New York State Department of Environmental Conservation
Division of Environmental Permits
NYSDEC REGION 2 HEADQUARTERS
47-40 21ST ST
LONG ISLAND CITY, NY 11101-5407
(718) 482-4997

June 19, 2012

NYC DEPT OF ENVIRONMENTAL PROTECTION
96-05 HORACE HARDING EXPWY
FLUSHING, NY 11368

Re: DEC ID # 2-6201-00043/00005
CROTON AQUEDUCT-SHAFT 24 & 25

Dear Applicant :

Please be advised that your application for a DEC permit(s) is complete and a technical review has commenced. Notice and the opportunity for public comment is required for this application. Enclosed is a Notice of Complete Application for your project. Please have the Notice published in the newspaper identified below once during the week of 06/25/2012 on any day Monday through Friday.

NEW YORK DAILY NEWS
450 W 33RD ST
NEW YORK, NY 10001

On the Notice of Complete Application, that information presented between the horizontal lines, on the enclosed page(s) should be published. Do not print this letter or the information contained below the second horizontal line. Please request the newspaper publisher to provide you with a Proof of Publication for the Notice. Upon receipt of the Proof of Publication promptly forward it to this office. You must provide the Proof of Publication before a final decision can be rendered on your application. You are responsible for paying the cost of publishing the Notice in the newspaper.

Notification of this complete application is also being provided by this Department in the NYSDEC Environmental Notice Bulletin.

This notification does not signify approval of your application for permit. Additional information may be requested from you at a future date, if deemed necessary to reach a decision on your application. Your project is classified major under the Uniform Procedures Act. Accordingly, a decision is due within 90 days of the date of this notice unless a public hearing is held, which may extend this time frame. If a public hearing is necessary, you will be notified.

If you have any questions please contact me at the above address or phone number above.

Sincerely,

STEVE A WATTS
Division of Environmental Permits

THIS IS NOT A PERMIT

New York State Department of Environmental Conservation
Notice of Complete Application

Date: 06/19/2012

Applicant: NYC DEPT OF ENVIRONMENTAL PROTECTION
96-05 HORACE HARDING EXPWY
FLUSHING, NY 11368

Facility: CROTON AQUEDUCT-SHAFT 24 & 25
BETWEEN AUDUBON & AMSTERDAM AND BETWEEN W 178TH& W 179TH STS
NEW YORK, NY

Application ID: 2-6201-00043/00005

Permits(s) Applied for: 1 - Article 17 Titles 7 & 8 Industrial SPDES - Surface Discharge

Project is located: in NEW YORK COUNTY

Project Description:
The Department has made a tentative determination to approve this application for a modification of the existing SPDES permit to discharge NYC drinking supply water and start-up water from the newly constructed Croton Water Treatment Plan to the Harlem River (Class I) from Shafts 24 and 25. Compared to the existing permit that this modified permit will replace, the following significant changes are proposed: Addition of Outfall 01A for the discharge of start-up water from the Croton Water Treatment Plant (Croton WTP). Permit conditions for discharges from the original outfalls (001, 002 & 003) will remain the same.

Availability of Application Documents:
Filed application documents, and Department draft permits where applicable, are available for inspection during normal business hours at the address of the contact person. To ensure timely service at the time of inspection, it is recommended that an appointment be made with the contact person.

State Environmental Quality Review (SEQR) Determination
Project is an Unlisted Action and will not have a significant impact on the environment. A Negative Declaration is on file. A coordinated review was performed.

SEQR Lead Agency NYS Department of Environmental Conservation

State Historic Preservation Act (SHPA) Determination
The proposed activity is not subject to review in accordance with SHPA. The permit type is exempt or the activity is being reviewed in accordance with federal historic preservation regulations.

Coastal Management

This project is located in a Coastal Management area and is subject to the Waterfront Revitalization and Coastal Resources Act.

DEC Commissioner Policy 29, Environmental Justice and Permitting (CP-29)

It has been determined that the proposed action is not subject to CP-29.

Availability For Public Comment

Comments on this project must be submitted in writing to the Contact Person no later than 07/27/2012 or 30 days after the publication date of this notice, whichever is later.

