



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

10/15/09

Industrial Code: **4911** SPDES Number: **NY- 0005908**
 Discharge Class (CL): **03** DEC Number: **1-2820-00553/00001**
 Toxic Class (TX): **01** Effective Date (EDP):
 Major Drainage Basin: **17** Expiration Date (ExDP):
 Sub Drainage Basin: **01** Modification Date (EDPM):
 Water Index Number: **MB-232A**
 Compact Area:

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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: **National Grid Generation, LLC** Attention: **Robert D. Teetz**
 Street: **175 East Old Country Road**
 City: **Hicksville** State: **NY** Zip Code: **11801**

is authorized to discharge from the facility described below:

FACILITY NAME AND ADDRESS

Name: **E.F. Barrett Power Station**
 Location (C,T,V): **Hempstead (T)** County: **Nassau**
 Facility Address: **Shore Road**
 City: **Island Park** State: **NY** Zip Code: **11558**

NYTM -E: NYTM - N:
 From Outfall No.: **002** at Latitude: **40 ° 37 ' 02 "** & Longitude: **73 ° 38 ' 53 "**
 into receiving waters known as: **Barnum's Channel** Class: **SC**

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

003, 004, 005, 05A, 05B, 05C, 05D, 05E, 05F, 05G, 05H, 05I, 006 **Barnum's Channel** **Class SC**
55A, 55B & 056 **Groundwater** **Class GA**

in accordance with: effluent limitations; monitoring and reporting requirements; other provisions and conditions set forth in this permit; and 6 NYCRR Part 750-1.2(a) and 750-2.

DISCHARGE MONITORING REPORT (DMR) MAILING ADDRESS

Mailing Name: **KeySpan Corporation**
 Street: **175 East Old Country Road**
 City: **Hicksville** State: **NY** Zip Code: **11801**
 Responsible Official or Agent: **Timothy Curt** Phone: **516-545-2559**

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:

BWP
 RWM, Reg. 1
 RPA, Reg 1
 EPA Region II - M. Josilo

Permit Administrator: William R. Adriance	
Address: 625 Broadway Albany NY 12233-1750	
Signature:	Date: 7/6/2007

ADDITIONAL OUTFALL LOCATION INFORMATION

OUTFALL	DESCRIPTION	LATITUDE	LONGITUDE
003	Roof & Yard Drains, RO System Reject Water and Alternate RO System Blowdown	40° 37' 02"	73° 38' 53"
004	Yard & Roof Drains	40° 37' 03"	73° 38' 52"
005	Main Discharge	40° 37' 03"	73° 38' 53"
05A	Unit 1 Screenwash	40° 37' 03"	73° 38' 54"
05B	Unit 1 Condenser Cooling Water	40° 37' 03"	73° 38' 54"
05C	Unit 2 Screenwash	40° 37' 03"	73° 38' 53"
05D	Unit 2 Condenser Cooling Water	40° 37' 03"	73° 38' 53"
05E	Wastewater Treatment Plant	40° 37' 03"	73° 38' 52"
05F	Yard Storm Drains	40° 36' 54"	73° 38' 47"
05G	Yard & Roof Drains	40° 37' 03"	73° 38' 51"
05H	Yard Drains from Combustion Turbine Site	40° 37' 03"	73° 38' 55"
05I	Yard Drains from Combustion Turbine Site	40° 37' 04"	73° 38' 51"
006	Stormwater from Yard, Chlorine Tank Secondary Containment & Auxiliary Boiler Blowdown	40° 37' 02"	73° 38' 56"
55A	Oil Tank # 101 Secondary Containment Stormwater	40° 37' 08"	73° 38' 58"
55B	Oil Tank # 101 Secondary Containment Stormwater	40° 37' 08"	73° 38' 56"
056	Oil Tank Truck Unloading Area Containment Stormwater	40° 37' 12"	73° 38' 53"

Notes: Outfall 005 combines the discharges of circulating cooling water (Outfalls 05B & 05D) and screenwash (Outfalls 05A & 05C).

PERMIT LIMITS, LEVELS AND MONITORING DEFINITIONS

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 standards, 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.

DAILY AVG or 30 DAY ARITHMETIC MEAN (30 day average): 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.

PERMIT LIMITS, LEVELS AND MONITORING

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OUTFALL Nos.	WASTEWATER TYPE			RECEIVING WATER	EFFECTIVE	EXPIRING		
002, 004, 05G & 05H	Building Roof and Yard Drains			Barnum's Channel	EDPM	ExDP		
PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FOOTNOTES (FN)		
pH	6.0	9.0	SU	Quarterly	Grab			
PARAMETER	ENFORCEABLE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	TYPE I	TYPE II				
Flow	NA	Monitor			GPD	Quarterly	Calculated	
Oil & Grease	NA	15			mg/l	Quarterly	Grab	
Suspended Solids, Total	NA	50			mg/l	Quarterly	Grab	

Note: Outfall 002 may include condenser dewatering for the main condensers.

