMRs) be maintained by the discharging facility, which is accessible to the public. The Department established the requirement for the sign to be at least 18" x 24" with white letters on a green background. It is important to note that there are two exclusions to having to comply with the DNA. The DNA does **not** apply to:

- < Discharges to ground water - The DNA is entirely inapplicable to ground water discharges.
- < Discharges composed exclusively of storm water - Caution must be exercised here, because storm water which is contaminated with pollutants (e.g. toxics, petroleum, or other types of man-induced substances) before discharge, such as from a contaminated storm water retention pond, are **not** considered “exclusively storm water,” and are therefore subject to the DNA.

Even though the statutory requirements of the DNA specify applicability to “major significant” discharges, the Department applies the DNA to **all** surface water discharges (surface water discharge, not exclusively surface water runoff), including Non-Major discharges, unless waived. Therefore, “Phase 2” of the DNA was initiated to address Non-Major discharges. For existing discharges, the DNA has been applied to all major significant permits. For Non-Major discharges, modification of existing permits is ongoing.

Recognizing the substantially diminished potential for environmental impacts from a Non-Major discharge, Phase 2 utilizes more simplified waiver application procedures than those used for Major dischargers. First, DNA applicability for Non-Major dischargers is addressed only at the time of permit renewal, rather than taking immediate action to amend an existing permit, the approach used for Major dischargers. Second, if a discharge meets **any** of several criteria, a Non-Major permittee does **not** have to apply for a waiver from the DNA, as did Major discharge permittees during the initial phase of this program, but need only submit a **Notice of Waiver** advising the Department of its belief that the DNA does not apply.

The **Notice of Waiver** form (Attachment 11) for Non-Major dischargers is different from the **Waiver Request** form (Attachment 12), which is only used for Major dischargers. It should also be noted that an RWE may disagree with a **Notice of Waiver**, and impose DNA requirements on any Non-Major discharger, if justified. Both forms of waiver are discussed in detail below.

When any surface water discharge permit is newly developed, modified or renewed, the DNA must be taken into consideration. This always involves the insertion of a “DNA page” in the permit. **Even if an outfall may eventually be waived from DNA requirements, it is still necessary to include the DNA page(s) in every SPDES permit for a surface water discharge.** (Note that the possibility of a waiver comes **after** a newly developed, modified or renewed permit becomes effective.) The provision for DNA posting must be included in every permit with the caveat that compliance is not required where waiver criteria are met, to ensure that the Department can take enforcement action in those instances in which self-waiver determinations are subsequently determined not to be in satisfaction of the waiver criteria.

Major Discharger Permits

The first phase of DNA program implementation, which covered only Major SPDES dischargers, was initiated on September 26, 1997, when the Department sent letters to all Major discharge permittees giving each a Notice of Intent (NOI) to modify their permit to incorporate DNA requirements. All facilities receiving the NOI had until October 31, 1997, or ninety days from the date of a Department decision letter responding to a **Waiver Request** form (which was either granted or denied), to comply with the DNA.

By submitting a **Waiver Request** form, it was possible for a Major facility to receive a waiver from the DNA if the outfall in question met any of the following criteria:

- < A sign cannot reasonably be maintained. Examples of this include seasonal flooding or ice damage.
- < A sign is not consistent with another law. An example of this would be a conflict with transportation law for a discharge in a rail corridor.
- < The location of a sign would not provide for a public purpose. Examples of this would be a sign located on private, inaccessible property, or a below grade outfall which discharges into another outfall.
- < The discharge is temporary. An example of this would be a discharge from a construction site.
- < The discharge is authorized under a general permit. An example of this would be a discharge authorized under the storm water general permit.
- < The discharge is not a major significant discharge.

DNA PROCEDURES FOR *NEW* MAJOR PERMITS

The need for developing a new permit that the Department believes will qualify as a “Major” in New York State is relatively infrequent. If the need arises to develop a new Major facility permit, however, the permit writer must include the DNA page **MAJORNEW.WPD** (Attachment 13) in the permit. A **Waiver Request** form should also be transmitted to the permittee along with the permit, when finalized.

DNA PROCEDURES FOR *MODIFICATION* OF MAJOR PERMITS

During any Major permit modification, the presence of a DNA page in the permit should be verified. If a DNA permit page is already present in the permit, it must be replaced with the appropriate form for continuing compliance with the DNA, **CONTINUE.WPD** (Attachment 14) in the modified permit, since DNA requirements have already been addressed. If the DNA permit page is not present, the permit writer should contact the BWP for follow-up.

DNA PROCEDURES FOR *RENEWAL* OF MAJOR PERMITS

Permit renewals for Major dischargers are always initiated by the BWP, with the mailing of a **Notice/Renewal Application/Permit** and **SPDES Renewal Questionnaire** or **P/C/I Questionnaire** (depending on the discharge classification). After these forms are completed by the permittee, they are sent back to the EP Central Office, where EP does one of two possible steps:

- For a permit that is logged in the Fee System as having DNA requirements already in the permit, the permit writer should add the form **CONTINUE.WPD** to the permit. The EP Central Office then sends out a page extending the existing permit.
- For a permit not containing DNA requirements, EP modifies the permit by including the DNA form **MAJORMOD.WPD** (Attachment 15) in the final permit.

WAIVER REQUEST PROCEDURES (MAJOR PERMITS ONLY)

There may be cases where an existing Major discharger adds a new outfall to its facility or changes its existing outfall configuration. There may also be a case where a facility is newly-listed (by the EPA) as a Major discharge facility. If any of these scenarios occurs and the permittee wishes to request a waiver from the DNA for an outfall, the permit writer should contact the BWP to obtain the form and procedures for requesting the waiver.

NOTE: A *Waiver Request* form (Attachment 12) can be used only by a Major discharge permittee. It is not a part of the permit, and remains a separate document. It should be mailed to the permittee along with the new, renewed, or modified permit, when the permittee has not yet addressed DNA requirements.

Non-Major Discharger Permits

DNA PROCEDURES FOR *NEW* NON-MAJOR PERMITS

In developing a new Non-Major permit, the DNA pages from the document **MINORNEW.WPD** (Attachment 16) must be included by the permit writer in the final permit. The permit writer must also include the *Notice of Waiver* form (Attachment 11) before transmittal to EP, to be sent to the permittee with the final permit.

DNA PROCEDURES FOR *MODIFICATION* OF NON-MAJOR PERMITS

It is possible that during modification of a Non-Major permit, DNA-related pages will already be included from a previous modification. It is also possible that a permittee may have already put up a sign and established a data repository independent of and before permit modification, after hearing of DNA requirements. Procedures for addressing DNA requirements during Non-Major permit modification are as follows:

If The Permittee Is Already Complying With The DNA

If it is known that a permittee is already complying with the DNA at the time of permit modification, and it is only a matter of the permittee continuing to comply with the DNA, the form **CONTINUE.WPD** (Attachment 14) should be included in the final modified permit. In this case, no further action has to be taken to address the DNA, by either the Regional Office, Central Office, or permittee, unless facility operations change which warrant a re-examination of DNA requirements.

Whether a modification is taking place in a Regional Office or the Central Office, it is necessary for the permit writer to ensure that the DNA permit pages continue to be included in the permit undergoing modification. This must be done even if a DNA waiver had been granted in the past, since conditions may have changed.

If The Permittee Is Not Yet Complying With The DNA

If the DNA has not yet been addressed during a permit modification, the DNA page **MINORMOD.WPD** (Attachment 17) must be included with the final permit. The DOW permit writer assembles the final permit language and related documents and transmits them to the EP Regional Office, where the permit is finalized and sent to the permittee. The EP must also include a *Notice of Waiver* (Attachment 11) form with the transmittal, if not already included by the BWP.

DNA PROCEDURES FOR *RENEWAL* OF NON-MAJOR PERMITS

Permit renewals for Non-Major dischargers are always initiated by the BWP, with the mailing of a **Notice/Renewal Application/Permit**, and **SPDES Renewal Questionnaire** or **P/C/I Questionnaire** to the permittee. After these forms are completed and returned to the EP Central Office, EP does one of two possible steps:

- For a permit that is logged in to the Fee System database as having DNA requirements already in the permit at the time of renewal, the EP Central Office sends out a page extending the existing permit.
- For a permit not containing DNA requirements, EP will add the form **MINORMOD.WPD** (Attachment 17) to the final permit, and also include a **Notice of Waiver** form for transmittal with the permit to the permittee.

NOTICE OF WAIVER PROCEDURES (NON-MAJOR PERMITS ONLY)

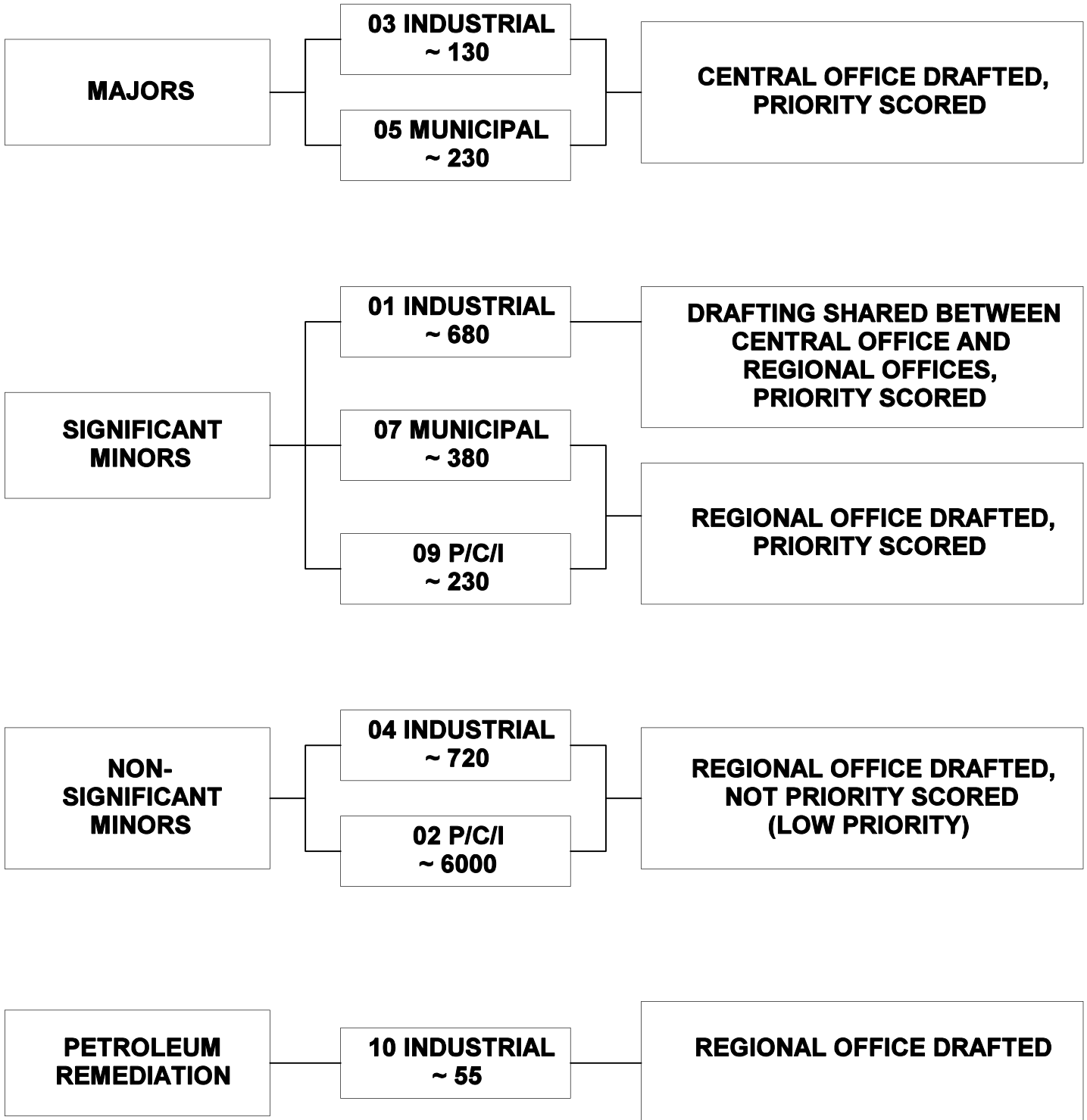
Notice of Waiver forms can be used by only **Non-Major discharge permittees**. They are sent out with new permits, renewed permits, or modified permits which do **not** use the **CONTINUE.WPD** page. The following procedures summarize *Notice of Waiver* steps to be taken by the BWP and EP.

