Hanson
HEIDELBERGCEMENT Group

Hanson Aggregates New York LLC
Honeoye Falls Facility
Town of Mendon, Livingston & Monroe Counties

STORM WATER POLLUTION PREVENTION
BEST MANAGEMENT PRACTICES PLAN

June 24, 2004
(Rev. 3 – May 2017)

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BEST MANAGEMENT PRACTICES (BMP) PLAN

Rev.3 Prepared By:

Michael Lewis
Environmental Manager

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AUTHORIZATION AND CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gathered and evaluated the information contained in this document. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained herein is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Daniel M. Meehan
Vice President and General Manager

Signature: _____

Date: June 10, 2009

HONEOYE FALLS FACILITY

STORM WATER POLLUTION PREVENTION

BEST MANAGEMENT PRACTICES (BMP) PLAN

A. INTRODUCTION

The following document discusses the implementation of practices currently in place or to be instituted at the facility which are used to prevent, or minimize the potential for, the release of pollutants to storm water discharges associated with activities at the Honeoye Falls Facility. This document is intended to augment, not supersede, plans for emergency preparedness established in the Emergency Response Manual. This SWPPP / BMP Plan, combined with the facility Emergency Response Manual, as well as the Spill Prevention Control and Countermeasure (SPCC) Plan dated November 2008, specify the controls, practices, and procedures for industrial water management and preventing stormwater pollution at the Honeoye Falls Plant.

Additionally, the Honeoye Falls facility implements the Hanson Aggregates "Environmental Management System" (EMS) which includes practices and procedures (e.g., quarterly environmental inspections) that further minimize the potential for stormwater and industrial water pollution. The EMS binder is stored and maintained in the site office with the "environmental files."

The primary objectives with regard to the SWPPP/BMP Plan are as follows:

- Identify potential sources of stormwater and industrial water pollution at the site;
- Describe the practices that will be implemented to prevent, or minimize the potential for, release of significant amounts of toxic or hazardous pollutants to waters of the State through plant site runoff; spillage and leaks; and stormwater discharges, including, but not limited to, drainage from raw material storage.
- Describe the stormwater and industrial water monitoring requirements and the methods of data gathering and record keeping.
- Provide corporate assurance that the practices described in this SWPPP /BMP Plan are in fact implemented and provide guidelines to evaluate the plan's effectiveness in reducing the pollutant levels in stormwater and industrial water discharges.

This SWPPP / BMP Plan is to be maintained at the Honeoye Falls facility and is to be made available for review by the USEPA, the NYSDEC, or their duly authorized representatives in the event of an on-site inspection. If necessary, a copy of this plan is to be submitted to the USEPA or the NYSDEC within seven days upon receipt of request.

B. DESCRIPTION OF FACILITY

Hanson Aggregates New York LLC Honeoye Falls Facility is located west of the Village of Honeoye Falls as shown on the portion of the Honeoye Falls 7.5 Minute Quadrangle Map found on the following page (See Figure 1, Site Locator Map).

Industrial activities include the mining, crushing, screening and storage of crushed stone, and the production of hot mix asphalt (blacktop).

Due to the nature of the operations, it is necessary to store and use products associated with the maintenance of mining and processing equipment on site. These products include, lubricating oils, transmission fluids, greases, antifreeze, hydraulic oils, fuel oil, gasoline and solvents. The production of hot mix asphaltic concrete also requires the storage and heating of asphalt cement.

C. FACILITY CONTACTS

FACILITY ADDRESS & PHONE NUMBER

Hanson Aggregates New York LLC – Honeoye Falls Facility
2049 Honeoye Falls #6 Road
Honeoye Falls, New York 14472
Phone No.: 585-624-1220
Superintendent: Mike Clark
Asst. Superintendent: Jason Burley

HANSON AGGREGATES NEW YORK LLC HEADQUARTERS & PHONE NUMBER

Hanson Aggregates New York LLC – Jamesville
4800 Jamesville Road
P.O. Box 513
Jamesville, New York 13078
Phone No.: 315-469-5501
Facsimile No.: 315-469-3133

CONTACT

Michael Lewis, Environmental Manager
Phone No.: 315-469-5501, Ext. 237

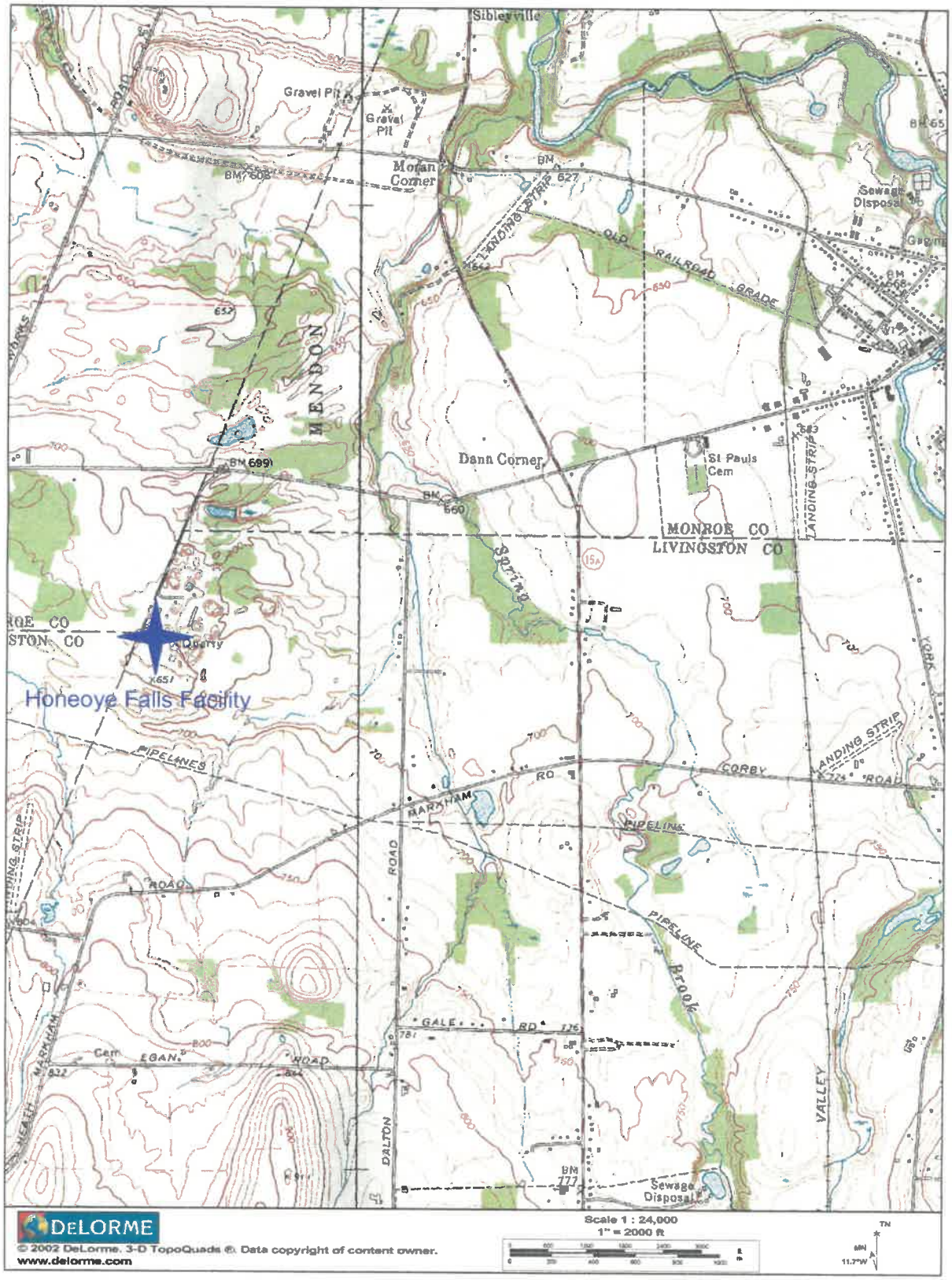


Figure 1: Site Locator Map (Portion of Honeoye Falls 7.5 Min. Quadrangle Map)

D. BEST MANAGEMENT PRACTICES COMMITTEE

A Best Management Practices (BMP) Committee has been formed in order to evaluate the following:

- the operation's potential impact to surface water,
- the current practices implemented to reduce or minimize the potential for impacts from the operation on surface water, and
- propose new controls or best management practices to further reduce or minimize the potential for impacts to surface water.

The following personnel comprise the committee:

TABLE 1: SWPPP / BMP PLAN COMMITTEE AND SUMMARY OF DUTIES

Team Leaders		
Name	**Title**	**Phone Number**
Daniel M. Meehan	Vice President and General Manager	315-469-5501 (office)
Responsibilities: • Signatory Authority • Overall Facility Operation • Authorization of capital expenditures		
Michael Lewis Mike Clark	Environmental Manager Superintendent	315-469-5501 (office) 315-253-3823 (cell) 585-624-1220 (office) 585-704-1477 (cell)
Responsibilities: • Facilitate implementation of the SWPPP / BMP Plan • Authorize, initiate, and/or recommend facility installations and/or managerial improvements to prevent stormwater and industrial water pollution • Authorize, initiate, and/or recommend improvements to the stormwater and industrial water management systems • Conduct or direct the performance of inspections of BMPs for process and stormwater control. • Evaluate current and new BMPs. • Annual Comprehensive Site Compliance Evaluation		
Mike Clark	Site Superintendent (Committee Leader)	585-624-1220 (office) 585-704-1477 (cell)
Responsibilities: • Spill Response Coordinator • Create SWPPP / BMP Plan Committee • Authorize SWPPP / BMP Plan development and implementation • Revise SWPPP / BMP Plan, as needed, or requested by Committee Members • Recommend facility and managerial improvements • Oversee maintenance practices identified as BMPs in the SWPPP / BMP Plan • Implement and oversee employee training • Direct and supervise report submittals		

Team Members		
Scott Wheaton Jason Burley Sara Graham	Operations Manager Assistant Superintendent Clerk	585-704-7303(cell) 585-704-0848 (cell) 585-624-1220(office)

Responsibilities:

- Implementation of housekeeping and monitoring procedures
- Perform routine inspections
- Aid in preparing reports
- Ensure the integrity of the structural BMPs
- Perform routine inspections of structural BMPs

E. REPORTING OF BMP INCIDENTS

In case of a spill of petroleum or any potentially harmful or environmental hazardous material, site personnel will commence procedures to stop or inhibit the spill as listed in Section "O" Spill Control and Countermeasures and immediately notify the Plant Superintendent. If site personnel observe any deficiencies in any storm water or pollution prevention controls or observe potentially contaminated water flowing from the facility, they will immediately notify the Plant Superintendent. The Plant Superintendent will then call the Environmental Manager whom will determine if it is necessary to contact regulatory agencies.

In the case of a spill of petroleum or any potentially harmful or hazardous material, the Environmental Manager (or a designee) will contact the New York State Department of Environmental Conservation within 2 hours of discovery:

DEC Spill Hotline: (518) 457-7362

F. INVENTORY OF MATERIALS AND RISK ASSESMENT OF STORM WATER CONTACT

Handling, storage, and processing of aggregate materials has the potential to contribute pollutants to stormwater and co-mingle with industrial water through contact with these materials. Additionally, there is the potential for contamination through incidental leaks and spills from the mobile material handling equipment. The transport of materials over haul roads also has the potential to contribute potential pollutants to stormwater and industrial water. Processing equipment also has the potential to contribute potential pollutants to stormwater and industrial water. This may occur through contact with incidental leaks and releases from equipment, fueling operations, maintenance activities, and the wash tower operation.

Off-site transport of impacted stormwater and industrial water will be minimized through the use of structural sediment and drainage controls including the settling pond system, control valves, perimeter berms and detention/retention basins.

Bituminous concrete (also known as hot mix asphalt or black top) is produced in two batch plants in the southern portion of the plant and stockpile area. Bituminous

concrete is an inert product of the combination of asphalt cement and aggregate that solidifies upon cooling with little capability to contaminate storm water. The product is produced in batches and immediately deposited in the customer's truck for removal off site. The very minor amount of waste produced is stockpiled within the quarry with little potential to contact channeled storm water.

Bulk petroleum tanks are equipped with spill prevention mechanisms such as gauges, high-level alarms, secondary containment and/or double-wall shells.

Non-structural preventive maintenance controls are also in place to minimize the potential for contact with pollutants. Vehicles and processing equipment will be inspected daily prior to start up ("Pre-Shift Inspection") to assure no unusual conditions exist (e.g., fluid leaks) and will be maintained in accordance with manufacturers' and/or Hanson's recommended preventive maintenance procedures. Personnel are present and alert, and proper procedures are employed during fueling activities, as documented in the SPCC Plan. Observed leaks are to be immediately controlled with drip pans and absorbents and the failure is to be promptly corrected.

F.1. PETROLEUM PRODUCTS

Various petroleum based products such as diesel fuel, gasoline, asphaltic cement, motor oil, hydraulic fluids, lubricating oils, engine coolants, etc., are used in the maintenance of the equipment at the site. Materials that are stored and used in bulk quantities, presenting a potential spill hazard, are listed in Appendix I. Other items are used in small quantities (typically 10 – 14 oz. aerosol cans) that do not represent a significant spill hazard. Actual materials on hand at any time may vary due to seasonal requirements and current vendor/supplier selection. All materials are typical for this type of operation. Material Safety Data Sheets (MSDS) for all materials in use at the facility are maintained on site.

The potential exists for storm water contacting spilled or leaked petroleum products adjacent to the fuel tanks, as well as from vehicles moving throughout the site. Petroleum contaminated soils are removed immediately after any spills or leaks are detected and stored in covered 55-gallon drums waiting to be disposed of offsite. All stationary petroleum bulk storage tanks are double-walled or located in secondary containment inhibiting the release of petroleum in case of a leak or catastrophic failure of the tank. The generally flat area within the operating areas of the site as well as the generally internally drained topography of the site will allow the detention and clean up of spilled petroleum. No petroleum products are stored immediately adjacent to a storm water channel. Monthly visual inspections of the tanks and containments provide additional protection.