OUTFALL Nos.	WASTEWATER TYPE			RECEIVING WATER	EFFECTIVE	EXPIRING		
003	Roof & Yard Drains, RO System Reject Water Alternate RO System Blowdown			Barnum's Channel	EDPM	ExDP		
PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FOOTNOTES (FN)		
pH	6.0	9.0	SU	Quarterly	Grab			
PARAMETER	ENFORCEABLE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	TYPE I	TYPE II				
Flow	NA	Monitor			GPD	Quarterly	Calculated	
Oil & Grease	NA	15			mg/l	Quarterly	Grab	
Suspended Solids	NA	50			mg/l	Quarterly	Grab	

PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL No.	WASTEWATER TYPE			RECEIVING WATER	EFFECTIVE	EXPIRING		
005	Main Discharge (See footnote 1)			Barnum's Channel	EDPM	ExDP		
PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FOOTNOTES (FN)		
pH	6.0	9.0	SU	Quarterly	Grab			
PARAMETER	COMPLIANCE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Daily Avg.	Daily Max.	TYPE I	TYPE II				
Flow	Monitor	Monitor			MGD	Continuous	Recorder	
Discharge Temperature	NA	110			°F	Continuous	Recorder	2,3
Intake-Discharge Temperature Difference	NA	30			°F	Daily	Calculated	2,3
Total Residual Chlorine	NA	0.1			mg/l	Continuous	Recorder	4,5
Net Addition of Heat	NA	2.44 x 10E9			BTU/Hr	Monthly	Calculated	3

- Footnote 1 Main Discharge Outfall 005 includes units 1 & 2 circulating cooling water (Outfalls 05B & 05D) and units 1 & 2 screenwash (Outfalls 05A & 05C).
- 2 The permittee may exceed this limit by not more than 10 °F and for not more than 1% of the operating time per year.
- 3 Results of the July 2009 E. F. Barrett Thermal Study Report (or subsequent submissions) or implementation of BTA technologies resulting in a significant change to cooling water flows or discharge temperatures at outfall 005 may result in the need to modify the permit to address changes to the Discharge Temperature, Intake-Discharge Temperature Difference or Net Heat Addition permit limits.
- 4 The period of chlorination shall be limited to two hours per day per unit. The individual units shall be treated separately.
- 5 Continuous monitoring is required during the period of chlorine treatment and discharge.

PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL No.	WASTEWATER TYPE			RECEIVING WATER	EFFECTIVE	EXPIRING		
05E	Wastewater Treatment Facility			Barnum's Channel	EDPM	ExDP		
PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FOOTNOTES (FN)		
pH	6.0	9.0	SU	Continuous	Recorded			
PARAMETER	ENFORCEABLE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	TYPE I	TYPE II				
Flow	Monitor	Monitor			GPD	Continuous	Recorded	
Oil & Grease	NA	15			mg/l	Monthly	Grab	
Suspended Solids, Total	NA	50			mg/l	Monthly	Grab	
Ammonia	NA	2.0			mg/l	Monthly	Grab	
Iron, Total	NA	1.0			mg/l	Monthly	24 hr. Comp.	7
Copper, Total	NA	0.5			mg/l	Monthly	24 hr. Comp.	6,7
Zinc, Total	NA	1.0			mg/l	Monthly	24 hr. Comp.	6,7
Chromium, Total	NA	0.5			mg/l	Monthly	24 hr. Comp.	6,7
Nickel, Total	NA	2.0			mg/l	Monthly	24 hr. Comp.	7

Footnote 6 These parameters shall be monitored when processing wastewater from the holding pond. Samples must be collected unless there is no discharge of these wastewaters during this period.

7 A composite sample of less than 24 hours duration shall be taken if the discharge occurs for less than 24 hours.

OUTFALL Nos.	WASTEWATER TYPE			RECEIVING WATER	EFFECTIVE	EXPIRING		
006	Blowdown from Auxiliary Boiler, Roof & Yard Drains and Stormwater from Chlorine Tank Secondary Containment			Barnum's Channel	EDPM	ExDP		
PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FOOTNOTES (FN)		
pH	6.0	9.0	SU	Monthly	Grab			
PARAMETER	ENFORCEABLE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	TYPE I	TYPE II				
Flow	NA	Monitor			GPD	Monthly	Calculated	
Suspended Solids	NA	50			mg/l	Monthly	Grab	
Oil & Grease	NA	15			mg/l	Quarterly	Grab	

PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL No.	WASTEWATER TYPE				RECEIVING WATER	EFFECTIVE	EXPIRING	
55A & 55B	Oil Tank # 101 Secondary Containment Stormwater				Groundwater	EDPM	ExDP	
PARAMETER	ENFORCEABLE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	TYPE I	TYPE II				
Flow	Monitor	Monitor			GPD	Monthly	Estimated	8
Oil & Grease	NA	15			mg/l	Monthly	Grab	8
Benzene	NA	0.8			µg/l	Monthly	Grab	8
Toluene	NA	5			µg/l	Monthly	Grab	8
ortho-Xylene	NA	5			µg/l	Monthly	Grab	8
Sum of meta- and para-Xylene	NA	10			µg/l	Monthly	Grab	8
Ethyl Benzene	NA	5			µg/l	Monthly	Grab	8

Footnote 8 A visual inspection of all contaminated stormwater must be made prior to discharge. If there is evidence that the water may be contaminated, the discharge is prohibited.

