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65 NIAGARA SQUARE
BUFFALO, NY 14202-3378
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WASTEWATER TREATMENT PLANT
FOOT OF WEST FERRY
90 WEST FERRY STREET
BUFFALO, NY 14213-1799
PHONE: (716) 851-4664

October 20, 2022



Mr. Matthew Pearson
Property Manager
Elk Street Commerce Park, LLC
4 Centre Drive
Buffalo, New York 14217

RE: B.P.D.E.S. Permit #23-01-BU289

Dear Mr. Pearson:

Enclosed is your recently renewed BPDES Permit #23-01-BU289. This permit is issued by The Buffalo Sewer Authority.

This permit must be maintained at your Elk Street facility and must be available for inspection at all times. It is your responsibility to assure continual compliance with the terms and conditions of this permit.

If you have any further questions, please call Mike Szilagyi at 716-851-4664, ext. 5253, or myself at 716-851-4664, ext. 5250.

Very truly yours,
BUFFALO SEWER AUTHORITY

Leslie Sedita
Industrial Waste Administrator

cc: A. Emmerson
M. Szilagyi

**AUTHORIZATION TO DISCHARGE UNDER BUFFALO
POLLUTANT DISCHARGE ELIMINATION SYSTEM**

PERMIT NUMBER: 23-01-BU289

USEPA Category: 40 CFR 403

In accordance with the provisions of the Federal Water Pollution Control Act, as amended, the Sewer Regulations of the Buffalo Sewer Authority, authorization is hereby granted to:

ELK STREET COMMERCE PARK, LLC

To discharge wastewater from a facility located at:

503 Elk Street Buffalo, NY 14210

To the Buffalo Municipal Sewer System.

Issuance of this permit is based upon a permit application filed on August 24, 2022 and analytical data. This permit is granted in accordance with discharge limitations, monitoring requirements and other conditions set forth in Part I and II hereof.

Effective this 1st day of January, 2023

To Expire the 31st day of December, 2025



General Manager, Buffalo Sewer Authority

Issued this 5th day of October, 2022

PART 1: SPECIFIC CONDITIONS**A. DISCHARGE LIMITATIONS & MONITORING REQUIREMENTS**

During the period beginning the effective date of this permit and lasting until the expiration date, discharge from the permitted facility outfall(s) (see attached map) shall be limited and monitored **quarterly** by the permittee as specified below:

Sampling for the pollutants below will be conducted at Sample 001.

Sample Point 001 is located— Waste Water Flume on side of Treatment Building

Sample Point 001: Footnotes found on page

Regulation		Discharge Limit	Discharge Limit	Discharge limit	Discharge Limit	M.A.I.D. ⁽¹⁾	Sampling Requirement	Sampling Requirement
40 CFR	Parameter	Daily	Daily	Monthly	Monthly		Time Period ⁽²⁾	Type ⁽³⁾
		Conc. (mg/L)	Mass (lbs.) ⁽⁴⁾	Conc. (mg/L)	Mass (lbs.) ⁽⁴⁾	Conc. (mg/L)		
403	pH (s.u.)	5.0-12.0					3 Days	Grab
403	B.O.D. ⁽⁵⁾	250					3 Days	Composite
403	T. Extractable Hydrocarbons ⁽⁶⁾	100					3 Days	Grab
403	T. Suspended Solids ⁽⁵⁾	250					3 Days	Composite
403	EPA Test Method 624 ⁽⁸⁾	Monitor Only					1 Day	Grab
403	Toluene ⁽⁴⁾		0.850				1 Day	Grab
403	Total Flow ⁽⁷⁾	150,000					Monthly Reading	Meter ⁽⁷⁾