The pump discharging water from the sump draws water from beneath the surface of the pond, therefore since petroleum products float there should be adequate time for clean up of any potential spills in the quarry area.

A site map is included in the appendices indicating the locations of Petroleum Bulk Storage Tanks and the general directions of surface water flow.

F.2. ASPHALTIC CEMENT

Asphaltic cement used during the manufacture of hot mix asphalt pavement (HMA) is stored in three jacketed bulk storage tanks adjacent to the HMA plants. During the operating season (typically late April through October) the tanks are heated in order to maintain the asphalt cement in a viscous enough state to mix with aggregate during the production of HMA. When asphaltic cement is introduced to ambient temperatures it hardens to a solid state and will not flow.

Since asphaltic cement is a petroleum by-product and contains volatiles that may contaminate the storm water, it is necessary to maintain a distance between spilled or leaked asphaltic cement and storm water drainage channels. The hardening of the material at ambient temperatures significantly decreases the potential for asphaltic cement from contaminating the surface water or discharging from the site.

F.3. AGGREGATE STOCKPILES AND SEDIMENT

The facility produces crushed stone (aggregate) used for general construction activity. Stockpiles of aggregate are created within the plant and stockpile area. The staged aggregate within the plant and stockpile area has the potential to come in contact with sheet flow during heavier storm events and carry away fine particulates ("sediment") from the aggregate. Storm water within the plant and stockpile area is directed outwards from the plant and stockpile area to collect in a retention basin east of the plant with no potential for discharge via surface water from the site.

Storm water within the quarry has the potential to contact rock that has been blasted within the quarry and drains towards the sump to be pumped from the site. Groundwater and potentially commingled storm water is pumped from the quarry to a weir box and detention basin system to the northeast at Discharge Point 002 as shown on the Site Map enclosed in the appendix.

F.4. WASTES

The following wastes are generated on the site:

- Used oil, generated during the maintenance of equipment, is stored in steel storage tanks inside the maintenance shop and welding shop. The used oil is utilized for heating fuel during the fall, winter and spring season in the maintenance shoo buildings. Used oil tanks are either within secondary containment or inside minimizing the potential for leaks contacting storm water. Monthly visual inspections of the tanks and containments provide additional protection.
- Used vehicle oil filters are drained and placed in a covered, dedicated steel roll-off adjacent to the maintenance shop for periodic disposal by a qualified industrial waste management company.
- Various papers and other wastes, which are classified as municipal waste, are stored in covered dumpsters on the property. This material is then hauled by a garbage company to a local municipal landfill.
- Scrap metal from routine maintenance and repairs is stored in dedicated roll-off containers, generally kept near the welding shop building.
- Petroleum contaminated soils (PCS) collected from small spills and/or leaks of petroleum or grease onto the ground. PCS is stored in 55 gallon barrels within a storage shed awaiting disposal at an appropriate solid waste facility.

F.5. EQUIPMENT

Mobile equipment such as loaders, bulldozers, drill rigs and trucks are operated throughout the facility. Facility owned or leased equipment is stored within or adjacent to the shop and welding shop, or periodically, as in the case of a drill rig, stored within the active mining area. Stormwater has the potential to contact spills and leaks of petroleum products on and beneath the mobile equipment. The location of mobile equipment storage areas on generally flat terrain with no storm water drainage channels in the vicinity minimizes the potential movement of petroleum products from leaks or spills. Vehicles are checked daily during the "pre-shift" inspections. Any vehicle with noted problems (e.g., fluid leak) is taken out of service until repaired. Vehicles with observed leaks are brought into the maintenance shop or have drip pans placed below the leaks to prevent stormwater pollution.

G. PROCESS WATER

Sediment laden water (process water) is created during the washing and screening of crushed stone through the aggregate processing plant. Process water is sent via a pipe (below ground) and a channel north of the welding shop to the settling pond system. Water passing through the settling ponds is clarified by settlement of the particles. Then the water evaporates, percolates into the ground or is discharged to the east of the pond system through SPDES Discharge Point 001. Water for washing is obtained from the dewatering sump within the quarry and the freshwater pond located just east of the maintenance shop.

The potential exists, although unlikely, for process water to leak from the pipe and/or channel drain over land and then be discharged from the plant area through Discharge Point 001 or into the sump to discharge through Discharge Point 002.

A bay used for washing plant mobile equipment has a sediment trap and oil-water separator to collect petroleum residue and sediment that may be washed off the equipment. The outlet for this basin is at the settling pond system located east of the maintenance shop. Regular inspections and routine maintenance on this settling basin minimize the potential for discharge of pollutants off-site (via Outfall 001).

H. MATERIALS COMPATIBILITY

All storage containers are constructed of material compatible with the product they are storing. There is no material stored in bulk on site that would be considered incompatible with the typical material used to construct holding vessels such as steel or plastic. There may be minimal amounts of material potentially incompatible with other material such as acids or solvents that are stored in smaller containers used in the shop.

I. DRAINAGE

The Honeoye Falls facility is located in the gently rolling terrain of Central New York approximately 10 miles south of the City of Rochester. Drainage is dominated by the internally drainage of the active quarry (see Figure 1, Site Locator Map and the Site Map in the appendix).

Drainage in the plant and processing area is generally east/southeast towards the quarry and to the east towards the strippings pile and quarry. The area in and surrounding the HMA plants is

generally flat with a slight grade to the north. No storm water channels within the industrial area leave the site.

A Site Map is included in the appendix indicating the direction of surface drainage and potential discharge points from areas affected by industrial activity.

J. INSPECTIONS AND RECORDS

J.1. MONTHLY ABOVEGROUND PETROLEUM EQUIPMENT INSPECTIONS

Inspections of the petroleum bulk storage facilities are conducted and recorded monthly. This monthly inspection incorporates an inspection of the storage vessels within the Plant and Stockpile Area. A checklist is included in the Spill Prevention Control & Countermeasures Plan for use by employees and will be maintained on site for a period of 10 years. The inspection includes the following items:

- TANK CONDITION
  - ❑ Leaks
  - ❑ Corrosion/Discoloration
  - ❑ Cracks/Bulges/Pitting
  - ❑ Paint
  - ❑ Tank Labels
  - ❑ Gauge Functioning
  - ❑ High Level Alarm Working
- FOUNDATION/STRUCTURAL
  - ❑ Settlement/Cracks
  - ❑ Separation
  - ❑ Anchor Bolts Tight
- CONTAINMENT SYSTEM
  - ❑ Cracks, Gaps, Punctures, Separations and/or Corrosion
  - ❑ Excessive Vegetation
  - ❑ Paint/Sealant
  - ❑ Storm Water Buildup
  - ❑ Storm Water Discharge Date(s)
- PIPES/VALVES/PUMPS
  - ❑ Leakage
  - ❑ Stained Soil
  - ❑ Fills API Color Coded
  - ❑ Paint
  - ❑ Supports
  - ❑ Drainage Valves Locked

J.2. MONTHLY OR POST RAIN EVENT INSPECTION

After a significant rain event or thaw event all discharge points and erosion control features will be inspected for competency and adequacy of control. All areas that contain material listed in the Inventory of Materials (Section F) will be inspected for changes in drainage patterns due to erosion or mining that would degrade the current drainage pattern. The Post

Storm Inspection form found in Appendix IV will be completed during and/or after the inspection is completed. The completed form will be kept with this report for future reference and used for evaluation purposes.

J.3. DISCHARGE INSPECTIONS

As required by the facility's SPDES permit, monthly samples of process water discharges must be collected for chemical analysis if there is discharge. In general, the process water pond capacity is such that discharge does not occur via Outfall 001. As a best management practice, the site routinely performs checks of the Outfall to confirm there is no discharge. An inspection form is located in Appendix IV to be used to document whether a discharge has occurred at the process water outfall. The site superintendent (or his designee) will visually check Outfall 001 at least once per month; generally after a significant rainfall event (e.g., more than 0.1-inches (check rain gauge at quarry office).

The oil-water separator/sediment trap located in the Shop wash bay is a control intended to capture petroleum and sediment prior to discharging water from vehicle washing activities to the process pond system. In order for the oil-water separator to function properly sediment/sludge must be periodically removed so contaminants do not overflow into the drain line. A form is located in Appendix IV to be used to document routine visual inspections of the oil-water separator trap to ensure continuous proper operation. The site superintendent (or his designee) will visually check the oil-water separator trap system at least once per month.

J.4. DAILY PRE-SHIFT INSPECTIONS

As required by the federal Mine Safety and Health Administration (MSHA), all plant equipment and vehicles must be checked prior to start up each day the facility is in operation. As part of the pre-shift inspections any deficiencies such as fuel or hydraulic oil leaks, or other similar problems that could impact stormwater, are noted and repaired prior to operation.

J.5. COMPREHENSIVE SITE COMPLIANCE EVALUATION

A comprehensive evaluation of the entire facility will be conducted a minimum of once per year. This inspection is typically performed by or in conjunction with the Environmental Manager. The evaluation will include:

- Visual inspection for evidence of or increased potential for pollution contacting storm water or storm water channels,
- Evaluation of storm water controls, erosion controls, containment devices and other structural measures implemented in the plan,
- Evaluation of the non-storm water drainage pattern to ensure no contact with storm water.

Based on the results of the evaluation, the plan will be updated and or revised to sufficiently address potential inadequacies or discrepancies. Revisions or updates, as appropriate, will be completed within two weeks of the evaluation and shall provide for implementation of any changes to the plan in a timely manner, but in no case more than twelve (12) weeks after the inspection. Any changes to the SWPPP are logged on the form located in Appendix VIII.

An **Annual Stormwater &/or SPDES Compliance Evaluation** is enclosed in Appendix V for use during the evaluation. The report will summarize the scope of the inspection, the date(s) of the inspection, major observations relating to the implementation of the Storm Water Pollution Plan, and actions taken in accordance with the findings of the evaluation. Any incidents of non-compliance will be identified in the report.

The report will contain a certification that the facility is in compliance with the Storm Water Pollution Prevention Best Management Practices Plan.

K. PREVENTIVE MAINTENANCE

K.1. PETROLEUM BULK STORAGE TANK SPILL CONTROLS

Secondary Containment

All petroleum bulk storage tanks are steel single walled within a steel secondary containment or are double-walled. Tanks greater than 10,000 gallons are within concrete or steel secondary containment. The containments are constructed to hold at least 110% of the volume of the largest tank within the containment. All discharge valves from the containment are locked and only open to drain by appropriate individuals.

Tank Fuel Line Location

The tanks are sufficiently protected from moving vehicles. Fuel supply lines are above ground, steel, copper, or reinforced rubber and sufficiently protected from moving vehicles. The majority of tanks with remote fills have spill catch basins at the fill-ports.

Standard Practices

The following practices are followed to prevent spillage of petroleum products:

- Main outlet valves (fuel oil tanks) are to be locked shut when plant is unattended.
- Adequate venting capacity is maintained for filling and withdrawal rates.
- Main switches for tank pumps are enclosed and locked when not in use.
- High level indicators are located on the tanks to prevent over-fillage.

K.2. CONSTRUCTED PREVENTIVE MAINTENANCE MEASURES

STORAGE STRUCTURES

Smaller quantities of petroleum products such as hydraulic fluid, transmission fluid and motor oil are contained in 55 gallon drums stored inside buildings with concrete containment. Buildings containing lubricants and motor oils are completely enclosed with locks on doors limiting access during off-hour periods. Buildings are maintained to prevent the entrance of natural elements and discharge of any leaks or spills of petroleum product. The 55-gallon drums are stored neatly to allow easy access for inspection and clean up of any spills or leaks.

WATER SPRAY DUST CONTROL

Dust from the aggregate crushing and stockpiling has the potential to migrate within the air and deposit in storm water runoff. The use of water spray nozzles throughout the aggregate processing plant controls the release of dust inhibiting the potential for dust to settle in storm water.

L. MANAGEMENT OF RUNOFF (EROSION AND SEDIMENT CONTROL)

INTERNAL DRAINAGE

The site is maintained to have all areas drain internally into the quarry with the only discharges controlled at the dewatering sump and the discharge from the process water settling ponds.

BERMS

Overburden berms are maintained along the perimeter of the excavated area (quarry) and the plant and stockpile area limiting the potential for storm water discharging from active mining and processing areas. As mining continues towards the perimeter, berms will be constructed in advance as overburden is stripped. All efforts will be used to grade the material to at or lower than the angle of repose of the material. Overburden berms will be seeded and mulched as soon as practicable.

SETTLING POND SYSTEM

Process water and minor amounts of storm water are diverted to the settling ponds, located in the northern portion of the site, as shown on the SWPPP Site Map. Discharge from the ponds is via evaporation, percolation and from pipes discharging from SPDES Outfall 001. Typically, there is no discharge from the outlet pipes via Outfall 001 because the pond depth and water volume do not cause water levels to rise to the tops of the drop inlet pipes. The system is typically observed daily during times of operation with inspections documented at least monthly. Fines are periodically removed from the ponds and disposed of and/or used to form berms around the ponds.

DEWATERING SUMP

As part of on-going plant operations the dewatering sump located within the southeastern portion of the quarry is visually checked throughout the day by the Superintendent, Assistant Superintendent, Group Leader, and/or employees working in the sump area (e.g., haul truck drivers). If the sump water begins to appear turbid the sump pump is shut-off, pumping rate is reduced, and/or water is diverted to the freshwater pond to allow settling of sediments. If appropriate, the Superintendent (or designee) will direct the installation of temporary or permanent BMPs (e.g., hay bale filters, check dams, diversion channels, etc.) to minimize sediment flow toward the sump should excessive turbidity be observed.

ROADS

Then entrance road is paved and crowned to divert storm water to drainage channels along each side. Haul roads are constructed of crushed stone and continuously maintained to minimize channeling and erosion.