OUTFALL Nos.	WASTEWATER TYPE				RECEIVING WATER	EFFECTIVE	EXPIRING	
056	Oil Storage Truck Unloading Containment Stormwater				Groundwater	EDPM	ExDP	
PARAMETER	ENFORCEABLE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	TYPE I	TYPE II				
Flow	NA	Monitor			GPD	Monthly	Estimated	9
Oil & Grease	NA	15			mg/l	Monthly	Grab	9
Benzene	NA	0.8			µg/l	Monthly	Grab	9
Toluene	NA	5			µg/l	Monthly	Grab	9
ortho-Xylene	NA	5			µg/l	Monthly	Grab	9
Sum of meta- and para-Xylene	NA	10			µg/l	Monthly	Grab	9
Ethyl Benzene	NA	5			µg/l	Monthly	Grab	9

Footnote 9 A visual inspection of all contaminated stormwater must be made prior to discharge. If there is evidence that the water may be contaminated, the discharge is prohibited.

PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL Nos.	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
05A & 05C	Units 1 & 2 Screen Wash Return	Barnum's Channel	EDPM	ExDP
05B & 05D	Units 1 & 2 Condenser Cooling Water	Barnum's Channel	EDPM	ExDP
05F	Stormwater	Trib. of Barnum's Channel	EDPM	ExDP
05I	Stormwater from Yard Drains	Barnum's Channel	EDPM	ExDP
NO MONITORING REQUIRED				

OUTFALL Nos.	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
NA	Tank Test Water (See footnote 6)	Long Island Sound	EDPM	ExDP

PARAMETER	ENFORCEABLE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	TYPE I	TYPE II				
Flow	NA	Monitor			GPD	Each Discharge	Instantaneous	10
Oil & Grease	NA	15			mg/l	Each Discharge	Grab	10
Chlorine, Total Residual	NA	0.1			mg/l	Each Discharge	Grab	10,11
Benzene	NA	20			µg/l	Each Discharge	Grab	10
Toluene	NA	20			µg/l	Each Discharge	Grab	10
Xylenes	NA	20			µg/l	Each Discharge	Grab	10
Ethylbenzene	NA	20			µg/l	Each Discharge	Grab	10

Footnote 10

Tank Test Water Discharge Requirements

1. Tanks being hydrostatically tested must be free of product and cleaned. The Regional Water Manager must be informed at least two business days prior to the discharge of tank test water.

2. Any discharge of tank test water must be done under the direct supervision of plant personnel. Samples from the tank must be taken prior to discharge from various levels within the tank (top, middle, bottom). If sampling shows conformance with effluent limitations, discharge may be initiated. If effluent limitations are not attained, additional measures must be implemented to attain compliance prior to initiation of discharge.

A visual check of the discharge must be made for the presence of oil and floating substances. Data associated with tank test water shall be kept, along with log of visual observations, for a period of five years and be made available to Department personnel upon request.

The discharge of tank test water must be done in a manner that minimizes erosion of soil or sediment and does not cause flooding in the area of discharge. It must be done in a manner that minimizes the impact on the fisheries.