1. A *Notice of Waiver* form is added to a permit package by either the BWP or EP, as follows:
 - For a **new** or **modified** permit, the *Notice of Waiver* form is included with the permit and related documents, by the BWP, for transmittal to EP. EP includes this form with the transmittal of the final permit to the permittee.
 - For a **renewed** permit, the *Notice of Waiver* form is included by EP with the permit renewal and related documents, for transmittal to the permittee.
2. If a permittee believes that its discharge falls into any waiver category itemized in the *Notice of Waiver*, it can complete that form and send it to the BWP.
3. The BWP sends an *Acknowledgment Letter* (Attachment 18) to the permittee and provides copies of both the *Notice of Waiver* and *Acknowledgment Letter* to the RWE.
4. The BWP and appropriate Regional DOW office permanently file the permittee's *Notice of Waiver* and *Acknowledgment Letter*.
5. If the RWE disagrees with the permittee's *Notice of Waiver*, he or she notifies BOTH the permittee and Central Office that DNA signage and public repository requirements must be complied with.

NOTE:

- A *Notice of Waiver* form is not a part of the permit and remains a separate document. It should be mailed to the permittee along with new, renewed, or modified permit, as long as the permittee has not yet been subject to the DNA.
- The RWE can disagree with a *Notice of Waiver*, upon receipt of the copy from the Central Office, or at any time thereafter, such as discovery of certain facts during an inspection, a change in a permittee's discharge quality, or for any other reason.

SPDES PERMIT CLASSIFICATION DIAGRAM



ATTACHMENT 2

**Number of Individual SPDES Permits Per Region
By Class/Type For Surface (S) and Ground Water (G) Discharges**

April 16, 2001

Class	Type	Region									Total
		1	2	3	4	5	6	7	8	9	
01	G	126	2	4	11	3	0	4	15	7	172
	S	31	39	120	68	15	42	77	67	51	510
02	G	1918	8	642	343	353	304	297	259	289	4413
	S	1	15	485	277	79	129	129	247	230	1592
03	S	5	12	11	12	12	17	20	15	25	129
04	G	52	1	15	24	25	12	15	18	12	174
	S	5	7	131	67	40	59	69	68	98	544
05	G	0	0	0	0	1	0	0	0	0	1
	S	19	14	36	25	16	21	26	34	36	227
06	G	0	0	1	0	0	0	0	0	0	1
07	G	21	0	1	2	3	1	4	0	4	36
	S	5	0	86	42	34	49	42	41	44	343
09	G	131	0	0	0	0	0	0	0	0	131
	S	5	4	12	25	6	2	36	6	3	99
10	G	3	0	2	0	3	4	0	0	0	12
	S	4	6	23	2	1	6	2	1	0	45
Total	G	2251	11	664	380	388	321	320	292	312	4939
Total	S	75	97	905	518	203	325	401	479	487	3490
Total	All	2326	108	1569	898	591	646	721	771	799	8429

ATTACHMENT 3

Page 2 of 2

PRIORITY RANKING WORK SHEET CONTINUATION

Page 2 of 2

Permittee Name: _____

SPDES No.: NY _____

Factor No.	DESCRIPTION	FACTOR VALUE	MULTIPLIER	FACTOR SCORE
			Total Factor Score (This Page)	

GUIDANCE FOR USE OF PERMIT PRIORITY RANKING FACTORS

Factor No.

- 1 New York State has developed a Combined Sewer Overflow (CSO) Strategy in conformance with USEPA Clean Water Act program guidance. This strategy calls for the State to implement a series of CSO controls through the mechanism of specific SPDES permit conditions. An example of a “primary” CSO requirement would be the submission of a Facility Plan to control or eliminate CSOs known to be contributing to a water quality problem. An example of a “secondary” CSO requirement would be updating the language in a SPDES permit to conform to the “No dry weather discharge” element of the State CSO Strategy.
- 2 The facility has been identified as subject to a Department initiative such as multimedia permitting, watershed TMDL implementation, or Discharge Notification Act requirements.
- 3 Some elements of the Federal Industrial Pretreatment regulations are imposed by inserting specific requirements into municipal SPDES permits. An example of a “primary” pretreatment modification would be the insertion of “mini pretreatment program” language into a municipal SPDES permit in order to resolve a significant negative impact on the STP from industrial indirect discharges. A “secondary” pretreatment modification might be changes in the permit language to conform to federal regulations but which would not resolve any significant problems at the POTW or in the sewer system.
- 4 The Federal CWA requires Best Management Practice (BMP) plans for all industries which have SPDES permits and which have a potential for toxic contamination of storm water by “industrial activity.” Modification of a SPDES permit for a BMP would be of “primary” importance if, for example, the storm water discharges from the industry were known to contain PCBs. The modification would be of “secondary” importance if the addition of the BMP was a regulatory requirement but was not presently associated with any toxic discharge from the permitted site.
- 5a The permit in question has been identified as potentially needing an effluent limit for a Bioaccumulative/Persistent Toxic Substance. See Attachment 5 for the list of substances.
- 5b The permit is identified as needing to be modified to add or change an important effluent parameter because: the receiving water body has been formally reclassified (not just proposed for reclassification) to a higher water quality standard; or a new water quality standard or guidance value has been published for a parameter in the effluent; or a new substance has been identified in the effluent which is important to the achievement of best usage or a water quality standard in the receiving water body.
- 5c The permit needs to be modified to add or change another parameter such as a water treatment chemical, pH, temperature, or suspended solids limit or action level, that has a very low probability of causing a water quality problem.
- 6a Permit needs to be modified to add or change an effluent limit parameter that is incorporated in a newly promulgated USEPA wastewater treatment technology regulation for Best Available Treatment Technology Economically Achievable (BAT), Best Conventional Pollutant Control Technology (BCT), or New Source Performance Standards.
- 6b A permit drafting engineer concludes that an effluent parameter needs to be added or changed based on a reevaluation of Best Professional Judgement (BPJ) treatment technology.
- 7 The permit in question needs to be modified in order to resolve an issue of permit non-compliance or to ensure consistency between the permit and a court order or negotiated consent order. Examples include : a permittee that cannot verify compliance with a permit limit that proves to be lower than the effluent specific lab detectability limit; or a permittee that builds a BPJ treatment system to achieve a BPJ effluent limit (not an effluent limit based on water quality) only to find that the system cannot achieve the permit limit despite effective operation.
- 8 As required by the Federal Clean Water Act, USEPA and New York State are proceeding with initiatives which in the near future could trigger Antidegradation evaluations for facilities with an existing SPDES permit which: propose facility expansions which would result in increased discharges of pollutants; or presently have permit authorization to discharge toxics which exceed present day actual discharges of those toxics. (The Great Lakes Toxic Initiative is the most highly developed initiative at this time.) This priority evaluation factor will only be utilized when these initiatives are finalized and implemented.

GUIDANCE FOR USE OF PERMIT PRIORITY RANKING FACTORS

Factor No.

- 9 Under Section 304(1) of the Federal Clean Water Act, the USEPA is obligated to list specific discharges which must be upgraded with Individual Control Strategies (ICS) to further control toxic releases. This factor will be associated with SPDES permits which must be modified because they are listed in the 304(1) list and require an ICS (ICS is synonymous with SPDES/NPDES permits).
- 10 The State Revolving Fund (SRF) list identified projects which have applied for and are eligible for State & Federal loans to build needed sewerage and sewage treatment systems. This priority factor will be used for municipal permittees that are on the SRF list.
- 11 The permit in question should be modified to incorporate a requirement for whole effluent biological toxicity testing in conformance with the Department's policy.
- 12 The Department has received substantive public interest in the facility's discharge.
- 13 The permit is associated with a major electric generating power plant and the permit needs modification to incorporate typical requirements for studies or control measures related to fish impingement or aquatic endangerment.