QUARRY SEEPS

Water from the seeps in the quarry faces and floor is diverted around the haulage pattern within the active portion of the quarry. A channel has been created in the eastern portion of the quarry and with the use of a culvert, inhibits trucks from tracking through the water therefore minimizing turbid conditions within the channel leading to the dewatering sump.

L.1. PERIODIC INSPECTIONS

During the fueling of equipment, the operator will visually inspect the hoses, nozzle and containment structure for any signs of damage, corrosion, or leakage. During filling the operator will **not "top off"** the equipment.

Prior to daily start-up, the equipment operator(s) will inspect mobile equipment and processing equipment for signs of fluid leakage (antifreeze, petroleum, hydraulic fluid, etc.). Significant leaks shall be properly fixed prior to operation of the vehicle. Drip pans should be placed below continuous minor leaks where practicable.

If petroleum contaminated soils (PCS) are found during visual inspections, the PCS should be removed, placed in containment (covered 55 gallon drum or equivalent), and removed to appropriate on site facilities.

See Section I for other inspections completed at the site.

L.2. BMP IMPROVEMENTS

If through the course of daily operations or upon formal inspection, deficiencies in BMPs are noted, the following chart can be used as a guide for initiating and completing the necessary corrective measures. This guide is meant as a general reference in conjunction with any problem-specific control measures identified by the Superintendent and/or any designee(s).

BMP	Common Deficiency	Procedure	Typical Corrective Measure
Berms (including pond area banks)	Breaks, erosion	Contact Superintendent who will direct implementation of corrective measures.	Use loader or similar equipment to replace earthen and/or aggregate material to build berm back to adequate level. Seed with vegetation if necessary.
Process water pond	Sheen on water	Contact Superintendent who will direct implementation of corrective measures.	Place absorbent booms to control and prevent from reaching outlet pipe. Shutdown or redirect process water to make-up water pond as necessary.
Process water pond	Water level at height of outlet pipe.	Obtain water sample at least monthly until water level returns to below outlet pipe.	Send samples to designated laboratory for analyses of parameters listed in SPDES permit (see Section IV). Contact Environmental Manager with questions.
Quarry dewatering sump	Turbid water	Contact Superintendent who will direct implementation of corrective measures. Attempt to identify source(s) of sediment by following drainage channels upstream.	Reduce pumping rate or shut off pump to allow sediment to settle until sump appears clear. Place stone check dams, hay bale filters, etc., "up stream" of sump if excessive turbidity noted in drainage channels.

BMP	Common Deficiency	Procedure	Typical Corrective Measure
Stormwater/sump discharge retention basins	Turbid water at outlet from final pond.	Contact Superintendent who will direct implementation of corrective measures.	Check visual clarity at discharge prior to No. 6 Road. If turbid water observed, reduce pumping rate or shut off pump to allow sediment to settle until discharge appears clear. If necessary implement procedure above for controlling quarry dewatering sump.
Oil-water separator/sediment trap	Solids/sludge level near outlet pipe.	Contact Superintendent who will direct implementation of corrective measures.	Clean out solids/sludge with backhoe, and/or with shovels. Stage material on impervious surface under cover for future disposal.
Drainage / process water pipes	Leaking/damaged or plugged.	Contact Superintendent who will direct implementation of corrective measures.	Repair/replace damaged section of pipe; if necessary shut off or divert flow to prevent discharge of process water to storm drainage system; call plumbing contractor for clearing plugged lines if not possible with plant resources.
Drainage channels/swales	Obstructions impeding flow.	Contact Superintendent who will direct implementation of corrective measures.	Use backhoe, loader, etc., to remove obstruction(s).
Secondary containment systems	Accumulated stormwater, ice, or snow.	Contact Superintendent who will direct implementation of corrective measures.	Visually check for sheen and use absorbents if necessary to remove prior to draining; shovel out snow/ice to maintain 110% containment of largest tank.
Other:			
Other:			
Other:			

L.3. FUTURE CONSTRUCTED CONTROL MEASURES

A **"FUTURE CONTROL MEASURES"** chart is included in Appendix III. When additional control measures are required as deemed necessary to control storm water release from the site or reduce the potential for leaks or spills of contaminants, the control measure description, control measure location, proposed date of construction, and completed construction date will be noted in the aforementioned chart.

M. GOOD HOUSKEEPING PROGRAM

As part of daily operations, company personnel are directed to maintain the workplace in a neat and orderly fashion. Good housekeeping practices include the following:

- Keep aisles and traffic flow corridors clear at all times.
- Trash and wind blown debris are to be collected regularly and properly containerized for shipment to a licensed landfill on a regular basis.
- Clean up small drips and incidental spills as they occur.
- All leaks and spills are to be addressed as soon as possible in accordance with the facility SPCC Plan.
- Store indoors only the minimum quantities needed of petroleum and chemicals.
- Mobile and (or) stationary equipment is kept in good working order and inspected regularly for leaks and drips.
- Scrap metal is to be placed in the dedicated roll-off containers.
- Used absorbent materials and drip pans are to be stored in closed, readily-accessible, covered leak-proof containers and are to be appropriately disposed off site as applicable.
- Ensure brooms, shovels, and other cleaning materials are available in the shop area.
- Maintenance of the facility's stormwater and industrial water retention areas will be performed as needed.
- Customer trucks entering the facility are not permitted to use any fuel oil in their dump truck boxes as an asphalt release agent. This policy minimizes any oil dripping from customer trucks onto surfaces in the plant yard area.

N. SECURITY

All visitors to the facility must provide photo identification and sign in and out at the Site office. All customers must provide the facility with proper identification and insurance prior to accessing the Site. Site access roads are secured with locked gates at the close of business each day. Nightlights provide adequate lighting where appropriate to permit the discovery of discharges, including those caused by an act of vandalism, during hours of darkness. Due to the size of this site (approx. 429 acres), this site is not fully fenced.

O. MINIMIZING EXPOSURE

In order to minimize the contact of potential contaminants with stormwater and industrial water at the facility the following measures have been implemented: a covered maintenance area, diked fuel storage, indoor storage of drums and containers, secondary containment where applicable, and double-walled aboveground storage tanks.

P. EMERGENCY RESPONSE & POLLUTION PREVENTION TEAM

Pursuant to the Emergency Response Plan Training Guide it is necessary to assign key tasks to members of the Emergency Response Team. Team members should live relatively close to the facility and hold positions of responsibility within the plant. They should be placed on the team because of their ability to think clearly and act quickly in emergency situations. It is critical that each team member understands their job clearly and can take over the job of other team members in the event that some members are not available during an emergency. **The Hanson Environmental Manager, Operations Manager, and NY Vice President are part of the Emergency Response Team and must be immediately notified.**

Emergency Response Team Members are listed on the facilities Emergency Response Plan updated yearly by the plant clerk. The following responsibilities are specific to the Storm Water Pollution Prevention Best Management Practices Plan.

P.1. EMERGENCY SUPERVISOR ("ES")

Typically the plant Superintendent: coordinates spill containment; contact with regulators, adjacent landowners & news agencies; review of all appropriate emergency response plans, ensure proper and regular training takes place, mobilize team during emergencies, assess type of failure, ensure that emergency response equipment is in repair, in place and sufficient.

PRIMARY RESPONSIBILITIES:

1. Assemble and train team members.
2. Conduct practice drills and establish response time constraints. Check emergency response and containment tools and ensure an adequate supply.
3. Coordinate activities at the emergency site and facility.
4. Control access to the plant and site of emergency during drills and actual emergency.
5. Monitor supply of emergency response tools and personnel requirements during emergency and coordinate with Emergency Information Coordinator in the event that assistance from other plant(s) is needed.

6. Be aware of environmentally sensitive areas in and adjacent to the facility and know the topographic pathways to these areas.
7. Complete the Comprehensive Site Compliance Inspection & Evaluation with follow up report.

SECONDARY RESPONSIBILITIES:

1. Check with team members to be kept aware of important telephone number changes.
2. Be aware of evolving site (facility) conditions that may impact the suitability of the Spill Emergency Response Plan.
3. Remain on standby in the event of an emergency at another Hanson New York facility.

P.2. EMERGENCY INFORMATION COORDINATOR ("EIC")

Typically the Hanson Environmental Manager or Office Manager (clerk): Coordinates the flow of information to and from Hanson. *Note:* only the New York Vice President is authorized to disseminate information regarding site incidents to the public and/or media. The EIC will serve as liaison and direct public/media inquiries to the Vice President as appropriate.

PRIMARY RESPONSIBILITIES:

1. Disseminate information from the Emergency Supervisor to Hanson Management, Hanson Environmental Manager, and emergency responders.
2. Seek updates and progress reports from the ES and obtain guidance from ES with regard to what information or comments to release to the outside.
3. Restrict access to the Hanson facility.
4. Ensure lines of communication remain open between the ES, the EIC, Hanson management, necessary regulatory agencies and support companies (i.e. spill contractors).
5. Call members of the Emergency Response Team.
6. Maintain open communication with other Hanson facilities if the ES requests.
7. Confirm receipt of the certified Compliance Report and file at site.

SECONDARY RESPONSIBILITIES:

1. Alert other members of the plant staff in the event that additional support for an emergency is needed.
2. Follow up with Emergency Supervisor that any and all control measures required to be constructed by the Compliance Report are constructed.

P.3. EMERGENCY SITE TEAM MEMBER (EST)

Responsible personnel assigned by the Plant Superintendent as dictated by the nature of the incident: Contains failure, understands how the spill containment tools are used, know where the tools are stored.

PRIMARY RESPONSIBILITIES:

1. Install spill containment tools as necessary.
2. Take necessary measures as directed by the ES to contain the spill.
3. Operate the equipment necessary (if needed) to aid in containing the failure (e.g., to construct temporary containment structures).

SECONDARY RESPONSIBILITIES:

Install, inspect, and repair erosion control structures.

P.4. SITE TEAM MEMBER (STM)

Responsible personnel assigned by the Plant Superintendent: Same responsibilities as Emergency Site Team Member with additional Pollution Prevention requirements.

PRIMARY RESPONSIBILITIES:

1. Install spill containment tools as necessary.
2. Take necessary measures as directed by the ES to contain the spill.
3. Operate the equipment necessary (if needed) to aid in containing the failure.
4. Periodic inspection and repair of erosion control structures and fueling apparatus: Inspect the hoses, nozzle, and containment structure (double lined tank) for any signs of damage, corrosion, or leakage.

Q. SPILL CONTROL AND COUNTERMEASURES

These procedures are also listed in the facility's Emergency Response Plan.

Q.1. CONTAINMENT/PROCEDURES (FOR LARGE SPILLS)

- **STEP#1**: Based on the failure assessment, mobilize the Emergency Response Team (ERT) and appropriate equipment and tools and get to the source of the failure. Notify Hanson Environmental Manager for interface with regulatory agencies. **SHUT OFF QUARRY DEWATERING PUMP.**
- **STEP#2**: Determine if spill containment professional services or assistance from other Hanson facilities are needed and coordinate with Emergency Information Coordinator.
- **STEP#3**: Get to the source of the failure and fill, plug or otherwise close rupture (source of the discharge). Based on the rate of flow of the fluid (petroleum product or water) at the point of failure select the tool or corrective measure that is appropriate. If the size of the failure prevents safe access, terminate flow to the point of discharge from a remote location if possible.
- **STEP#4**: Cut off access of the discharged fluid to surface water bodies, groundwater or other environmentally sensitive areas.
- **STEP#5**: Initiate clean-up activities as soon as possible after stopping source of discharge.

Q.2. CONTAINMENT TECHNIQUES (FOR LARGE SPILLS)

- Control the source of the fluid discharge (failure) by plugging the rupture. Contain any fluid that has been discharged. This may simply involve closing a valve, filling a severed hose with one of the corks available in the spill kit, wrapping a ruptured line with tape included in the spill kit, stuffing absorbent pads into a hole, or placing loads of fines material in a breach in a dike.
- Cut off pathways of discharged fluid to environmentally sensitive areas. This can be accomplished by digging detention basins in areas of concentrated or channeled flow, using strategically placed piles of fines to create relatively impermeable dikes to obstruct surface

flow of petroleum products. Ideally the erosion control plan will incorporate detention basins in areas where flow from petroleum discharged from containment areas would normally concentrate.

- Relatively impermeable containment structures can be made by placing plastic sheets over the ground beneath the discharge point and pushing the ground up into a berm around the periphery, unfolding and extending the plastic over the berm to create a lined basin. A similar structure created near the spill area can be used to temporarily store excavated petroleum saturated soils.
- The members of the Emergency Response Team should be familiar with the location of storm drains, pipes, and other sources of channeled flow that direct runoff to waterways. Provisions should be made for the efficient and rapid sealing of these areas. Fine material, end caps for pipes, booms or covers for the drains should be strategically located to allow for the rapid and efficient closure of these areas.

Q.3. CONTAINMENT/PROCEDURES & CONTAINMENT TECHNIQUES (FOR SMALL SPILLS)

For small spills (of a few gallons) clean up measures include simply covering the spill with absorbent pads from the spill kits located at strategic areas around the facility. In a case where spills occur over unconsolidated surfaces, such as compacted gravel driveways, the saturated soil should be scooped with a shovel and deposited in a suitable barrel or placed on a concrete pad dedicated for this purpose. Dig all the soils in the affected area until no hydrocarbon stains or odors are present in the hole.

The soils should be placed on plastic for transport to the drum or placed directly in a barrel for removal from the site or transport to the concrete pad.

Q.4. CRITICAL AREAS FOR VERY LARGE SPILL CONTAINMENT

It is critical to shut off the quarry de-watering pump as soon as a spill has been identified. This will alleviate the potential for discharge of spilled petroleum outside of the site. If a spill enters or has the potential to reach the sump, the Site Superintendent, Assistant Site Superintendent, or Group Leader must be contacted via 2-way radio *immediately* to shut off the sump pump.

Initiation of contaminated soil removal must be conducted immediately.

R. SPILL CONTAINMENT EQUIPMENT

Spill containment devices housed on site include spill kits, pads, booms and peat moss. This equipment is kept in the Quarry shop. Individual spill kits are also located in the mobile excavating equipment. Excavation equipment such as front-end loaders is available on site to be used for conducting spill containment and repair of sediment and erosion control features.