11 Required when a chlorinated supply such as that from a municipal system is used for tank testing purposes.

A. ADDITIONAL REQUIREMENTS

1. There shall be no discharge to groundwater of wastewater resulting from station operation, except for the permitted discharge of uncontaminated stormwater at Outfalls 55A, 55B & 056 and the discharge of excess steam.
2. There shall be no discharge to groundwaters or surface waters of oil tank bottom water, sanitary waste or PCBs from this facility.
3. Wastewater generated at Keyspan's Far Rockaway and Glenwood Power Stations may be routed to the E.F. Barrett Wastewater Treatment Facility for treatment and discharge.
4. Metal cleaning wastes shall be monitored prior to combination with low volume waste streams.
5. The permittee shall submit annually reports to the Department's offices in Albany and Stony Brook (Region 1) by the 28th of the month following the end of the reporting period. This report must include:
 - a. A log of the daily minimum, average and maximum station electrical output;
 - b. A log of the daily minimum, average and maximum cooling water usage (either directly or indirectly, measured or calculated);
 - c. A log of the daily minimum, average and maximum intake and discharge temperatures;
 - d. Values reported in a, b and c shall be based upon measurements taken on an hourly basis.
6. All water treatment chemicals (e.g., corrosion inhibitors, antifouling additives, slimicides and biocides) identified in the June 16, 2005 submittal are approved for use. Approval is granted only for uses which do not contravene New York State Water Quality Standards. The permittee must comply with Generic Water Treatment Chemical (WTC) Usage Requirements including annual reporting and other requirements identified on page 3 of the WTC Usage Notification form available at the NYSDEC website: www.dec.ny.gov/docs/permits_ej_operations_pdf/wtcfx202.pdf. If the use of any new water treatment chemicals is intended, prior notification and approval must occur prior to use.
7. In all instances chlorine use shall be:
 - a. kept to the minimum amount which will maintain plant operating efficiency; and
 - b. eliminated when intake water temperature is below 40 °F unless failure to apply chlorine below 40 °F is shown to adversely affect plant operating efficiency.
8. The waste treatment facility sludge impoundment area shall be inspected and properly maintained following each cleaning to uphold the integrity of the concrete basin and waterstop lining.
9. Information regarding residuals management, as identified in 6 NYCRR Part 750-2.8(e)(3) & (4), shall be reported semi-annually to the NYSDEC offices in Albany and Stony Brook.
10. The thermal discharge from the facility shall assure the protection and propagation of a balanced indigenous population of shellfish, fish and wildlife in and on Barnums' Channel and Hempstead Bay in accordance with 6 NYCRR Part 704.1(a). The permittee's thermal discharge may not exceed Part 704.2(b)(4)(1) which states that the discharge shall not cause the receiving water temperature to be raised more than 4⁰F from October to June and nor more than 1.5⁰F from July through September over that which existed before the addition of heat of artificial origin except within a mixing zone of 15.6 x 10⁸ sq. ft. (357 acres).
11. Groundwater monitoring shall be conducted downgradient of the former leaching field annually during the month of February. Samples shall be analyzed for pH, iron, nickel, vanadium, hexavalent chromium, lead, manganese and zinc. Results shall be reported on the DMR.
12. The alternate Reverse Osmosis (RO) discharge to Outfall 003 is only allowed during periods that the wastewater treatment system is not in service. Discharge from the clean-in-place process for the RO system to outfall 003 is prohibited.

13. Any fish, shellfish or other organism collected or trapped at the intake structure shall be returned to Barnum's Channel except during times of high debris loadings when a solids removal device may be in place.
14. The traveling screens for any operating cooling water circulating pump must be rotated and washed continuously whenever the screens are operable.

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B. BIOLOGICAL MONITORING REQUIREMENTS

All submissions under this section should provide:

- Two (2) copies to the Steam Electric Unit Leader;
 - One (1) copy of the cover letter to the Division of Water State Pollution Discharge Elimination System (SPDES) Compliance Information Section; and
- One (1) copy of the cover letter to the Regional Water Engineer; unless otherwise noted.

Installation and Operation of Best Technology Available

1. By the expiration date of the permit (ExDP), the permittee must install and operate a closed-cycle cooling system on E.F. Barrett Units 1 and 2 to meet the requirements of 6 NYCRR Parts 704.1 and 704.5. The reductions in entrainment and impingement mortality resulting from operation of this technology can be no less stringent than the following conditions:
 - a. 95 percent reduction in entrainment from the calculation baseline; and
 - b. 98 percent reduction in impingement mortality from the calculation baseline.
2. Within one month of EDP, the permittee must submit a scope of an Impact Assessment Report to address, at a minimum, the potential impacts the construction and operation of a closed-cycle cooling system will have on the electric system (reliability, capacity, and local infrastructure), air quality, aesthetics, and wetlands. This report shall also include the impacts associated with any alternative technologies proposed by the permittee that will minimize adverse environmental impact to a level equivalent to that which can be achieved by a closed-cycle cooling system.
3. Within 9 months of Departmental approval of the Impact Assessment Scoping Document, the permittee shall submit a draft Impact Assessment Report, addressing the issues in condition 2.
4. Within one year of EDP, the permittee must submit an approvable final Impact Assessment Report.

Technology Installation and Operation Plan

5. Within six months of EDP, the permittee must submit an approvable Technology Installation and Operation Plan that at a minimum includes the following:
 - a. a schedule to address the installation and operation of a closed-cycle cooling system to meet the standards in 6 NYCRR Parts 704.1 & 704.5 and 316(a) & 316(b) of the Clean Water Act;
 - b. a schedule for seeking and obtaining all necessary approvals required to commence the construction and operation of the closed-cycle cooling system; and
 - c. a detailed installation and operational timeline that conforms to Biological Monitoring Requirement No. 1.

Upon receipt of Department approval, the permittee must implement the Technology Installation and Operation Plan in accordance with the approved schedule. The Technology Installation and Operation Plan and approved schedule will become an enforceable condition of this SPDES permit.