Permit Longevity Score

During development of the permit priority ranking system, concern was expressed about low priority permits going for years without any systematic evaluation of the need to modify the permit. To eliminate this occurrence, add 5 points (for permit classes 03, and 05) or 3 points (for permit classes 01, 07, 09 and 10) to the priority score for each year that has elapsed since the last time the facility was required to submit a long form permit application together with required comprehensive effluent sampling. Use of this longevity factor will ensure that all permits will gradually rise in priority score until they must be actively evaluated for modification

BIOACCUMULATIVE AND PERSISTENT SUBSTANCES

NAME	BAT/BJP (DAILY MAXIMUM - UG/L)	PRACTICAL QUANTITATION LIMIT	BASIS FOOT NOTE	CAS NUMBER
Aldrin	8	8	1,2	309-00-2
4-Bromophenyl phenyl ether	20	20	4	101-55-3
Chlordane (also CAS# 12789-03-6)	10	10	1,2	57-74-9
4-Chlorophenyl phenyl ether	20	20	4	7005-72-3
4,4'-DDD; p,p'-DDD; 4,4'-TDE; p,p'TDE	10	10	4	72-54-8
4,4'-DDE; p,p'-DDE	20	20	5	72-55-9
4,4'-DDT; p,p'-DDT	20	20	4	50-29-3
Dieldrin	10	10	1,2	60-57-1
Endrin	10	10	1,2	72-20-8
Heptachlor	8	8	1,2,4	76-44-8
Heptachlor epoxide	9	9	1,2	1024-57-3
Hexachlorobenzene	8	8	2	118-74-1
Hexachlorobutadiene; hexachloro-1,3-butadiene	4	4	1,2	87-68-3
Hexachlorocyclohexane; BHC	40	40	4	608-73-1
alpha-Hexachlorocyclohexane; alpha-BHC	10	10	4	319-84-6
beta-Hexachlorocyclohexane; beta-BHC	20	20	4	319-85-7
gamma-Hexachlorocyclohexane; gamma-BHC; LINDANE	10	10	4	58-89-9
delta-Hexachlorocyclohexane; delta-BHC	10	10	4	319-86-8
Mercury	1,15	0.8	6,7	7439-97-6
Methoxychlor	18	0.4	8	72-43-5
Mirex; dechlorane	0.4	0.4	4	2385-85-5
Octachlorostyrene	N/A	N/A		29082-74-4
Pentachlorobenzene	10	10	4	608-93-5
Photomirex	N/A	N/A		39801-14-4
Polychlorinated Biphenyls; PCBs	0.3	0.3	1,3	A21000-00-0
2,3,7,8-TCDD	0.017	0.008	4	1746-01-6
1,2,3,4-Tetrachlorobenzene	10	10	4	634-66-2
1,2,4,5-Tetrachlorobenzene	10	10	4	95-94-3
Toxaphene	10	10	4	8001-35-2

- | | |
|--|-------------------------------------|
| 1. GC/MS - PQL, Granular Activated Carbon, R.R.E.L. Treatability Database (RREL) | 5. GC/MS - PQL, Sedimentation, RREL |
| 2. GC/MS - PQL, Resin Adsorption, RREL | 6. Chemical Precipitation, RREL |
| 3. GC/MS - PQL, Activated Carbon, ALCOA | 7. Ion Exchange, LCP |
| 4. GC/MS - PQL, Activated Carbon, Best Professional Judgement | 8. Wet Air Oxidation, RREL |

* As derived from the Great Lakes Initiative list of Bioaccumulative Chemicals of Concern

EBPS PUBLIC NOTICE AND SAMPLE PRIORITY RANKING LIST

Availability for Comment

State Pollutant Discharge Elimination System (SPDES) Priority Ranking List

The New York State Department of Environmental Conservation (NYSDEC) is providing the Environmental Benefit Permit Strategy (EBPS) priority rankings listed below in conformance with section 17-0817(6.) of the Environmental Conservation Law. The lists are based on a ranking system that prioritizes permits for full technical review and, when necessary, modification. The full technical review is conducted in one of nine regional offices or the central office, depending on the location of the discharge and whether the permit has been assigned to the central office based on USEPA designation as a major discharge or state designation as a centralized significant industrial permit.

The SPDES permit renewal process should not be confused with the priority ranking system. Permits are renewed prior to expiration by a separate administrative procedure that makes no provisions for technical modifications.

The lists below reflect the top ten percent of the priority list for each office. The ranking scores are updated on a continuous basis due to the discovery of new information and the issuance of modifications that eliminate the factors which go into each score. Each list represents a workload objective during this fiscal year.

A handout describing the EBPS process and Fact Sheets for individual permits (provide detailed information for the ranking score of each individual permit) are available by contacting William P. Mirabile at (518) 402-8122, by e-mail at wpmirabi@gw.dec.state.ny.us, or at the address listed below.

Any interested party may provide, at any time, substantive comments requesting a change in a permit's rank based on the grounds that newly discovered, material information exists; that a material change in environmental conditions has occurred; or that relevant technology or applicable law or regulations have changed since the issuance of the existing permit. All such requests shall be in writing and contain facts or reasons supporting the request. Comments must be sent to Warren Lavery, P.E., Director, Bureau of Water Permits, NYSDEC, 625 Broadway, Albany, NY 12233-3505.

ENVIRONMENTAL BENEFIT PERMIT STRATEGY
SPDES PRIORITY RANKINGS
(Not an indicator of facility performance or compliance)

CENTRAL OFFICE

SCORE SPDES.#. R PERMITTEE NAME..... FACILITY NAME.....
 NAME.....

SCORE SPDES.#. R PERMITTEE NAME..... FACILITY

639 002 7901 3 ORANGE COUNTY DEPT OF EF& ORANGE COUNTY SEWER DIST
 400 000 8109 2 PORT AUTH OF NY & NJ JOHN F KENNEDY INTERNATIO
 365 000 7056 4 GENERAL ELECTRIC CO GE-SCHENECTADY
 340 000 0558 9 DELPHI AUTOMOTIVE SYSTEMS DELPHI AUTOMOTIVE SYSTEMS
 302 000 2143 7 ALCAN ROLLED PRODUCTS CO. ALCAN SHEET & PLATE DIV.
 270 000 4081 8 PUROLATOR PRODUCTS INC MOTOR COMPONENTS DIV
 260 000 7048 5 GENERAL ELECTRIC CO.-TRAN GENERAL ELECTRIC CO-TRANS
 255 000 5517 2 NASSAU METALS CORP NASSAU METALS CORP
 236 000 0132 6 REYNOLDS METALS CO ST LAWRENCE REDUCTION PLA
 205 020 6695 1 HUBBARD POWER & LIGHT INC HUBBARD POWER & LIGHT INC
 202 000 1635 9 OLIN CORP OLIN CORP.NIAGARA FALLS P
 192 002 2136 9 ERIE COUNTY SD#6 ERIE CO. S.D.#6 (LACKAWAN
 170 002 6620 1 GLEN COVE (C) GLEN COVE SEWAGE TREATMEN
 170 010 8111 3 JEFFERSON VALLEY MALL L.P JEFFERSON VALLEY MALL
 161 002 6042 5 GLOVERSVILLE-JOHNSTOWN J GLOVERSVILLE-JOHNSTOWN JO
 160 000 4472 3 CON ED/PASNY INDIAN POINT STATION #1 2
 160 000 6262 3 CENTRAL HUDSON GAS & ELEC DANSKAMMER POINT GENERATI
 160 000 8010 3 ORANGE & ROCKLAND UTILITI BOWLINE POINT GENERATING
 160 000 8231 3 CENTRAL HUDSON GAS & ELEC ROSETON GENERATING STATIO
 158 000 8133 2 PORT AUTH OF NY & NJ LAGUARDIA AIRPORT
 157 000 6670 3 NEPERA INC. NEPERA INC.

152 002 6131 2 NYC DEP - BUR OF WASTEWAT NYC DEP WARD ISLAND WATER
 152 002 6182 2 NYC DEP - BUR OF WASTEWAT NYC DEP CONEY ISLAND WATE
 152 002 6204 2 NYC DEP - BUR OF WASTEWAT NYC DEP NEWTOWN CREEK WAT
 150 000 0345 9 FMC CORP. FMC CORP
 147 002 6107 2 NYC DEP - BUR OF WASTEWAT NYC DEP PORT RICHMOND WAT
 147 002 6115 2 NYC DEP - BUR OF WASTEWAT NYC DEP JAMAICA WATER POL
 147 002 6158 2 NYC DEP - BUR OF WASTEWAT NYC DEP BOWERY BAY WATER
 147 002 6166 2 NYC DEP - BUR OF WASTEWAT NYC DEP OWLS HEAD WATER P
 147 002 6174 2 NYC DEP - BUR OF WASTEWAT NYC DEP OAKWOOD BEACH WAT
 147 002 6191 2 NYC DEP - BUR OF WASTEWAT NYC DEP HUNT'S POINT WATE
 147 002 6212 2 NYC DEP - BUR OF WASTEWAT NYC DEP 26TH WARD WATER P
 147 002 6221 2 NYC DEP - BUR OF WASTEWAT NYC DEP ROCKAWAY WASTEWAT
 147 002 6239 2 NYC DEP - BUR OF WASTEWAT NYC DEP TALLMAN ISLAND WA
 147 002 6247 2 NYC DEP - BUR OF WASTEWAT NYC DEP NORTH RIVER WATER
 147 002 7073 2 NYC DEP - BUR OF WASTEWAT NYC DEP RED HOOK WATER PO
 145 000 0167 8 AKZO NOBEL SALT INC. AKZO NOBEL SALT INC.
 142 002 8410 9 BUFFALO SEWER AUTHORITY BSA BIRD ISLAND WASTWATER
 140 000 5711 3 ORANGE & ROCKLAND UTILITI LOVEIT GENERATING STATION
 135 000 5941 1 MARKETSPAN GENERATION LLC MARKETSPAN-NORTHPORT POWE
 134 000 5525 5 FINCH, PRUYN AND COMPANY, I FINCH, PRUYN AND COMPANY, I
 132 002 0265 4 DELHI (V) DELHI (V) SEWAGE TREATMEN

ATTACHMENT 6
Page 2 of 2

CENTRAL OFFICE (CONTINUED)

SCORE SPDES.#. R PERMITTEE NAME..... FACILITY NAME.....
NAME.....

131	000	0540	6	GENERAL MOTORS POWERTRAIN	GENERAL MOTORS POWERTRAIN
131	000	1163	7	CARRIER CORP.	THOMPSON ROAD SITE
125	000	0418	9	MORTON SALT DIV. MORTON I	MORTON SALT DIV OF MORTON
120	000	0906	9	SGL CARBON CORP.	SGL CARBON CORP.
120	025	1577	2	BROOKLYN NAVY YARD COGEN	BROOKLYN NAVY YARD COGEN
118	000	4138	7	PROCTER & GAMBLE PHARMACE	NORTH NORWICH FACILITY
112	000	1848	6	LYONS FALLS PULP & PAPER	LYONS FALLS PULP & PAPER
110	000	5932	1	MARKETSPAN GENERATION LLC	MARKETSPAN PORT JEFFERSON
110	002	7154	4	WALTON (V)	WALTON (V) SEWAGE TREATME
107	000	1210	9	BUFFALO AIRPORT CENTER AS	BUFFALO AIRPORT CENTER AS
107	002	2446	3	NEW WINDSOR (T)	NEW WINDSOR (T) SEWAGE TR
107	002	5836	7	YAD ASSOCIATES INC	BUCKEYE TANK TERMINALS L.
106	019	1973	4	STIEFEL LABORATORIES INC.	STIEFEL LABORATORIES INC.
105	000	0825	7	CRUCIBLE SPECIALTY METALS	SPECIALTY METALS DIV
100	010	8979	8	MERCURY AIRCRAFT INC	MERCURY AIRCRAFT INC
97	020	6334	1	WEISS INSTRUMENTS INC.	WEISS INSTRUMENTS INC.
95	000	2186	7	NIAGARA MOHAWK POWER CORP	OSWEGO STEAM STATION UNIT
95	000	5924	2	LONG ISLAND LIGHTING CO	FAR ROCKAWAY POWER STATIO
95	002	0672	7	HAMILTON (V)	HAMILTON (V) WATER POLLUT
95	002	2187	5	LAKE PLACID (V)	LAKE PLACID (V) SEWAGE TR
95	010	8685	1	RIVERHEAD HIGHWAY DEPARTM	RIVERHEAD HIGHWAY DEPARTM
94	002	8002	2	CASTLE ASTORIA TERMINALS	GREATER N Y TERMINAL
91	010	7697	7	LCP CHEMICALS - NEW YORK	LCP CHEMICALS - N.Y.