S. SPDES PERMIT MONITORING

The following State Pollutant Discharge Elimination System (SPDES) Permit testing requirements will be conducted at each outfall. A detailed explanation of the SPDES discharge monitoring requirements begins on page 2 of the facility's SPDES Permit located in Appendix VI.

The water flowing from Outfall 001 must be sampled monthly during times of flow. The laboratory parameters to be analyzed are listed in the table below. As part of routine plant operation the settling pond system is observed by the Site Superintendent, Assistant Superintendent, and/or Group Leader. A quick determination of whether flow is occurring can be made by observing the water level in the ponds relative to the height of the drop inlet pipe at Outfall 001. Under normal conditions, water from the process water settling ponds does not reach the height of the decant pipe to Outfall 001. At a minimum, the Site Superintendent or a designee will inspect the height of the process water levels to confirm that there is no discharge. These checks are documented on a dedicated log form (Appendix IV) and kept in the environmental files. During times of flow, the Site Superintendent (or designee) will measure and record the depth of the water in the outlet pipe daily. These measurements will be sent to the Environmental Manager at the end of the month so total flow can be calculated.

SPDES Outfall Testing Requirements
Honeoye Falls Plant

SPDES Outfall #	Testing Parameter	Compliance Limit	Units	Measurement Frequency*	Sample Type
001 (Process Pond)	pH	6.0-9.0	SU	Monthly	Grab
	Flow**	Monitor	GPD	Monthly	Instantaneous
	Total Suspended Solids	25-45	mg/l	Monthly	Grab
	Settleable Solids	< 0.1	ml/l	Monthly	Grab
	Oil & Grease	15	Mg/l	Monthly	Grab
002 (Sump)	*No monitoring required. Follow SWPPP/BMP for stormwater management. See notes below for **turbidity.**	****	***	***	***

- The discharges shall be limited so as to allow for achievement of this standard for the receiving waters:

  Turbidity – No increase that will cause a substantial visible contrast to natural conditions as stated in 6NYCRR Part 703.

Prohibition *- No biocides, slimicides, or corrosion control chemicals are authorized for use under this permit. If such additives are either presently used or proposed to be used, approval by NYSDEC is required.*

T. EMPLOYEE TRAINING

An employee training program has been developed and implemented, in conjunction with the SPCC and Hanson EMS training requirements, to educate employees about the requirements of the SWPPP/BMP Plan. This education program includes background on the components and goals of the SWPPP/BMP Plan, and in spill prevention and response, good housekeeping, proper material handling, disposal and control of waste, container filling and transfer, and proper storage and inspection procedures. All new employees will be trained within one week of their start date. Additionally, all employees will be required to participate in an annual refresher training course. The training program will be reviewed annually by the SWPPP/BMP Plan Coordinator, with the assistance of the Environmental

Manager, to determine its effectiveness and to make any necessary changes to the program.

To successfully implement this SWPPP/BMP Plan, personnel are to be trained to conduct facility operations according to the selected best management practices outlined below. The following is to be performed to inform personnel at all levels of the responsibility and the components and goals of the SWPPP/BMP Plan and SPCC Plans. A record of all training sessions is to be completed and maintained at the facility office with the SWPPP/BMP Plan and SPCC Plans. An employee training form/log sheet for all employee training and refresher courses is in Appendix II of this document.

EMPLOYEE EDUCATION PROGRAM

Who is to receive training?

All on site personnel including supervisors, laborers and equipment operators.

When is training to be performed?

- During initial job training,
- During annual refresher sessions,
- Whenever any new stormwater or industrial water management practices are implemented, and
- After the occurrence of a significant spill or leak.

Initial Employee Training Program Topics:

Each employee is to review the following:

- SWPPP / BMP Plan
- SPCC Plan

In addition, the SWPPP / BMP Plan Coordinator or his assignee is to review the following site-specific topics with each operational employee:

- Review equipment inspection, maintenance, and repair schedules and procedures;
- Review basic housekeeping procedures;
- Clearly indicate proper disposal locations;
- Inform employees of clean-up equipment storage locations and where emergency telephone numbers are posted;
- Review the spill response procedures, introduce the Spill Response Coordinator and review notification and response procedures;
- Clearly describe potential spill areas and drainage routes;
- Discuss past spill events, when they happened, and the environmental impact; and
- Make certain employees understand the consequences of violating Hanson policies and/or procedures.

Periodic Training Topics:

Additional training is to be performed in the event any of the following occurs:

- Changes are made to this plan or personnel carrying out the duties of this plan,
- Inspections reveal inadequacies in stormwater or industrial water management controls, or
- A significant leak or spill occurs.

APPENDIX I

Petroleum Bulk Storage Inventory

Honeoye Falls Quarry & HMA Facility
Oil Storage and Spill Potential Summary

Tank ID No.	Date of Installation	Oil Type	Tank Volume	Location	Secondary Containment	Predicted Spill Cause, Rate[1] and Pathway	Spill Prevention Measures
007	08/01/2000	Used Oil	10,000 gallons	North of Building #1	AST, steel tank on racks, steel containment-approximately 12,981 gallons	Tank Rupture, 10,000 GPH[2], to containment basin	Monthly inspections, attended, direct fill/removal, spill kit located on north side of tank containment
9N	04/01/2007	Fuel Oil	9,988 gallons	HMA Plant #2	Double walled, AST, on steel racks, on concrete pad	Tank rupture, 9,988 GPH, to concrete pad and ground below (sloped to the west)	Monthly inspections, high-level alarm, auto-shutoff valve, spill kit located on east side of tank, direct fill, visible gauge
11N	10/01/2006	Diesel	9,988 gallons	HMA Plant #1	Double walled, AST, on steel racks, on concrete pad	Tank rupture, 9,988 GPH, to concrete pad and ground below (sloped to the west)	Monthly inspections, high –level alarm, auto-shutoff valve, spill kit located to the south of tank, direct fill, visible gauge
012	01/01/1995	Used Oil	1,000 gallons	North side of Welding Shop	AST, steel tank on racks, steel containment-approximately 2,670 gallons	Tank Rupture, 1,000 GPH, to containment basin	Monthly inspections, attended, direct fill/removal, visible gauge
015	01/01/1995	Fuel Oil	250 gallons	Basement of office building	AST, steel tank on racks, steel containment-approximately 700 gallons	Tank Rupture, 250 GPH, to containment basin	Monthly inspections, visible gauge, vent whistle
018	02/01/1999	Hydraulic Oil	500 gallons	Inside Building #1	AST, steel tank on racks, located inside building, floor under tank provides 12,547 gallons of containment	Tank Rupture, 500 GPH, to concrete floor of building	Monthly inspections, attended, direct fill, visible gauge
019	02/01/1999	Transmission Oil	250 gallons	Inside Building #1	AST, steel tank on racks, located inside building, floor under tank	Tank Rupture, 250 GPH, to concrete floor of building	Monthly inspections, attended, direct fill, visible

Tank ID No.	Date of Installation	Oil Type	Tank Volume	Location	Secondary Containment	Predicted Spill Cause, Rate[1] and Pathway	Spill Prevention Measures
					provides 12,547 gallons of containment		gauge
020	08/01/1999	Diesel	10,000 gallons	West of Building #1	AST, steel tank on racks, steel secondary containment – approximately 12,558 gallons	Tank Rupture, 10,000 GPH, to containment basin	Monthly inspections, attended, direct fill, locked fill port, high-level alarm, visible gauge, spill kit located on the north side of tank
021	08/01/1999	Gasoline	1,000 gallons	West of Building #1	AST, petrohopper (diked) steel tank with a minimum of 110% containment	Tank Rupture, 1,000 GPH, to diked containment	Monthly inspections, attended, direct fill, locked fill port, visible gauge
22N	03/01/2008	Diesel (low sulfur)	1,000 gallons	West of Building #1	AST, double – walled, steel tank on racks on concrete pad	Tank Rupture 1,000 GPH	Monthly inspections, attended, direct fill, locked fill high-level auto-shut port, visible gauge, high level alarm
023	02/01/1999	Motor Oil	500 gallons	Inside Building #1	AST, steel tank, on racks, located inside building, floor under tank provides 12,587 gallons of containment	Tank Rupture, 500 GPH, to concrete floor of building	Monthly inspections, attended, direct fill, visible gauge
024	05/01/1997	Used Oil	250 gallons	Inside Building #8-Welding Shop	AST, steel tank, steel containment, inside building	Tank Rupture, 250 GPH, to steel containment	Monthly inspections, attended, direct fill, visible gauge, manual alarms and gauges
025	05/01/1997	Used Oil	250 gallons	Inside Building #1-west side	AST, steel tank, steel containment, inside building	Tank Rupture, 250 GPH, to steel containment	Monthly inspections, attended, direct fill, visible gauge, manual alarms and gauges

Tank ID No.	Date of Installation	Oil Type	Tank Volume	Location	Secondary Containment	Predicted Spill Cause, Rate[1] and Pathway	Spill Prevention Measures
26	10/01/2006	Fuel Oil	20,000 gallons	Batch Plant #1	AST, steel tank, concrete containment	Tank Rupture, 20,000 GPH to concrete containment	Monthly inspections, attended, direct fill, visible gauge
27	03/17/2009	Used Oil	9,980	HMA Plant #2	Double walled, AST, on steel racks, on concrete pad	Tank rupture, 9,980 GPH, to concrete pad and ground below (sloped to the west)	Monthly inspections, high-level alarm, auto-shutoff valve, spill kit located at fill-port, direct fill, visible gauge
28	02/14/2014	Hydraulic Oil	275	Inside Bldg. #1	AST, steel tank on racks, located inside building, floor under tank provides 12,547 gallons of containment	Tank Rupture, 275 GPH, to concrete floor of building	Monthly inspections, attended, direct fill, visible gauge
NA	NA	Asphalt	20,000 gallons	Plant #1 (Drum plant)	AST, steel tank, concrete pad	Tank Rupture, 20,000 GPH to concrete pad and ground below	Monthly inspections, daily workplace pre-operation inspections
NA	NA	Asphalt	30,000 gallons	Plant #1 (Drum plant)	AST, steel tank, concrete pad	Tank Rupture, 30,000 GPH to concrete pad and ground below	Monthly inspections, daily workplace pre-operation inspections
NA	NA	Asphalt	10,000 gallons	Plant #2 (Batch plant)	AST, steel tank, concrete pad	Tank Rupture, 10,000 GPH to concrete pad and ground below	Monthly inspections, daily workplace pre-operation inspections
NA	NA	Asphalt	10,000 gallons	Plant #2 (Batch plant)	AST, steel tank, concrete pad	Tank Rupture, 10,000 GPH to concrete pad and ground below	Monthly inspections, daily workplace pre-operation inspections

[1]The time for a ruptured tank to completely empty is indeterminate. An estimate of maximum rate of flow was given assuming a typical failure would consist of a small crack or hole if the tank was struck and penetrated.

Honeoye Falls Quarry & HMA Facility
Equipment with Fuel Storage

TYPE OF EQUIPMENT	LOCATION	QUANTITY ON HAND	QUANTITY OF FUEL STORAGE PER VEHICLE
Front-end Loader	Throughout Facility	2-5	55 gallons
Haul Trucks	Throughout Facility	2-6	55 gallons
Excavators	Throughout Facility	0-2	55 gallons
Bulldozers	Throughout Facility	0-2	55 gallons
Motor Graders	Throughout Facility	0-1	55 gallons

Honeoye Falls Quarry & HMA Facility
Bulk Material Storage Locations

MATERIAL	LOCATION	QUANTITY ON HAND (PER LOCATION)	TYPICAL CONTAINER SIZE
Motor oil	Maintenance Shop Oil Room and Lube Storage Building	2-5	55 gallons
Hydraulic oil	Maintenance Shop Oil Room and Lube Storage Building	1-3	55 gallons
Transmission oil	Maintenance Shop Oil Room and Lube Storage Building	1-3	55 gallons
Antifreeze	Maintenance Shop Oil Room and Lube Storage Building	1-2	55 gallons
Miscellaneous lubes	Maintenance Shop Oil Room and Lube Storage Building	2-5	55 gallons
Used Automotive Oils	Maintenance Shop Oil Room and Lube Storage Building	0-2	55 gallons

APPENDIX II

Facility Training

Stormwater / Spill Pollution Prevention Briefing Agenda

If certain environmental regulations are applicable, Hanson sites may have one or both of the plans listed below. Employees should know the locations of these plans and the basics of what information they contain:

- **Stormwater Pollution Prevention Plan (SWPPP)**
    - Information about stormwater drainage systems, controls (e.g., berms, basins, etc.), and discharge points ("outfalls")
    - Description of pollution sources such as stockpiles, tanks, containers, trackout, equipment leaks, etc.
    - Best management practices (BMPs) for preventing stormwater pollution (e.g., inspections; routine equipment maintenance; wheel-wash, upkeep of berms, basins, etc.)
    - Emergency contacts and telephone numbers
- **Spill Prevention, Control, & Countermeasure (SPCC) Plan:**
    - For prevention and control of fuel and oil spills
    - Description of fuel and oil storage locations, tanks, dikes, etc., as well as where spills from these areas would flow
    - Procedures for preventing spills, as well as for reporting and responding to and controlling spills
    - Emergency contacts and telephone numbers

Use the "SWPPP/SPCC Briefing Agenda" on the reverse side of this sheet.

This information should be covered with new employees and also all employees at least annually.

Contact your environmental manager for your facility with questions or for additional information.

