

2004.05.21 SPDES Permit File

New York State Department of Environmental Conservation
Division of Environmental Permits, Region 4

1150 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2069 • FAX: (518) 357-2460

Website: www.dec.state.ny.us



Erin M. Crotty
Commissioner

May 21, 2004

Mr. William Morris
Norlite Corporation
628 South Saratoga St.
Cohoes, NY 12047

Re: DEC #4-0103-16/20-0
SPDES # NY-000 4880
FACILITY: Norlite Corporation
City of Cohoes, Albany County

Dear Mr. Morris:

Enclosed is your modified SPDES Permit which is effective beginning May 21, 2004, and expires on February 1, 2007.

Please read all permit conditions carefully. All permit documents must be available upon request by the Department staff as well as distributed to and understood by your personnel responsible for the proper operation of the facility and compliance with the discharge limits. Any violation of these permit conditions constitutes a violation of the Environmental Conservation Law.

If you have any questions regarding this permit, you may contact the Division of Environmental Permits at the above address. Please refer to the above-referenced numbers when you are corresponding with this office or when you are applying to renew or modify this permit.

Any questions regarding your annual pollutant discharge elimination fee should be addressed directed to the Regulatory Fee Determination Unit at 1-800-225-2566.

Sincerely,

William J. Clarke
Regional Permit Administrator
Region 4

Enclosure (Permit)

cc: Div. of Water, Region 4
Division of Water, Albany
Dept. of Health
Regulatory Fee Unit
Anthony Kokocki
Parag Amin
File



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
State Pollutant Discharge Elimination System (SPDES)
DISCHARGE PERMIT
Special Conditions

Env3.99

Industrial Code: 1422
 Discharge Class (CL): 01
 Toxic Class (TX): T
 Major Drainage Basin: 12
 Sub Drainage Basin: 01
 Water Index Number: H-240
 Compact Area:

SPDES Number: NY- 000 4880
 DEC Number: 4-0103-16/20-0
 Effective Date (EDP): February 2, 2002
 Expiration Date (ExDP): February 1, 2007
 Modification Dates:

This SPDES permit is issued in compliance with Title 8 of Article 17 of the Environmental Conservation Law of New York State and in compliance with the Clean Water Act, as amended, (33 U.S.C. §1251 et.seq.)(hereinafter referred to as "the Act").

PERMITTEE NAME AND ADDRESS

Name: Norlite Corporation
 Street: 628 South Saratoga Street
 City: Cohoes

Attention: William Morris
 State: NY Zip Code: 12047

is authorized to discharge from the facility described below:

FACILITY NAME AND ADDRESS

Name: Norlite Corporation
 Location (C,T,V): Cohoes (C)
 Facility Address: 628 South Saratoga Street
 City: Cohoes

County: Albany

State: NY Zip Code: 12047

NYTM -E: From Outfall No.: 003 at Latitude: 42 ° 45 ' 14 " & Longitude: 73 ° 40 ' 20 " into receiving waters known as: Salt Kill Creek Class: D

and; (list other Outfalls, Receiving Waters & Water Classifications)

- 004 Salt Kill Creek D
- 006 Mohawk River C
- 007 Salt Kill Creek D

in accordance with the effluent limitations, monitoring requirements and other conditions set forth in this permit and 6 NYCRR Part 750.

DISCHARGE MONITORING REPORT (DMR) MAILING ADDRESS

Mailing Name: Norlite Corporation
 Street: 628 South Saratoga Street
 City: Cohoes
 Responsible Official or Agent: William Morris

State: NY Zip Code: 12047
 Phone: (518) 235-0401

This permit and the authorization to discharge shall expire on midnight of the expiration date shown above and the permittee shall not discharge after the expiration date unless this permit has been renewed, or extended pursuant to law. To be authorized to discharge beyond the expiration date, the permittee shall apply for permit renewal not less than 180 days prior to the expiration date shown above.

DISTRIBUTION

Bureau of Water Permits

Permit Administrator:	William J. Clarke
Address:	NYSDEC, Region 4 1150 N. Westcott Rd. Schenectady, NY 12306
Signature:	<i>William J. Clarke</i> Date: 5/21/04

PERMIT LIMITS, LEVELS, AND MONITORING

OUTFALL No.	WASTEWATER TYPE			RECEIVING WATER	EFFECTIVE	EXPIRING		
003	Quarry Water			Salt Kill Creek	EDM	02/01/07		
PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FOOTNOTES (FN)		
pH	6.0	9.0	SU	Daily	Grab	2		
PARAMETER	ENFORCEABLE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	TYPE I	TYPE II				
Flow	Monitor	Monitor			gpd	Daily	Instantaneous	2
Solids, Total Suspended	25	45			mg/l	Weekly	Composite	1, 3

OUTFALL No.	WASTEWATER TYPE			RECEIVING WATER	EFFECTIVE	EXPIRING		
004	Shale Fines Leachate & Storm Runoff from Landfill Area			Salt Kill Creek	EDM	02/01/07		
PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FOOTNOTES (FN)		
pH	6.0	9.0	SU	Daily	Grab	2		
PARAMETER	ENFORCEABLE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	TYPE I	TYPE II				
Flow	Monitor	Monitor			gpd	Daily	Instantaneous	2
Solids, Total Suspended	25	45			mg/l	Daily	Composite	2, 3
Temperature	NA	90			°F	Daily	Grab	2
Cadmium, Total	NA	0.004			mg/l	Daily	Grab	2
Chromium, Total	NA	1.7			mg/l	Daily	Grab	2
Chromium, Hexavalent	NA	0.016			mg/l	Daily	Grab	2
Copper, Total	NA	0.018			mg/l	Daily	Grab	2
Lead, Total	NA	0.08			mg/l	Daily	Grab	2
Mercury, Total	NA	0.0002			mg/l	Daily	Grab	2
Nickel, Total	NA	1.8			mg/l	Daily	Grab	2
Zinc, Total	NA	0.3			mg/l	Daily	Grab	2

PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL No.	WASTEWATER TYPE				RECEIVING WATER	EFFECTIVE	EXPIRING	
06A	Treated Scrubber Blowdown, Boiler Blowdown and Trunion Non Contact Cooling Water ⁶				Outfall 006	EDM	02/01/07	
PARAMETER	ENFORCEABLE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	TYPE I	TYPE II				
Flow	NA	Monitor			gpd	Continuous	Recorded	7
Arsenic, Total	NA	0.11			lbs/day	Daily	Grab	2, 9
Barium, Total	NA	2.88			lbs/day	Daily	Grab	2, 9
Beryllium, Total	NA	1.44			lbs/day	Daily	Grab	2, 9
Cadmium, Total	NA	0.04			lbs/day	Daily	Grab	2, 9
Chromium, Total	NA	0.14			lbs/day	Daily	Grab	2, 9
Copper, Total	NA	0.66			lbs/day	Daily	Grab	2, 9
Iron, Total	NA	2.88			lbs/day	Daily	Grab	2, 9
Lead, Total	NA	0.43			lbs/day	Daily	Grab	2, 9
Mercury, Total	NA	0.04			lbs/day	Daily	Grab	2, 9
Nickel, Total	NA	0.94			lbs/day	Daily	Grab	2, 9
Selenium, Total	NA	0.07			lbs/day	Daily	Grab	2, 9
Zinc, Total	NA	0.66			lbs/day	Daily	Grab	2, 9

OUTFALL No.	WASTEWATER TYPE				RECEIVING WATER	EFFECTIVE	EXPIRING	
06B	Trunion Non Contact Cooling Water				Outfall 006	EDM	02/01/07	
PARAMETER	ENFORCEABLE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	TYPE I	TYPE II				
Flow	NA	NA			gpd	Daily Per Discharge Event	Instantaneous	7
Flow, Totalized	NA	Monitor			gpd		Recorded	8

PERMIT LIMITS, LEVELS, AND MONITORING

OUTFALL No.	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
006	Trunnion Non Contact Cooling Water, Scrubber Blowdown, Boiler Blowdown, & Plant Water ⁶	Mohawk River	EDM	02/01/07

PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FOOTNOTES (FN)
pH	6.0	9.0	SU	Daily	Grab	2

PARAMETER	ENFORCEABLE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	TYPE I	TYPE II				
Flow	NA	Monitor			gpd	Continuous	Recorded	
Solids, Total Suspended	NA	66			lbs/day	Daily	Grab	2, 9
Solids, Total Dissolved	NA	Monitor			g/l	Weekly	Grab	1
Chlorine, Total Residual	NA	Monitor			mg/l		Grab	5
Temperature	NA	115			°F	Daily	Grab	2, 4
NH ₃ (as Ammonia)	NA	Monitor			mg/l	Monthly	Grab	
Chlorides	NA	Monitor			mg/l	Monthly	Grab	

OUTFALL No.	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
007	Storm Runoff	Salt Kill Creek	EDM	02/01/07

No monitoring required.

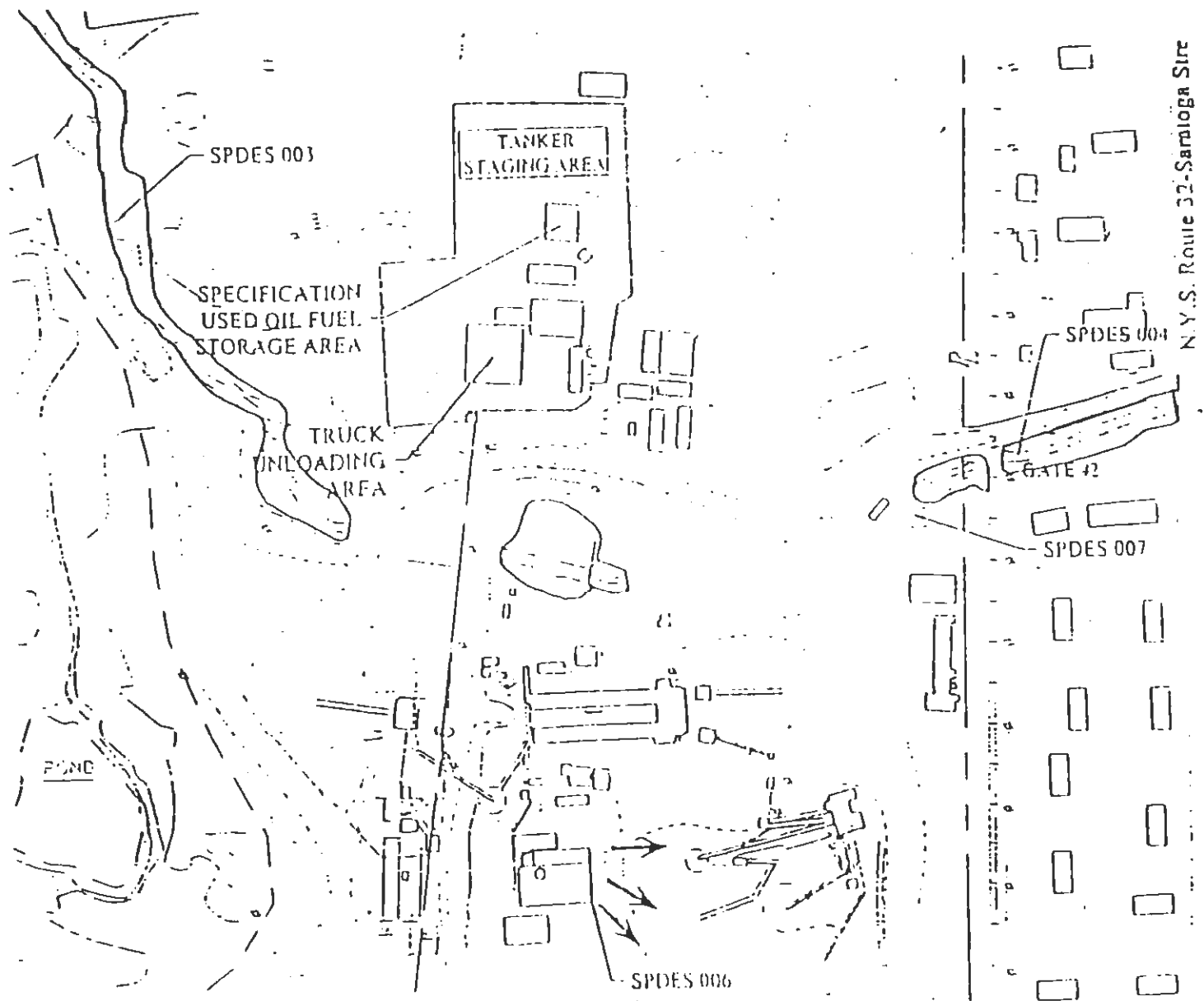
PERMIT LIMITS, LEVELS, AND MONITORING

FOOTNOTES:

- 1 Samples shall be taken one day per week while discharging.
- 2 Samples shall be taken each day a discharge occurs.
- 3 Representative composites shall consist of a minimum of three samples taken at the beginning, middle and end of the day.
- 4 This temperature limit shall apply at the final discharge point from the wastewater treatment plant. A temperature of 90 °F shall apply at the final discharge point of Norlite's property, prior to the Mohawk River. Sampling at the final discharge point shall consist of a quarterly grab.
5. Grab samples shall be collected following the addition of sodium hypochlorite for hydrogen sulfide control. Analysis shall be by the DPD colorimetric method (equivalent to EPA Method 330.5). The addition of sodium hypochlorite shall be made whenever the ORP reading is unstable or falling below +100 toward zero or negative.
6. Plant Water shall be defined as that treated Quarry Water that is discharged through outfall 006, to aid in the control of the temperature of the entire outfall flow.
7. The instantaneous flow shall be recorded in the operator's logbook any time a discharge of Trunnion Non Contact Cooling Water occurs through outfall 06B simultaneous to a sample of outfall 06A being taken. A summary of the relative flow rates for outfalls 06A and 06B, both instantaneous and totalized, shall be recorded and submitted with the Discharge Monitoring Report.
8. In the event of any discharge of Trunnion Non Contact Cooling Water to the overflow collection tanks, the start and end times, an totalized flow shall be recorded in the operator's logbook.
9. Loadings shall be calculated using the totalized flow at the sampling location for each day on which sampling occurs.

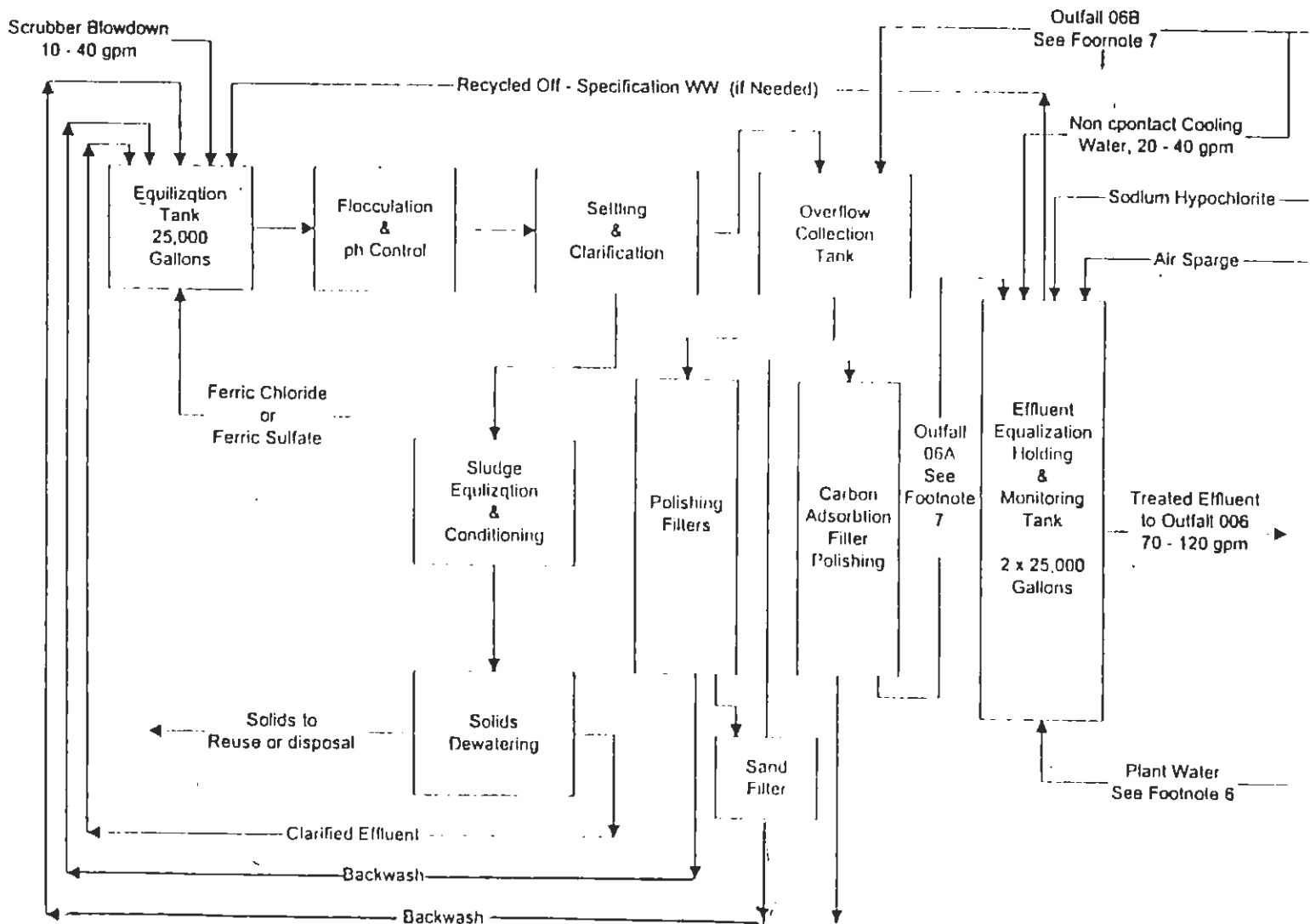
MONITORING LOCATIONS

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



MONITORING LOCATIONS, CONTINUED

WASTEWATER TREATMENT PLANT GENERAL PROCESS FLOW DIAGRAM



SPECIAL CONDITIONS - BEST MANAGEMENT PRACTICES

1. If an approved Best Management Practices (BMP) plan is not already in place, the permittee shall develop a BMP plan to prevent, or minimize the potential for, release of significant amounts of toxic or hazardous pollutants to the waters of the State through plant site runoff; spillage and leaks; sludge or waste disposal; and storm water discharges including, but not limited to, drainage from raw material storage. Completed BMP plans shall be submitted **WITHIN 6 MONTHS OF THE EFFECTIVE DATE OF MODIFICATION TO THIS PERMIT** to the Regional Water Engineer at the address shown on the Recording Reporting and Additional Monitoring Requirements. The BMP plan shall be implemented within 6 months of submission, unless a different time frame is approved by this Department.
2. Subsequent modifications to or renewal of this permit does not reset or revise the deadline set forth in (1) above, unless a new deadline is set explicitly by such permit modification or renewal.
3. The permittee shall review all facility components or systems (including material storage areas; in-plant transfer, process and material handling areas; loading and unloading operations; storm water, erosion, and sediment control measures; process emergency control systems; and sludge and waste disposal areas) where toxic or hazardous pollutants are used, manufactured, stored or handled to evaluate the potential for the release of significant amounts of such pollutants to the waters of the State. In performing such an evaluation, the permittee shall consider such factors as the probability of equipment failure or improper operation, cross-contamination of storm water by process materials, settlement of facility air emissions, the effects of natural phenomena such as freezing temperatures and precipitation, fires, and the facility's history of spills and leaks. For hazardous pollutants, the list of reportable quantities as defined in 40 CFR, Part 117 may be used as a guide in determining significant amounts of releases. For toxic pollutants, the relative toxicity of the pollutant shall be considered in determining the significance of potential releases.

The review shall address all substances present at the facility that are listed as toxic pollutants under Section 307(a)(1) of the Clean Water Act or as hazardous pollutants under Section 311 of the Act or that are identified as Chemicals of Concern by the Industrial Chemical Survey.
4. Whenever the potential for a significant release of toxic or hazardous pollutants to State waters is determined to be present, the permittee shall identify Best Management Practices that have been established to minimize such potential releases. Where BMPs are inadequate or absent, appropriate BMPs shall be established. In selecting appropriate BMPs, the permittee shall consider typical industry practices such as spill reporting procedures, risk identification and assessment, employee training, inspections and records, preventive maintenance, good housekeeping, materials compatibility and security. In addition, the permittee may consider structural measures (such as secondary containment and erosion/sediment control devices and practices) where appropriate.
5. Development of the BMP plan shall include sampling of waste stream segments for the purpose of toxic "hot spot" identification. The economic achievability of effluent limits will not be considered until plant site "hot spot" sources have been identified, contained, removed or minimized through the imposition of site specific BMPs or application of internal facility treatment technology. For the purposes of this permit condition a "hot spot" is a segment of an industrial facility; including but not limited to soil, equipment, material storage areas, sewer lines etc.; which contributes elevated levels of problem pollutants to the wastewater and/or storm water collection system of that facility. For the purposes of this definition, problem pollutants are substances for which treatment to meet a water quality or technology requirement may, considering the results of waste stream segment sampling, be deemed unreasonable. For the purposes of this definition, an elevated level is a concentration or mass loading of the pollutant in question which is sufficiently higher than the concentration of that same pollutant at the compliance monitoring location so as to allow for an economically justifiable removal and/or isolation of the segment and/or B.A.T. treatment of wastewaters emanating from the segment.

SPECIAL CONDITIONS-BEST MANAGEMENT PRACTICES, CONTINUED

6. The BMP plan shall be documented in narrative form and shall include any necessary plot plans, drawings or maps. Other documents already prepared for the facility such as a Safety Manual or a Spill Prevention, Control and Countermeasure (SPCC) plan may be used as part of the plan and may be incorporated by reference. USEPA guidance for development of storm water elements of the BMP is available in the September 1992 manual "Storm Water Management for Industrial Activities," USEPA Office of Water Publication EPA 832-R-92-006 (available from NTIS, (703)487-4650, order number PB 92235969). A copy of the BMP plan shall be maintained at the facility and shall be available to authorized Department representatives upon request. As a minimum, the plan shall include the following BMP's:
- | | | |
|-------------------------------------|----------------------------|--------------------------------|
| a. BMP Committee | e. Inspections and Records | i. Security |
| b. Reporting of BMP Incidents | f. Preventive Maintenance | j. Spill prevention & response |
| c. Risk Identification & Assessment | g. Good Housekeeping | k. Erosion & sediment control |
| d. Employee Training | h. Materials Compatibility | l. Management of runoff |
7. The BMP plan shall be reviewed annually and shall be modified whenever: (a) changes at the facility materially increase the potential for significant releases of toxic or hazardous pollutants, (b) actual releases indicate the plan is inadequate or (c) a letter from the Regional Water Engineer highlights inadequacies in the plan..