Installation and Operation of a Closed-cycle Cooling System

6. Within one year of EDP, the permittee must submit a Pre-Design Engineering Report addressing regulatory and engineering issues, including but not limited to federal, state and local approvals, associated with installing closed-cycle cooling at E.F. Barrett Units 1 and 2. At a minimum, this report must address:
- a. particulate emissions from cooling towers;
 - b. sequential construction outages at Units 1 and 2, as opposed to simultaneous construction outages;
 - c. the potential impacts to energy reliability and capacity associated with anticipated construction outages ;
 - d. additional measures to reduce potential impacts to energy reliability or capacity;
 - e. site plans that show alternative locations of cooling towers to avoid impacts to tidal and freshwater wetlands;
 - f. plans to minimize, if avoidance is not feasible, the amount of wetlands filled in order to construct the cooling towers; and
 - g. plans to mitigate unavoidable wetland loss due to construction activities
7. Within 6 months after submission of the Pre-Design Engineering Report, the permittee must submit design plans that address all construction issues for the conversion of the cooling water systems for Units 1 and 2 to a closed-cycle system. All plans must be stamped and signed by a Professional Engineer licensed by the State of New York. The design plans must be submitted to NYSDEC, Division of Environmental Permits, Chief Permit Administrator. NYSDEC will review to determine if the design plans are consistent with this permit and its requirements.

Continuous Operation of Existing Screens

8. By the effective date of the permit (EDP), the permittee will:
- a. Continuously rotate and wash the traveling screens when operating any cooling water circulating pump. Any fish, shellfish or other organisms collected or trapped at the intake structure shall be returned to Barnum's Channel.
 - b. Employ aggressive pump shutdowns in accordance with the following requirements:
 - i. if the permittee anticipates that the unit will be off-line for less than 3 days, shut down one pump immediately; and
 - ii. if the permittee anticipates that the unit will be off-line for more than 3 days, shut down one pump immediately, and shut down the second pump as soon as safe and consistent with facility procedures and operations.

This requirement will remain in effect until the installation and operation of the closed-cycle cooling system has been completed, and upon notification of such to the Department.

Alternatives to Closed-Cycle Cooling

9. Within one year of EDP, the permittee may submit to the Department, for the Department's consideration, an Alternatives to Closed-Cycle Cooling Plan proposing technologies and/or operational measures that will minimize adverse environmental impacts to levels equivalent to that which can be achieved by closed-cycle cooling. The plan shall contain a schedule for installing and implementing the technology(s) and/or operational measures to achieve compliance with the reductions contained in Requirement 1a and 1b. These alternative technologies and operational measures must also bring E.F. Barrett facility into compliance with the thermal standard of 6 NYCRR Part 704.1. Upon Departmental approval, the plan and schedule shall become enforceable conditions of this permit.

Verification Monitoring Study

10. If the Department approves an Alternatives to Closed-Cycle Cooling Plan, the permittee must submit an approvable Verification

Monitoring Plan within 3 months of receiving the approval. This plan must include details of procedures to confirm that the necessary reductions in impingement and entrainment required by this permit are being achieved, and must include the following:

- a. Use of a five-year averaging period to verify full-scale performance of all alternative measures. The average estimated reductions in impingement mortality and entrainment shall be based on a minimum of two years of in-plant impingement and entrainment monitoring.
- b. A description of the frequency and duration of monitoring, the parameters to be monitored, and the basis for determining the parameters and the frequency and duration for monitoring.
- c. A schedule of implementation.
- d. A draft Standard Operation Procedure (SOP) that describes the sampling protocols, quality assurance and quality control procedures, and data management for these monitoring studies.

The plan and SOP must be updated as required by the Department. Upon receipt of Department approval the permittee must complete the Verification Monitoring Study in accordance with the approved schedule. The Verification Monitoring Plan and approved schedule will become an enforceable condition of this SPDES permit.

11. Within 6 months of the completion of the Verification Monitoring Study the permittee must submit an approvable Verification Monitoring Report to the Steam Electric Unit Leader that demonstrates compliance with 6 NYCRR Part 704.5 and Section 316(b) CWA .

Additional Reporting Requirements

12. The permittee must maintain records of all data, reports and analysis pertaining to compliance with 6NYCRR Part 704 and Section 316(b) CWA for a period no less than 10 years from EDP.
13. The permittee must submit status reports at EDP + 2.5 years and every two years thereafter. At a minimum, these status reports must include a description of the operational status of the facility during the preceding two years and compliance with Biological Requirements 1 through 9 of this permit.
14. Six months prior to the expiration date of this permit, and every five years thereafter, the permittee must submit a report that includes:
 - a. A description and detailed analysis of the cumulative reductions in impingement and entrainment achieved during the first four years of this permit modification, and
 - b. a detailed analysis of technologies and/or operational measures available at that time, which have been demonstrated to, or have the potential to, further reduce fish mortality at E.F. Barrett. The list of technologies and/or operational measures included in this analysis must be selected with the concurrence of the Department.