SWPPP/SPCC BRIEFING AGENDA

DATE:___/___/___ TRAINING LEADER_____ TITLE:_____

Individuals Trained (or Attach List)	

Items Covered		Trainer's Notes
Overview of Reason for Plans	~	See front page
Water Quality Requirements	~	Sediment, temperature, pH, etc., limits in permit
Overview of Facility	~	
Locations of Petroleum Storage Tanks	~	
Locations of Equipment and Container Storage	~	
Site drainage patterns		How/where storm- and process water flows
Locations of Outfalls and receiving waterbody	~	Stormwater and/or process water discharge(s)
Location and contents of Spill Kits	~	
Locations of Erosion and Stormwater Controls	~	Silt fence, hay bales, rip-rap, etc. (if applicable)
Review of Spills or Leaks within past 12 months	~	
Spill and Pollution Control Measures	~	
Spill reporting requirements	~	
Location of Equipment	~	
Constructed Measures (dikes, berms, basins, etc.)	~	Berms, basins, ponds, check dams, channels, etc.
Future Control Measures	~	
Preventative Maintenance	~	
Periodic Inspections/Sampling	~	Monthly SPDES, quarterly visual, etc.
Monthly Petroleum Storage Inspections	~	
Post Rain Event Inspections	~	
Comprehensive Site Compliance Inspection	~	Annually – usually by/with Environmental Mgr.
Good Housekeeping Measures	~	
Traffic Flow	~	
Clean-up of Small Spills	~	
Disposal of Debris and PCS	~	Locations of PCS drums
Neatness of Storage Areas and Shelves	~	
Proper Cleaning of Equipment	~	*e.g.,* use washbay (if applicable), no solvents, etc.
Security measures for spill prevention	~	e.g., main gate, fuel dispenser locks,
Emergency Response & Pollution Prev. Team(s)	~	Described in SPCC and SWPPP plans
Roster	~	
Members Responsibilities	~	
Spill Control and Countermeasures	~	
Containment Procedures (absorb, construct berms, etc.)	~	
Site-specific controls (e.g., sump pump control, diversion valves, etc.)		
Equipment (loaders, backhoes, graders, etc.)	~	

Additional Notes:

Hanson
HEIDELBERGCEMENT Group

SWPPP/SPCC
"TOOL BOX TALK"
AGENDA
(Annual Refresher Training)

DATE:____/____/____ TRAINING LEADER_____ TITLE:_____

Individuals Trained (or Attach List)	

Items Covered		Trainer's Notes
Spill Prevention, Control, & Countermeasure (SPCC) plan = petroleum spills; **Stormwater Pollution Prevention Plan (SWPPP)** = stormwater control	~	• Plans contain procedures for preventing fuel and industrial materials spills and responding to them. • Where are the plans located at facility?
Potential **spill sources** at facility	~	Fuel tanks; mobile equipment; admix tanks (RMC); process water; settling ponds
Site **drainage** patterns and outfall location(s)		• How/where storm- and process water flows • Outfalls are the only locations where stormwater is permitted to leave the site.
Location and contents of **Spill Kits**	~	Remember to restock after each use.
Locations of Erosion and Stormwater **Controls**	~	Berms, ditches, basins, ponds, sump, etc.
Review of **Spills** or Leaks within past 12 months	~	
Spill **reporting** requirements **"5-gallon rule:"** a) <5-gallons; b) does not reach waters of NYS; c) under control; d) cleaned-up within 2 hours. If all are met, no report the DEC.	~	If greater than 5-gallons, inform your supervisor (usually will need to report to NYSDEC) and begin cleanup/containment actions if safe to do so.
Clean-up of Small Spills	~	Cleanup small (< 5-gallons) as they happen
Disposal of Debris and petroleum contaminated solids (PCS)	~	Locations of PCS drums
Containment Procedures (absorb, construct berms, etc.)	~	• Small spills – use absorbent pads/socks/speedi-dri • Large spills – may need to construct temporary berms to contain before environmental cleanup contractor arrives.
Site-specific controls (e.g., sump pump control, diversion valves, etc.)		How to shut off sump pump in event of spill to prevent off-site discharge (if applicable); other site-specific controls/procedures (if applicable)

Additional Notes:

APPENDIX III

Future Control Measures

Future Spill and Erosion Control Features			
Control Measure	**Location**	**Proposed Date of Construction**	**Completion Date**

APPENDIX IV

Inspection Forms

Hanson Aggregates New York LLC
Honeoye Falls Quarry
Stormwater Pollution Prevention Best Management Practices (BMP) Plan

Process Water Discharge Inspection Log

As required by the facility's State Pollutant Discharge Elimination System (SPDES) permit, monthly samples of process water discharges must be collected for chemical analysis if there is discharge. This form is to be used to document whether a discharge has occurred at the process water outfall. The site superintendent (or his designee) will visually check Outfall 001 at least once per month; generally after a significant rainfall event (e.g., more than 0.1-inches (check raingauge at quarry office).

Check:

- Visual inspection of Outfall 001 – Settling Pond (overflow).
- If flowing, obtain a water sample from the discharge point for laboratory analyses (once per month).
- Also check for excessive build-up of sediment, debris, sheen, damage to berm, etc.

Date and Time of Inspection	Water Flow Observed? (Check applicable box below):		Remarks	Inspector's Signature
	YES	NO		

Date and Time of Inspection	Stormwater Flow Observed? (Check applicable box below):		Remarks	Inspector's Signature
	YES	NO		

Maintain this form with the facility SWPPP, in the Environmental Files under "Water – SPDES."

Hanson Aggregates New York LLC
Honeoye Falls Quarry
Stormwater Pollution Prevention Best Management Practices (BMP) Plan

Shop Oil-Water Separator/Sediment Trap Inspection Log

The facility's Stormwater Pollution Prevention Best Management Practices (BMP) Plan is to establish procedures and controls to prevent pollution of the stormwater system. The oil-water separator/sediment trap located in the Shop wash bay is a control intended to capture petroleum and sediment prior to discharging water from vehicle wasing activities to the process pond system. In order for the oil-water separator to function properly sediment/sludge must be periodically removed so contaminants do not overflow into the drain line.

This form is to be used to document routine visual inspections of the oil-water separator trap to ensure continuous proper operation. The site superintendent (or his designee) will visually check the oil-water separator trap system at least once per month.

Check:

- Visual inspection of the oil-water separator/sediment trap. *Use flashlight if necessary to view the level of material in pit.*
- If solids/sludge are within 6-inches of decant pipe, cleaning of the pit should be completed as soon as possible.
    - Continue to visually check daily until trap is cleaned out.
    - Tag wash bay as OUT-OF-SERVICE if solids/sludge reach top of outlet pipe until trap is cleaned out.

Every effort should be made to prevent solids/sludge from reaching top of outlet pipe.

- Check for sediment and/or sheen at outlet pipe (if solids/sludge reaches top of outlet pipe). If evidence of these is observed, clean up and dispose of properly. Contact the Environmental Manager if there is a "reportable spill."

Inspection Date	Does Separator/Trap Have Sufficient Capacity (i.e., solids not less than 6-inches from outlet pipe)? (Check applicable box below):		Remarks	Inspector's Signature
	YES	NO		

Inspection Date	Does Separator/Trap Have Sufficient Capacity (i.e., solids not less than 6-inches from outlet pipe)? (Check applicable box below):		Remarks	Inspector's Signature
	YES	NO		

Maintain this form with the facility SWPPP, in the Environmental Files under "Water – SPDES."

APPENDIX V
Annual Compliance Evaluation/Certification

ANNUAL STORMWATER &/OR SPDES COMPLIANCE EVALUATION

SITE NAME: _____

SPDES / GP Permit No.: _____

SITE ADDRESS: _____

INSPECTOR(S) NAMES(S): _____

DATE: _____

SITE INSPECTION:

Conditions: _____

Notes/Findings

1) Outfalls –
(e.g., obstructions, visible staining, damage, etc.)

1a) Is SPDES Sign posted at outfall (Industrial permit only) Yes / No / NA

2) Describe Structural BMPs -
(e.g., berms, drains, retention basins, etc.)
(Confirm BMPs are maintained in good condition, operating correctly, and adequate for conditions.)

3) Areas where additional BMPs needed?

4) Industrial materials, residue, or trash exposed to stormwater? (Y / N)
Comments:

5) Leaks or spills from equipment or containers? (Y / N)
Comments:

6) Are there non-stormwater discharges? (Y / N)
Comments:

7) Off-site trackout of sediment where vehicles enter or exit the site? (Y / N)
Comments:

8) Tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas? (Y / N)

Comments:

9) Evidence of, or the potential for, pollutants entering the drainage system? (Y / N)

Comments:

10) Review "Quarterly Visual Monitoring" forms (Stormwater GP only)

Comments:

11) Review "Annual Sampling" reports. Are "bench-mark" or "effluent limitations" exceeded? (Y / N) *(Stormwater GP only)*

Comments:

12) Are monthly samples being obtained and analyzed? Yes / No
(Industrial SPDES permit only)

Have any permit limit excursions been noted (if yes state cause and how remedied)

13) Review the "Stormwater Pollution Prevention Plan" (SWPPP). Are revisions needed?

(Y / N)

Notes:

a) Revisions may include personnel names, tele. #s, description of new or modified BMPs/controls, new or modified procedures, etc.

b) Revisions to the SWPPP must be completed within 14 calendar days following inspection, unless permission is granted in writing by NYSDEC.

c) If existing BMPs need modification or if additional BMPs are necessary implementation must be completed before the next anticipated storm event (if practical), but no more than 12 weeks after the comprehensive site evaluation.

Comments:

14) Were incidents of non-compliance found? (Y / N)

14a) Describe any incidents of non-compliance and associated corrective actions with deadlines.

Name and title of person completing the above annual stormwater evaluation:

_____, Environmental Manager, Hanson Aggregates

_____

Signature

Report Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gathered and evaluated the information contained in this document. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained herein is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. Based on my review the facility is in compliance with the SWPPP &/or BMP and the General/SPDES Permit.

Daniel M. Meehan

Vice President and General Manager

Signature: _____

Date: _____

APPENDIX VI

SPDES PERMIT

New York State Department of Environmental Conservation
Division of Environmental Permits
NYSDEC HEADQUARTERS
625 BROADWAY
ALBANY, NY 12233
(518) 402-9167

SPDES PERMIT RENEWAL

5/28/2014

MICHAEL C LEWIS
HANSON AGGREGATES NEW YORK LLC
PO BOX 513
JAMESVILLE NY 13078-0513

Permittee Name: HANSON AGGREGATES NEW YORK LLC
Facility Name: HONEOYE FALLS QUARRY & ASPHALT PLANT
Ind. Code: 1422 County: LIVINGSTON
DEC ID: 8-9908-00113/00021 SPDES No.: NY0002992
Permit Effective Date: 12/1/2014
Permit Expiration Date: 11/30/2019

Dear Permittee,

The State Pollutant Elimination System (SPDES) permit renewal for the facility referenced above is approved with the new effective and expiration dates. This letter together with the previous valid permit for this facility effective on 12/01/2009 and any subsequent modifications constitute authorization to discharge wastewater in accordance with all terms, conditions and limitations specified in the previously issued permit(s).

As a reminder, SPDES permits are renewed at a central location in Albany in order to make the process more efficient. All other concerns with your permit, including applications for permit modification or transfer to a new owner, a name change, and other questions, should be directed to:

Regional Permit Administrator
NYSDEC REGION 8 HEADQUARTERS
6274 E AVON-LIMA RD
AVON, NY 14414
(585) 226-2466

If you have already filed an application for modification of your permit, it will be processed separately by that office.

If you have questions concerning this permit renewal, please contact LINDY SUE CZUBERNAT at (518) 402-9167.

Sincerely,

Stuart M. Fox

Stuart M. Fox
Deputy Chief Permit Administrator

cc:
RPA
BWC
RWE
File
BWP

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

State Pollutant Discharge Elimination System (SPDES)
DISCHARGE PERMIT

Special Conditions (Part 1)

Industrial Code:	1422	SPDES Number:	**NY-0002992**
Discharge Class (CL):	04	DEC Number:	8-9908-00113/00021
Toxic Class (TX):	N	Effective Date (EDP):	12/01/99
Major Drainage Basin:	04	Expiration Date (ExPD):	12/01/04
Sub Drainage Basin:	02	Modification Dates:	01/01/02
Water Index Number:	Ont. 117-27-14-1	Attachment(s):	General Conditions (Part II) Date: 11/90
Compact Area:	GL		

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: Hanson Aggregates New York Inc. Attention: G. Brent Leclerc

Street: 4800 Jamesville Rd, PO Box 513

City: Jamesville State: NY Zip Code: 13078

is authorized to discharge from the facility described below:

FACILITY NAME AND ADDRESS

Name: Hanson Rochester Plant

Location (C,T,V): Lima County: Livingston

Facility Address: Honeoye Falls #6 Road

City: Lima State: NY Zip Code:

NYTM -E: 285.97 NYTM - N: 4.758.14

From Outfall No.: 001 at Latitude: 42 ° 56 ′ 45 ″ & Longitude: -77 ° 37 ′ 24.5 ″

into receiving waters known as: Unnamed Tributary of Spring Creek Class: C

NYTM -E: 286.03 NYTM - N: 4.757.94

From Outfall No.: 002 at Latitude: 42 ° 56 ′ 38 ″ & Longitude: -77 ° 37 ′ 21.5 ″

into receiving waters known as: Unnamed Tributary of Spring Creek Class: C

in accordance with the effluent limitations, monitoring requirements and other conditions set forth in Special Conditions (Part I) and General Conditions (Part II) of this permit.

DISCHARGE MONITORING REPORT (DMR) MAILING ADDRESS

Mailing Name:

Street:

City: State: Zip Code:

Responsible Official or Agent: Phone:

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:

Permit Administrator: David L. Bimber	
Address: NYS Department of Environmental Conservation Division of Environmental Permits 6274 East Avon-Lima Road, Avon, New York 14414-9519	
Signature: David L. Bimber	Date: 12 / 14 / 01

FINAL PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL No.	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
001	Stone Wash Water and Storm Water Runoff	Surface	01/01/02	12/01/04

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
	Daily Avg.	Daily Max.	TYPE I	TYPE II				
Flow		Monitor			GPD	Monthly	Grab	
Total Suspended Solids	25	45			mg/l	Monthly	Grab	
Total Settleable Solids		0.1			ml/l	Monthly	Grab	
Oil & Grease		15			mg/l	Monthly	Grab	

OUTFALL No.	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
002	Storm Water Runoff and Groundwater*	Surface	01/01/02	12/01/04

*No monitoring required. See Page 5 for storm water management requirements.