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.
- (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.
- (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.

RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS

- a) The permittee shall also refer to the General Conditions (Part II) of this permit for additional information concerning monitoring and reporting requirements and conditions.
- b) The monitoring information required by this permit shall be summarized, signed and retained for a period of three years from the date of the sampling for subsequent inspection by the Department or its designated agent. Also, monitoring information required by this permit shall be summarized and reported by submitting;

(if box is checked) completed and signed Discharge Monitoring Report (DMR) forms for each 1 month reporting period to the locations specified below. Blank forms are available at the Department's Albany office listed below. The first reporting period begins on the effective date of this permit and the reports will be due no later than the 28th day of the month following the end of each reporting period.

(if box is checked) an annual report to the Regional Water Engineer at the address specified below. The annual report is due by February 1 and must summarize information for January to December of the previous year in a format acceptable to the Department.

(if box is checked) a monthly "Wastewater Facility Operation Report..." (form 92-15-7) to the:
 Regional Water Engineer and/or County Health Department or Environmental Control Agency specified below

Send the original (top sheet) of each DMR page to:

Department of Environmental Conservation
 Division of Water
 Bureau of Water Compliance Programs
 625 Broadway
 Albany, New York 12233-3506

Phone: (518) 402-8177

Send the first copy (second sheet) of each DMR page to:

Department of Environmental Conservation
 Regional Water Engineer
 Region 4
 1150 North Westcott Road
 Schenectady, New York 12306-2014
 Phone: (518) 357-2234

Send an additional copy of each DMR page to:

- c) Noncompliance with the provisions of this permit shall be reported to the Department as prescribed in the attached General Conditions (Part II).
- d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.
- e) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculations and recording of the data on the Discharge Monitoring Reports.
- f) Calculation for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.
- g) Unless otherwise specified, all information recorded on the Discharge Monitoring Report shall be based upon measurements and sampling carried out during the most recently completed reporting period.
- h) Any laboratory test or sample analysis required by this permit for which the State Commissioner of Health issues certificates of approval pursuant to section five hundred two of the Public Health Law shall be conducted by a laboratory which has been issued a certificate of approval. Inquiries regarding laboratory certification should be sent to the Environmental Laboratory Accreditation Program, New York State Health Department Center for Laboratories and Research, Division of Environmental Sciences, The Nelson A. Rockefeller Empire State Plaza, Albany, New York 12201.

Sep. 2. 2004 10:15AM

No. 6325 P. 2/4

YOUNG, SOMMER ... LLC**YOUNG, SOMMER, WARD, RITZENBERG, BAKER & MOORE, LLC****COUNSELORS AT LAW**

ALL WRITTEN CORRESPONDENCE TO:
 EXECUTIVE WOODS, FIVE PALISADES DRIVE, ALBANY, NY 12205
 PHONE: 518-438-9907 • FAX: 518-438-9914

SARATOGA OFFICE:
 468 BROADWAY, SARATOGA SPRINGS, NY 12865
 PHONE: 518-580-0163

WWW.YOUNGSOMMER.COM

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 KEVIN M. YOUNG

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 ROBERT A. PANASCI

WRITER'S TELEPHONE EXTENSION: 225
 KYOUNG@YOUNGSOMMER.COM

September 2, 2004

VIA TELECOPY 402-9168
AND REGULAR MAIL

Steve Hamilton, Esq
 Chief Permit Administrator
 New York State Department of Environmental Conservation
 Bureau of Enforcement and Compliance Assurance, 14th Floor
 625 Broadway
 Albany, New York 12233-1750

William Adriance
 Chief Permit Administrator
 New York State Department of Environmental Conservation
 Division of Environmental Permits, 4th Floor
 625 Broadway
 Albany, New York 12233-1750

Re: Department Initiated Permit Modification to Account for Monitor Billing
 DEC Permit #: 4-0103-00016/00016
 Permit Type: Article 27, Hazardous Waste Management and Article 19 Air
 Pollution Control
 Facility: Norlite Corporation, Cohoes, NY

Dear Mr. Adriance and Hamilton:

This letter is in response to your letter to Kevin Young dated, August 19, 2004 regarding the above-referenced proposed permit modification. By a copy of this letter, Norlite Corporation is

Sep. 2. 2004 10:15AM

No. 6325 P. 3/4

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requesting a hearing on the proposed permit modification. Norlite Corporation opposes the proposed permit modifications for, among others, the following reasons:

1. The proposed permit modification does not provide any limit on the financial obligations to fund the environmental monitor account. Norlite requires more specificity as to which costs associated with the Department's activities will be addressed by the account and requires a cap on the amount. The language "for one full time environmental monitor" that was proposed in February, 2004 has been deleted. That language should be restored.
2. For fiscal year 2004, the payments should be \$66,000 on October 1, 2004 and \$50,000 on December 31, 2004.
3. Paragraph 1(f) should be deleted. First, Norlite was never provided with a sampling plan showing the protocol for taking samples and the types of samples to be taken. Based upon our meeting on April 5, 2004, Norlite also understood that the proposed annual maximum of \$40,540 for laboratory costs and fees would be addressed in a separate memorandum of agreement outside of the permit such as the following:

The purpose of this letter is to confirm the agreement between the Department and Norlite Corporation ("Norlite") regarding funding for laboratory sampling and analytical costs and fees. Pursuant to this letter agreement, Norlite agrees to contribute to the Department an amount not-to-exceed \$40,540 per year for three years. For the fiscal year (i.e., April 1 through March 31), the cost will be paid in two installments of \$20,270 on October 1 and December 31. The Department agrees to provide Norlite with a sampling plan at the beginning of each fiscal year and to provide Norlite with advance notice and an opportunity to take split samples of any sampling conducted with these funds. The sampling funds provided hereunder cannot be used by the Department to fund any sampling of environmental medium offsite. Please acknowledge the Department's consent to this agreement by signing on the space provided below. At the end of the initial three year period, the parties will meet to determine the need, if any, to continue this program and the appropriate level of funding.

4. In paragraph 1(b), language must be added to provide that "if Permittee objects to a revision of the annual fee amount, such revision will be deemed a permit modification subject to the procedures set forth in 6 NYCRR Section 621.14.
5. Notwithstanding the Department's commitment at the April 5, 2004 meeting to expedite its review of the SPDES modification to install a permanent treatment system at the LLGF truck staging area, Norlite is still awaiting approval (or even comments) by the NYSDEC of its application for a SPDES permit to install a permanent treatment system at the LLGF Truck Staging Area. Norlite submitted a SPDES Permit Modification, which included the

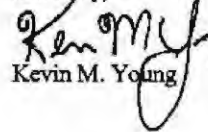
Sep. 2. 2004 10:15AM

No. 6325 P. 4/4

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Engineering Report and Application, to the NYSDEC for the treatment system on July 25, 2001. On November 15, 2001, the NYSDEC issued to Norlite a "Notice of Incomplete Application" for the July 25, 2001 SPDES Permit Modification application. On December 12, 2001, Norlite responded to the NYSDEC's November 15, 2001 letter requesting additional time to fully prepare a detailed industrial chemical survey to address the NYSDEC's response and to also conduct sampling of the water in the LLGF Truck Staging Area. On January 31, 2002, Norlite submitted the analytical results of that water to the NYSDEC. On June 12, 2003, Norlite submitted a revised Engineering Report and SPDES Permit Modification Application to the NYSDEC, including a complete industrial chemical survey. Norlite has been told that draft comments have been prepared but no comments have been released. To date, Norlite does not have a firm date from the NYSDEC when the application review process will be completed. Norlite has been disposing of the storm water at approved facilities. Norlite has made several attempts with the agency to resolve this matter and no one has contacted us. It is an unsafe situation and needs to be addressed.

Sincerely,


Kevin M. Young

cc: Dave Carrabetta
Thomas Sullivan
Tim Lachell
William Morris
Scott Crisifulli



New York State Department of Environmental Conservation

Division of Environmental Permits, Region 4

1150 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2069 • FAX: (518) 357-2460

Website: www.dec.state.ny.us

September 1, 2004

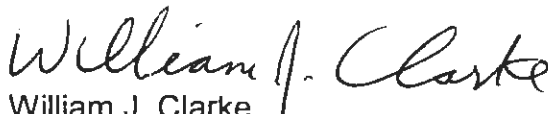
William Morris
Vice President, Environmental Affairs
Norlite Corporation
628 South Saratoga Street
PO Box 694
Cohoes, New York 12110

Re: DEC #4-0103-16/20
Norlite Corp., Light Weight Aggregate
SPDES Permit Mod
City of Cohoes, Albany County

Dear Mr. Morris,

Please find enclosed a draft SPDES permit adding Outfall 8 to the existing permit. This is in response to your permit modification application to add this outfall. We are providing this draft to you for comment prior to finalizing it and then as required by 6NYCRR621 proceeding to public notice. If you have any questions please feel free to contact either Carol Lamb-LaFay or myself.

Sincerely Yours,


William J. Clarke
Regional Permit Administrator
Region 4

NorliteSPDESmod20001.wpd
cc: C. Lamb-LaFay
D. Canestrari



New York State Department of Environmental Conservation
Office of Environmental Quality, Region 4

MEMORANDUM

TO: DISTRIBUTION BELOW
FROM: FREDERICK SIEVERS , BY: Carol Lamb-LaFay
SUBJECT: SPDES # NY 026 0525 , PERMITTEE: Norlite Corporation
UPA# R4-0103-00016/00020 , FACILITY: Norlite Corporation
DATE: August 24, 2004

ENVIRONMENTAL PERMITS, Attention: William Clarke

NEW RENEWAL MODIFICATION

Technically Incomplete

Draft Permit / Modification, Page(s): All

Response Attached to Comments From:

- 1. _____ Dated: ___/___/___
- 2. _____ Dated: ___/___/___

BUREAU OF WATER PERMITS, Attention: _____

NEW RENEWAL MODIFICATION

Please Respond to Comments From:

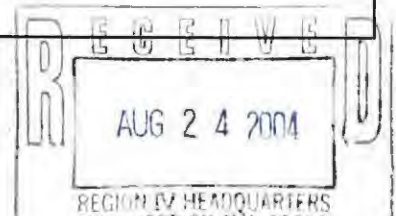
- 1. _____ Dated: ___/___/___
- 2. _____ Dated: ___/___/___
- 3. _____ Dated: ___/___/___

BUREAU OF WATERSHED MANAGEMENT, Attention: _____

Request for Water Quality Review

NOTES: Attached is a modified permit to allow the discharge of treated stormwater runoff which collects in the tanker truck staging area where the trucks wait before off-loading the hazardous wastes at the fuel farm. This area is intended to contain potential spills from the fuel trucks. The specific changes are detailed in the memo from Jim Harrington to Fred Sievers (attached).

cc: SPDES Tracking/Trash
File



Carol / Andrea

New York State Department of Environmental Conservation
Division of Water

Bureau of Water Permits, 4th Floor
625 Broadway, Albany, New York 12233-3505
Phone: (518) 402-8111 • FAX: (518) 402-9029
Website: www.dec.state.ny.us



MEMORANDUM

TO: Mr. Sievers RWE, 4, Ms. Lamb-Lafay
FROM: Mr. Draper, Director, BWP by: Mr. Harrington, 4th Floor South
SUBJECT: SPDES No.: NY 000 4880, Name: Norlite Corp.
UPA No.: , Fac. Name:
DATE: July 13, 2004

- Technically Incomplete (PDPDT03)
- 7/13/04 Draft Permit/or Mod. Page # (PDPDT05)
- Storm Water Addressed? Limits BMP

This modification is permittee requested to include a new outfall 008. This outfall will discharge treated storm runoff from the tanker truck staging area where the trucks wait their turn to transfer hazardous wastes, to be used as fuel in the manufacturing kilns, to the on site storage tanks. The proposed modifications are:

- Page 1: Add reference to outfall 008 to the Salt Kill.
 - Pages 5 - 7: Add effluent limits and monitoring requirements for specified parameters.
 - Page 8: Add Footnotes 10 - 15.
 - Page 9: Add outfall 008 to reference outfall map.
 - Page 13: Add Pollutant Minimization Program requirements.
- Renumber permit pages as needed.