Contact Person

STEVE A WATTS
NYSDEC
47-40 21ST ST
LONG ISLAND CITY, NY 11101-5407
(718) 482-4997

CC List for Complete Notice

SPDES Mailing List
ENB

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

State Pollutant Discharge Elimination System (SPDES) DISCHARGE PERMIT

First3.99

Industrial Code: **9999**
DischargeClass(CL): **01**
Toxic Class (TX): **T**
Major Drainage Basin: **17**
Sub Drainage Basin: **02**
Water Index Number: **(MW 2.3) ER 1**
Compact Area: **IEC**

SPDES Number: **NY 0200859**
DEC Number: **2-6201-00043/00005**
Effective Date (EDP): **October 1, 2008**
Expiration Date (ExDP): **September 30, 2013**
Modification Dates:(EDPM) **Draft**

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: **New York City Department of Environmental Protection** Attention: **Edward Coleman, P.E.**
Street: **59-17 Junction Blvd. 3rd Floor, Low Rise**
City: **Corona** State: **NY** City: **Corona**
is authorized to discharge from the facility described below:

FACILITY NAME AND ADDRESS

Name: **Croton Aqueduct Shaft 25 (North 48" Blow-off) & Croton Aqueduct Shaft 24**
Location (C,T,V): **New York City** County: **New York**
Facility Address: **Harlem River Drive and 180th Street (Shaft 25) & East Shore Harlem River beneath Cross Bronx Expwy (Shaft 24)**
City: **New York** State: **NY** Zip Code: **10033**
NYTM -E: NYTM - N:
From Outfall No.: **001 (Shaft 25)** at Latitude: **40 ° 51 ' 31 "** & Longitude: **73 ° 55 ' 07 "**
into receiving waters known as: Harlem River Class: **I**
and; (list other Outfalls, Receiving Waters & Water Classifications)
Outfall 01A (Croton WTP Start-up), Outfall 002 (Shaft 25), Outfall 003 (Shaft 24)

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: **New York City Department of Environmental Protection**
Street: **59-17 Junction Blvd. 3rd Floor, Low Rise**
City: **Corona** State: **NY** Zip Code: **11373-5108**
Responsible Official or Agent: **Michael Keating, P.E., Edward Coleman, P.E., Thomas Tipa** Phone: **(718) 595-5330**

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:

CO BWP - Permit Coordinator
RWE
RPA
EPA Region II - Michelle Josilo
SPDES Mailing List

Permit Administrator: John Cryan	
Address: NYS Department of Environmental Conservation Division of Environmental Permits - Region 2 47-40 21st Street Long Island City, NY 11101	
Signature:	Date: / /

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 (ML)	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 ML can be neither lowered nor raised without a modification of this permit.	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 (daily 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. RANGE: The minimum and maximum instantaneous measurements for the reporting period must remain between the two values shown. 7 DAY ARITHMETIC MEAN (7 day average): The highest allowable average of daily discharges over a calendar week. 12 MRA (twelve month rolling avg): The average of the most recent twelve month's monthly averages. 30 DAY GEOMETRIC MEAN (30 d geo 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 (7 d geo mean): The highest allowable geometric mean of daily discharges over a calendar week.

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. The additional monitoring requirement is triggered upon receipt by the permittee of any monitoring results in excess of the stated Action Level.

PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL No.	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
001	NYC Drinking Water Supply	Harlem River	EDPM	ExDP

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

PARAMETER	EFFLUENT LIMIT or CALCULATED LEVEL		ACTION LEVEL	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg	Daily Max.					
Flow	n/a	90		MGD	Daily/Event	Calculated	1,4
Acetone		Monitor		ug/l	Daily/Event	Grab	1
Bromochloromethane		25		ug/l	3/Event	Grab	2
Chlorine, Total Residual		2.0		mg/l	Daily/Event	Grab	
Chloroform		150		ug/l	3/Event	Grab	2
Cis – 1,2, Dichloroethene		50		ug/l	3/Event	Grab	2
Copper, Total		58		ug/l	3/Event	Grab	2
Dibromochloromethane		25		ug/l	3/Event	Grab	2
Flouride		Monitor		ug/l	1/Event	Grab	
Lead, Toatal		Monitor		ug/l	1/Event	Grab	
MTBE		Monitor		ug/l	1/Event	Grab	
Phosphorous		Monitor		ug/l	1/Event	Grab	
Tert-Butyl Alcohol		Monitor		ug/l	Daily/Event	Grab	1
Tetrachloroethene		1.85		lbs/day	Twice Daily/Event	Grab	3
Trichloroethene		Monitor		ug/l	1/Event	Grab	
Zinc, Total		250		ug/l	3/Event	Grab	2