General Requirement

15. Modification of the facility cooling water intake must not occur without prior Department approval. The permittee must submit written notification, including detailed descriptions and plans, to the NYS DEC Steam Electric Unit; the Director of the Bureau of Water Compliance Program; and both the Regional Permit Administrator and the Regional Water Engineer, Region 1, at least 60 days prior to any proposed change which would result in the alteration of the permitted operation, location, design, construction or capacity of the cooling water intake structure. The permittee must submit with the written notification a demonstration that the change reflects the best technology available for minimizing adverse environmental impacts pursuant to 6 NYCRR §704.5 and Section 316(b) of the Clean Water Act. As determined by NYS DEC, a permit modification application in accordance with 6 NYCRR Part 621 may be required.

C. SPECIAL CONDITIONS - INDUSTRY BEST MANAGEMENT PRACTICES

1. **General** - The permittee shall develop, maintain, and implement a Best Management Practices (BMP) plan to prevent releases of significant amounts of pollutants to the waters of the State through plant site runoff; spillage and leaks; sludge or waste disposal; and stormwater discharges including, but not limited to, drainage from raw material storage.

The BMP plan shall be documented in narrative form and shall include the 13 minimum BMPs and 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. A copy of the current BMP plan shall be submitted to the Department as required in item (2.) below and a copy must be maintained at the facility and shall be available to authorized Department representatives upon request.

2. **Compliance Deadlines** - The initial completed BMP plan shall be submitted **EDPM + 6 months** to the Regional Water Manager. The BMP plan shall be implemented within 6 months of submission, unless a different time frame is approved by the Department. The BMP plan shall be reviewed annually and shall be modified whenever: (a) changes at the facility materially increase the potential for releases of pollutants, (b) actual releases indicate the plan is inadequate, or (c) a letter from the Department identifies inadequacies in the plan. The permittee shall certify in writing, as an attachment to the December Discharge Monitoring Report (DMR), that the annual review has been completed. All BMP plan revisions (with the exception of SWPPPs - see item (4.B.) below) must be submitted to the Regional Water Manager within 30 days. Note that the permittee is not required to obtain Department approval of the BMP plan (or of any SWPPPs) unless notified otherwise. Subsequent modifications to or renewal of this permit does not reset or revise these deadlines unless a new deadline is set explicitly by such permit modification or renewal.

3. **Facility Review** - The permittee shall review all facility components or systems (including but not limited to 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 materials or pollutants are used, manufactured, stored or handled to evaluate the potential for the release of 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. 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 identified in Tables 6-10 of SPDES application Form NY-2C (available at http://www.dec.ny.gov/docs/permits_ej_operations_pdf/form2c.pdf) or that are required to be monitored for by the SPDES permit.

4. **A. 13 Minimum BMPs** - Whenever the potential for a release of pollutants to State waters is determined to be present, the permittee shall identify BMPs that have been established to prevent or minimize such potential releases. Where BMPs are inadequate or absent, appropriate BMPs shall be established. In selecting appropriate BMPs, the permittee shall consider good industry practices and, where appropriate, structural measures such as secondary containment and erosion/sediment control devices and practices. USEPA guidance for development of stormwater elements of the BMP is available in the September 1992 manual *Storm Water Management for Industrial Activities*, EPA 832-R-92-006 (available from NTIS, 703-487-4650, order #PB 92235969 or at <http://cfpub.epa.gov/npdes/stormwater/swppp-msgp.cfm>). As a minimum, the plan shall include the following BMPs:

- | | | |
|-------------------------------------|--|---------------------------------|
| 1. BMP Pollution Prevention Team | 6. Security | 10. Spill Prevention & Response |
| 2. Reporting of BMP Incidents | 7. Preventive Maintenance | 11. Erosion & Sediment Control |
| 3. Risk Identification & Assessment | 8. Good Housekeeping | 12. Management of Runoff |
| 4. Employee Training | 9. Materials/Waste Handling,
Storage, & Compatibility | 13. Street Sweeping |
| 5. Inspections and Records | | |

Note that for some facilities, especially those with few employees, some of the above BMPs may not be applicable. It is acceptable in these cases to indicate "Not Applicable" for the portion(s) of the BMP Plan that do not apply to your facility, along with an explanation.

B. Stormwater Pollution Prevention Plans (SWPPPs) Required for Discharges of Stormwater From Construction Activity to Surface Waters - As part of BMP #11, a SWPPP shall be developed prior to the initiation of any site disturbance of one acre

or more of uncontaminated area. Uncontaminated area means soils or groundwater which are free of contamination by any toxic or non-conventional pollutants identified in Tables 6-10 of SPDES application Form NY-2C. Disturbance of any size contaminated area(s) and the resulting discharge of contaminated stormwater is not authorized by this permit unless the discharge is under State or Federal oversight as part of a remedial program or after review by the Regional Water Manager; nor is such discharge authorized by any SPDES general permit for stormwater discharges. SWPPPs are not required for discharges of stormwater from construction activity to groundwaters.

