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**New York State Department of Environmental Conservation**

Bureau of Water Permits  
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**John P. Cahill**  
*Commissioner*

**Effective: October 1990**

**Reissued:**

**MEMORANDUM**

**TO: Regional Water Engineers, Bureau Directors and Section Chiefs**

**SUBJECT: Division of Water Technical and Operational Guidance Series (1.2.4)- Individual Sewage Treatment System Discharges to Surface Waters (Originator: Joseph DiMura)**

**PURPOSE**

To provide guidance for individual approval of on-site sewage treatment systems.

**DISCUSSION**

Individuals having or purchasing lots at sites where adverse soils conditions exist may turn to DEC for authorization to construct a surface wastewater discharge. The complexities of operating an individual wastewater treatment facility that discharges to surface waters and the potential for health and environmental contamination makes this approach undesirable. It is, however, recognized that there are situations where, because of hardship at an existing residence, a surface discharge may be necessary. It is intended to provide administrative flexibility to resolve such cases where sewage may be overflowing onto the ground.

**GUIDANCE**

- I. Applicability - Domestic type sewage discharges from family residences with a total flow of less than 1000 GPD.
- II. Discharge to Municipal Sewers - Whenever possible, individual residences should be connected to municipal sewers.
- III. Discharge to Surface Waters - It is the Division's policy

that wastewater discharges to surface water from proposed new residences shall not be approved. Wastes from residences may be discharged to groundwater consistent with criteria and procedures established in 10NYCRR Part 75, Appendix 75-A and "Waste Treatment Handbook - Individual Household Systems" by NYS-DOH.

It is recognized that hardship cases may exist for existing residences. In those cases, the following procedures should be followed:

1. The applicant must first have attempted an alternative subsurface system constructed according to criteria and procedures pursuant to 10NYCRR Part 75 - Appendix 75-A.9
2. The applicant must submit a completed application for a SPDES Permit, demonstrate that a hardship exists, and provide final construction plans for a wastewater treatment system that will meet the following discharge criteria:

BOD<sub>5</sub> - 5 mg/l

Suspended Solids - 10 mg/l

DO - 7.0 mg/l

Ammonia \* - 2.0 mg/l

Chlorine Residual \*\* - 0.1 mg/l

\* Site conditions may require more stringent limits.

\*\* Only if disinfection is required.

These criteria are for an assumed discharge to an intermittent stream. A receiving water with significant dilution will allow relaxed standards.

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N. G. Kaul, P.E.  
Director  
Division of Water

cc: TOGS Distribution (attached)