Footnotes:
1) Discharge is only permitted from one outfall during a discharge event
2) Samples are to be taken on the First day of discharge, the Middle day of discharge, and on the Last day of discharge.
3) Lbs/Day must be calculated using actual flows and concentrations of all Tetrachloroethene daily samples taken.
4) Daily Maximum Flow during discharge of only NYC Drinking Water Supply water (not Croton WTP start-up water) is 60 MGD.

PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL No.	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
01A	Start-up water from Croton Water Treatment Plant	Harlem River	EDPM	ExDP

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

PARAMETER	EFFLUENT LIMIT or CALCULATED LEVEL		ACTION LEVEL	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg	Daily Max.					
Flow		90		MGD	Daily/Event	Calculated	
Total Suspended Solids		50		mg/l	Daily/Event	Grab	
Turbidity		Narrative		NTU	Daily/Event	Grab	
Chlorine, Total Residual		2.0		mg/l	Daily/Event	Grab	

PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL No.	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
002	NYC Drinking Water Supply	Harlem River	EDPM	ExDP

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

PARAMETER	EFFLUENT LIMIT or CALCULATED LEVEL		ACTION LEVEL	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg	Daily Max.					
Flow	n/a	60		MGD	Daily/Event	Calculated	1
Acetone		Monitor		ug/l	Daily/Event	Grab	1
Bromochloromethane		25		ug/l	3/Event	Grab	2
Chlorine, Total Residual		2.0		mg/l	Daily/Event	Grab	
Chloroform		150		ug/l	3/Event	Grab	2
Cis – 1,2, Dichloroethene		50		ug/l	3/Event	Grab	2
Copper, Total		58		ug/l	3/Event	Grab	2
Dibromochloromethane		25		ug/l	3/Event	Grab	2
Flouride		Monitor		ug/l	1/Event	Grab	
Lead, Toatal		Monitor		ug/l	1/Event	Grab	
MTBE		Monitor		ug/l	1/Event	Grab	
Phosphorous		Monitor		ug/l	1/Event	Grab	
Tert-Butyl Alcohol		Monitor		ug/l	Daily/Event	Grab	1
Tetrachloroethene		1.85		lbs/day	Twice Daily/Event	Grab	3
Trichloroethene		Monitor		ug/l	1/Event	Grab	
Zinc, Total		250		ug/l	3/Event	Grab	2

Footnotes:
1) Discharge is only permitted from one outfall during a discharge event
2) Samples are to be taken on the First day of discharge, the Middle day of discharge, and on the Last day of discharge.
3) Lbs/Day must be calculated using actual flows and concentrations of all Tetrachloroethene daily samples taken.

PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL No.	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
003	NYC Drinking Water Supply	Harlem River	EDPM	ExDP