PART 1: SPECIFIC CONDITIONS**B. Footnotes:**

1. M.A.I.D.- Maximum Allowable Instantaneous Discharge (also called a slug limit).
2. Sampling Requirement, Time Period: Three (3) days shall mean 3-consecutive 24-hour days.
3. Sampling Requirement, Sampling Type:
 - a. Grab sample: A single discreet sample collected over a period that is not to exceed 15 minutes.
 - b. Composite sample: The two methods of obtaining a composite sample are flow-proportional composite sampling or time-proportional composite sampling. Please indicate the sampling method utilized.
4. The Discharge Limitation Daily and Monthly Mass, is in pounds (lbs.). This limit was calculated using peak discharge flow of 150,000 gallons per day.
5. The Discharge Limitation for these parameters are local discharge limits that the Buffalo Sewer Authority has developed to protect the Bird Island Treatment Plant. If the parameter is over the stated limit, then that parameter is surchargeable.
6. The analysis for Total Extractable Hydrocarbons shall use EPA Test Method 1664A SGT-HEM.
7. The discharge meter must be calibrated by January of each year and this documentation must be submitted with the first quarter monitoring report. With every monitoring report, the daily sampling must include discharge meter readings for that sample day. Additionally, total daily discharge flow for each month must be submitted no later than the 15th day of the following month. This flow does not include storm water discharge.
8. All pollutant parameters detected over 0.01 mg/L must be identified and the concentrations must be reported with monitoring results.

PART 1: SPECIFIC CONDITIONS

C. DISCHARGE MONITORING REPORTING REQUIREMENTS

1. During the period beginning the effective date of this permit lasting until the expiration date, discharge monitoring results shall be summarized and reported **quarterly** by the permittee on the days specified below:

Sample Point	Parameter	Initial Report	Subsequent Reports
001	All parameters	January 31, 2023	April 30, 2023
			July 31, 2023
			October 31, 2023
			January 31, 2024
			April 30, 2024
			July 31, 2024
			October 31, 2024
			January 31, 2025
			April 30, 2025
			July 31, 2025
			October 31, 2025

2. To renew your Discharge Permit, a Discharge Permit Application is required six months prior to the expiration of this permit. Please submit by June 30, 2025.

D. SPECIAL REQUIRMENTS

1. A Slug Control Plan is required for this facility. The definition and requirements for a Slug Control Plan can be found in the BSA’s “Sampling, Measurement and Analytical Guidelines” document.

PART I: SPECIFIC CONDITIONS**D. SPECIAL REQUIREMENTS**

In addition to the monitoring requirements set forth in Part I Specific Condition A, Discharge Limitations and Monitoring Requirements, the permittee shall comply with the following for SP001 when the pretreatment equipment has to be shut down due to the following:

1. When normal maintenance schedules require shutdown of the pretreatment equipment, the Buffalo Sewer Authority must be notified in writing three days before shut down and the approximate length of time.
 - a. Sample Point 001 must be sampled and analyzed for pH and Total Extractable Hydrocarbons from a daily composite sample.
 - b. Results of the above must be submitted to the Buffalo Sewer Authority within two weeks after the oil separator is back in service.
2. When there is an emergency shutdown of the pretreatment system:
 - a. The Buffalo Sewer Authority must be notified immediately by phone. During normal business hours please call 716-851-4664 ext. 5374. After 3:00 p.m. on weekdays or weekends please call 851-4664 ext. 5221.
 - b. Within five days a written reason for the emergency and what remedial action Exxon-Mobil has taken must be submitted to the Buffalo Sewer Authority.
 - c. Same as 1a
 - d. Same as 1b

Any discharge to the Buffalo Sewer Authority system during shutdown of the pretreatment system for any reason, must comply with all parameter limitations in this permit.