The SWPPP shall conform to the *New York Standards and Specifications for Erosion and Sediment Control* and *New York State Stormwater Management Design Manual*, unless a variance has been obtained from the Regional Water Manager, and to any local requirements. The permittee shall submit a copy of the SWPPP and any amendments thereto to the local governing body and any other authorized agency having jurisdiction or regulatory control over the construction activity **at least 30 days prior to soil disturbance**. The SWPPP shall also be submitted to the Regional Water Manager if contamination, as defined above, is involved and the permittee must obtain a determination of any SPDES permit modifications and/or additional treatment which may be required prior to soil disturbance. Otherwise, the SWPPP shall be submitted to the Department only upon request. When a SWPPP is required, a properly completed *Notice of Intent* (NOI) form shall be submitted (available at www.dec.ny.gov/docs/water_pdf/gp0201machine.pdf) prior to soil disturbance. Note that submission of a NOI is required for informational purposes; the permittee is not eligible for and will not obtain coverage under any SPDES general permit for stormwater discharges, nor are any additional permit fees incurred. SWPPPs must be developed and submitted for subsequent site disturbances in accordance with the above requirements. The permittee is responsible for ensuring that the provisions of each SWPPP is properly implemented.

5. **Required Sampling For "Hot Spot" Identification** - Development of the BMP plan shall include sampling of waste stream segments for the purpose of pollutant "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 stormwater 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.
6. **Facilities with Petroleum and/or Chemical Bulk Storage (PBS and CBS) Areas** - Compliance must be maintained with all applicable regulations including those involving releases, registration, handling and storage (6 NYCRR 595-599 and 612-614). Stormwater discharges from handling and storage areas should be eliminated where practical.
 - A. **Spill Cleanup** - All spilled or leaked substances must be removed from secondary containment systems as soon as practical and for CBS storage areas within 24 hours unless written authorization is received from the Department. The containment system must be thoroughly cleaned to remove any residual contamination which could cause contamination of stormwater and the resulting discharge of pollutants to waters of the State. Following spill cleanup the affected area must be completely flushed with clean water three times and the water removed after each flushing for proper disposal in an on-site or off-site wastewater treatment plant designed to treat such water and permitted to discharge such wastewater. Alternately, the permittee may test the first batch of stormwater following the spill cleanup to determine discharge acceptability. If the water contains no pollutants it may be discharged. Otherwise it must be disposed of as noted above. See *Discharge Monitoring* below for the list of parameters to be sampled for.
 - B. **Discharge Operation** - Stormwater must be removed before it compromises the required containment system capacity. Each discharge may only proceed with the prior approval of the permittee staff person responsible for ensuring SPDES permit compliance. Bulk storage secondary containment drainage systems must be locked in a closed position except when the operator is in the process of draining accumulated stormwater. Transfer area secondary containment drainage systems must be locked in a closed position during all transfers and must not be reopened unless the transfer area is clean of contaminants. Stormwater discharges from secondary containment systems should be avoided during periods of precipitation. A logbook shall be maintained on site noting the date, time and personnel supervising each discharge.
 - C. **Discharge Screening** - Prior to each discharge from a secondary containment system the stormwater must be screened for contamination*. All stormwater must be inspected for visible evidence of contamination. Additional screening methods shall be

developed by the permittee as part of the overall BMP Plan, e.g. the use of volatile gas meters to detect the presence of gross levels of gasoline or volatile organic compounds. If the screening indicates contamination, the permittee must collect and analyze a representative sample** of the stormwater. If the water contains no pollutants it may be discharged. Otherwise it must either be disposed of in an on site or off site wastewater treatment plant designed to treat and permitted to discharge such wastewater or the Regional Water Manager can be contacted to determine if it may be discharged without treatment.

D. Discharge Monitoring - Unless the discharge from any bulk storage containment system outlet is identified in the SPDES permit as an outfall with explicit effluent and monitoring requirements, the permittee shall monitor the outlet as follows:

(i) *Bulk Storage Secondary Containment Systems:*

(a) The volume of each discharge from each outlet must be monitored. Discharge volume may be calculated by measuring the depth of water within the containment area times the wetted area converted to gallons or by other suitable methods. A representative sample shall be collected of the first discharge* following any cleaned up spill or leak. The sample must be analyzed for pH, the substance(s) stored within the containment area and any other pollutants the permittee knows or has reason to believe are present**.

(b) Every fourth discharge* from each outlet must be sampled for pH, the substance(s) stored within the containment area and any other pollutants the permittee knows or has reason to believe are present**.

(ii) *Transfer Area Secondary Containment Systems:*

The first discharge* following any spill or leak must be sampled for flow, pH, the substance(s) transferred in that area and any other pollutants the permittee knows or has reason to believe are present**.

E. Discharge Reporting - Any results of monitoring required above, excluding screening data, must be submitted to the Department by appending them to the corresponding DMR. Failure to perform the required discharge monitoring and reporting shall constitute a violation of the terms of the SPDES permit.