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

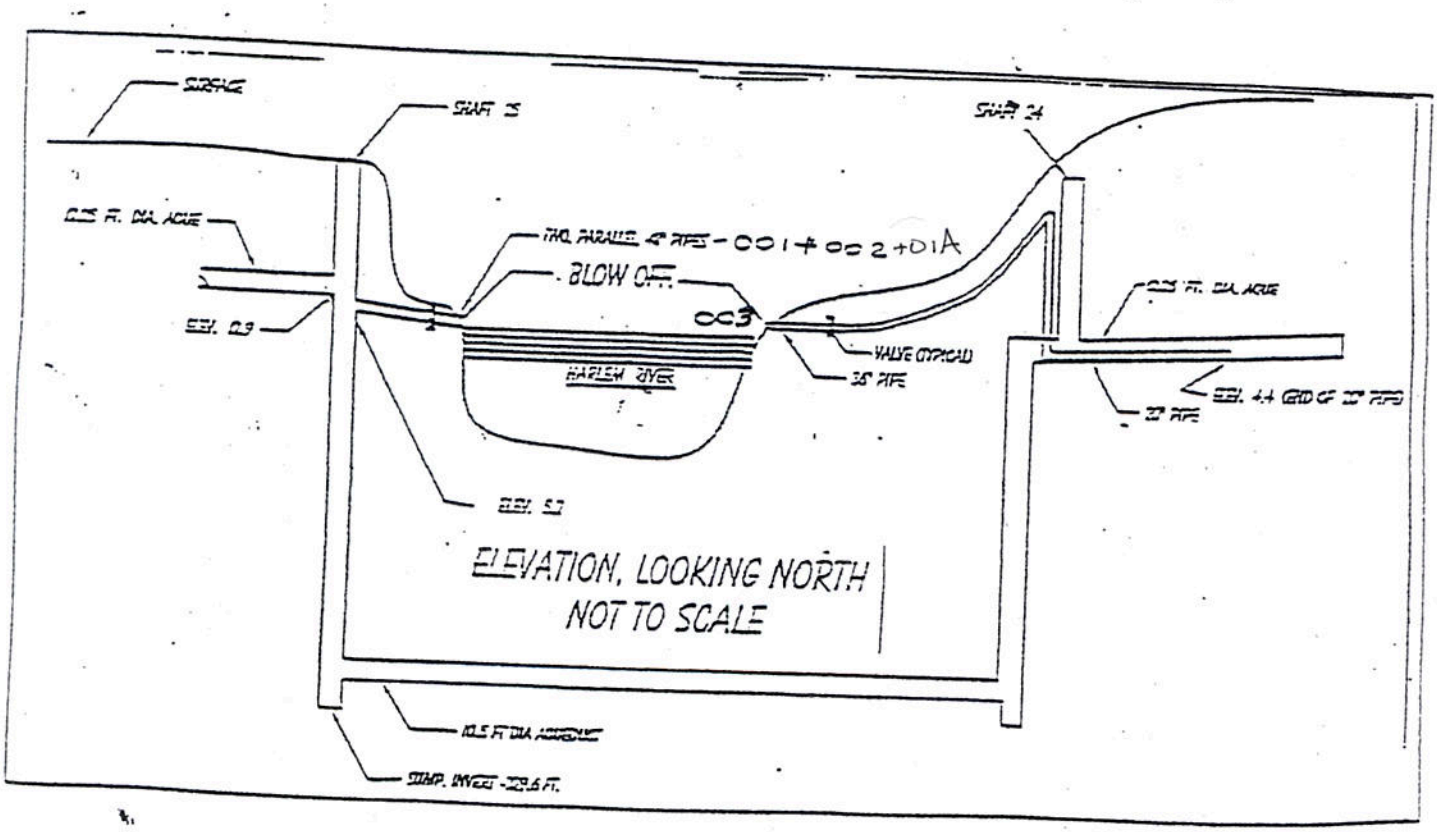
PARAMETER	EFFLUENT LIMIT or CALCULATED LEVEL		ACTION LEVEL	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg	Daily Max.					
Flow	n/a	60		MGD	Daily/Event	Calculated	1
Acetone		Monitor		ug/l	Daily/Event	Grab	1
Bromochloromethane		25		ug/l	3/Event	Grab	2
Chlorine, Total Residual		2.0		mg/l	Daily/Event	Grab	
Chloroform		150		ug/l	3/Event	Grab	2
Cis – 1,2, Dichloroethene		50		ug/l	3/Event	Grab	2
Copper, Total		88		ug/l	3/Event	Grab	2
Dibromochloromethane		25		ug/l	3/Event	Grab	2
Flouride		Monitor		ug/l	1/Event	Grab	
Lead, Toatal		Monitor		ug/l	1/Event	Grab	
MTBE		Monitor		ug/l	1/Event	Grab	
Phosphorous		Monitor		ug/l	1/Event	Grab	
Tert-Butyl Alcohol		Monitor		ug/l	Daily/Event	Grab	1
Tetrachloroethene		2.8		lbs/day	Twice Daily/Event	Grab	3
Trichloroethene		Monitor		ug/l	1/Event	Grab	
Zinc, Total		250		ug/l	3/Event	Grab	2