SCORE SPDES.#. R PERMITTEE NAME..... FACILITY

90	002	2195	5	DANNEMORA (V)	DANNEMORA (V) WASTEWATER
90	010	7409	7	NATIONAL PIPE & PLASTICS	NATIONAL PIPE & PLASTICS
88	000	5541	3	I B M CORP	IBM CORP
87	002	1733	5	SARANAC LAKE (V)	SARANAC LAKE (V) STP
85	002	6395	9	TONAWANDA (T)	TONAWANDA (T) WASTEWATER
84	002	9050	5	GLENS FALLS (C)	GLENS FALLS (C) SEWAGE DI
83	000	0973	9	US DEPARIMENT OF ENERGY	WEST VALLEY DEMONSTRATION
83	023	1690	7	MOBIL OIL CORP.	MOBIL S/S #08 - ITHACA (C
82	000	4413	5	INTERNATIONAL PAPER CO	TICONDEROGA MILL
82	000	7170	5	AYERST RESEARCH LABORATOR	CHAZY DRUG SAFETY EVALUAT
82	002	7570	9	JAMESTOWN (C) BOARD OF PU	JAMESTOWN (C) WASTEWATER
82	010	1583	9	CUTCO CUTLERY CORP.	CUTCO CUTLERY CORP.
82	010	2971	1	HUNTINGTON (T) HIGHWAY DE	SAND/SALT STORAGE FACILIT
81	000	4146	7	PROCTER & GAMBLE PHARMACE	WOODS CORNERS FACILITY
81	002	5151	6	CARTHAGE/WEST CARTHAGE (V	CARTHAGE-WEST CARTHAGE WT
80	000	7013	5	AMERICAN TISSUE OF GREENW	AMERICAN TISSUE OF GREENW
80	002	1547	5	GRANVILLE (V)	GRANVILLE (V) WWTP
80	003	0074	3	LIBERTY (V)	LIBERTY (V) WASTEWATER TR
80	003	1518	3	GOSHEN (V)	GOSHEN (V) WASTEWATER TRE
80	003	3421	5	AYERST LABS INC DIV OF AM	AYERST LABS INC
80	019	2392	4	NEW YORK POWER AUTHORITY	BLenheim GILBOA PUMPED ST
80	022	5291	1	FHR REALTY COMPANY	EHLERS MOBIL STATION

REGION 1

SCORE SPDES.#. R PERMITTEE NAME..... FACILITY NAME.....
NAME.....

255	010	7859	1	MOBIL OIL CORP.	COLD SPRING HARBOR TERMIN
215	010	8651	1	MOBIL OIL CORP	MOBIL GLENWOOD LANDING TE
190	000	5878	1	COMMANDER OIL CORP	COMMANDER OIL-OYSTER BAY
159	002	3299	1	OIL CO INC (DBA EAGLE OIL	OIL CO.INC. DBA EAGLE OIL
155	020	6407	1	WINDSOR FUEL CO.INC.	WINDSOR FUEL CO.INC.
135	010	7760	1	TIFFEN MFG CORP	TIFFEN MFG CORP
130	003	2638	1	UNIVERSAL UTILITIES	UNIVERSITY UTILITIES
111	019	9273	1	PENNZOIL-QUAKER STATE CO.	PENNZOIL-QUAKER STATE CO
110	010	3489	1	SOUTHAMPTON (T) HWY DEPT	SOUTHAMPTON (T) HIGHWAY D
95	021	1532	1	WE OWE YOU ONE INC (TONYS	BAR-BOY LAUNDROMAT
80	000	6823	1	MOTIVA ENTERPRISE LLC	MOTIVA ENTERPRISE-INWOOD
80	019	9176	1	ISLIP(T)-DPW-SALT	EAST ISLIP MARINA(T) BRIN
80	020	6342	1	OSWEGO OIL SERVICE CORP.	OSWEGO OIL SERVICE
75	009	1090	1	SUFFOLK COUNTY DEW	SCSD #2 HOLBROOK

SCORE SPDES.#. R PERMITTEE NAME..... FACILITY

75	011	0591	1	SLOMINS INC	SLOMIN'S OIL INC.
70	000	5797	1	GULF OIL LIMITED PARTNERS	GULF - OCEANSIDE
70	002	5577	1	RAD ENERGY CORP.	RAD OCEANSIDE TERMINAL
70	019	9508	1	MOBIL OIL CORPORATION	MOBIL - INWOOD TERMINAL
69	003	0872	1	CARBO INDUSTRIES INC.	CARBO INDUSTRIES INC.-INW
65	013	7243	1	SMILE LAUNDRY INC.	SMILE LAUNDERETTE
65	020	6270	1	SUFFOLK LAUNDRY SERVICES	SUFFOLK LAUNDRY SERVICES
61	020	6181	1	MEENAN OIL COMPANY LP	MEENAN OIL COMPANY INC
60	002	8495	1	CONCORD OIL CO	CONCORD OIL CO
60	006	5358	1	SUFFOLK COUNTY DPW	SCSD #14 PARKLAND
60	020	9546	1	REGIMENT LAUNDRY CORP	VILLAGE LAUNDROMAT
60	020	9996	1	LIVE-AIRE LAUNDRY INC	CHURCH STREET LAUNDROMAT
60	021	0242	1	THREE-N ASSOCIATES	THREE-N LAUNDROMAT

REGION 2

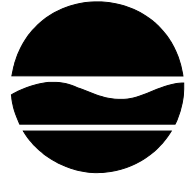
SCORE SPDES.#. R PERMITTEE NAME..... FACILITY NAME.....
NAME.....

75 020 0271 2 NYC DEPT OF SANITATION BB DIST 73 GARAGE & BORO REP

SCORE SPDES.#. R PERMITTEE NAME..... FACILITY

70 014 0660 2 F W SYSTEMS TREETOP VILLAGE TREATMENT

New York State Department of Environmental Conservation
Division of Water
Bureau of Water Permits
625 Broadway, Albany, New York 12233-3505
Phone: (518) 402-8111 • **FAX:** (518) 402-9029
Website: www.dec.state.ny.us



Erin M. Crotty
Commissioner

SUMMARY OF TECHNICAL DEFICIENCIES

Permit Writer:

Facility Name:

Facility Address:

SPDES Permit No.:

Date:

INSTRUCTIONS: List all information required and deficiencies of a technical nature which must be provided by the permit applicant to complete the technical review of this facility's SPDES permit application. This information may include, but is not limited to, existing or anticipated influent or effluent quality data, process flow diagrams, water balances, wastewater treatment information, etc.

ATTACHMENT 8
Page 1 of 7

91-20-5 (4/98)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
State Pollutant Discharge Elimination System (SPDES)
NOTICE / RENEWAL APPLICATION / PERMIT



Please read **ALL** instructions on the back before completing this application form. Please **TYPE** or **PRINT** clearly in ink.

PART 1 - NOTICE Date: _____

APPLICATION DUE BY ___/___/___

Permittee Contact Name, Title, Address

Facility Information, DEC Number, SPDES Number, Expiration Date

Are these name(s) & address(es) ¹correct? if not, please write corrections above.

The State Pollutant Discharge Elimination System Permit for the facility referenced above expires on the date indicated. You are required by law to file a complete renewal application **at least 180 days prior to expiration of your current permit**. Note the "Application Due By" date above.

CAUTION: This short application form and attached questionnaire are the only forms acceptable for permit renewal. Sign Part 2 below and mail only this form and the completed questionnaire using the enclosed envelope. *Effective April 1, 1994 the Department no longer assesses SPDES application fees.*

If there are changes to your discharge, or to operations affecting the discharge, then in addition to this renewal application, you must also submit a separate permit modification application to the Regional Permit Administrator for the DEC region in which the facility is located, as required by your current permit. See the reverse side of this page for instructions on filing a modification request.

PART 2 - RENEWAL APPLICATION

CERTIFICATION: I hereby affirm that under penalty of perjury that the information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Name of person signing application (see instructions on back) Title

Signature Date

PART 3 - PERMIT (Below this line - Official Use Only)

Effective Date: ___/___/___ Expiration Date: ___/___/___

Address:
NYSDEC - Division of Environmental Permits
Bureau of Environmental Analysis
625 Broadway, Albany, NY 12233-1750

Permit Administrator

Signature Date

This permit together with the previous valid permit for this facility issued ___/___/___ and subsequent modifications constitute authorization to discharge wastewater in accordance with all terms, conditions and limitations specified in the previously issued valid permit, modifications thereof or issued as part of this permit, including any special or general conditions attached hereto. Nothing in this permit shall be deemed to waive the Department's authority to initiate a modification of this permit on the grounds specified in 6NYCRR §621.14, 6NYCRR §754.4 or 6NYCRR §757.1 existing at the time this permit is issued or which arise thereafter.

Attachments: General Conditions dated ___/___

ATTACHMENT 8

Page 2 of 7

INSTRUCTIONS FOR PERMIT RENEWAL State Pollutant Discharge Elimination System (SPDES) Permits

DETAILED INSTRUCTIONS

Before completing Part 2 of the one page NOTICE/RENEWAL APPLICATION/PERMIT form on the reverse side and the attached QUESTIONNAIRE read the **BACKGROUND** discussion and **SPDES PERMIT SELF EVALUATION LIST** found on a following page.

1. QUESTIONNAIRE: Read the instructions and enclosed "Self Evaluation List" carefully. Answer the questions that require a specific answer as indicated and enclose the questionnaire with this application.