If you have any questions, please call James M. Harrington at (518) 402- 8103
(Project Engineer)

cc: Mr. Larson, BWP

JMH:da

Pertrans Norlite 71304.wpd



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
State Pollutant Discharge Elimination System (SPDES)
DISCHARGE PERMIT
Special Conditions

First3.99

Industrial Code: **1422**
Discharge Class (CL): **01**
Toxic Class (TX): **T**
Major Drainage Basin: **12**
Sub Drainage Basin: **01**
Water Index Number: **H-240**
Compact Area:

SPDES Number: **NY- 000 4880**
DEC Number: **4-0103-16/20-0**
Effective Date (EDP): **February 2, 2002**
Expiration Date (ExDP): **February 1, 2007**
Modification Dates:

This SPDES permit is issued in compliance with Title 8 of Article 17 of the Environmental Conservation Law of New York State and in compliance with the Clean Water Act, as amended, (33 U.S.C. §1251 et.seq.)(hereinafter referred to as "the Act").

PERMITTEE NAME AND ADDRESS

Name: **Norlite Corporation**
Street: **628 South Saratoga Street**
City: **Cohoes**

Attention: **William Morris**
State: **NY** Zip Code: **12047**

is authorized to discharge from the facility described below:

FACILITY NAME AND ADDRESS

Name: **Norlite Corporation**
Location (C,T,V): **Cohoes (C)**
Facility Address: **628 South Saratoga Street**
City: **Cohoes**

County: **Albany**
State: **NY** Zip Code: **12047**

NYTM -E: From Outfall No.: **003** at Latitude: **42 ° 45 ' 14 "** & Longitude: **73 ° 40 ' 20 "**
into receiving waters known as: **Salt Kill Creek** Class: **D**

and; (list other Outfalls, Receiving Waters & Water Classifications)

- 004 Salt Kill Creek **D**
- 006 Mohawk River **C**
- 007 Salt Kill Creek **D**
- 008 Salt Kill Creek **D**

in accordance with the effluent limitations, monitoring requirements and other conditions set forth in this permit and 6 NYCRR Part 750.

DISCHARGE MONITORING REPORT (DMR) MAILING ADDRESS

Mailing Name: **Norlite Corporation**
Street: **628 South Saratoga Street**
City: **Cohoes**
Responsible Official or Agent: **William Morris**

State: **NY** Zip Code: **12047**
Phone: **(518) 235-0401**

This permit and the authorization to discharge shall expire on midnight of the expiration date shown above and the permittee shall not discharge after the expiration date unless this permit has been renewed, or extended pursuant to law. To be authorized to discharge beyond the expiration date, the permittee shall apply for permit renewal not less than 180 days prior to the expiration date shown above.

DISTRIBUTION:

Bureau of Water Permits

Permit Administrator:	
Address:	
Signature:	Date: / /

PERMIT LIMITS, LEVELS, AND MONITORING

OUTFALL No.	WASTEWATER TYPE			RECEIVING WATER	EFFECTIVE	EXPIRING		
003	Quarry Water			Salt Kill Creek	EDM	02/01/07		
PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FOOTNOTES (FN)		
pH	6.0	9.0	SU	Daily	Grab	2		
PARAMETER	ENFORCEABLE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	TYPE I	TYPE II				
Flow	Monitor	Monitor			gpd	Daily	Instantaneous	2
Solids, Total Suspended	25	45			mg/l	Weekly	Composite	1, 3

OUTFALL No.	WASTEWATER TYPE			RECEIVING WATER	EFFECTIVE	EXPIRING		
004	Shale Fines Leachate & Storm Runoff from Landfill Area			Salt Kill Creek	EDM	02/01/07		
PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FOOTNOTES (FN)		
pH	6.0	9.0	SU	Daily	Grab	2		
PARAMETER	ENFORCEABLE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	TYPE I	TYPE II				
Flow	Monitor	Monitor			gpd	Daily	Instantaneous	2
Solids, Total Suspended	25	45			mg/l	Daily	Composite	2, 3
Temperature	NA	90			°F	Daily	Grab	2
Cadmium, Total	NA	0.004			mg/l	Daily	Grab	2
Chromium, Total	NA	1.7			mg/l	Daily	Grab	2
Chromium, Hexavalent	NA	0.016			mg/l	Daily	Grab	2
Copper, Total	NA	0.018			mg/l	Daily	Grab	2
Lead, Total	NA	0.08			mg/l	Daily	Grab	2
Mercury, Total	NA	0.0002			mg/l	Daily	Grab	2
Nickel, Total	NA	1.8			mg/l	Daily	Grab	2
Zinc, Total	NA	0.3			mg/l	Daily	Grab	2

PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL No.	WASTEWATER TYPE				RECEIVING WATER	EFFECTIVE	EXPIRING	
06A	Treated Scrubber Blowdown, Boiler Blowdown and Trunnion Non Contact Cooling Water ⁶				Outfall 006	EDM	02/01/07	
PARAMETER	ENFORCEABLE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	TYPE I	TYPE II				
Flow	NA	Monitor			gpd	Continuous	Recorded	7
Arsenic, Total	NA	0.11			lbs/day	Daily	Grab	2, 9
Barium, Total	NA	2.88			lbs/day	Daily	Grab	2, 9
Beryllium, Total	NA	1.44			lbs/day	Daily	Grab	2, 9
Cadmium, Total	NA	0.04			lbs/day	Daily	Grab	2, 9
Chromium, Total	NA	0.14			lbs/day	Daily	Grab	2, 9
Copper, Total	NA	0.66			lbs/day	Daily	Grab	2, 9
Iron, Total	NA	2.88			lbs/day	Daily	Grab	2, 9
Lead, Total	NA	0.43			lbs/day	Daily	Grab	2, 9
Mercury, Total	NA	0.04			lbs/day	Daily	Grab	2, 9
Nickel, Total	NA	0.94			lbs/day	Daily	Grab	2, 9
Selenium, Total	NA	0.07			lbs/day	Daily	Grab	2, 9
Zinc, Total	NA	0.66			lbs/day	Daily	Grab	2, 9

OUTFALL No.	WASTEWATER TYPE				RECEIVING WATER	EFFECTIVE	EXPIRING	
06B	Trunnion Non Contact Cooling Water				Outfall 006	EDM	02/01/07	
PARAMETER	ENFORCEABLE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	TYPE I	TYPE II				
Flow	NA	NA			gpd	Daily Per Discharge Event	Instantaneous	7
Flow, Totalized	NA	Monitor			gpd		Recorded	8

PERMIT LIMITS, LEVELS, AND MONITORING

OUTFALL No.	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
006	Trunnion Non Contact Cooling Water, Scrubber Blowdown, Boiler Blowdown, & Plant Water ⁶	Mohawk River	EDM	02/01/07

PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FOOTNOTES (FN)
pH	6.0	9.0	SU	Daily	Grab	2

PARAMETER	ENFORCEABLE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	TYPE I	TYPE II				
Flow	NA	Monitor			gpd	Continuous	Recorded	
Solids, Total Suspended	NA	66			lbs/day	Daily	Grab	2, 9
Solids, Total Dissolved	NA	Monitor			g/l	Weekly	Grab	1
Chlorine, Total Residual	NA	Monitor			mg/l		Grab	5
Temperature	NA	115			°F	Daily	Grab	2, 4
NH ₃ (as Ammonia)	NA	Monitor			mg/l	Monthly	Grab	
Chlorides	NA	Monitor			mg/l	Monthly	Grab	

OUTFALL No.	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
007	Storm Runoff	Salt Kill Creek	EDM	02/01/07

No monitoring required.

PERMIT LIMITS, LEVELS AND MONITORING

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OUTFALL NUMBER	WASTEWATER TYPE		RECEIVING WATER	EFFECTIVE	EXPIRING				
008	Storm Runoff from Tanker Staging Area		Salt Kill	EDM	02/01/07				
PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FOOTNOTES (FN)			
pH	6.0	9.0	SU	Each Batch Discharge	Grab				
PARAMETER	EFFLUENT LIMIT		PQL	MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Avg.	Daily Max.	Daily Max.	TYPE I	TYPE II				
Flow	NA	Monitor				gpd	Each Batch	Total	
Acenaphthene	NA	10				ug/l	Each Batch	Grab	
Acenaphthylene	NA	10				ug/l	Each Batch	Grab	
Acetontirile	NA	.50				ug/l	Each Batch	Grab	
Acetone	NA	10				ug/l	Each Batch	Grab	
Acetopenone	NA	10				ug/l	Each Batch	Grab	
Acrylonitrile	NA	50				ug/l	Each Batch	Grab	
Anthracene	NA	10				ug/l	Each Batch	Grab	
Antimony	NA	100				ug/l	Each Batch	Grab	
Benzene	NA	5				ug/l	Each Batch	Grab	
Benzidine	NA	.1	.3			ug/l	Each Batch	Grab	10
Benzo(a)pyrene	NA	.0012	.09			ug/l	Each Batch	Grab	11
Benzo(ghi)pyrene	NA	10				ug/l	Each Batch	Grab	
Benzo(k)fluoranthene	NA	10				ug/l	Each Batch	Grab	
Bromoform	NA	50				ug/l	Each Batch	Grab	
Butylbenzyl phthlate	NA	10				ug/l	Each Batch	Grab	
Carbon Disulfide	NA	10				ug/l	Each Batch	Grab	
Carbon Tetrachloride	NA	10				ug/l	Each Batch	Grab	
Chlordane	NA	.00002	.06			ug/l	Each Batch	Grab	12
Chlorobenzene	NA	25				ug/l	Each Batch	Grab	
bis (2chloroethyl)ether	NA	10				ug/l	Each Batch	Grab	
Chloroform	NA	100				ug/l	Each Batch	Grab	
2 - Chlorophenol	NA	10				ug/l	Each Batch	Grab	
m - Cresol	NA	50				ug/l	Each Batch	Grab	
o - Cresol	NA	50				ug/l	Each Batch	Grab	
Chrysene	NA	10				ug/l	Each Batch	Grab	