Footnotes:
1) Discharge is only permitted from one outfall during a discharge event
2) Samples are to be taken on the First day of discharge, the Middle day of discharge, and on the Last day of discharge.
3) Lbs/Day must be calculated using actual flows and concentrations of all Tetrachloroethene daily samples taken.

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:

Croton Aqueduct Shaft 25, Outfall 001 & 01A & 002 at Harlem River Drive and 180th Street.
Croton Aqueduct Shaft 24, Outfall 003 at East Shore Harlem River Drive beneath Cross Bronx Expressway



SPECIAL CONDITIONS - BEST MANAGEMENT PRACTICES (SMALL FACILITIES)

1. The permittee shall develop a Best Management Practices (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 by **[WITHIN 3 MONTHS OF EDPM]** to the Regional Water Engineer at the address shown on the Recording, Reporting and Additional Monitoring Requirements page. The BMP plan shall be implemented within 6 months of submission.

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 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 the BMP is available in the manual entitled *(insert appropriate guidance document name from TOGS 1.2.1 Attachment F here).* 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. The BMP plan shall include the following BMP's:

a. BMP Committee
b. Reporting of BMP Incidents
c. Risk Identification & Assessment
d. Employee Training
e. Inspections and Records
f. Preventive Maintenance
g. Good Housekeeping
h. Materials Compatibility
i. Security
j. Spill prevention & response
k. Erosion & sediment control
l. Management of runoff

Note that for some facilities, especially those with few employees, some of the above BMP's 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.

4. 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 five years.

(continued)

(f) 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 (g):

(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.

(g) If the permittee believes that any outfall which discharges wastewater from the permitted facility meets any of the waiver criteria listed in (f) 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.

(h) 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 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;**

[X] (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 DMRs with **original signatures** 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 an **additional copy** of each DMR page to:

Send a **copy** of each DMR page to:

Department of Environmental Conservation
Regional Water Engineer
Region 2
1 Hunters Point Plaza
47-40, 21st Street
Long Island City, NY 11101
Phone: (718) 482-4930

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.

Industrial Fact Sheet

Facility: **New York City Department of Environmental Protection**
Croton Aqueduct Shaft 25 (North 48" Blow-off) & Croton Aqueduct Shaft 24
Harlem River Drive and 180th Street (Shaft 25) & East Shore Harlem River beneath Cross Bronx Expwy (Shaft 24)

Summary of Proposed Permit:

The New York City Department of Environmental Protection (NYCDEP) has requested that the Department modify the current SPDES Permit NY-0200859 to include as a discharge the start-up water from the Croton Water Treatment Plant (Croton WTP). The start-up water will be water from the New York City Croton Reservoir System and will be near potable quality. Permit conditions for discharges from the original outfalls (001, 002 & 003) will remain the same.

The NYCDEP cannot send water used for start-up of the Croton WTP to the NYC drinking water distribution system until the WTP has been certified by the New York State Department of Health (NYSDOH). Therefore, NYCDEP is requesting to discharge this water to the Harlem River via this SPDES permit. Since the Croton WTP will operate at a flow rate higher than 60 Million Gallons Per Day (MGD) during start-up, the NYCDEP needs to modify this SPDES Permit to allow a discharge of 90 MGD to the Harlem River from outfall 01A (via outfall 001). This increase will allow the plant operators increased flexibility to discharge start-up water from the Croton WTP to the Harlem River. The NYCDEP anticipates the discharge during the WTP's start-up would last for 6 to 8 months. This start-up is anticipated to begin in summer 2012 and continue through spring 2013.

Treatment Plant Description

The treatment system for the start-up discharge will be composed of Coagulation/Flocculation, Settling/Decant, Dechlorination and Neutralization (pH adjustment).