2. OTHER FORMS: You may receive additional forms that are not mentioned in the discussion accompanying this notice. These additional forms must be completed and returned with your application or your application will be considered incomplete. For example: Any facility located in Brooklyn, Queens, Nassau or Suffolk counties will receive an application supplement entitled Discharges Within Sole Source Aquifers which must be submitted.

3. PART 1 - NOTICE: Check the information in this section carefully. Make any appropriate corrections **on** the page.

4. PART 2 - APPLICATION: Read the certification carefully and fill in the blanks. Print or type the name and title of the person who will sign the application in the blanks. Acceptable signatures are as follows:

<u>Organization</u>	<u>Required Signature</u>
● Corporation	Principal executive officer of at least vice-president level or a duly authorized representative who is responsible for the overall operation of the facility.
● Partnership	General partner.
● Sole proprietorship	Proprietor.
● Municipality, state, federal, or public facility	Principal executive officer, other ranking elected official, or other duly authorized employee.

Fill in the date of signing. (See federal regulations 40CFR Part 122.22 for a full description of acceptable signatures.)

5. FILING THE PERMIT APPLICATION: Use the envelope provided with this notice to mail the one page NOTICE/RENEWAL APPLICATION/PERMIT form, completed QUESTIONNAIRE, and any other forms requiring a response that you received with this notice to: NYSDEC - Environmental Permits, Bureau of Environmental Analysis, 625 Broadway, Albany, NY 12233-1750. For questions, phone: (518) 402-9167 Keep a copy for your records.

CAUTION: This Albany address must only be used for permit renewal activities. Other questions concerning your permit, including all **modification requests**, should be directed to the Regional Permit Administrator for the DEC region that issued your initial permit (or refer to the enclosed list of Regional Filing Locations).

6. PUBLIC NOTIFICATION: The Department must do a public notification of our intention to renew your permit without change. Comments submitted to the Department will be used to judge whether your permit may need to be modified in the future.

7. PERMIT: Following public notice, you will receive a copy of the NOTICE/RENEWAL APPLICATION/PERMIT with PART 3 - PERMIT, filled in and signed. **Then, attach this page to your old permit.** The new effective and expiration dates will be indicated.

8. THE DEPARTMENT NO LONGER ASSESSES SPDES PERMIT APPLICATION FEES. This change in legislation does not affect the yearly Regulatory Fee which you must still pay.

BACKGROUND

The Department has embarked on a program to streamline the administrative process of permit renewal and to improve environmental protection by redirecting our limited resources toward potentially deficient SPDES permits. This program is referred to as the Environmental Benefit Permit Strategy. To achieve the benefits of this strategy, all SPDES permits will be renewed upon receipt of the attached simplified application form, properly completed and signed. This is the only form acceptable for renewal of your permit.

RENEWAL PROCESS

It is imperative that you understand that the attached Questionnaire and the signed SPDES Renewal form must be returned to the DEC central office in Albany regardless of any decisions you make on the need to modify your permit. This centralized processing of SPDES permit renewals is a change in procedures effective with all notices mailed after January 1, 1995. The forms ask questions concerning your facility and discharge. All changes to your permit, except for those changes listed below, will be accommodated only within a separate permit modification process through the Department's Regional Permit Administrator for the DEC region that issued your initial permit (or refer to the enclosed list of Regional Filing Locations).

The following administrative types of changes **DO NOT** affect the discharge and may be made during the renewal process:

- Correction of typographical errors.
- Transfer of ownership (Obtain a transfer form and submit it with your renewal application. Refer to the enclosed Request For SPDES Application Forms.)
- Change in a facility name which does not involve a transfer of ownership.
- Attachment of revised General Conditions

PERMITTEE INITIATED MODIFICATIONS

Your current permit requires you to promptly notify the Department of all proposed changes which might affect your wastewater discharge. This includes production changes, use and discharge of chemicals, and changes to wastewater treatment/discharge facilities. Your responsibility to maintain an up-to-date application on file with the Department is not diminished by this new renewal strategy. Requests for permit modifications must be filed as soon as a change that might affect your permit has been identified or is anticipated, by filing an entire new detailed application (EPA Form 1, Form 2B, Form 2C, Form 2E or State developed forms) or by filing specific portions thereof, either on a form or by letter, or both. Refer to the enclosed Request For SPDES Application Forms to obtain blank forms.

DEPARTMENT INITIATED MODIFICATIONS

Information on the renewal application questionnaire together with input from other sources from within and outside the Department will be used to determine a priority for the Department to initiate modification of your permit. In this regard, you may be required to submit a detailed application (EPA Form 1, Form 2B, Form 2C, Form 2E or State developed form). You will be notified to file this additional information at least 90 days before it will be due at the Department. Any future Department initiated modification to your permit requirements will conform to full regulatory due process, including draft permit, public notice and opportunities for public hearing.

SPDES PERMIT SELF EVALUATION LIST
--

The following list focuses on some of the more frequent reasons for requesting a SPDES permit modification. The list is presented to aid you in deciding whether to file an application for a SPDES permit modification, but it does not replace the need for you to be thoroughly familiar with all your current permit conditions, including the Part II General Conditions. As part of the renewal process, we are asking each permittee to review this list and decide whether or not it will be necessary to separately modify your facility's permit. Individual responses to the statements in the "Self Evaluation List" are not required.

A questionnaire, which must be completed and submitted with your application form, is attached. At the end of the questionnaire we have provided a space for you to indicate whether or not you think your permit needs to be modified and what unresolved concerns you may have about the permit. The Department will use your response to the questionnaire to help determine whether your permit needs to be modified. When the Department initiates the process of modifying your permit, you will likely be contacted to file a long form application or to provide additional information needed to modify your permit. You will be given at least 90 days to provide the requested information.

SELF EVALUATION CONSIDERATIONS FOR ALL SPDES RENEWALS

1. During the last five year cycle of your present SPDES permit, any of the following changes at your facility should have been reported to the Department.
 - Significant increases in discharge flow rate through any outfall point or increases to a level that exceeds the flow rate authorized in your permit require a modification application be submitted to the Department. (process, sewage and sanitary facility wastewater or cooling wastewaters)
 - Facility expansions or other modifications, increased production, changed products, product process changes, or wastewater collection, treatment and disposal changes which will result in new or increased discharges of pollutants requires application to the Department.
 - Introduction of any new chemical substances into your manufacturing process or operation that could potentially appear in measurable amounts in your wastewater effluent and which are not covered in your SPDES permit must be reported to the Department.
 - Facility modifications, process modifications, or production decreases which will result in decreased discharge of pollutants must be reported to the Department.
 - Use of new or different water treatment or water conditioning chemicals require application to the Department.
2. If you aware of any effluent monitoring on your facility's wastewater effluent, conducted by anyone or any agency that indicates the presence of toxics (priority pollutants) which are not authorized in your present SPDES permit and have not been previously reported to the Department, you are required to file an application for modification.
3. SPDES permit violations, petroleum or chemical spills and leaks, or wastewater treatment plant upsets which resulted in unauthorized pollutants being released to the surface or ground waters of the State are reportable to the Department as defined by the Part II General conditions.
4. You must keep the Department informed of any changes in the Permittee Name and Address, Facility Name and Address and Discharge Monitoring Report (DMR) Mailing Address found on the first page of your permit. Forms are available to transfer ownership (ie: change permittee name) and authorize a person to sign and submit DMR Reports (See order form on the back side of Questionnaire). You may report changes in Facility information and any changes to mailing addresses in the space provided on the bottom of the Questionnaire and/or by correcting the labels on your application.

ATTACHMENT 8
Page 5 of 7

ADDITIONAL CONSIDERATIONS FOR INDUSTRIAL FACILITIES

5. Industrial facilities that are specifically regulated under the USEPA Categorical Industrial Guidelines 40CFR Parts 400 to 499 and have had significant long term increases or decreases in industrial production rate compared to the rate reported in their most recent SPDES permit application or modification request must submit these changes to the Department.
6. Before implementing any plans to increase production, change product lines, modify wastewater treatment systems, or begin use of new chemicals in any way not presently authorized by your SPDES permit or potentially generating a violation of the permit is cause for making application to the Department.
7. If your facility is planning for Zebra Mussel control activities using chlorine or other chemical control methods not authorized in your SPDES permit or it's modifications, a permit modification must be obtained prior to use of any chemicals.
8. If your SPDES permit does not presently identify all point source storm water conveyances, including ditch or pipe outfalls, which are defined in federal regulations (40CFR Parts 122, 123 & 124) as discharges associated with "industrial activity" and thereby subject to federal storm water permit regulations, a modification application must be filed with the Department. The present due date for these storm water applications is October 1, 1992.

ADDITIONAL CONSIDERATIONS FOR PUBLICLY OWNED TREATMENT WORKS (POTW)

9. Any new introduction of pollutants or any substantial change in the volume or character of pollutants from any discharger into your POTW should be reported to the Department.
10. The introduction of any new chemical substances to your treatment process that could be detected in your effluent and which are not covered by your SPDES permit should be reported to the Department.
11. Your SPDES permit should identify all bypasses, outfalls, overflows or combined sewer overflow points in your system.
12. Before you approve of, accept or plan to accept industrial waste, hazardous waste, landfill leachate, or septage, containing pollutants not covered by your SPDES permit, application for a permit modification is required and any necessary permit modifications must be issued prior to commencing such activity.
13. The design of significant changes or expansions to your treatment facility, including plans to substantially alter the method of sludge treatment, conditioning or disposal, must be submitted to the Department for approval and possible SPDES permit modification.
14. Any proposals for extensions or connections before the local planning authority which would cause your treatment facilities to violate permit conditions, such as flow, must be approved by the Department.
15. Any effluent monitoring that has detected pollutants not specified in your permit or that has exhibited effluent toxicity must be reported to the Department.



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Please enter the numbers from your current permit:	DEC Number: ___ - ___ - ___ / ___ - ___ SPDES Number: NY _____
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SPDES RENEWAL APPLICATION QUESTIONNAIRE

THIS PAGE MUST BE COMPLETED AND RETURNED WITH YOUR COMPLETED APPLICATION

Please **TYPE** or **PRINT** neatly using adequate pressure to make ALL copies legible. Keep the GOLD copy for your records.

1. Has the SPDES permit for your facility been modified in the past 5 years YES NO
2. Dischargers who use, manufacture, store, handle or discharge toxic or hazardous pollutants are subject to Industrial Best Management Practices (BMP) plan requirements for toxic or hazardous substances. A BMP plan prevents or minimizes the potential for release of pollutants to receiving waters from such ancillary industrial activities, including material storage areas; plant site runoff; in-plant transfer; process and material storage areas; loading and unloading operations, and sludge and waste disposal areas.