PERMIT LIMITS, LEVELS AND MONITORING

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OUTFALL NUMBER	WASTEWATER TYPE		RECEIVING WATER	EFFECTIVE	EXPIRING				
008 Continued	Storm Runoff from Tanker Staging Area		Salt Kill	Edm	02/01/07				
PARAMETER	EFFLUENT LIMIT		PQL	MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	Daily Max.	TYPE I	TYPE II				
Dibenzo(ah)anthracene	NA	10				ug/l	Each Batch	Grab	
Dibenzofuran	NA	10				ug/l	Each Batch	Grab	
1, 2 - Dichlorobenzene	NA	5				ug/l	Each Batch	Grab	
1, 3 - Dichlorobenzene	NA	5				ug/l	Each Batch	Grab	
1, 4 - Dichlorobenzene	NA	5				ug/l	Each Batch	Grab	
3, 3' - Dichlorobenzidine	NA	10				ug/l	Each Batch	Grab	
2, 4 - Dichlorophenol	NA	5				ug/l	Each Batch	Grab	
2, 6 - Dichlorophenol	NA	5				ug/l	Each Batch	Grab	
2, 4 - Dimethylphenol	NA	50				ug/l	Each Batch	Grab	
Dimethyl Phthlate	NA	25				ug/l	Each Batch	Grab	
Di - n - octyl Phthlate	NA	10				ug/l	Each Batch	Grab	
Dinoseb	NA	5				ug/l	Each Batch	Grab	
Ethyl Methacrylate	NA	20				ug/l	Each Batch	Grab	
Ethylbenzene	NA	50				ug/l	Each Batch	Grab	
Fluoranthene	NA	10				ug/l	Each Batch	Grab	
Fluorene	NA	4.8				ug/l	Each Batch	Grab	
Heptachlor	NA	.0002	.01			ug/l	Each Batch	Grab	12
Hexachlorobenzene	NA	.00005	.2			ug/l	Each Batch	Grab	13
Hexachlorobutadiene	NA	.01				ug/l	Each Batch	Grab	
Hexachloroethane	NA	.6	1			ug/l	Each Batch	Grab	13
Isobutanol	NA	50				ug/l	Each Batch	Grab	
Isophorone	NA	50				ug/l	Each Batch	Grab	
Methacrylonite	NA	50				ug/l	Each Batch	Grab	
Methoxchlor	NA	50				ug/l	Each Batch	Grab	
Methyl Methacrylate	NA	50				ug/l	Each Batch	Grab	
Naphthalene	NA	10				ug/l	Each Batch	Grab	
1 - Naphthylamine	NA	10				ug/l	Each Batch	Grab	
Nitrobenzene	NA	50				ug/l	Each Batch	Grab	

PERMIT LIMITS, LEVELS AND MONITORING

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OUTFALL NUMBER	WASTEWATER TYPE		RECEIVING WATER	EFFECTIVE	EXPIRING				
008 Continued	Storm Runoff from Tanker Staging Area		Salt Kill	EDM	02/01/07				
PARAMETER	EFFLUENT LIMIT		PQL	MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Avg.	Daily Max.	Daily Max.	TYPE I	TYPE II				
PCBs, Total	NA	.000001				ng/l	Each Batch	Grab	14
Aroclor 1016	NA		300			ng/l	Each Batch	Grab	15
Aroclor 1221	NA		300			ng/l	Each Batch	Grab	15
Aroclor 1232	NA		300			ng/l	Each Batch	Grab	15
Aroclor 1242	NA		300			ng/l	Each Batch	Grab	15
Aroclor 1248	NA		300			ng/l	Each Batch	Grab	15
Aroclor 1254	NA		300			ng/l	Each Batch	Grab	15
Aroclor 1260	NA		300			ng/l	Each Batch	Grab	15
Pentachlorophenol	NA	10				ug/l	Each Batch	Grab	
Phenanthrene	NA	10				ug/l	Each Batch	Grab	
Phenol	NA	5				ug/l	Each Batch	Grab	
Propionitrile	NA	50				ug/l	Each Batch	Grab	
Pyrene	NA	10				ug/l	Each Batch	Grab	
Styrene	NA	10				ug/l	Each Batch	Grab	
Tetrachloroethylene	NA	1				ug/l	Each Batch	Grab	
Toluene	NA	5				ug/l	Each Batch	Grab	
o - Toluidine	NA	50				ug/l	Each Batch	Grab	
1, 1, 1 - Trichloroethane	NA	10				ug/l	Each Batch	Grab	
1, 1, 2 - Trichloroethane	NA	10				ug/l	Each Batch	Grab	
Trichloroethylene	NA	10				ug/l	Each Batch	Grab	
2, 4, 5 - Trichlorophenol	NA	5				ug/l	Each Batch	Grab	
2, 4, 6 - Trichlorophenol	NA	5				ug/l	Each Batch	Grab	
Trichlorotrifluoromethane	NA	10				ug/l	Each Batch	Grab	
p - Xylene	NA	5				ug/l	Each Batch	Grab	

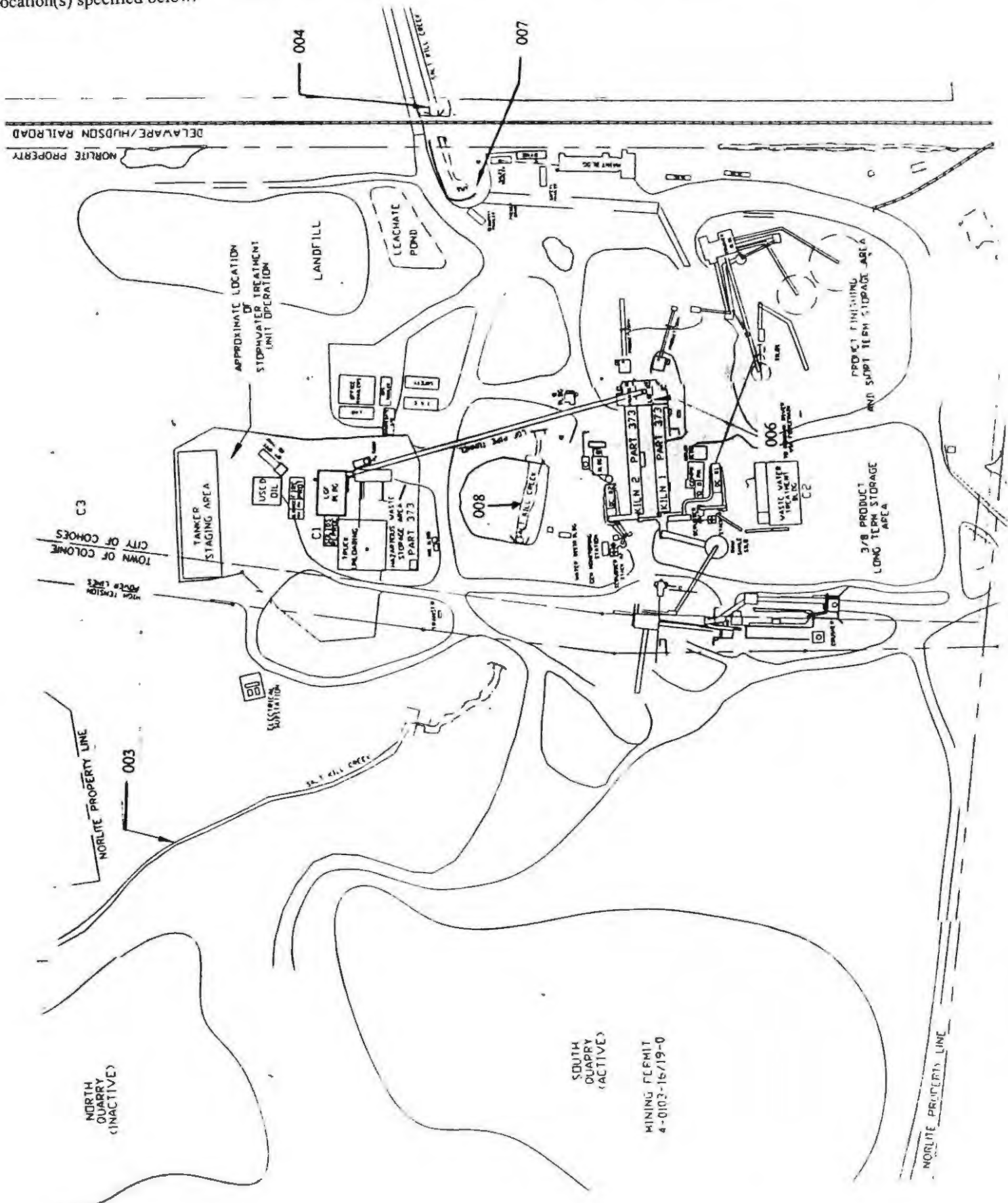
PERMIT LIMITS, LEVELS, AND MONITORING

FOOTNOTES:

- 1 Samples shall be taken one day per week while discharging.
- 2 Samples shall be taken each day a discharge occurs.
- 3 Representative composites shall consist of a minimum of three samples taken at the beginning, middle and end of the day.
- 4 This temperature limit shall apply at the final discharge point from the wastewater treatment plant. A temperature of 90 °F shall apply at the final discharge point of Norlite's property, prior to the Mohawk River. Sampling at the final discharge point shall consist of a quarterly grab.
5. Grab samples shall be collected following the addition of sodium hypochlorite for hydrogen sulfide control. Analysis shall be by the DPD colorimetric method (equivalent to EPA Method 330.5). The addition of sodium hypochlorite shall be made whenever the ORP reading is unstable or falling below +100 toward zero or negative.
6. Plant Water shall be defined as that treated Quarry Water that is discharged through outfall 006, to aid in the control of the temperature of the entire outfall flow.
7. The instantaneous flow shall be recorded in the operator's logbook any time a discharge of Trunnion Non Contact Cooling Water occurs through outfall 06B simultaneous to a sample of outfall 06A being taken. A summary of the relative flow rates for outfalls 06A and 06B, both instantaneous and totalized, shall be recorded and submitted with the Discharge Monitoring Report.
8. In the event of any discharge of Trunnion Non Contact Cooling Water to the overflow collection tanks, the start and end times, and totalized flow shall be recorded in the operator's logbook.
9. Loadings shall be calculated using the totalized flow at the sampling location for each day on which sampling occurs.
10. Analysis shall be by EPA Method 605.
11. Analysis shall be by EPA Method 610.
12. Analysis shall be by EPA Method 608.
13. Analysis shall be by EPA Method 612.
14. The .000001 ng/l effluent limit for Total PCBs is the calculated water quality based effluent limit. For permit compliance purposes, Total PCBs are indicated by Aroclor limits. Monitoring and reporting of Total PCBs, if required, is specified on the Pollutant Minimization Program page (Page 13 of 16).
15. Analysis shall be by EPA Method 608. Grams/day shall also be reported on the Discharge Monitoring Report. Refer also to the requirements on the Pollution Minimization Program page (Page 13 of 16).