Outfall and Receiving Water Information

Saline Surface Water Classifications

Class I - The best usages of Class I waters are secondary contact recreation and fishing. These waters shall be suitable for fish, shellfish, and wildlife propagation and survival.

The facility will maintain the following outfalls:

Outfall No.	Design Flow Rate (MGD)	Latitude	Longitude	Receiving Water	Water Class	Water Index Number
001	90	40° 51' 31"	73° 55' 07"	Harlem River	I	ER 1 Portion
01A	90	40° 51' 31"	73° 55' 07"	Harlem River	I	ER 1 Portion
002	60	40° 51' 31"	73° 55' 07"	Harlem River	I	ER 1 Portion
003	60	40° 51' 31"	73° 55' 07"	Harlem River	I	ER 1 Portion

303 (d) Impaired Waterbody Information:
The Clean Water Act Section 303 (d) list identifies waters that do not support appropriate uses and that require development of a Total Maximum Daily Load (TMDL) or other restoration strategy. According to the Final New York State 2008 Section 303(d) List of Impaired Waters Requiring a TMDL/Other Strategy dated May 26, 2008, the portion of Harlem River within New York State has been listed under "Multiple Segment/Categorical Impaired Waterbody Segments (fish consumption)." These water segments might be addressed in the future by a waterbody specific TMDL or a pollutant/source specific TMDL or other strategy to attain water quality standards.

Waterbody Segment/Class	Year Listed	Cause/ Pollutant	Suspected Source	High Priority Waters	TMDL Status	Applicable WLA
Harlem River (Class I)	2002	Priority Organics(PCBs) D.O/Oxygen Demand, Aesthetics.	Combined Sewer Overflow, Storm Sewers, Tox/Contam. Sediment, etc.			

Effluent Limitations
The NYSDEC followed the Clean Water Act, state and federal regulations, and the Division of Waters Technical and Operational Guidance Series documents for developing the effluent limits. In general, the Clean Water Act requires that the effluent limits for a particular pollutant are the more stringent of either the technology-based or water quality-based limits. A technology-based effluent limit requires a minimum level of treatment for industrial point sources based on currently available treatment technologies. A water quality-based effluent limit (WQBEL) is designed to ensure that the water quality standards of receiving waters are being met. Water Quality-Based Effluent Limits have been used in the draft permit.

Monitoring Requirements
Section 308 of the Clean Water Act and federal regulations 40 CFR 122.44(i) require that monitoring be included in permits to determine compliance with effluent limitations. Additional effluent monitoring may also be required to gather data to determine if effluent limitations may be required. The permittee is responsible for conducting the monitoring and for reporting results on Discharge Monitoring Reports (DMRs) to NYSDEC.

The draft permit contains the monitoring requirements for the facility. Monitoring frequency is based on the minimum sampling necessary to adequately monitor the facility's performance. For industrial facilities, sampling frequency is based on guidance provided in TOGS 1.2.1.

Other Permit Conditions

Special Conditions
BMPs – Small Facilities

Other Legal Requirements

Discharge Notification Act

In accordance with Discharge Notification Act (ECL 17-0815-a), the permittee is required to post a sign at each point of wastewater discharge to surface waters. The permittee is also required to provide a public repository for DMRs as required by the SPDES permit.

Antidegradation Policy

New York State implements the antidegradation portion of the CWA based upon two documents:

1. Organization and Delegation Memorandum #85-40, entitled "Water Quality Antidegradation Policy," signed by the Commissioner of NYSDEC, dated September 9, 1985.

2. TOGS 1.3.9, entitled "Implementation of the NYSDEC Antidegration Policy – Great Lakes Basin (Supplement to Antidegradation Policy dated September 9, 1985)."

A SPDES permit cannot be issued that would result in the water quality criteria being violated. The draft permit for the facility contains effluent limits which ensure that the existing beneficial uses of the Newtown Creek and East River will be maintained.