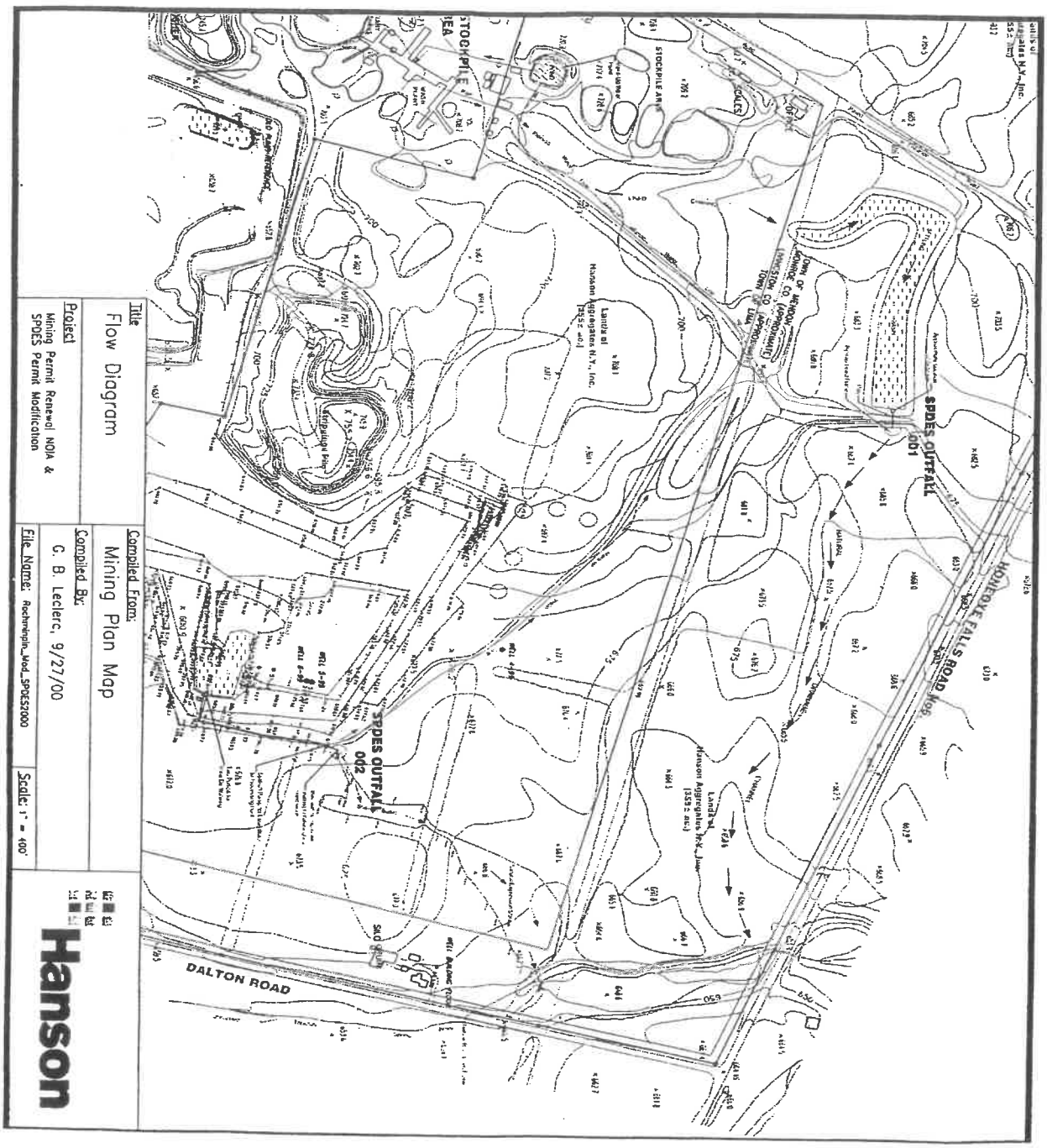
The discharges shall be limited so as to allow for achievement of this standard for the receiving waters:

Turbidity: No increase that will cause a substantial visible contrast to natural conditions as stated in 6NYCRR Part 703.

Prohibition: No biocides, slimicides, or corrosion control chemicals are authorized for use under this permit. If such additives are either presently used or proposed to be used, approval by the NYSDEC is required.

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:



RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS

a) The permittee shall also refer to the General Conditions (Part II) of this permit for additional information concerning monitoring and reporting requirements and conditions.

b) The monitoring information required by this permit shall be summarized, signed and retained for a period of three years from the date of the sampling for subsequent inspection by the Department or its designated agent. **Also, monitoring information required by this permit shall be summarized and reported by submitting;**

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

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

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

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

Department of Environmental Conservation
Division of Water
Bureau of Watershed Compliance Programs
50 Wolf Road
Albany, New York 12233-3506

Phone: (518) 457-8954

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

Department of Environmental Conservation
Regional Water Engineer
6274 East Avon - Lima Rd
Avon, NY 14414-9519

Phone: 716-226-2466

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

c) Noncompliance with the provisions of this permit shall be reported to the Department as prescribed in the attached General Conditions (Part II)

d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

e) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculations and recording of the data on the Discharge Monitoring Reports.

f) Calculation for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

g) Unless otherwise specified, all information recorded on the Discharge Monitoring Report shall be based upon measurements and sampling carried out during the most recently completed reporting period.

h) Any laboratory test or sample analysis required by this permit for which the State Commissioner of Health issues certificates of approval pursuant to section five hundred two of the Public Health Law shall be conducted by a laboratory which has been issued a certificate of approval. Inquiries regarding laboratory certification should be sent to the Environmental Laboratory Accreditation Program, New York State Health Department Center for Laboratories and Research, Division of Environmental Sciences , The Nelson A. Rockerfeller Empire State Plaza, Albany, New York 12201.

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 06/01/02 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 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..

Effective Date of Modification: 01/01/02

DISCHARGE NOTIFICATION REQUIREMENTS

a) The permittee shall, except as set forth in (c) below, maintain the existing identification signs at all outfalls to surface waters, which have not been waived by the Department in accordance with 17-0815-a. 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: ( ) - ### -####

b) For each discharge required to have a sign in accordance with a), the permittee shall provide for public review at a repository accessible to the public, 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.

(c) If, upon November 1, 1997, the permittee has installed signs that include the information required by 17-0815-a(2)(a), 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.

) 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.

6 CRR-NY 750-2.1
NY-CRR

OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF NEW YORK
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CHAPTER X. DIVISION OF WATER RESOURCES
SUBCHAPTER A. GENERAL
ARTICLE 3. STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM
PART 750. STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES) PERMITS
SUBPART 750-2. OPERATING IN ACCORDANCE WITH A SPDES PERMIT AND POSS REGISTRATION

6 CRR-NY 750-2.1
6 CRR-NY 750-2.1

750-2.1 General provisions of a SPDES permit.

(a) The SPDES permit, or a true copy, shall be kept readily available for reference at the largest wastewater treatment facility on site.

(b) Upon issuance of a SPDES permit, a determination has been made on the basis of a submitted application, plans, or other available information, that compliance with the specified permit provisions will reasonably protect classified water use and assure compliance with applicable water quality standards. Satisfaction of permit provisions notwithstanding, if operation pursuant to the permit causes or contributes to a condition in contravention of State water quality standards or guidance values, or if the department determines that a modification of the permit is necessary to prevent impairment of the best use of the waters or to assure maintenance of water quality standards or compliance with other provisions of ECL article 17, or the act or any regulations adopted pursuant thereto (see section 750-1.25 of this Part), the department may require such a modification and the commissioner may require abatement action to be taken by the permittee and may also prohibit such operation until the permit has been modified pursuant to section 621.14 of this Title.

(c) The provisions of a SPDES permit are severable, and if any provision of the permit, or the application of any provision of the permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of the permit, shall not be affected thereby.

(d) If the discharge(s) permitted in a SPDES permit originate(s) within the jurisdiction of an interstate water pollution control agency, then the permitted discharge(s) must also comply with any applicable effluent standards or water quality standards promulgated by that interstate agency and as set forth in the permit for such discharge(s).

(e) The permittee must comply with all terms and conditions of the permit. Any permit noncompliance constitutes a violation of the Environmental Conservation Law and the Clean Water Act and is grounds for: enforcement action; for permit suspension, revocation or modification; and for denial of a permit renewal application.

(f) Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the department, the permittee shall promptly submit such facts or corrected information to the regional water engineer.

(g) It shall not be a defense, for a permittee in an enforcement action, that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

(h) The filing of a request by the permittee for a permit modification, termination, transfer, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

(i) The permittee shall furnish to the department, within a reasonable time as set forth in the department request, any information that the department may request to determine whether cause exists for modifying, suspending, or revoking a SPDES permit, or to determine compliance with the permit. The permittee shall also furnish to the department, upon request, copies of records required to be kept by the permittee.

(j) Nothing in a SPDES permit relieves the permittee from a requirement to obtain any other permits required by law.

(k) Discharges authorized by a SPDES permit as defined in section 750-1.2(a) of this Part are deemed in compliance with titles 5, 7 and 8 of article 17 and the regulations promulgated thereunder.

6 CRR-NY 750-2.1
Current through December 31, 2017

END OF DOCUMENT

6 CRR-NY 750-2.2
NY-CRR

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6 CRR-NY 750-2.2
6 CRR-NY 750-2.2

750-2.2 Exclusions.

(a) The issuance of a SPDES permit by the department and the receipt thereof by the applicant does not supersede, revoke or rescind an order on consent or modification thereof or any of the terms, conditions or requirements contained in such order or modification thereof unless specifically intended by said order or a newly issued order.

(b) The issuance of a SPDES permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations; nor does it obviate the necessity of obtaining the assent of any other jurisdiction as required by law for the discharge authorized.

(c) A SPDES permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

(d) Oil and hazardous substance liability.

The imposition of responsibilities upon, or the institution of any legal action against the permittee under section 311 of the act (see section 750-1.25 of this Part) shall be in conformance with regulations promulgated pursuant to section 311 governing the applicability of section 311 of the Clean Water Act to discharges from facilities with NPDES permits.

6 CRR-NY 750-2.2
Current through December 31, 2017

END OF DOCUMENT

6 CRR-NY 750-2.3
NY-CRR

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6 CRR-NY 750-2.3
6 CRR-NY 750-2.3

750-2.3 Inspection and entry.

The permittee shall allow the commissioner, the regional administrator, the applicable county health department, or their authorized representatives, upon the presentation of credentials and other documents as may be required by law, to:

(a) enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of a SPDES permit;

(b) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit, including records required to be maintained for purposes of operation and maintenance;

(c) inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under the permit;

(d) sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the act or ECL, any substances or parameter sat any location;

(e) enter upon the property of any contributor of wastewater to the system under authority of the permittee's Sewer Use Law, ordinance (municipalities) or regulations; and

(f) if any part of the permittee's sewer system or sewage treatment works is located on any property not owned by the permittee, the permittee must be able to reasonably demonstrate to the satisfaction of the department that it has legal access to these locations or facilities and ensure that the commissioner, the regional administrator or the county health department or any authorized representative thereof, upon presentation of credentials, will have access to these locations and facilities.

6 CRR-NY 750-2.3
Current through December 31, 2017

END OF DOCUMENT

6 CRR-NY 750-2.4
NY-CRR

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6 CRR-NY 750-2.4
6 CRR-NY 750-2.4

750-2.4 Operator and permittee liability.

(a) Any person who, having any of the culpable mental states defined in section 15.05 of the Penal Law, shall violate any of the provisions of titles 1 through 5, 9 through 11 and 19 of article 17 of ECL or the rules, regulations, orders or determinations of the commissioner promulgated thereto, or the terms of any permit issued thereunder, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than $2,500 nor more than $25,000 per day of violation or by imprisonment for a term of not more than one year, or by both such fine and imprisonment. If the conviction is for an offense committed after a first conviction of such person under this subdivision, punishment shall be by a fine of not more than $50,000 per day of violation, or by imprisonment for not more than two years, or by both.

(b) Any person is guilty of a class A misdemeanor who with criminal negligence, as defined in section 15.05 of the Penal Law:

(1) violates any provision of title 7 or 8 of article 17 of ECL;

(2) violates the rules or regulations promulgated thereunder;

(3) violates any term of any permit issued thereunder;

(4) violates any requirement imposed in a pretreatment program approved pursuant to section 402(a)(3), 402(b)(8) of the act (see section 750-1.25 of this Part), or approved pursuant to title 7 or 8 of article 17 of ECL;

(5) violates any final administrative orders issued pursuant to article 71 of ECL where an opportunity for a hearing is provided; or

(6) introduces into a sewer system or publicly owned treatment works any pollutant or hazardous substance:

(i) when such person knew that such introduction was likely to cause personal injury or property damage, except if that introduction was in compliance with all applicable Federal, State or local requirements or permits; or

(ii) which causes the treatment works to violate any term of any permit issued under title 7 or 8 of article 17 of ECL or the rules or regulations promulgated thereunder except if that introduction was in compliance with all applicable Federal, State or local requirements or permits.

(c) Any person is guilty of a class E felony who knowingly, as defined in section 15.05 of the Penal Law:

(1) violates any provision of title 7 or 8 of article 17 of ECL;

(2) violates the rules or regulations promulgated thereunder;

(3) violates any term of any permit issued thereunder;

(4) violates any requirement imposed in a pretreatment program approved pursuant to section 402(a)(3), 402(b)(8) of the act (see section 750-1.25 of this Part), or approved pursuant to title 7 or 8 of article 17 of this ECL;

(5) violates any final administrative orders issued pursuant to article 71 of ECL where an opportunity for a hearing is provided; or

(6) introduces into a sewer system or publicly owned treatment works any pollutant or hazardous substance:

(i) when such person knew that such introduction was likely to cause personal injury or property damage, except if that introduction was in compliance with all applicable Federal, State or local requirements or permits; or

(ii) which causes the treatment works to violate any term of any permit issued under title 7 or 8 of article 17 of ECL or the rules or regulations promulgated thereunder except if that introduction was in compliance with all applicable Federal, State or local requirements or permits.