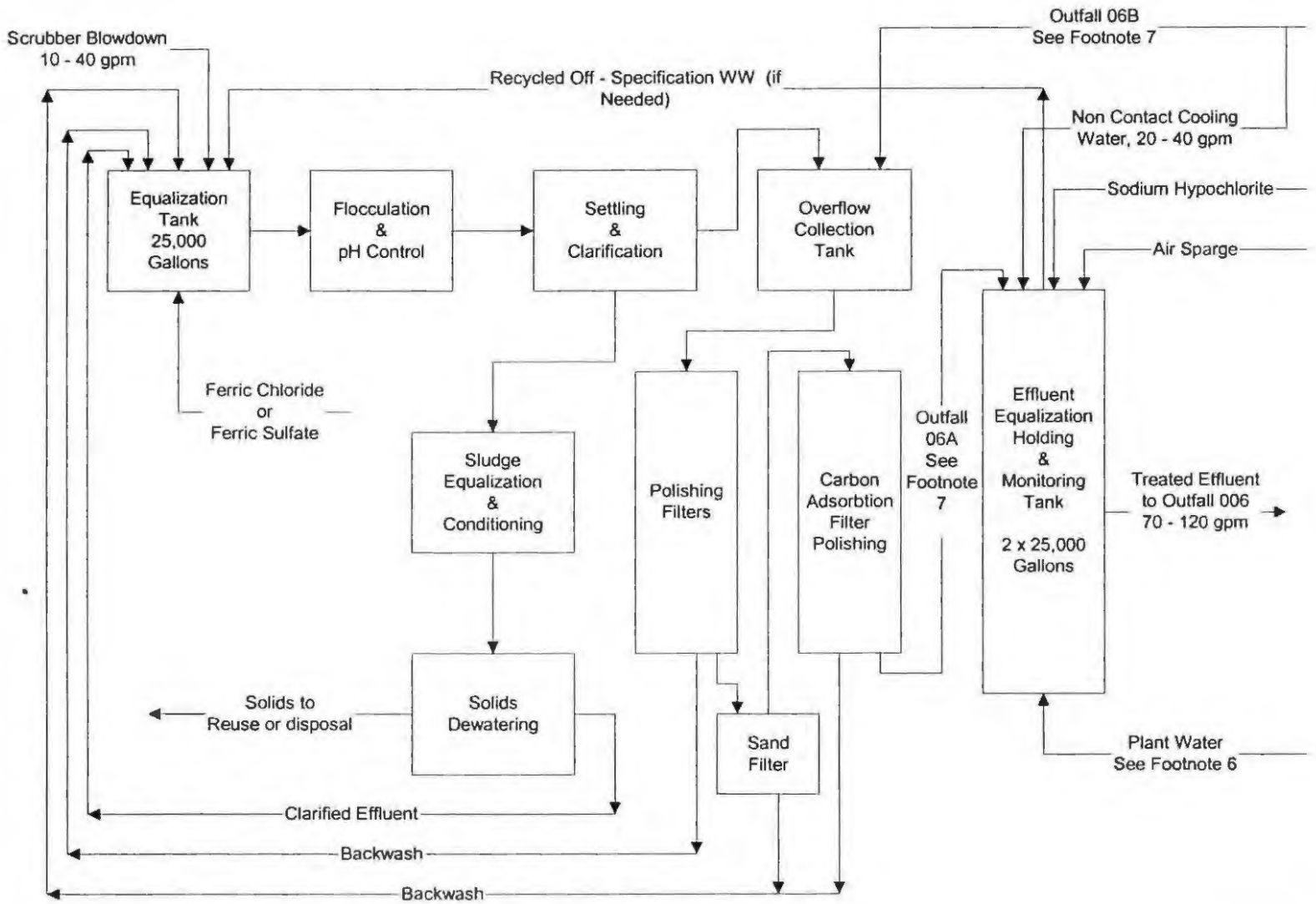
MONITORING LOCATIONS

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



MONITORING LOCATIONS, CONTINUED

WASTEWATER TREATMENT PLANT GENERAL PROCESS FLOW DIAGRAM



SPECIAL CONDITIONS - BEST MANAGEMENT PRACTICES

1. If an approved Best Management Practices (BMP) plan is not already in place, the permittee shall develop a BMP plan to prevent, or minimize the potential for, release of significant amounts of toxic or hazardous pollutants to the waters of the State through plant site runoff; spillage and leaks; sludge or waste disposal; and storm water discharges including, but not limited to, drainage from raw material storage. Completed BMP plans shall be submitted **WITHIN 6 MONTHS OF THE EFFECTIVE DATE OF MODIFICATION TO THIS PERMIT** to the Regional Water Engineer at the address shown on the Recording, Reporting and Additional Monitoring Requirements page (Page 15 of 16). The BMP plan shall be implemented within 6 months of submission, unless a different time frame is approved by this Department.
2. Subsequent modifications to or renewal of this permit does not reset or revise the deadline set forth in (1) above, unless a new deadline is set explicitly by such permit modification or renewal.
3. The permittee shall review all facility components or systems (including material storage areas; in-plant transfer, process and material handling areas; loading and unloading operations; storm water, erosion, and sediment control measures; process emergency control systems; and sludge and waste disposal areas) where toxic or hazardous pollutants are used, manufactured, stored or handled to evaluate the potential for the release of significant amounts of such pollutants to the waters of the State. In performing such an evaluation, the permittee shall consider such factors as the probability of equipment failure or improper operation, cross-contamination of storm water by process materials, settlement of facility air emissions, the effects of natural phenomena such as freezing temperatures and precipitation, fires, and the facility's history of spills and leaks. For hazardous pollutants, the list of reportable quantities as defined in 40 CFR, Part 117 may be used as a guide in determining significant amounts of releases. For toxic pollutants, the relative toxicity of the pollutant shall be considered in determining the significance of potential releases.

The review shall address all substances present at the facility that are listed as toxic pollutants under Section 307(a)(1) of the Clean Water Act or as hazardous pollutants under Section 311 of the Act or that are identified as Chemicals of Concern by the Industrial Chemical Survey.

4. Whenever the potential for a significant release of toxic or hazardous pollutants to State waters is determined to be present, the permittee shall identify Best Management Practices that have been established to minimize such potential releases. Where BMPs are inadequate or absent, appropriate BMPs shall be established. In selecting appropriate BMPs, the permittee shall consider typical industry practices such as spill reporting procedures, risk identification and assessment, employee training, inspections and records, preventive maintenance, good housekeeping, materials compatibility and security. In addition, the permittee may consider structural measures (such as secondary containment and erosion/sediment control devices and practices) where appropriate.
5. Development of the BMP plan shall include sampling of waste stream segments for the purpose of toxic "hot spot" identification. The economic achievability of effluent limits will not be considered until plant site "hot spot" sources have been identified, contained, removed or minimized through the imposition of site specific BMPs or application of internal facility treatment technology. For the purposes of this permit condition a "hot spot" is a segment of an industrial facility; including but not limited to soil, equipment, material storage areas, sewer lines etc.; which contributes elevated levels of problem pollutants to the wastewater and/or storm water collection system of that facility. For the purposes of this definition, problem pollutants are substances for which treatment to meet a water quality or technology requirement may, considering the results of waste stream segment sampling, be deemed unreasonable. For the purposes of this definition, an elevated level is a concentration or mass loading of the pollutant in question which is sufficiently higher than the concentration of that same pollutant at the compliance monitoring location so as to allow for an economically justifiable removal and/or isolation of the segment and/or B.A.T. treatment of wastewaters emanating from the segment.

draft

SPECIAL CONDITIONS-BEST MANAGEMENT PRACTICES, CONTINUED

6. The BMP plan shall be documented in narrative form and shall include any necessary plot plans, drawings or maps. Other documents already prepared for the facility such as a Safety Manual or a Spill Prevention, Control and Countermeasure (SPCC) plan may be used as part of the plan and may be incorporated by reference. USEPA guidance for development of storm water elements of the BMP is available in the September 1992 manual "Storm Water Management for Industrial Activities," USEPA Office of Water Publication EPA 832-R-92-006 (available from NTIS, (703)487-4650, order number PB 92235969). A copy of the BMP plan shall be maintained at the facility and shall be available to authorized Department representatives upon request. As a minimum, the plan shall include the following BMP's:
- | | | |
|-------------------------------------|----------------------------|--------------------------------|
| a. BMP Committee | e. Inspections and Records | i. Security |
| b. Reporting of BMP Incidents | f. Preventive Maintenance | j. Spill prevention & response |
| c. Risk Identification & Assessment | g. Good Housekeeping | k. Erosion & sediment control |
| d. Employee Training | h. Materials Compatibility | l. Management of runoff |
7. The BMP plan shall be reviewed annually and shall be modified whenever: (a) changes at the facility materially increase the potential for significant releases of toxic or hazardous pollutants, (b) actual releases indicate the plan is inadequate or (c) a letter from the Regional Water Engineer highlights inadequacies in the plan..

SPECIAL CONDITIONS - POLLUTANT MINIMIZATION PROGRAM

1. The permittee shall develop and implement a Pollutant Minimization Program (PMP). The goal of this program will be to meet the calculated water quality based effluent limit for Total PCBs. The completed, approvable PMP plan shall be submitted **WITHIN 6 MONTHS OF THE EFFECTIVE DATE OF MODIFICATION OF THIS PERMIT** to the Regional Water Engineer at the address listed on the RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS page (Page 15 of 16).
2. Subsequent modifications or renewal of this permit does not reset or revise the deadline set forth in number 1 above unless a new deadline is set explicitly by such a permit modification or renewal.
3. The PMP plan shall be documented in narrative form and shall include any necessary plot plans, drawings or maps. Other documents already prepared for the facility such as a Safety Manual or a Spill Prevention, Control and Countermeasure (SPCC) plan or Best Management Practices Plan (BMP) may be used as part of the plan and may be incorporated by reference. As a minimum, the plan shall include:
 - a. An on-going potential source identification, evaluation and prioritization program.
 - b. Periodic monitoring designed to quantify and, over time, track the reduction of discharges of the substances noted above.
 - c. An approvable control strategy (including a schedule for implementation) for reducing discharges via cost-effective control measures, which may include but is not limited to site treatment or remediation for the substances noted in (1.) above. The schedule for implementation and the control strategy will become enforceable under this permit.
 - d. An annual status report that summarizes all source monitoring and all control measures implemented during the previous calendar year shall be prepared and submitted to the Regional Water Engineer by March 1 of each year.
3. The PMP plan shall be modified whenever changes at the facility increase the potential for discharge of the substance(s) noted in (1.) above or where ongoing monitoring indicates that the plan is ineffective.

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.
- (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 (page 15 of 16), 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.

RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS

- a) The permittee shall also refer to the General Conditions (Part II) of this permit for additional information concerning monitoring and reporting requirements and conditions.
- b) The monitoring information required by this permit shall be summarized, signed and retained for a period of three years from the date of the sampling for subsequent inspection by the Department or its designated agent. **Also, monitoring information required by this permit shall be summarized and reported by submitting;**

(if box is checked) completed and signed Discharge Monitoring Report (DMR) forms for each 1 month reporting period to the locations specified below. Blank forms are available at the Department's Albany office listed below. The first reporting period begins on the effective date of this permit and the reports will be due no later than the 28th day of the month following the end of each reporting period.

(if box is checked) an annual report to the Regional Water Engineer at the address specified below. The annual report is due by February 1 and must summarize information for January to December of the previous year in a format acceptable to the Department.

(if box is checked) a monthly "Wastewater Facility Operation Report..." (form 92-15-7) to the:

Regional Water Engineer and/or County Health Department or Environmental Control Agency specified below

Send the **original** (top sheet) of each DMR page to:

Department of Environmental Conservation
Division of Water
Bureau of Water Compliance Programs
625 Broadway
Albany, New York 12233-3506

Phone: (518) 402-8177

Send the **first copy** (second sheet) of each DMR page to:

Department of Environmental Conservation
Regional Water Engineer
Region 4
1150 North Westcott Road
Schenectady, New York 12306-2014
Phone: (518) 357-2234

- c) Noncompliance with the provisions of this permit shall be reported to the Department as prescribed in the attached General Conditions (Part II).
- d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.
- e) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculations and recording of the data on the Discharge Monitoring Reports.
- f) Calculation for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.
- g) Unless otherwise specified, all information recorded on the Discharge Monitoring Report shall be based upon measurements and sampling carried out during the most recently completed reporting period.
- h) Any laboratory test or sample analysis required by this permit for which the State Commissioner of Health issues certificates of approval pursuant to section five hundred two of the Public Health Law shall be conducted by a laboratory which has been issued a certificate of approval. Inquiries regarding laboratory certification should be sent to the Environmental Laboratory Accreditation Program, New York State Health Department Center for Laboratories and Research, Division of Environmental Sciences, The Nelson A. Rockefeller Empire State Plaza, Albany, New York 12201.