Does your facility conduct ancillary activities as described above, which are not covered by BMP requirements in your current permit?

YES NO

Please indicate which of the following best describes the situation at your facility:

- None of the concerns on the "Self Evaluation List" seem to apply to my facility at this time and I will not be applying for a modification of the SPDES permit in the foreseeable future.
- Yes, some of the items on the "Self Evaluation List" have led me to believe my permit needs to be modified. I already have a complete modification application pending with the Department.
- Yes, some of the items on the "Self Evaluation List" have led me to believe that the SPDES permit for this facility may need to be Modified. I have requested the appropriate forms by phone OR I have completed and attached the "Request For SPDES Application Forms" (included in this renewal package) to allow me to submit a permittee-initiated Modification application.
- The items on the "Self Evaluation List" have left me unable to conclude whether my permit needs to be modified at this time. I am reporting the following general concerns about my permit:

DISTRIBUTION:

Regional Water Engineer –	WHITE
Central Office (BWP) –	YELLOW
Regional Permit Administrator –	PINK
Applicant –	GOLD

REQUEST FOR SPDES APPLICATION FORMS

Mail the forms I have checked below to: Name: _____ Street: _____ City: _____ State: _____ Zip: _____ Telephone Number: () _____	The forms listed below may alternately be ordered by phone from the appropriate Regional Permit Administrator shown on the enclosed list or obtained from www.dec.state.us/website/dcs/permits/olpermits/interface.html
--	--

- Application For Permit Transfer - Use this form to transfer a SPDES permit to a new owner/operator/lessee or to change the Permittee Name.
- Discharge Monitoring Report (DMR) Authorization - This form is used to authorize a responsible person to sign and submit DMRs to the Department. (This form is included in the Application packages listed below)
- Application Supplement A - For discharges within Sole Source Aquifers (ie: Facilities located within Nassau, Suffolk, Queens and Kings Counties).
- SPDES Application Form NY-2A package (Municipal - for wastewater treatment and/or collection systems). Use for new municipal discharges and municipal permit modifications.
- Application Form NY-2C package - for new and existing Manufacturing, Commercial, Mining and Silvicultural Operations. Form NY-2C requests detailed information necessary for preparation of a SPDES permit. The forms listed on the lower part of this page are included. Use for new industrial discharges and industrial permit modifications.

Application supplements for specific industries - For many industries, detailed production information is required to develop production based effluent limits. When possible, NYS has developed supplements that enable us to obtain the information easily and accurately. If your facility is in one of the following industrial categories, check the appropriate box below when ordering an application Form NY-2C package:

- | | |
|--|--|
| <ul style="list-style-type: none"> <input type="checkbox"/> Pulp and Paper Mills <input type="checkbox"/> Fruit and Vegetable Processors <input type="checkbox"/> Dairy Processors <input type="checkbox"/> Meat Processors <input type="checkbox"/> Organic Chemicals, Plastics and Synthetic Fibers | <ul style="list-style-type: none"> <input type="checkbox"/> Beverage Industry <input type="checkbox"/> Seafood Processors <input type="checkbox"/> Steam Electric Generating Facilities <input type="checkbox"/> Iron & Steel Manufacturing Industries |
|--|--|

- Application Form 2E package - For industrial facilities which Do Not Discharge Process Wastewaters - Form 2E requests detailed information necessary for preparation of a SPDES permit. this package is applicable to non-contact cooling water discharges only.
- Application Form 2F package - For Storm water Discharges Associated with Industrial Activity.
- Application Form D - (for non-municipal/non-industrial discharges of sewage without the admixture of industrial or other wastes(s) from private residential, commercial, and institutional (including local, State and Federal) facilities.

The following forms are included in the Application Form 2E & 2F packages listed above.

- Form 1 provides general information about the applicant. Instructions are included in the application booklet. Also refer to the New York Supplemental Instructions.
- New York Supplemental Instructions - Supplemental instructions are necessary for NYS to adopt EPA Forms 1, 2E & 2F for state use. The supplemental instructions selectively supersede or supplement instructions accompanying the EPA forms.

The following form is included in the Application Form 2E package listed above.

- New York Industrial Chemical Survey - This form was developed by NYS and provides information on the use of Substances of Concern. This information complements the sampling information required by Form 2E, and provides an information base for determining the potential for discharges of Substances of Concern.

ATTACHMENT 9
Page 1 of 3



91-20-5 (4/98)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
State Pollutant Discharge Elimination System (SPDES)
NOTICE / RENEWAL APPLICATION / PERMIT

Please read **ALL** instructions on the back before completing this application form. Please **TYPE** or **PRINT** clearly in ink.

PART 1 - NOTICE Date:

Permittee Contact Name, Title, Address

Facility and SPDES Permit Information

Name:
Ind. Code: County
DEC No.:
SPDES No.:
Expiration Date:
Application Due By:

Are these name(s) & address(es) correct? if not, please write corrections above.

The State Pollutant Discharge Elimination System Permit for the facility referenced above expires on the date indicated.

Submit this application by the "Application Due By" date

listed above in order to keep continuous coverage under your permit.

CAUTION: This short application form and attached questionnaire are the only forms acceptable for permit renewal. Sign Part 2 below and mail this form and the completed questionnaire using the enclosed envelope. *Effective April 1, 1994 the Department no longer assesses SPDES application fees.*

If there are changes to your discharge, or to operations affecting the discharge, then in addition to this renewal application, you must also submit a separate permit modification application to the Regional Permit Administrator for the DEC region in which the facility is located, as required by your current permit. See the reverse side of this page for instructions on filing a modification request.

PART 2 - RENEWAL APPLICATION

CERTIFICATION: I hereby affirm that under penalty of perjury that the information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Name of person signing application (see instructions on back) Title

Signature Date

PART 3 - PERMIT (Below this line - Official Use Only)

Effective Date: ___/___/___ Expiration Date: ___/___/___

Address:
NYSDEC - Division of Environmental Permits
Bureau of Environmental Analysis
625 Broadway, Albany, NY 12233-1750

Permit Administrator

Signature Date

This permit together with the previous valid permit for this facility issued ___/___/___ and subsequent modifications constitute authorization to discharge wastewater in accordance with all terms, conditions and limitations specified in the previously issued valid permit, modifications thereof or issued as part of this permit, including any special or general conditions attached hereto. Nothing in this permit shall be deemed to waive the Department's authority to initiate a modification of this permit on the grounds specified in 6NYCRR §621.14, 6NYCRR §754.4 or 6NYCRR §757.1 existing at the time this permit is issued or which arise thereafter.

Attachments: General Conditions dated ___/___

**INSTRUCTIONS FOR PERMIT RENEWAL
State Pollutant Discharge Elimination System (SPDES) Permits**

DETAILED INSTRUCTIONS

1. **QUESTIONNAIRE:** Read these instructions and enclosed "Questionnaire" carefully. Answer all relevant questions and return the completed questionnaire with this application.

2. **OTHER FORMS:** You may receive additional forms that are not mentioned in the discussion accompanying this notice. These additional forms must be completed and returned with your application or your application will be considered incomplete. For example: Any facility located in Brooklyn, Queens, Nassau or Suffolk counties will receive an application supplement entitled Discharges Within Sole Source Aquifers which must be submitted.

3. **PART 1 - NOTICE:** Check the information in this section carefully. Make any appropriate corrections **on** the page.

4. **PART 2 - APPLICATION:** Read the certification carefully and fill in the blanks. Print or type the name and title of the person who will sign the application in the blanks. Acceptable signatures are as follows:

<u>Organization</u>	<u>Required Signature</u>
● Corporation	Principal executive officer of at least vice-president level or a duly authorized representative who is responsible for the overall operation of the facility.
● Partnership	General partner.
● Sole proprietorship or owner	Proprietor or owner
● Municipality, state, federal, or public facility	Principal executive officer, other ranking elected official, or other duly authorized employee.

5. **FILING THE PERMIT APPLICATION:** Use the envelope provided with this notice to mail the one page NOTICE/RENEWALAPPLICATION/PERMIT form, completed QUESTIONNAIRE, and any other forms requiring a response that you received with this notice to: NYSDEC - Environmental Permits, Bureau of Environmental Analysis, 625 Broadway, Albany, NY 12233-1750. For questions, phone: (518) 402-9167. Keep a copy for your records.

CAUTION: This Albany address must only be used for permit renewal activities. Other questions concerning your permit, including all **modification requests**, should be directed to the Regional Permit Administrator for the DEC region that issued your initial permit (or refer to the enclosed list of Regional Filing Locations).

6. **PUBLIC NOTIFICATION:** The Department must publish a notice of it's intention to renew your permit. Comments submitted to the Department will be used to judge whether your permit may need to be modified in the future.

7. **PERMIT:** Following public notice, you will receive a copy of the NOTICE/RENEWAL APPLICATION/PERMIT with PART 3 - PERMIT, filled in and signed. **Attach this page to your current permit.** The new effective and expiration dates will be indicated.

8. **THE DEPARTMENT NO LONGER ASSESSES SPDES PERMIT APPLICATION FEES.** This change in legislation does not affect the yearly Regulatory Fee which you must still pay.



ATTACHMENT 9

Page 3 of 3

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Please enter the numbers from your current permit	DEC ID ____ - ____ - ____ / ____ SPDES Number NY _____
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QUESTIONNAIRE
for SPDES Private, Commercial & Institutional (PCI) Renewal Applications

Please answer the following questions about your discharge and return this form with your SPDES Application form. Use additional sheets as necessary.

When was your current permit issued (ie: signed by a Department representative)? Date ____/____/____	
Yes	No
<input type="checkbox"/>	<input type="checkbox"/>
Has the SPDES permit for your facility been modified in the past 5 years?	
<input type="checkbox"/>	<input type="checkbox"/>
Have any changes been made to your disposal system? If yes, please describe: _____	

<input type="checkbox"/>	<input type="checkbox"/>
Has there been an increase in wastewater discharge quantities to or from your disposal system above what was listed (see design flow) on your permit? If yes, explain: _____	

<input type="checkbox"/>	<input type="checkbox"/>
Have there been a physical expansion or other modifications to your facility? If yes, please describe: _____	

<input type="checkbox"/>	<input type="checkbox"/>
Has there been a change in the type, size or nature of the activity or business being conducted at your facility? If yes, please describe: _____	

ATTACHMENT 10

Page 1 of 2

Ind(3/98)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
State Pollutant Discharge Elimination System (SPDES)



REQUEST FOR INFORMATION
Environmental Benefit Permit Strategy (EBPS)

Permittee Contact Name, Title, Address

Facility and SPDES Permit Information

Name:
Ind. Code: County:
DEC No.:
SPDES No.: NY

Are these name(s) & address(es) correct? If not, please write corrections above.
Please return a copy of this page with your response.