F. Prohibited Discharges - **In all cases, any discharge which contains a visible sheen, foam, or odor, or may cause or contribute to a violation of water quality is prohibited.** The following discharges are prohibited unless specifically authorized elsewhere in this SPDES permit: spills or leaks, tank bottoms, maintenance wastewaters, wash waters where detergents or other chemicals have been used, tank hydrotest and ballast waters, contained fire fighting runoff, fire training water contaminated by contact with pollutants or containing foam or fire retardant additives, and unnecessary discharges of water or wastewater into secondary containment systems.

* Discharge includes stormwater discharges and snow and ice removal. If applicable, a representative sample of snow and/or ice should be collected and allowed to melt prior to assessment.

** If the stored substance is gasoline or aviation fuel then sample for oil & grease, benzene, ethylbenzene, naphthalene, toluene and total xylenes (EPA method 602). If the stored substance is kerosene, diesel fuel, fuel oil, or lubricating oil then sample for oil & grease and polynuclear aromatic hydrocarbons (EPA method 610). If the substance(s) are listed in Tables 6-8 of SPDES application form NY-2C then sampling is required. If the substance(s) are listed in NY-2C Tables 9-10 sampling for appropriate indicator parameters may be required, e.g. BOD5 or toxicity testing. Contact the facility inspector for further guidance. In all cases flow and pH monitoring is required.

DISCHARGE NOTIFICATION REQUIREMENTS

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

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

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

SCHEDULE OF COMPLIANCE

a) The permittee shall comply with the following schedule:

Action Code	Outfall Number(s)	Compliance Action	Due Date
	NA	<p>B1. Implementation of BTA</p> <p>B2. Submit Impact Assessment scope</p> <p>B3. Submit a draft Impact Assessment Report</p> <p>B4. Submit a final Impact Assessment report</p> <p>B5. Submit an approvable Technology Installation and Operation Plan</p> <p>B8. Continuously operate existing screens until closed-cycle technology is in place.</p> <p>B9. Submittal of alternative technologies (optional)</p> <p>B10. Submit an approvable Verification Monitoring Plan</p> <p>B11. Submit an approvable Verification and Monitoring Report</p> <p>B13. Submit status reports</p> <p>B14. Submit report on cumulative reductions in impingement and entrainment and analyses of technologies.</p>	<p>ExPD</p> <p>EDP + 1 month</p> <p>Scope approval + 9 months</p> <p>EDP + 1 year</p> <p>EDP + 6 months</p> <p>EDP</p> <p>EDP + 1 year</p> <p>Approval of alternative technologies plan + 3 months</p> <p>VMP completion + 6 months</p> <p>EDP + 2.5 years and Every 2 years thereafter</p> <p>EDP + 4.5 years and every 5 years thereafter</p>
	005	The permittee shall submit a SPDES permit modification request and engineering report to address proposed changes to the thermal discharge at outfall 005 as a result of implementation of BTA.	6 months prior to implementation of BTA upgrades resulting in a significant change in cooling water flows and/or discharge temperatures.

The above compliance actions are one time requirements. The permittee shall comply with the above compliance actions to the Department's satisfaction once. When this permit is administratively renewed by NYSDEC letter entitled "SPDES NOTICE/RENEWAL APPLICATION/PERMIT", the permittee is not required to repeat the submission. The above due dates are independent from the effective date of the permit stated in the letter of "SPDES NOTICE/RENEWAL APPLICATION/PERMIT."

- b) The permittee shall submit a written notice of compliance or non-compliance with each of the above schedule dates no later than 14 days following each elapsed date, unless conditions require more immediate notice as prescribed in 6 NYCRR Part 750-1.2(a) and 750-2. All such compliance or non-compliance notification shall be sent to the locations listed under the section of this permit entitled RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS. Each notice of non-compliance shall include the following information:
1. A short description of the non-compliance;
 2. A description of any actions taken or proposed by the permittee to comply with the elapsed schedule requirements without further delay and to limit environmental impact associated with the non-compliance;
 3. A description or any factors which tend to explain or mitigate the non-compliance; and
 4. An estimate of the date the permittee will comply with the elapsed schedule requirement and an assessment of the probability that the permittee will meet the next scheduled requirement on time.
- c) The permittee shall submit copies of any document required by the above schedule of compliance to NYSDEC Regional Water Manager at the location listed under the section of this permit entitled RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS and to the Bureau of Water Permits, 625 Broadway, Albany, N.Y. 12233-3505, unless otherwise specified in this permit or in writing by the Department.

RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS

- a) The permittee shall also refer to 6 NYCRR Part 750-1.2(a) and 750-2 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 five 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 Manager 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 Manager 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 Watershed 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 Manager, Region 1
SUNY Campus Bldg. 40
Stony Brook, New York 11790

Phone: (631) 444-0420

Send an **additional copy** of each DMR page to:

Include a copy of the laboratory analysis with the
NYSDEC Region 1 copy

- c) Noncompliance with the provisions of this permit shall be reported to the Department as prescribed in 6 NYCRR Part 750-1.2(a) and 750-2.
- 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.