PERMIT LIMITS, LEVELS AND MONITORING DEFINITIONS

C:\MyFiles\WPDOCS\NORLITE\Norlite 0004880 p JM 2004.wpd

OUTFALL	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING		
	This cell describes the type of wastewater authorized for discharge. Examples include process or sanitary wastewater, storm water, non-contact cooling water.	This cell lists classified waters of the state to which the listed outfall discharges.	The date this page starts in effect. (e.g. EDP or EDPM)	The date this page is no longer in effect. (e.g. ExDP)		
PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQ.	SAMPLE TYPE	
e.g. pH, TRC, Temperature, D.O.	The minimum level that must be maintained at all instants in time.	The maximum level that may not be exceeded at any instant in time.	SU, °F, mg/l, etc.			
PARA-METER	EFFLUENT LIMIT	PRACTICAL QUANTITATION LIMIT (PQL)	ACTION LEVEL	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE
	Limit types are defined below in Note 1. The effluent limit is developed based on the more stringent of technology-based limits, required under the Clean Water Act, or New York State water quality standards. The limit has been derived based on existing assumptions and rules. These assumptions include receiving water hardness, pH and temperature; rates of this and other discharges to the receiving stream; etc. If assumptions or rules change the limit may, after due process and modification of this permit, change.	For the purposes of compliance assessment, the analytical method specified in the permit shall be used to monitor the amount of the pollutant in the outfall to this level, provided that the laboratory analyst has complied with the specified quality assurance/quality control procedures in the relevant method. Monitoring results that are lower than this level must be reported, but shall not be used to determine compliance with the calculated limit. This PQL can be neither lowered nor raised without a modification of this permit.	Type I or Type II Action Levels are monitoring requirements, as defined below in Note 2, that trigger additional monitoring and permit review when exceeded.	This can include units of flow, pH, mass, Temperature, concentration. Examples include µg/l, lbs/d, etc.	Examples include Daily, 3/week, weekly, 2/month, monthly, quarterly, 2/yr and yearly.	Examples include grab, 24 hour composite and 3 grab samples collected over a 6 hour period.

Note 1: DAILY DISCHARGE.: The discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for the purposes of sampling. For pollutants expressed in units of mass, the 'daily discharge' is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the 'daily discharge' is calculated as the average measurement of the pollutant over the day.

DAILY MAX.: The highest allowable daily discharge. **DAILY MIN.:** The lowest allowable daily discharge.

MONTHLY AVG: The highest allowable average of daily discharges over a calendar month, calculated as the sum of each of the daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

7 DAY ARITHMETIC MEAN (7 day average): The highest allowable average of daily discharges over a calendar week.

30 DAY GEOMETRIC MEAN: The highest allowable geometric mean of daily discharges over a calendar month, calculated as the antilog of : the sum of the log of each of the daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

7 DAY GEOMETRIC MEAN: The highest allowable geometric mean of daily discharges over a calendar week.

RANGE: The minimum and maximum instantaneous measurements for the reporting period must remain between the two values shown.

Note 2: ACTION LEVELS: Routine Action Level monitoring results, if not provided for on the Discharge Monitoring Report (DMR) form, shall be appended to the DMR for the period during which the sampling was conducted. If the additional monitoring requirement is triggered as noted below, the permittee shall undertake a short-term, high-intensity monitoring program for the parameter(s). Samples identical to those required for routine monitoring purposes shall be taken on each of at least three consecutive operating and discharging days and analyzed. Results shall be expressed in terms of both concentration and mass, and shall be submitted no later than the end of the third month following the month when the additional monitoring requirement was triggered. Results may be appended to the DMR or transmitted under separate cover to the same address. If levels higher than the Action Levels are confirmed, the permit may be reopened by the Department for consideration of revised Action Levels or effluent limits. The permittee is not authorized to discharge any of the listed parameters at levels which may cause or contribute to a violation of water quality standards. **TYPE I:** The additional monitoring requirement is triggered upon receipt by the permittee of any monitoring results in excess of the stated Action Level. **TYPE II:** The additional monitoring requirement is triggered upon receipt by the permittee of any monitoring results that show the stated action level exceeded for four of six consecutive samples, or for two of six consecutive samples by 20 % or more, or for any one sample by 50 % or more.

New York State Department of Environmental Conservation

Division of Environmental Permits, 4th Floor

625 Broadway, Albany, New York 12233-1750

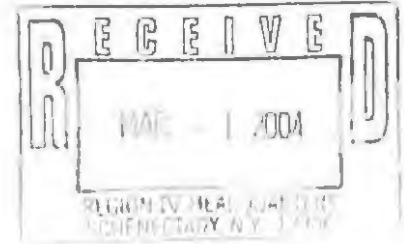
Phone: (518) 402-9167 • FAX: (518) 402-9168

Website: www.dec.state.ny.us



Erin M. Crotty
Commissioner

01 March 2004



NORLITE CORP.
WILLIAM MORRIS
628 S SARATOGA ST
COHOES, NY 12047

Re: Department Initiated Permit Modification
DEC ID: 401030001600020
SPDES Number: NY 0004880

Dear Permittee:

The purpose of this correspondence is to notify you of a Department initiated modification to the above-referenced State Pollutant Discharge Elimination System (SPDES) permit. This modification is undertaken in accordance with the provisions of the Uniform Procedures Act [6 NYCRR 621.14(a)(4)] and is due to the amendment of the existing regulation governing the administration of SPDES permits (6 NYCRR 750). The amendments incorporate provisions of the 'Part II General Conditions' supplement that serves as an additional set of conditional requirements to your SPDES permit. These amendments may be found in the enclosed copy of 6 NYCRR 750 in Section 750-2, entitled 'Operating in Accordance with a SPDES Permit.' You may also access this regulation from the internet on the Department's website at <http://www.dec.state.ny.us/website/regs/750.htm> for html format or <http://www.dec.state.ny.us/website/dow/part750.pdf> for a two sided format suitable for binding and copying.

The amendment of 6 NYCRR 750 duplicates many of the provisions of the 'Part II General Conditions' supplement, and includes some revisions and additions to those conditions. The following is a general list of locations within section of 6 NYCRR 750-2 that contain new and significant information pertaining to your permit.

- 750-2.1 General Provisions of a SPDES Permit
(b), (f), and (k)
- 750-2.3 Inspection and Entry
(f)
- 750-2.4 Operator and Permittee Liability
- 750-2.5 Routine Monitoring, Recording, and Reporting
(a)- (2)-(iii) and (v); (4); (5)
(b)- (1); (2); (3)
(c)- (1); (2)-(vii)
(d)- (1)-(i) and (ii); (2); (3)-(iv)
- 750-2.6 Special Reporting Requirements for Dischargers that are not POTWs
- 750-2.7 Incident Reporting
- 750-2.8 Disposal System Operation and Quality Control

- (a)- (1); (2)-(i); (5); (6)
- (c)- (2)
- (d)
- (e)
- (f)
- 750-2.9 Additional Conditions Applicable to Publicly Owned Treatment Works
 - (a)- (2); (4)
 - (b)- (1); (2); (3); (4); (5); (6); (7)
 - (c)
- 750-2.10 Special Provisions- New or Modified Disposal Systems or Service Areas
 - (a); (b); (d); (e); (f); (g); (h); (i)
- 750-2.11 Closure Requirements for Disposal Systems

Also, please note that the telephone number designated by the Regional Water Engineer to receive after business hours reports (as set forth in 6 NYCRR 750-1.2(a)(73) is now (518)-457-7362.

The Department initiated modification to your permit deletes the 'Part II General Conditions' and all references to them from your permit, and further amends the permit requiring you to comply with 6 NYCRR 750-2. The specific language of the modification is contained in the attached modification page that is to be appended to your existing permit.

The Department's Uniform Procedures Act affords permittees the right to comment on Department initiated permit changes [6 NYCRR 621.14(d)]. After reviewing the content of 6 NYCRR 750-2 and its effect on your SPDES permit, should you have any objections to the permit modification, you may submit a written statement to the Department giving reasons why the permit should not be modified, request a hearing, or both. Any statement or request for hearing must be made within 15 calendar days of the mailing of this letter. Failure to submit a timely request or statement will result in the modification of your permit, becoming effective 17 March 2004.

If you have any questions on this action, please contact Andrea Sheeran at the above address, or by telephone at (518) 402-9179.

Sincerely,



William R. Adriance
Chief Permit Administrator

cc: RPA
RWE
BWP
file

New York State Department of Environmental Conservation
Division of Environmental Permits, 4th Floor
625 Broadway, Albany, New York 12233-1750
Phone: (518) 402-9167 • FAX: (518) 402-9168
Website: www.dec.state.ny.us



STATEMENT OF STATE POLLUTANT DISCHARGE ELIMINATION
SYSTEM (SPDES) PERMIT MODIFICATION
TO BE KEPT WITH SPDES PERMIT NUMBER NY 0004880.
NORLITE CORP
DEC ID 401030001600020
EFFECTIVE 17 MARCH 2004

Per Department of Environmental Conservation amendment to the regulations governing the administration of the State Pollutant Discharge Elimination System Permit, this permit is hereby modified to mandate compliance with New York State Environmental Conservation Law, 6 NYCRR Part 750 entitled State Pollutant Discharge Elimination System (SPDES) Permits.

This Department initiated modification to your permit deletes the former 'Part II General Conditions' requirements and all references to them from your permit, and further amends the permit requiring you to comply with 6 NYCRR 750-2, entitled Operating in Accordance with a SPDES Permit.

Norlite Corporation



628 SO. SARATOGA ST.
P.O. BOX 694
COHOES, N.Y. 12047
TEL.: (518) 235-0401
FAX.: (518) 235-0233

December 2, 2003

Mr. William J. Clarke
Regional Permit Administrator
New York State Department of Environmental Conservation
Region 4
1150 North Wescott Road
Schenectady, NY 12306-2014

VIA CERTIFIED MAIL: 70031010000526522512
RETURN RECEIPT REQUESTED

Re: SPDES Permit-Objection to Permit dated November 6, 2003

Dear Mr. Clarke,

The Norlite Corporation (Norlite) is in receipt of the newly modified State Pollution Discharge Elimination System (SPDES) Permit, SPDES #NY-000 4880 and DEC #4-0103-00016/00020 issued by the New York State Department of Environmental Conservation on November 6, 2003.

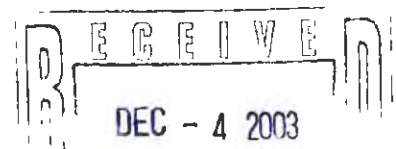
Norlite appreciates the efforts of the Department in issuing the permit modification. Norlite has reviewed the modified permit and has encountered an issue with one of the modifications. Specifically, footnote 9, appearing on page 4 of 10 in the permit, requiring flow monitoring at several locations.

Norlite objects to the permit on the basis that there is no need to determine the flows called for in Footnote 9. Additionally, this footnote was not discussed during the draft permit review. Norlite requests the Department immediately make the minor permit modification, for the reasons discussed below, by deleting Footnote 9. Pursuant to 6 NYCRR § 750-1.18 Modification of SPDES Permits. Specifically, 6 NYCRR § 750-1.18(b)(5) states minor permit modifications include modifications "To ... make changes to monitoring requirements ..."