In April 1992, the Department initiated a SPDES permit renewal and modification procedure termed the Environmental Benefit Permit Strategy. Under the strategy, permits are administratively renewed with a simple one page application and are modified in accord with a priority rating system. The two actions occur independent of each other and you may have already renewed your permit under this process. A complete description of the EBPS, printed on blue paper, is attached for your information. Do not complete and submit any of the blue pages.

Under the EBPS program for administrative SPDES permit renewal, we only require a one page renewal application form and we do not require extensive monitoring of the wastewater effluent. For SPDES permits which achieve a high environmental priority score for modification within the EBPS, the Department will require the submission of longer and more comprehensive forms and effluent monitoring data as a way to periodically verify that the SPDES permit provides adequate coverage and environmental protection.

A copy of the SPDES Priority Evaluation Fact Sheet for your facility, on gold colored paper, is enclosed for your information. Due to the priority ranking score shown on the fact sheet or other considerations explained on subsequent pages, the Department is evaluating your permit to determine the need for modification. A modification may be necessary to assure that your permit complies with all applicable laws and regulations. So that the Department can conduct a proper review, please complete the forms (which are attached) and provide the other information requested on the attached "ADDITIONAL INSTRUCTIONS" page(s) by

You are required by the terms of your permit to provide the information requested. Failure to provide accurate and timely information may result in permit revocation and the assessment of penalties.

In addition, it is your responsibility to maintain a permit that authorizes you to discharge no more than the quality and quantity of effluent allowed by applicable laws and regulations. Therefore, you should now provide us with any other information concerning your discharge which you believe would require a permit modification. For more information, please refer to the section entitled Permittee Initiated Modifications on page number 3 in the attached EBPS description (blue pages). Application forms may be obtained from the Regional Permit Administrator listed below. If you have attached a modification application to your response, please check this box.

Please submit one copy of the requested information and your application for modification (if applicable) to:

REGIONAL OFFICES SHOULD DELETE THIS
REQUEST FOR ONE COPY TO BE SENT TO BWP

NYSDEC, Bureau of Water Permits
625 Broadway
Albany, NY 12233-3505

Phone:

AND submit two copies to: Regional Permit Administrator, NYSDEC - Region

Phone:

If you have questions concerning this request, please contact the section chief listed above.

Attachments

cc: Regional Water Engineer - Region
Regional Permit Administrator - Region

ATTACHMENT 10
Page 2 of 2

Ind(5/97)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
State Pollutant Discharge Elimination System (SPDES)
ENVIRONMENTAL BENEFIT PERMIT STRATEGY
ADDITIONAL INSTRUCTIONS - Industrial



Permittee Name: _____

SPDES Number: _____

Please provide the information requested by the checked box(es).

- NYSDEC INDUSTRIAL SPDES APPLICATION FORM NY-2C: This form requests the information necessary for preparation of a SPDES permit. This includes general information about the facility, and detailed information regarding the location, quantity, quality, and treatment of the discharges from the facility. This form also includes the Industrial Chemical Survey, which complements the sampling information required by Form 2C and provides an information base for determining the potential for discharges of Substances of Concern.
- APPLICATION SUPPLEMENT A: This form requests detailed production information from specific industries for development of production based effluent limits. Based upon your facility's operations and industrial code, the following Application Supplements are included in this package:

- EFFLUENT SAMPLING - Complete the following sampling for the indicated outfalls, in addition to routine sampling for those parameters believed present in the discharges from your facility (One 24 hour composite).

<u>Outfall Numbers</u>	<u>Sampling Required</u>
<input type="checkbox"/> _____	126 Priority Pollutant Scan
<input type="checkbox"/> _____	Metals (analysis by graphite furnace where applicable)
<input type="checkbox"/> _____	Volatiles
<input type="checkbox"/> _____	Acid Compounds
<input type="checkbox"/> _____	Base Neutral
<input type="checkbox"/> _____	Pesticides

The parameters to be sampled are listed on Tables 6 and 7 of Form NY-2C . Sampling and analysis must comply with the attached MONITORING, RECORDING AND REPORTING requirements.

- OTHER INFORMATION: Submit the additional information listed below with your EBPS Request for Information response:

NOTICE OF WAIVER

Pursuant To The Discharge Notification Act Environmental Conservation Law 17-0815-a

This form must be used if you wish to notify the New York State Department of Environmental Conservation (DEC) that you believe one or more outfalls listed on your SPDES permit can be waived from the requirements of the Discharge Notification Act (DNA).

INSTRUCTIONS:

1. Please note that the DNA applies only to discharges of *wastewater* to *surface* water, and DOES NOT APPLY to the following situations:

- Discharges consisting of storm water only (not mixed with wastewater or otherwise contaminated).
- Discharges to ground water

IF THE DISCHARGE IN QUESTION IS TO GROUND WATER, OR CONSISTS OF STORM WATER ONLY, AN OUTFALL SIGN AND DATA REPOSITORY ARE NOT REQUIRED, AND IT IS NOT NECESSARY TO SUBMIT A NOTICE OF WAIVER.

2. If your facility or commercial establishment holds more than one SPDES permit issued by the DEC, and waivers are claimed for outfalls under multiple permits, a separate Notice of Waiver form must be completed for the outfall(s) listed under EACH permit. All Notice of Waiver forms will be considered independent of each other.
3. More than one outfall may be listed on a Notice of Waiver form. However, separate Notice of Waiver forms must be used if any single criterion used as the basis for waiver does not apply to all outfalls.
4. If you believe that the outfall(s) discharging from your facility or commercial establishment meets any of the waiver criteria listed on page 2, indicate so with a check mark in the appropriate box(es).
5. Discharge description(s) and outfall number(s) can be obtained from the SPDES permit.
6. When complete, send the second page only of this Notice of Waiver to: New York State Department of Environmental Conservation, Bureau of Water Permits, Room 314, 50 Wolf Road, Albany, NY 12233.
7. When a Notice of Waiver is received, a letter acknowledging receipt by the DEC will be sent to you. The Notice of Waiver will be evaluated by the DEC's Regional Water Engineer to ensure that the DEC concurs with the justification(s) indicated for the waiver. The Notice of Waiver remains effective ***unless*** you are notified otherwise by the DEC.

NOTICE OF WAIVER

**Pursuant To The Discharge Notification Act
Environmental Conservation Law 17-0815-a**

NOTE: IT IS NOT NECESSARY TO SUBMIT THIS NOTICE IF THE DISCHARGE(S) IS TO GROUND WATER, OR CONSISTS OF ONLY STORM WATER WHICH IS NOT CONTAMINATED WITH WASTEWATER.

In accordance with 17-0815-a(2)(a) of the Environmental Conservation Law, notice is hereby given that, to the best of my knowledge, the outfall(s) discharging from the facility described below meets one or more requirements for waiver from the Discharge Notification Act (DNA), as indicated below:

- 9 A sign would be inconsistent with any other state or federal statute.
- 9 A sign must be located in an area that is damaged by ice or flooding during a one-year storm, or storms of less severity.
- 9 The outfall is located on private or government property (circle as appropriate) which is restricted to the public through fencing, patrolling, or other control mechanisms (posting only, without additional control mechanisms, does not qualify for this provision).
- 9 The outfall pipe or channel discharges to another outfall pipe or channel, before discharge to a receiving water.
- 9 The outfall is located two-hundred or more feet offshore in the receiving water.

Permit Number: NY

Company Name: _____ Contact Name: _____

Street or P.O.: _____

City, State, Zip: _____

County Where Facility Is Located: _____ Contact Telephone: (____) _____

Discharge Description (industrial wastewater, sanitary wastewater, commercial wastewater, other):

Outfall Number(s): _____

Certification:

I understand that completing and sending this Notice of Waiver does not guarantee a final determination of waiver from the DNA. This Notice of Waiver will be reviewed by the Regional Water Engineer and, provided the New York State Department of Environmental Conservation does not object, the outfall(s) described above is/are waived from all requirements of the DNA (including sign posting and monitoring data repository).

Name of Authorized Representative

Signature/Date

ATTACHMENT 12

WAIVER REQUEST

WAIVERS FROM REQUIREMENTS OF THE SPDES PERMIT MODIFICATION FOR DISCHARGE NOTIFICATION REQUIREMENTS:

In order to apply for a waiver pursuant to the provisions specified in ECL § 17-0815-1 a. Discharge Point Signs, the permittee must check the following boxes as applicable *and* provide written justification in the space provided below. Use additional pages, as necessary, to request waivers for additional outfalls with different explanations.

- Outfall(s) to surface water listed in my SPDES permit are composed exclusively of storm water runoff.
- There are circumstances for outfall(s) to surface water listed in my SPDES permit such that the sign(s) cannot be reasonably maintained.
- The placement of signs for outfall(s) to surface waters listed in my SPDES permit would be inconsistent with another statute.
- The placement of signs for outfall(s) to surface waters listed in my permit can not be so located as to provide a public purpose.

Permittee Name: _____ Contact Name: _____

SPDES No.: NY _____ Outfall Number(s): _____ Phone: _____

EXPLANATION:

This request shall be submitted to the address listed below by the effective date of the permit modification:

New York State Department of Environmental Conservation
Bureau of Water Permits
625 Broadway
Albany, New York 12233-3505

ATTACHMENT 13
Page 1 of 2

DISCHARGE NOTIFICATION ACT PERMIT PAGES FOR NEW MAJOR PERMITS

Effective Date of Permit: _____

DISCHARGE NOTIFICATION REQUIREMENTS

- (a) Except as provided in (c) and (f) of these Discharge Notification Act requirements, the permittee shall install and maintain identification signs at all outfalls to surface waters listed in this permit. Such signs shall be installed before initiation of any discharge.
- (c) 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.
- (d) 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) For each discharge required to have a sign in accordance with a), the permittee shall, concurrent with the installation of the sign, provide a repository of copies of the Discharge Monitoring Reports (DMRs), as required by the **RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS** page of this permit. This repository shall be open to the public, at a minimum, during normal daytime business hours. The repository may be at the business office repository of the permittee or at an off-premises location of its choice (such location

ATTACHMENT 13
Page 2 of 2

shall be the village, town, city or county clerk's office, the local library or other location as approved by the Department). In accordance with the **RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS** page of your permit, each DMR shall be maintained on record for a period of three years.

- (f) If, upon November 1, 1997, the permittee has installed signs that include the information required by 17-0815-a(2)(a) of the ECL, but do not meet the specifications listed above, the permittee may continue to use the existing signs for a period of up to five years, after which the signs shall comply with the specifications listed above.
- (g) The permittee shall periodically inspect the outfall identification signs in order to ensure that they are maintained, are still visible and contain information that is current and factually correct.