(d) Any person is guilty of a class C felony who intentionally, as defined in section 15.05 of the Penal Law:

(1) violates:

(i) any provision of title 7 or 8 of article 17 of ECL;

(ii) the rules or regulations promulgated thereunder;

(iii) any term of any permit issued thereunder; or

(iv) any final administrative orders issued pursuant to this article where an opportunity for a hearing was provided; and

(2) knows at that time that he thereby places another person who is not a participant in the crime in imminent danger of death or serious bodily injury;

(3) for the purpose of paragraphs (1) and (2) of this subdivision, in determining whether a defendant who is an individual knew that his conduct placed another person in imminent danger of death or serious bodily injury:

(i) the person is responsible only for actual awareness or actual belief that he possessed; and

(ii) knowledge possessed by a person other than the defendant but not by the defendant himself may not be attributed to the defendant.

(e) For purposes of subdivisions (b), (c) and (d) of this section, a single operational upset which leads to simultaneous violations of more than one pollutant parameter shall be treated as a single violation.

(f) Any person shall be guilty of a class E felony who, with intent to deceive, makes any false material statement, representation, or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to title 7 or 8 of article 17 of the ECL or who intentionally falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained pursuant to title 7 or 8 of article 17 of ECL.

(g) A person who violates any of the provisions of, or who fails to perform any duty imposed by titles 1 through 11 inclusive and title 19 of article 17, or the rules, regulations, orders or determinations of the commissioner promulgated thereto or the terms of any permit issued thereunder, shall be liable to a penalty of not to exceed $25,000 per day for each violation, and, in addition thereto, such person may be enjoined from continuing such violation as hereinafter provided. Violation of a permit condition shall constitute grounds for revocation of such permit.

6 CRR-NY 750-2.4
Current through December 31, 2017

END OF DOCUMENT

6 CRR-NY 750-2.5
NY-CRR

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6 CRR-NY 750-2.5
6 CRR-NY 750-2.5

750-2.5 Routine monitoring, recording, and reporting.

(a) General.

(1) The permittee shall comply with all recording, reporting, monitoring and sampling requirements specified in the permit.

(2) Samples and measurements taken to meet the monitoring requirements specified in a SPDES permit shall be representative of the quantity and character of the monitored discharges. Unless otherwise specified in the permit or directed by the regional water engineer in writing, the following shall apply to such sample collection:

(i) A representative sample is one that adequately reflects the actual condition of the wastewater. The most representative sample will be drawn from a point that represents the wastewater discharged. When appropriate, that point should be at a depth where the flow is turbulent and well-mixed and the likelihood of solids settling is minimal.

(ii) For all parameters except volatile organics and oil and grease, composite samples required by a SPDES permit shall be composed of a minimum of eight grab samples, collected over the specified collection period, either at a constant sample volume for a constant flow interval or at a flow-proportioned sample volume for a constant time interval. Where continuous flow monitoring equipment is not available or where effluent flows do not vary more than 10 percent over the course of composite sample collection, composite samples may be composed of equal size grab samples taken at equal time intervals.

(iii) For volatile organics and oil and grease, composite samples required by a SPDES permit shall be collected as individual aliquots that must be combined in the laboratory for analysis. At least four (rather than eight) aliquots or grab samples should be collected over the specified collection period, either at a constant sample volume for a constant flow interval or at a flow-proportioned sample volume for a constant time interval. Where flow monitoring equipment is not available or where effluent flows do not vary more than 10 percent over the course of composite sample collection, composite samples may be composed of equal size grab samples taken at equal time intervals.

(iv) *Grab sample* means a single sample, taken over a period of time not exceeding 15 minutes.

(v) Sample collection shall be scheduled to be representative of the normal discharge. Representative sample collection schedules include schedules set at least one month prior to when the samples are to be collected. A true and accurate copy of the schedule shall be kept readily available for reference at the wastewater treatment facility and shall be provided to the department upon request. The schedule may only be changed for good cause including but not limited to sampling equipment failure and unanticipated process shutdown. Samples may be scheduled as follows:

(a) randomly;

(b) day of the week or month, provided that scheduling by day of week or month does not persistently coincide with or exclude recurrent discharges;

(c) for storm water: based on availability of a suitable storm water event; and

(d) any other method of scheduling that is representative and acceptable to the regional water engineer.

(3) Accessible sampling locations must be provided and maintained by the permittee. New sampling locations shall be provided by the permittee if existing locations are deemed unsuitable by the department.

(4) Unless otherwise specified in the permit or directed by the regional water engineer, actual measured values of all positive analytical results obtained above the method detection limit (MDL) for all monitored parameters shall be recorded and reported, as required by the permit.

(5) For instrumentation that is not used by a certified laboratory, but which is used to measure discharges to the environment as specified in a SPDES permit, the permittee shall periodically calibrate and perform maintenance procedures to ensure accuracy of measurements. Verification of maintenance shall be logged into the record book(s) of the facility. The permittee shall notify the department's regional office in the discharge monitoring report if any required instrumentation becomes inoperable. In addition, the permittee shall verify the accuracy of its measuring equipment to the department's regional office or its designated field office upon request.

(6) No person shall falsify, tamper with, or knowingly render inaccurate any monitoring device or method required to be maintained under the permit.

(b) Signatories and certification.

(1) All SPDES applications and reports required by a SPDES permit shall be signed as provided in 40 CFR 122.22 (see section 750-1.25 of this Part) except that, in lieu of a signature, the department may permit the use of a unique identifier assigning responsibility for the veracity of the information contained in an application to the same person or persons that would otherwise be required to sign the application in this section. Such a document with a unique identifier shall be considered a signed document with a certifying signature and a written instrument that could subject the signatory to liability under the New York State Penal Law for officers concerning perjury and false written statements pursuant to articles 175 and 210 of said law.

(2) No person shall knowingly make any material false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance. Any person who violates this subsection shall be liable for violation of ECL section 71-1933 and subject to a fine and/or imprisonment thereunder.

(3) All applications, reports, or notifications required or authorized to be made or filed by this article or ECL article 17, title 7 or 8, or by the provisions or conditions of any permit issued pursuant thereto, by or on behalf of a permittee, applicant for a permit or person subject to the requirement of a permit shall be sworn to in respect to all statements of fact therein or shall bear an executed statement as provided in section 210.45 of the New York State Penal Law to the effect that false statements made therein are made under penalty of perjury.

(c) Recording of monitoring activities and results.

(1) The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by a SPDES permit, and records of all data used to complete the application for the permit, for a period of at least five years from the date of the sample, measurement, report or application. This period maybe extended by written request of the department, provided that the extension is necessary to implement the provisions of this Part or ECL and that the reason or reasons for the extension are provided in the request.

(2) Records of monitoring information shall include:

(i) the date, exact place, and time of sampling or measurements;

(ii) the individual(s) who performed the sampling or measurements;

(iii) the date(s) analyses were performed;

(iv) the individual(s) who performed the analyses;

(v) the analytical techniques or methods used;

(vi) the results of such analyses; and

(vii) quality assurance/quality control documentation.

(3) When records are stored electronically, the records must be preserved in a manner that reasonably assures their integrity and are acceptable to the department. Such records must also be in a format which is accessible to the department.

(4) The permittee shall make available to the department for inspection and copying or furnish to the department within 25 business days of receipt of a department request for such information, any information retained in accordance with this subdivision.

(d) Test and analytical procedures.

(1) Monitoring and analysis conducted in accordance with an issued SPDES permit must be conducted using test procedures promulgated, pursuant to 40 CFR part 136 (Test Procedures - see section 750-1.25 of this Part), except:

(i) when the permit specifies an alternative procedure; or

(ii) when the permittee applies to the department and the department approves an alternative test method in accordance with applicable law and regulation.

(2) Any laboratory test or sample analysis required by this permit for which the State Commissioner of Health issues certificates of approval pursuant to section 502 of the Public Health Law shall be conducted by a laboratory that has been issued a certificate of approval.

(3) Application for approval of alternative test procedures shall be made to the department's regional permit administrator, and shall contain:

(i) the name and address of the applicant or the responsible person making the discharge, the DEC permit number and applicable SPDES identification number of the existing or pending permit, name of the permit issuing agency, name and telephone number of applicant's contact person;

(ii) the names of the pollutants or parameters for which an alternate testing procedure is being requested, and the monitoring location(s) at which each testing procedure will be utilized;

(iii) justification for using test procedures, other than those approved in subdivision (a) of this section; and

(iv) a detailed description of the alternate procedure in accordance with requirements set forth in 40 CFR part 136 (see section 750-1.25 of this Part) or other applicable law and regulation.

(e) Reporting of monitoring results and other information.

(1) The permittee shall submit the results of any wastewater or ambient monitoring results required by the permit at the end of each month, unless otherwise specified by the department. Such reports shall be made on the reporting forms supplied to the permittee by the department, in a format acceptable to the department, or by the electronic transfer of data as approved by the department. Electronic submissions shall conform to the format, standards and other conditions specified by the department. The regional water engineer may also require the submittal of such other information as is necessary to determine the validity of monitoring results submitted in accordance with permit requirements. In no event shall reports on discharges to surface waters required by this subdivision be submitted at a frequency of less than once per year.

(2) For any parameter, analytical results shall be reported to the same number of significant digits as the permit limits or action level for that parameter. If the permit does not clarify the number of significant digits to which results should be reported, the results must be reported to two significant digits, except in cases of effluent TSS or BOD where single digit effluents are achieved. In these cases single digits may be reported.

(3) On each discharge monitoring report, the permittee shall include the ELAP identification number or numbers for the certified laboratory or laboratories who performed the analyses, the results of which, are summarized on that discharge monitoring report. Where the monitoring is not performed under ELAP, the permittee shall provide the MDL for the parameter monitored.

(4) If the permittee monitors any pollutant at the discharge or monitoring point or points described in the permit or if the permittee monitors the waters of the State to which the permittee discharges more frequently than required by the permit and, where the analysis for that monitoring is performed by a certified laboratory or where such analysis is not required to be performed by a certified laboratory, such monitoring results shall be appended to the discharge monitoring report for the period during which the monitoring was performed.

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750-2.6 Special reporting requirements for SPDES permittees that are not POTWs.

(a) All existing SPDES permittees that are not POTWs must notify the regional water engineer as soon as they know or have reason to believe that any activity has occurred or will occur that would result in the discharge of any pollutant that is not a discharge authorized by a SPDES permit as defined in section 750-1.2 of this Part.

(b) Facility expansion, as defined in section 750-1.2 of this Part, for all existing SPDES permittees that are not POTWs must be reported by submission of a letter to the regional water engineer. The department may determine that additional information must be submitted or that the information submitted by letter to the regional permit administrator must be submitted on a department application form. The department may determine, on the basis of such information, and any related investigation, inspection or sampling, that a modification of the permit is necessary to assure maintenance of water quality standards or compliance with other provisions of ECL, article 17 or the Clean Water Act. Conversely, the department may determine in accordance with this Part that the proposed activity does not require a permit modification. Unless the department determines that a permit modification is unnecessary, operations that fit the following criteria, which may result in discharges that are not discharges authorized by the SPDES permit, are prohibited until the permit has been modified in accordance with Part 621 of this Title:

(1) increases in production or the mass of any one pollutant in wastewater that occur and are expected to continue or have occurred and been existing for more than one year; or

(2) the permittee commences a new operation, of which no operations in this category currently exist at the facility, subject to regulation under 40 CFR 405 to 471 and/or 40 CFR part 125 (see section 750-1.25 of this Part) which will result in pollutants which the permittee knows or has reason to believe will be discharged (except substances not required to be reported on the appropriate and current New York State SPDES permit application) and which is not described in the SPDES permit application record upon which the current permit is based.

(c) The permittee shall submit written notice to the department if the permitted facility experiences a decrease in production, a decrease of process flow, or a facility modification, where such change results in a greater than 20 percent decrease in the discharges of a pollutant explicitly limited in a SPDES permit and the limit was based on production or flow, provided that such decrease in discharge is expected to continue or has been existing for more than one year.

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750-2.7 Incident reporting and notification requirements.

(a) Anticipated noncompliance.

The permittee shall give at least 45 days advance notice to the regional water engineer of any change in the permitted facility or activity that the permittee knows or has reason to know would occur as part of a construction project, which is part of the permittee's routine maintenance program, or which the permittee knows or has reason to know about 60 or more days before it occurs, and that is very likely or certain to result in a bypass or other noncompliance with permit requirements.

(1) Such notice shall contain:

(i) a description of the treatment units to be effected;

(ii) the anticipated character and volume of wastewater and/or storm water to be discharged;

(iii) the need for the changes;

(iv) the anticipated duration of the noncompliance;

(v) the receiving stream for the noncomplying wastewater and/or storm water;

(vi) the anticipated benefits of the change;

(vii) the alternatives considered; and

(viii) such additional information requested by the regional water engineer to assess the effects of and need for such a change.

(2) In the time between notification of a planned change and the date scheduled for the change the department may choose to do one or more of the following:

(i) require additional information that can reasonably be used to decide the necessity of such noncompliance;

(ii) require that the permittee delay the planned change up to 45 additional days until the department may adequately assess the necessity for the planned change;

(iii) require the permittee to modify the planned change;

(iv) prohibit the planned change; or

(v) apply no conditions to the planned change.

(b) Reporting and notification requirements for bypasses, upsets and discharges of untreated and partially treated sewage.