If for some reason the Department can not accomplish this as a minor permit modification as suggested by Norlite, then by this letter Norlite requests a permit hearing as allowed by 6 NYCRR §621.9(a)(1), which states:

"for a minor project for which no adjudicatory public hearing has been held: ... The applicant may, within 30 calendar days of the date of the mailing of either the notice of denial or the permit with conditions, request a hearing which the department shall commence within 45 calendar days of receiving the request;"

The diagram entitled "Wastewater Treatment Plant General Process Flow Diagram" that appears on page 6 of 10 in the permit shows the flow from the Carbon Adsorption Filter Polishing units into the Effluent Equalization Holding & Monitoring Tank will be monitored at the location denoted as "See Footnote 6". The diagram also shows the flow of Treated Effluent from the Effluent Equalization Holding & Monitoring Tank to Outfall 006 will be monitored at the location denoted as "See Footnote 7". The flow of the Non-contact Cooling Water and Plant Water are included in measurements specified by either Footnote 6 or 7.





Norlite suggests the following updates be incorporated into the permit:

- Eliminate Footnote 9 from the permit.
- Update "General Process Flow Diagram" page 6 of 10 of permit, with attached diagram which shows the proper backwash lines.
- On page 3 of 10 of permit, under Flow, replace footnote 9 with footnote 7.
- On page 4 of 10, Footnote 6, at the end of the footnote, add the sentence "Flow monitoring will be continuous and recorded."
- On page 4 of 10, Footnote 7, add the language "...located in the waste water treatment plant." at the end of the sentence.

Additionally, the revised piping and instrumentation diagram (drawing number 23029004, revision one) showing the new flowmeter and monitoring point is attached.

Should you have any questions regarding this letter, please contact me at (518) 928-8640.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas J. Sullivan".

Thomas J. Sullivan
Environmental Manager

Cc: Bill Morris-Norlite Corporation w/o attachments
Carol Lamb-LaFay-Region 4 w/ attachments
Jim Harrington-Central Office w/o attachments
Rod Aldrich-Sterling Consulting w/o attachments

Attachments

New York State Department of Environmental Conservation

Division of Environmental Permits, 4th Floor

625 Broadway, Albany, New York 12233-1750

Phone: (518) 402-9167 • FAX: (518) 402-9168

Website: www.dec.state.ny.us



Erin M. Crotty
Commissioner

October 05, 2001

FACILITY INFORMATION

WILLIAM MORRIS
NORLITE CORP.
628 S SARATOGA ST
COHOES, NY 12047

NORLITE CORP
LOCATION : COHOES (C)
COUNTY : ALBANY
DEC NO : 4-0103-00016-00020-
SPDES NO : NY 000 4880

Dear SPDES Permittee:

Enclosed please find your renewed State Pollutant Discharge Elimination System (SPDES) permit. This renewal permit together with the previously issued valid permit constitute authorization to discharge wastewater in accordance with all terms, conditions and limitations specified in your previously issued permit, including any valid modifications. Under the Environmental Benefit Permit Strategy, SPDES permits are renewed at a central location in Albany in order to make the process more efficient. All other concerns with your permit such as permittee-initiated modifications, permit transfers to a new owner, name changes, and other questions should be directed to the Regional Permit Administrator at the following address:

William Clarke
NYSDEC REGION 4
1150 No Westcott Rd
Schenectady, NY 12306-2014
(518) 357-2069

IMPORTANT NOTICE - In accordance with Article 17 Title 8 (State Pollutant Discharge Elimination System) and Article 70 (Uniform Procedures) of the Environmental Conservation Law, your permit is subject to the Discharge Notification Act (DNA). This law requires permittees to post a sign near each outfall of a wastewater discharge to surface waters, and also to provide a public repository for Discharge Monitoring Reports (DMRs) required by the SPDES permit. To initiate your complying with the provisions of the DNA, the Department has elected to modify your permit during this renewal period.

Please note, however, that compliance with DNA requirements can be waived in certain cases. If an outfall meets any of the circumstances listed in (g) under **DISCHARGE NOTIFICATION REQUIREMENTS**, in the enclosed modified permit, you need only notify the DNA Program Specialist using the enclosed *Notice of Waiver* form. If applicable, this completed form must be sent to the Bureau of Water Permits, NYSDEC, 625 Broadway, Albany, NY 12233-3505. In this case, construction of a sign and maintaining of DMRs in a public repository, *for the specific outfall or outfalls indicated in the Notice of Waiver*, is not required.

Sign and repository requirements will become effective (unless waived) 30 DAYS after the date of this letter. Should you object to this DNA modification, you must submit a written statement to the Regional Permit Administrator within 15 days of the date of this letter, giving supporting reasons why the permit should not be modified, or to request a hearing, or both.

If you have questions concerning this permit renewal, please contact Erin L. Burns at (518) 402-9170. If you have questions pertaining to the requirements of the Discharge Notification Act, please contact your Regional Water Engineer (see attached list and Region Map). Thank you.

Sincerely,

Barbara B. Rinaldi
Deputy Chief Permit Administrator

Enclosures

cc: RPA
RWE
BWP

OCT 16 2001

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 04/16/2001

Permittee Contact Name, Title, Address

Facility and SPDES Permit Information

NORLITE CORP.
 WILLIAM MORRIS
 628 S SARATOGA ST
 COHOES NY 12047

Name: NORLITE CORP
 Ind. Code: 1422 County: ALBANY
 DEC No.: 4-0103-00016/00020
 SPDES No.: NY 000 4880
 Expiration Date: 02/01/2002
 Application Due By: 08/05/2001

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. 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.

David Carabetta President
 Name of person signing application (see instructions on back) Title
 August 2, 2001
 Signature Date

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

Effective Date: 2.1.02 Expiration Date: 2.1.07

Barbara B. Rinaldi Address: NYSDEC - Division of Environmental Permits
 Permit Administrator Bureau of Environmental Analysis
50 Wolf Road, Albany, NY 12233-1760
 10/5/01
 Signature Date

This permit together with the previous valid permit for this facility issued 96/11/12 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 11.90

Post-it® Fax Note	7671	Date: <u>1/29/04</u>	# of pages <u>9</u>
To	<u>Pargy Amin</u>	From	<u>Patti</u>
Co./Dept.	<u>Brooklyn</u>	Co.	
Phone #		Phone #	<u>357-2447</u>
Fax #	<u>402-9849</u>	Fax #	

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.

(continued)

- (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.

Norlite Corporation



628 SO. SARATOGA ST.
P.O. BOX 694
COHOES, NY 12047
PHONE (518) 235-0401
FAX (518) 235-0233

June 12, 2003

Mr. William J. Clarke
NYS Department of Environmental Conservation
Region 4 – Division of Environmental Permits
1150 N. Westcott Road
Schenectady, New York 12306-2014

CERTIFIED MAIL# 70022030000015882808
RETURN RECEIPT REQUESTED

Re: SPDES Permit Modification - Norlite Corporation
Permit Application #4-0103-00016/00020

Dear Mr. Clarke:

This letter and enclosed application (1 original and 2 copies) is in response to the New York State Department of Environmental Conservation's (NYSDEC's) November 15, 2001 letter and enclosure to Mr. Tim Lachell of Norlite constituting an Incomplete Notice regarding Norlite's Application #4-0103-00016/00020 for a modification to the existing Industrial State Pollution Discharge Elimination System (SPDES) permit for the facility in Cohoes, New York.

This application is filed to permit the treatment of stormwater runoff from the Tanker Staging Area and the Specification Used Oil Fuel Storage Area.

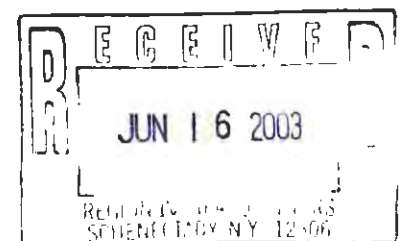
Enclosed is a revised application and engineering report regarding this modification. Summaries of the Department's comments and Norlite's responses follow.

1. The NYSDEC had requested further sampling of the wastewater.

Norlite Response: On December 18, 2001, Sterling Environmental Engineering, P.C. (STERLING) obtained samples from untreated stormwater in the LGF Tanker Staging Area. The results of were previously transmitted to the Department in my January 31, 2002 letter to you.

Norlite and STERLING have reviewed the results of the analytical testing of untreated stormwater and an extensive list of materials received by the facility. Based upon this review, Norlite and STERLING have revised the application to note the possible but unlikely presence of compounds that are managed in the Tanker Storage Area.

Norlite must emphasize that these compounds, while managed in the Tanker Storage Area, are routinely managed in the area without release from the primary containment provided by the tankers themselves. These tankers are considered safe enough to travel the public roads and to pause or remain in public parking areas while en route. The valves and controls on these tankers are not opened or touched while the tankers are stored in the Tanker Storage Area, so the tankers present no greater risk than they do while traveling the roads.





Mr. William J. Clarke

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2. The NYSDEC had requested a list of any parameter potentially believed present in the wastewater and effluent.

Norlite Response: Norlite has reviewed an extensive list of materials received by the facility since 1997. There are 231 compounds that have been received. These compounds have been added to Table III. 3, and Table I. 19. where applicable, of the SPDES permit application. Any compounds identified in the December 18, 2001 sampling that are listed on Table III.3 have the concentration noted as influent.

3. The NYSDEC had requested a discussion of how spills in the Truck Staging Area and Specification Used Oil Fuel Storage Area will be managed.

Norlite Response: Norlite spill reporting procedures will be according to its Spill Notification Plan dated August 7, 2002, or its most recent revision. The Plan dated August 7, 2002 is on file with the NYSDEC.

Spill remediation plans will be prepared on a case-by-case basis, as required, in conjunction with the NYSDEC Office of Environmental Quality, Region 4. Any impacted water or soils from a release will be disposed of in accordance with all applicable local, State, and Federal regulations.

If you have any questions, please call me at 518/ 235-0401 ext. 4037.

Sincerely,

A handwritten signature in black ink that reads "Timothy F. Lachell".

Timothy F. Lachell
Plant Manager

Enclosure

cc: Carol Lamb-Lafay, NYSDEC Region 4, w/ report
James M. Harrington, Division of Water, NYSDEC Central Office, w/o report
Rodney L. Aldrich, w/o report

Norlite Corporation



628 SO. SARATOGA ST.
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FAX.: (518) 235-0233



May 27, 2004

Mr. William J. Clarke
Regional Permit Administrator
New York State Department of Environmental Conservation
Region 4
1150 North Wescott Road
Schenectady, NY 12306-2014

VIA CERTIFIED MAIL: 70031010000526496332
RETURN RECEIPT REQUESTED

Re: Norlite Corporation SPDES Permit Modification dated May 21, 2004

Dear Mr. Clarke:

The Norlite Corporation (Norlite) is in receipt of the newly modified State Pollution Discharge Elimination System (SPDES) Permit, SPDES #NY-000 4880 and DEC #4-0103-00016/00020 issued by the New York State Department of Environmental Conservation (the "Department") on May 21, 2004.

Norlite appreciates the efforts of the Department in issuing the permit modification. However, Norlite would like to notify the Department the modified SPDES Permit became effective before Norlite received it. Norlite received the modified SPDES Permit on May 26, 2004. Prior to the modification approval, Norlite had been in discussions with the Department concerning the effective date. It was Norlite's impression from those discussions the effective date would be June 1, 2004. Based on those discussions, Norlite will initiate the changes discussed in the modification on June 1, 2004.

Should you have any questions regarding this letter, please contact me at (518) 235-0401.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas J. Sullivan". The signature is stylized and includes a long horizontal flourish extending to the left.

Thomas J. Sullivan
Environmental Manager

Cc: Carol Lamb-LaFay-Region 4