**DISCHARGE NOTIFICATION ACT PERMIT PAGES
FOR ALL PERMITTEES ALREADY COMPLYING WITH THE DNA**

Effective Date of Modification: _____

DISCHARGE NOTIFICATION REQUIREMENTS

- (a) The permittee shall, except as set forth in (c) below, maintain the existing identification signs at all outfalls to surface waters, which have not been waived by the Department in accordance with 17-0815-a. The sign(s) shall be conspicuous, legible and in as close proximity to the point of discharge as is reasonably possible while ensuring the maximum visibility from the surface water and shore. The signs shall be installed in such a manner to pose minimal hazard to navigation, bathing or other water related activities. If the public has access to the water from the land in the vicinity of the outfall, an identical sign shall be posted to be visible from the direction approaching the surface water.

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

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

- (b) For each discharge required to have a sign in accordance with a), the permittee shall provide for public review at a repository accessible to the public, copies of the Discharge Monitoring Reports (DMRs) as required by the **RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS** page of this permit. This repository shall be open to the public, at a minimum, during normal daytime business hours. The repository may be at the business office repository of the permittee or at an off-premises location of its choice (such location shall be the village, town, city or county clerk's office, the local library or other location as approved by the Department). In accordance with the **RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS** page of your permit, each DMR shall be maintained on record for a period of three years.

ATTACHMENT 14
Page 2 of 2

- (c) If, upon November 1, 1997, the permittee has installed signs that include the information required by 17-0815-a(2)(a), but do not meet the specifications listed above, the permittee may continue to use the existing signs for a period of up to five years, after which the signs shall comply with the specifications listed above.
- (d) The permittee shall periodically inspect the outfall identification signs in order to ensure that they are maintained, are still visible and contain information that is current and factually correct.

**DISCHARGE NOTIFICATION ACT PERMIT PAGES FOR
RENEWED MAJOR PERMITS NOT YET COMPLYING WITH THE DNA**

Effective Date of Modification: _____

DISCHARGE NOTIFICATION REQUIREMENTS

- (a) Except as provided in (c) and (f) of these Discharge Notification Act requirements, the permittee shall install and maintain identification signs at all outfalls to surface waters listed in this permit. Such signs shall be installed within 90 days of the Effective Date of this Modification.
- (d) 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.
- (e) 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) For each discharge required to have a sign in accordance with a), the permittee shall, concurrent with the installation of the sign, provide a repository of copies of the Discharge Monitoring Reports (DMRs), as required by the **RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS** page of this permit. This repository shall be open to the public, at a minimum, during normal daytime business hours. The repository may be at the business office repository of the permittee

ATTACHMENT 15
Page 2 of 2

or at an off-premises location of its choice (such location shall be the village, town, city or county clerk's office, the local library or other location as approved by the Department). In accordance with the **RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS** page of your permit, each DMR shall be maintained on record for a period of three years.

- (f) If, upon November 1, 1997, the permittee has installed signs that include the information required by 17-0815-a(2)(a) of the ECL, but do not meet the specifications listed above, the permittee may continue to use the existing signs for a period of up to five years, after which the signs shall comply with the specifications listed above.
- (g) The permittee shall periodically inspect the outfall identification signs in order to ensure that they are maintained, are still visible and contain information that is current and factually correct.

**DISCHARGE NOTIFICATION ACT PERMIT PAGES
FOR NEW NON-MAJOR PERMITS**

Effective Date of Permit: _____

DISCHARGE NOTIFICATION REQUIREMENTS

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

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

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

- (e) For each discharge required to have a sign in accordance with a), the permittee shall, concurrent with the installation of the sign, provide a repository of copies of the Discharge Monitoring Reports (DMRs), as required by the **RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS** page of this permit. This repository shall be open to the public, at a minimum, during normal daytime business hours. The repository may be at the business office repository of the permittee or at an off-premises location of its choice (such location shall be the village, town, city or county clerk's office, the local library or other location as approved by the Department). In accordance with the **RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS** page of your permit, each DMR shall be maintained on record for a period of three years.

ATTACHMENT 16
Page 2 of 2

- (f) If, upon November 1, 1997, the permittee has installed signs that include the information required by 17-0815-a(2)(a) of the ECL, but do not meet the specifications listed above, the permittee may continue to use the existing signs for a period of up to five years, after which the signs shall comply with the specifications listed above.
- (g) All requirements of the Discharge Notification Act, including public repository requirements, are waived for any outfall meeting any of the following circumstances, provided Department notification is made in accordance with (h):
- (i) such sign would be inconsistent with any other state or federal statute;
 - (ii) the Discharge Notification Requirements contained herein would require that such sign could only be located in an area that is damaged by ice or flooding due to a one-year storm or storms of less severity;
 - (iii) instances in which the outfall to the receiving water is located on private or government property which is restricted to the public through fencing, patrolling, or other control mechanisms. Property which is posted only, without additional control mechanisms, does not qualify for this provision;
 - (iv) instances where the outfall pipe or channel discharges to another outfall pipe or channel, before discharge to a receiving water; or
 - (v) instances in which the discharge from the outfall is located in the receiving water, two-hundred or more feet from the shoreline of the receiving water.
- (h) If the permittee believes that any outfall which discharges wastewater from the permitted facility meets any of the waiver criteria listed in (g) above, notification (form enclosed) must be made to the Department's Bureau of Water Permits, Central Office, of such fact, and, provided there is no objection by the Department, a sign and DMR repository for the involved outfall(s) are not required. This notification must include the facility's name, address, telephone number, contact, permit number, outfall number(s), and reason why such outfall(s) is waived from the requirements of discharge notification. The Department may evaluate the applicability of a waiver at any time, and take appropriate measures to assure that the ECL and associated regulations are complied with.
- (i) The permittee shall periodically inspect the outfall identification signs in order to ensure that they are maintained, are still visible and contain information that is current and factually correct.

**DISCHARGE NOTIFICATION ACT PERMIT PAGE
FOR MODIFIED NON-MAJOR PERMITS**

Effective Date of Modification: _____

DISCHARGE NOTIFICATION REQUIREMENTS

- (a) Except as provided in (c), (f) and (g) of these Discharge Notification Act requirements, the permittee shall install and maintain identification signs at all outfalls to surface waters listed in this permit. Such signs shall be installed within 90 days of the Effective Date of this Modification.
- (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) For each discharge required to have a sign in accordance with a), the permittee shall, concurrent with the installation of the sign, provide a repository of copies of the Discharge Monitoring Reports (DMRs), as required by the **RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS** page of this permit. This repository shall be open to the public, at a minimum, during normal daytime business hours. The repository may be at the business office repository of the permittee or at an off-premises location of its choice (such location shall be the village, town, city or county clerk's office, the local library or other location as approved by the Department). In accordance with the **RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS** page of your permit, each DMR shall be maintained on record for a period of three years.

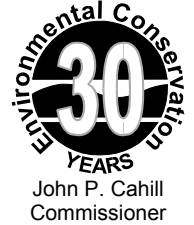
ATTACHMENT 17
Page 2 of 2

- (f) If, upon November 1, 1997, the permittee has installed signs that include the information required by 17-0815-a(2)(a) of the ECL, but do not meet the specifications listed above, the permittee may continue to use the existing signs for a period of up to five years, after which the signs shall comply with the specifications listed above.
- (g) All requirements of the Discharge Notification Act, including public repository requirements, are waived for any outfall meeting any of the following circumstances, provided Department notification is made in accordance with (h):
 - (i) such sign would be inconsistent with any other state or federal statute;
 - (ii) the Discharge Notification Requirements contained herein would require that such sign could only be located in an area that is damaged by ice or flooding due to a one-year storm or storms of less severity;
 - (iii) instances in which the outfall to the receiving water is located on private or government property which is restricted to the public through fencing, patrolling, or other control mechanisms. Property which is posted only, without additional control mechanisms, does not qualify for this provision;
 - (iv) instances where the outfall pipe or channel discharges to another outfall pipe or channel, before discharge to a receiving water; or
 - (v) instances in which the discharge from the outfall is located in the receiving water, two-hundred or more feet from the shoreline of the receiving water.
- (h) If the permittee believes that any outfall which discharges wastewater from the permitted facility meets any of the waiver criteria listed in (g) above, notification (form enclosed) must be made to the Department's Bureau of Water Permits, Central Office, of such fact, and, provided there is no objection by the Department, a sign and DMR repository for the involved outfall(s) are not required. This notification must include the facility's name, address, telephone number, contact, permit number, outfall number(s), and reason why such outfall(s) is waived from the requirements of discharge notification. The Department may evaluate the applicability of a waiver at any time, and take appropriate measures to assure that the ECL and associated regulations are complied with.
- (i) The permittee shall periodically inspect the outfall identification signs in order to ensure that they are maintained, are still visible and contain information that is current and factually correct.

ATTACHMENT 18

SAMPLE DNA ACKNOWLEDGMENT LETTER

New York State Department of Environmental Conservation
Division of Water
Bureau of Water Permits, Room 314
50 Wolf Road, Albany, New York 12233-3505
Phone: (518) 457-1157 • **FAX:** (518) 485-7786
Website: www.dec.state.ny.us



January 24, 2000

Mr. Gary A. Johnston, P.E.
New York State Thruway Authority
P.O. Box 189
Albany, NY 12201-0189

RE: ACKNOWLEDGMENT OF WAIVER NOTICE
SPDES Permit No. NY 024 1555, Outfall Nos. 001 - 001A

Dear Mr. Johnston:

This is to acknowledge that the New York State Department of Environmental Conservation (Department) has received your completed **NOTICE OF WAIVER** form, claiming waiver from all requirements of the Discharge Notification Act, pursuant to Environmental Conservation Law 17-0815-a. By submission of the **NOTICE OF WAIVER**, you are claiming that the indicated outfall(s) discharging under authority of the referenced permit, meets at least one of the conditions listed on the form.

Please be advised that the Department's Regional Water Engineer *may* disagree with your **NOTICE OF WAIVER**, as a result of findings during a future site inspection or for any other reason deemed appropriate under the Discharge Notification Act. If such disagreement occurs, you will be notified accordingly of such fact. **You do not have to take any other action at this time for compliance with the Discharge Notification Act.**

If you have any questions concerning this acknowledgment letter, or the Discharge Notification Act, please contact me at (518) 457-1291.

Sincerely,

William P. Mirabile
Environmental Program Specialist II
Chemical Systems Section
Bureau of Water Permits

cc:w/att. - F. Sievers, Reg. 4