Appendix A

Basis for Effluent Limitations

Statutory and Regulatory Basis for Limits
Sections 101, 301(b), 304, 308, 401, 402, and 405 of the Clean Water Act (CWA) provide the basis for the effluent limitations and other conditions in the draft permit. The NYSDEC evaluates discharges with respect to these sections of the CWA and the relevant SPDES regulations to determine which conditions to include in the draft permit.

In general, the permit writer does a statistical analysis of the monitoring data provided in permittee-submitted discharge monitoring reports (DMRs). Pollutant screening data as required in the Request for Information is also reviewed to determine the presence of additional contaminants that should be considered for inclusion in the permit. The permit writer determines the technology-based limits that must be incorporated into the permit in accordance with federal and state rules, regulations, and technical guidance. The Department then evaluates the water quality expected to result from these controls to determine if any exceedances of water quality standards in the receiving water would result. If there is a reasonable potential for exceedances to occur, water quality-based limits must be included in the permit. The draft permit limits reflect whichever requirements, technology or water quality, are more stringent. The proposed limits are located on Page[s] 3-6 of the draft permit. This Appendix describes the technology-based and water quality-based evaluation for the facility.

Technology-Based Evaluation
Section 301(b) and 402 of the CWA require technology-based controls on effluents. This section of the Clean Water Act requires that, by March 31, 1989, all permits contain effluent limitations which: (1) control toxic pollutants and non-conventional pollutants through the use of "best available technology economically achievable" (BAT), and (2) represent "best conventional pollutant control technology" (BCT) for conventional pollutants. In no case may BCT or BAT be less stringent than "best practical control technology currently available" (BPT), which is the minimum level of control required by Section 301(b)(1)(A) of the Clean Water Act. After March 31, 1989, all permits for new sources are required to contain effluent limitations for all categories of point sources which control toxic pollutants through the use of best available demonstrated technology (BADT). BADT is specifically applied through New Source Performance Standards (NSPS).

Non-categoricals
For certain industrial sectors, Effluent Guidelines have not been promulgated by USEPA. In other instances, facilities that are subject to federal regulations may have substances in their discharges that are not explicitly limited by the regulations. To determine if these substances require technology-based effluent limits, the permit writer must apply Best Professional Judgment (BPJ). The authority for BPJ is contained in Section 402(a)(1) of the CWA, which authorizes the Department to issue a permit containing "such conditions as the Administrator determines are necessary to carry out the provisions of the Act." The NPDES regulations in 40

CFR 125.3 state that permits developed on a case-by-case basis under Section 402(a)(1) of the CWA must consider:

1. Reviewing Effluent Guidelines for sectors with similar pollutants,
2. Reviewing limitations developed at similar facilities, and
3. Any unique factors relating to the applicant.

Water Quality-Based Evaluation
In addition to the technology-based limits previously discussed, the NYSDEC evaluated the discharge to determine compliance with Section 301(b)(1)(C) of the Clean Water Act. This section requires the establishment of limitations in permits necessary to meet water quality standards by July 1, 1977.

The regulations in 40 CFR 122.44(d)(1) implement Section 301(b)(1)(C) of the Clean Water Act. These regulations require that SPDES permits include limits for all pollutants or parameters which "are or may be discharged at a level which will cause, or contribute to an excursion above any State water quality standard, including State narrative criteria for water quality." The limits must be stringent enough to ensure that water quality standards are met and must be consistent with any available wasteload allocation (WLA).

Water Quality Criteria
Water quality regulations detailed in 6 NYCRR Parts 700-706 and ambient water quality standards and guidance values specified in TOGS 1.1.1 were applied to the facility's discharge. Specific application of the regulations and standards is detailed in Table **[X]** of this Appendix.

Reasonable Potential Evaluation
Reasonable potential analysis is the process for determining whether a discharge causes, has the reasonable potential to cause, or contributes to an excursion above New York State water quality criteria for toxic pollutants. When conducting a reasonable potential analysis for each pollutant of concern, factors such as receiving water classification and corresponding water quality criteria and guidance values, pollutant concentration in the effluent, dilution available in the receiving water, background concentrations and additional upstream and downstream dischargers containing the pollutant of concern are used to quantify the receiving water quality. If the expected concentration of the pollutant of concern in the receiving water exceeds the ambient water quality criteria or guidance value then there is reasonable potential that the discharge may cause or contribute to a violation of the water quality standard, and a water quality-based effluent limit or load allocation for the pollutant is required. Calculations performed specifically for the effluent of this facility can be found at the end of this Appendix.