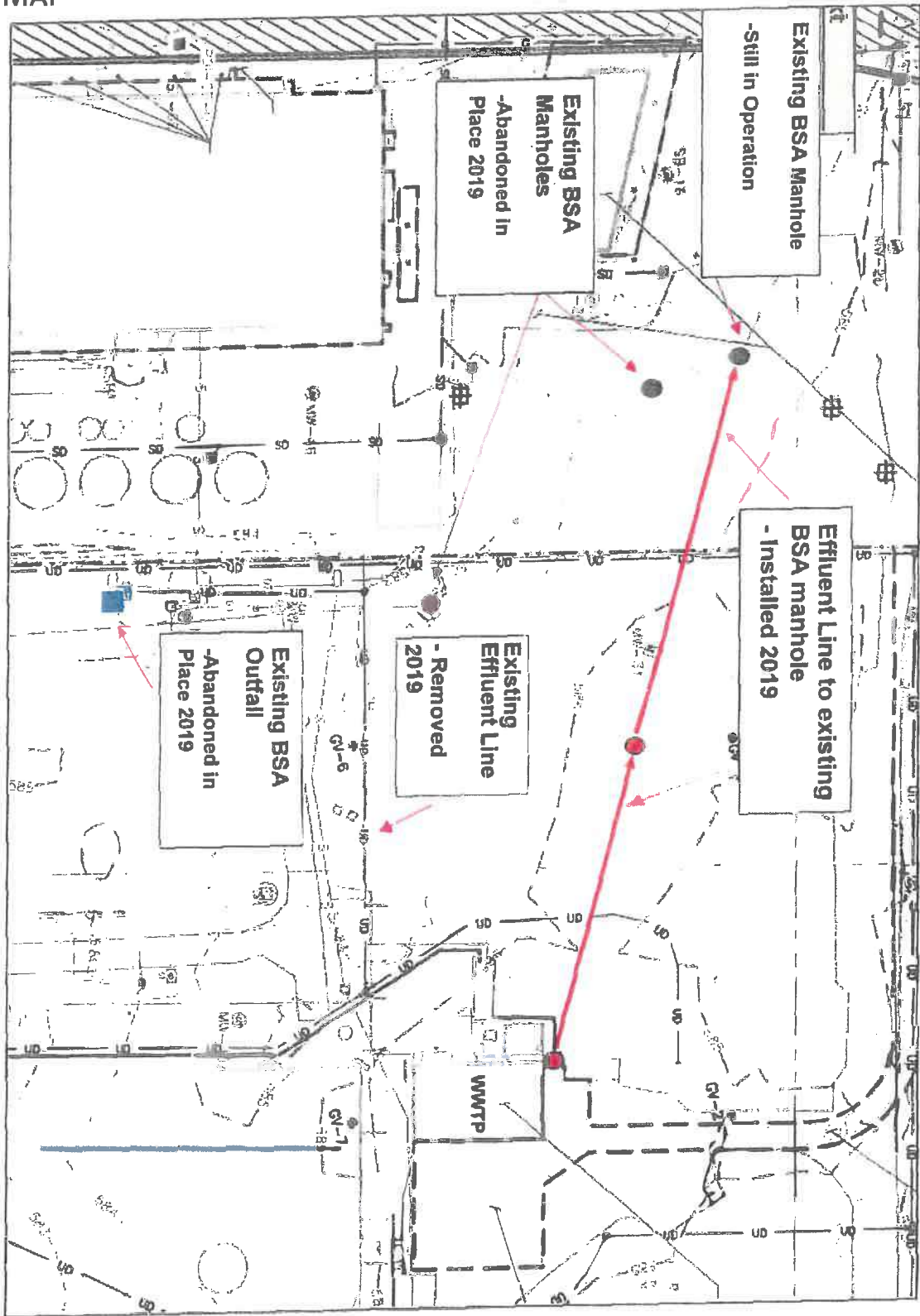
All sampling and analysis must follow all Buffalo Sewer Authority Sampling and Analytical guidelines.

All above specific conditions are in effect until the pretreatment equipment is back in full operating service.

Note: Additional wells or drainage areas cannot be connected to the pretreatment system without written permission from the Buffalo Sewer Authority. No other waste streams are allowed to be connected after the pretreatment system without written permission from the Buffalo Sewer Authority.

Part I: SPECIFIC CONDITIONS

D. SITE MAP



Effluent Line to BSA Outfall

FIGURE 1