Procedure for Deriving Water Quality-Based Effluent Limits (WQBELs)
The TMDL process is a water quality based approach to implementing water quality standards. It is applied to an entire watershed or drainage basin whenever possible, but may also be applied to waterbody segments with individual or multiple pollutant sources. The TMDL analysis is carried out separately for each pollutant. It allows for the consideration of all sources of the pollutant including point sources, non-point sources, atmospheric deposition and natural

background. Dependant on the complexity of the issue and the amount of data available, the analysis can be relatively simple such as a desk-top, mass-balance calculation or it can be exacting and detailed by using complex, multidimensional water quality models. The TMDL process serves a dual function in the permit development process. It provides the basis for the reasonable potential analysis. If the reasonable potential analysis indicates that the pollutant of concern has the potential to cause or contribute to an excursion of water quality standards, the TMDL process is then used to determine the WQBELs for all sources of the pollutant to assure compliance with the standards.

Pollutant-Specific Analysis

This section outlines the basis for each of the effluent limitations of outfall number 01A in the SPDES draft permit. Conditions remain the same for the original discharges, they will not be addressed in this document.

pH, and Total Suspended Solids (TSS):
The effluent limits for pH (6.0 to 9.0), and TSS (50mg/l) parameters are based on Best Available Technology (BAT)/Best Professional Judgment (BPJ).

Appendix B

Individual Outfall Data Summaries and Permit Limit Development

Existing Effluent Quality and Technology Based Effluent Limits (TBEL)
Technology Based Effluent Limit (TBEL) is set based upon an evaluation of Best Available Technology Economically Achievable (BAT), Best Conventional Pollutant Control Technology (BCT), Best Practicable Technology Currently Available (BPT), and Best Professional Judgment (BPJ). BPJ limits may be set using any reasonable method that takes into consideration the criteria set forth in 40 CFR 125.3.

For the Existing Effluent Quality, the statistical methods utilized are in accordance with TOGS 1.2.1 and the USEPA, Office of Water, Technical Support Document For Water Quality-based Toxics Control, March 1991, Appendix E. Statistical calculations were not performed for parameters with insufficient data. Generally, ten or more data points are needed to calculate percentiles (See TOGS 1.2.1 Appendix D). Two or more data points are necessary to calculate an average and a maximum. Non-detects were excluded in the statistical calculations.

Water Quality Based Effluent Limits (WQBEL)
Ambient Water Quality Criteria (AWQC) and guidance values specified in "Water Quality Regulations" New York State Codes, Rules and Regulations Title 6, Chapter X, Parts 700-705 and TOGS 1.1.1 were applied to the following pollutants identified in the facilities discharge. Water Quality Based Effluent Limits (WQBEL's) were calculated by applying the TMDL process for each pollutant.

AL = Action Level

Permittee: NYCDEP
Facility: Croton Aqueduct Shaft 25 (North 48" Blow-off) & Croton Aqueduct Shaft 24
SPDES No: NY0200859

Date: June 19, 2012

TABLE 1

Outfall # 01A

Effluent Parameter (Units) (concentration units - mg/l, ug/l or ng/l; mass units - lbs/d or g/d)	**Existing Effluent Quality**				**Technology Based Effluent Limit**					**Water Quality Based Effluent Limit**				**Permit Basis** (T, WQ or AL)
	concentration		mass					PQL		AWQC	Effluent			
	Avg/Max	95%/99%	Avg/Max	95%/99%	conc.	mass	Type	conc.	Basis	conc.	conc.	mass	Type	
Flow Rate, units =	Average		Maximum					NA						
pH (su)	Minimum		Maximum				Range			6.0-9.0				WQ
TSS								50 mg/l	BPJ, TOGS 1.2.1					T
Turbidity			Narrative											
Chlorine, Total Residual											2.0 mg/l			WQ