(1) Two hour reporting requirements for SPDES permittees that are non-POTWs. For discharges from a non-POTW permittee's wastewater treatment plant or sewer system that would affect bathing areas during the bathing season, shellfishing or public drinking water intakes, the non-POTW permittee shall, within two hours of discovery of the discharge, report orally to the regional water engineer and the local health department of any discharge of untreated or partially treated sewage, except a discharge in accordance with a department approved plan for managing wastewater (provided that such plan is in compliance with applicable law and regulation). Such report shall include:

(i) the date and time of discovery of the discharge and a brief description of the reason for the discharge, bypass, upset, or other incident;

(ii) the location of the discharge, bypass, upset or other incident including the receiving water effected by the discharge, bypass, upset, or other incident;

(iii) the estimated volume and treated state (untreated or partially treated) of the discharge at the time of the oral report;

(iv) a brief description of the measures taken and planned to contain the discharge, bypass, upset, or other incident; and

(v) the expected duration of the discharge, bypass, upset, or other incident and the total expected volume of the discharge.

(2) Requirements for POTWs and POSSs. Owners and operators of POTWs and POSSs must comply with the reporting and notification requirements described in subparagraphs (i), (ii), (iii) and (iv) of this paragraph through use of the department approved form of electronic media. POTWs and POSSs are in compliance with the reporting and notification requirements in subparagraphs (i), (ii), (iii) and (iv) of this paragraph if they register to use the department approved form of electronic media and submit timely and sufficient reports and notifications when required. A CSO is considered to be untreated sewage for purposes of the reporting and notification requirements specified in subparagraphs (i), (ii) and (iii) of this paragraph. The department may temporarily waive or suspend these requirements in instances of emergencies, extreme weather or when other conditions present a greater risk to human health.

(i) Two hour reporting requirements for POTWs and POSSs. Immediately, but in no case later than two hours after discovery of the discharge, owners and operators of POTWs and POSSs must report all discharges of untreated or partially treated sewage, including combined sewer overflows, to the department and the local health department, or if there is none, the New York State Department of Health. This reporting requirement applies to all untreated and partially treated sewage discharges to waters of the State except partially treated sewage discharged directly from a POTW that is in compliance with a department approved plan or permit. These initial discharge reports shall be submitted using appropriate electronic media as determined by the department and shall, at a minimum, include to the extent knowable with existing systems and models the following:

(a) the date and time of discovery of the discharge and a brief description of the reason for the discharge;

(b) the location of the discharge including the receiving water effected by the discharge;

(c) the estimated volume and treated state (untreated or partially treated) of the discharge at the time of the report;

(d) a brief description of the measures taken and planned to contain the discharge except for wet weather combined sewer overflow discharges; and

(e) the expected duration of the discharge and the total expected volume of the discharge.

(ii) Four hour notification requirements for POTWs and POSSs.

(a) Notification to municipalities. As soon as possible, but no later than four hours from discovery of the discharge, owners and operators of POTWs and POSSs must notify the chief elected official, or authorized designee, of the municipality in which the discharge occurred and the chief elected official, or authorized designee, of any adjoining municipality that may be affected of untreated or partially treated sewage discharges, including combined sewer overflows, to waters of the State except underground waters, through appropriate electronic media as determined by the department. This notification is not required for partially treated sewage discharged directly from a POTW that is in compliance with a department approved plan or permit. For purposes of this clause, *municipality* means a city, town or village and *adjoining municipality* means any municipality that is adjacent to the municipality in which the discharge occurred.

(b) Notification to the general public. As soon as possible, but no later than four hours from discovery of the discharge, owners and operators of POTWs and POSSs must notify the general public of untreated or partially treated sewage discharges, including combined sewer overflows, to waters of the State except underground waters, through appropriate electronic media as determined by the department. This notification is not required for partially treated sewage discharged directly from a POTW that is in compliance with a department approved plan or permit.

(iii) Notification requirements for certain combined sewer overflows. For combined sewer overflows for which real-time telemetered discharge monitoring and detection does not exist, owners and operators of POTWs and POSSs must expeditiously issue advisories to the general public through appropriate electronic media as determined by the department when, based on actual rainfall data or predictive models, enough rain has fallen that combined sewer overflows may discharge. Advisories may be done on a waterbody basis rather than by individual combined sewer overflow points.

(iv) Daily and termination reports. A daily report shall be made by owners and operators of POTWs and POSSs for each day that the discharge continues after the date the initial discharge report is made, except that on the day the discharge terminates, a report documenting termination of the previously reported discharge may be made in lieu of the daily report. Daily and termination reports must be made within 24 hours of the previous report using an appropriate form of electronic media as determined by the department. Daily and termination reports must include, at a minimum, the criteria required for the initial discharge report, except that subsequent to the initial discharge report the department may modify or waive reporting requirements for daily and termination reports on a case by case basis if acceptable alternate reporting methods are available. POTWs and POSSs are not required to file daily and termination reports for wet weather CSO events.

(c) Twenty-four hour oral reporting of bypass, upset or other incident.

(1) Non-POTW SPDES permittees shall report, including the same information required to be reported under subdivision (b) of this section, orally to the regional water engineer within 24 hours from the time the non-POTW permittee becomes aware of a discharge of untreated or partially treated sewage that would otherwise be treated, except a discharge in accordance with a department approved plan for managing wastewater and/or storm water (provided that such plan is in compliance with applicable law and regulation).

(2) All SPDES permittees shall report, including the same information required to be reported under subdivision (b) of this section, orally to the regional water engineer within 24 hours from the time the permittee becomes aware of any of the following incidents:

(i) a discharge of untreated wastewater and/or storm water that would otherwise be treated, except a discharge in accordance with a department approved plan for managing wastewater (provided that such plan is in compliance with applicable law and regulation). Twenty-four hour reporting is not required if the discharge is sewage and the non-POTW SPDES permittee or POTW has fully complied with applicable two hour reporting requirements described in this section;

(ii) a spill that may result in a discharge that may:

(a) violate permit limitations of pollutants limited in the SPDES permit;

(b) exceed an action level or more than one action level in the SPDES permit;

(c) cause discharges of pollutants not explicitly listed in the SPDES permit, in amounts in excess of normal effluent variability of the level of discharge that may reasonably be expected for that pollutant from information provided in the SPDES permit application record; or

(d) which would result in dilution in lieu of treatment of a discharge authorized by a SPDES permit;

(iii) a spill to waters of the State of greater than the reportable quantity for releases to water as set forth in Part 597 of this Title; or

(iv) a bypass, upset or other incident that a reasonable practitioner in water pollution control would consider to be similar in severity and consequences to the incidents set forth in this subdivision.

(d) Five-day written incident report requirements for SPDES permittees and POSSs.

SPDES permittees and owners and operators of POSSs must provide a written report to the department of a discharge, bypass, upset or other incident reported under subdivisions (b) and (c) of this section within five days of discovery by the permittee or the owner or operator of the POSS. The written report shall be submitted on a form prescribed by the department and, at a minimum, shall contain a description of the discharge, bypass, upset, or other incident and its cause; the period of the discharge, bypass, upset, or other incident, including exact dates and times, and if the discharge, bypass, upset, or other incident has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent the discharge, bypass, upset, or other incident and its reoccurrence. The department may waive the written report on a case-by-case basis if reports have been received within the time periods required under subdivisions (b) and (c) of this section. Five day written incident reports are not required for wet weather combined sewer overflows that are in compliance with a department approved plan or permit.

(e) Additional reporting.

The permittee shall report all instances of noncompliance with permit conditions not otherwise required to be reported under these regulations or the SPDES permit, with each submitted copy of its discharge monitoring reports until such noncompliance ceases. Such noncompliance reports shall contain the same information required to be submitted under subdivision (d) of this section.

(f) Duty to mitigate.

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of the permit, which has a reasonable likelihood of adversely affecting human health or the environment.

(g) Duty to assess.

Where a bypass, upset, or other incident occurs as defined in subdivision (b) or (c) of this section that can reasonably be expected to create detectable discharges of a substance where that substance was not detectable prior to the bypass, upset, or other incident or the bypass, upset, or other incident can reasonably be expected to increase the discharge of a substance or substances by 20 percent or more, the permittee shall collect at least one representative sample for each day of discharge effected by the bypass, upset or other incident in a manner that can be used to assess compliance with the permit. Each sample should be monitored for the parameters which the permittee knows or has reason to believe will be detectable or increased by 20 percent or more in the discharge due to the bypass, upset, or other incident.

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750-2.8 Disposal system operation and quality control.

(a) General.

(1) The disposal system shall not receive or be committed to receive wastes beyond its design capacity for volume and character of wastes treated without written approval of the regional water engineer. Nor shall the system operation be impaired by alterations to the type, degree, or capacity of treatment provided; disposal of treated effluent; or treatment and disposal of separated scum, liquids, solids or combination thereof resulting from the treatment process without written approval of the department or its duly authorized representative.

(2) The permittee shall, at all times, properly operate and maintain all disposal facilities, which are installed or used by the permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance also includes as a minimum, the following:

(i) a preventive/corrective maintenance program for all critical facilities and systems of treatment and control (or related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of the permit. A facility or system is critical if it contains process equipment that is essential for proper operation and necessary to achieve compliance with the applicable SPDES permit effluent limits; and

(ii) written procedures for operation and maintenance, training new operators, adequate laboratory controls and appropriate quality assurance. This provision requires the operation of installed backup or auxiliary facilities or similar systems only when the operation is necessary to achieve compliance with the conditions of the permit.

(3) When required under Part 650 of this Title, sufficient personnel meeting qualifications for operators of sewage treatment works as required therein and additional maintenance personnel shall be employed to satisfactorily operate and maintain the treatment works.

(4) The permittee shall not discharge floating solids or visible foam.

(5) The permittee and operator shall operate the wastewater treatment facility in such a manner as to minimize the discharge of pollutants to a degree that is achievable when compared to standard practices for operation of such wastewater treatment facilities.

(6) The permittee and operator shall operate the wastewater treatment facility in such a manner as to minimize odors and other nuisance conditions to a degree that is achievable when compared to standard practices for operation of such wastewater treatment facilities.

(b) Bypass.

(1) Bypass not exceeding limitations. The permittee may allow any bypass to occur that does not cause effluent limitations to be violated, but only if it also is for essential maintenance, repair or replacement to assure efficient and proper operation. These bypasses are not subject to the paragraph (2) of this subdivision, provided that written notice is submitted prior to the bypass in accordance with section 750-2.7(a) of this Subpart (if anticipated) or (if unanticipated) with the discharge monitoring report for the reporting period during which the bypass occurred. Covered under this paragraph is the diversion of wastewater or storm water around any portion of a treatment facility in accordance with a department approved plan for wastewater or storm water management (provided that such plan is in compliance with applicable law and regulation).

(2) Prohibition of bypass. Except as provided for in paragraph (1) of this subdivision, bypass is prohibited, and the department may take enforcement action against a permittee for bypass, unless:

(i) bypass was unavoidable to prevent loss of life, personal injury, public health hazard, environmental degradation or severe property damage;

(ii) there were no feasible alternatives to the bypass such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal period of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance or if designed and installed backup equipment that could have prevented or mitigated the impact of the bypass is not operating during the bypass; and

(iii) the permittee submitted notices as required under section 750-2.7 of this Subpart and, excepting emergency conditions, the proposed bypass was accepted by the department.

(c) Upset.

(1) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such permit effluent limitations if the requirements of paragraph (2) of this subdivision are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

(2) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operation logs, or other relevant evidence that:

(i) an upset occurred and that the permittee can identify the cause(s) of the upset;

(ii) the permitted facility was, at the time, being properly operated;

(iii) the permittee submitted notice of the incident for which an upset defense in being claimed as required in section 750-2.7 of this Subpart; and

(iv) the permittee implemented any mitigation and assessment required under section 750-2.7(f) and (g) of this Subpart.

(3) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

(d) Special condition- disposal systems with septic tanks.

Unless otherwise directed by the Regional Water Engineer, if a septic tank is installed as part of the disposal system, it shall be inspected by the permittee or his agent for scum and sludge accumulation at intervals not to exceed one year's duration, and such accumulation will be removed before the depth of either exceeds one-fourth of the liquid depth so that no settleable solids or scum will leave in the septic tank effluent. Such accumulation shall be disposed of in accordance with all applicable law and regulation.

(e) Residuals management.

The permittee shall properly store or dispose of collected screenings, sludges, other solids or precipitates removed from the permitted discharges, intakes or supply waters. Proper storage or disposal shall prevent creation of nuisance conditions or the entry of such materials into State waters and shall be in a manner approved by the department. Any live fish, shellfish, or other animals collected or trapped as a result of intake water screening or treatment should be returned to their water body habitat. The permittee shall maintain records of disposal on all effluent screenings, sludges and other solids associated with the discharge(s) herein described. The following data shall be compiled and reported to the department upon request:

(1) the sources of the materials to be disposed of;

(2) the approximate volumes, weights, water content and (if other than sewage sludge) chemical composition;

(3) the method by which they were removed and transported, including the name and permit number of the waste transporter; and

(4) their final disposal locations.

(f) Biosolids reuse.

Permittees shall make reasonable efforts, to the extent practical, reuse biosolids.

(g) POSS operation requirements.

Owners and operators of POSSs must properly operate and maintain the POSS. Proper operation and maintenance includes at a minimum, the following:

(1) a preventive/corrective maintenance program for all critical components of the collection system that includes provisions requiring the maintenance of installed backup or auxiliary components or similar systems when the proper operation of such component or system is essential for preventing discharges of untreated or partially treated sewage; and

(2) written procedures for operation and maintenance of the POSS and training new operators.

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750-2.9 Additional conditions applicable to a publicly owned treatment works (POTW).

(a) General.

(1) In addition to the requirements set forth in this Subpart, all POTWs must provide adequate notice to the department of the following:

(i) As set forth in department guidance on what is a substantial change in volume or character of pollutants introduced into a POTW, any such change.

(ii) For purposes of this paragraph, adequate notice shall include information on:

(a) the quality and quantity of effluent introduced into the POTW; and

(b) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

(2) If the department determines, on the basis of a notice provided pursuant to paragraph (1) of this subdivision and any related investigation, inspection or sampling, that a modification of a permit is necessary to assure maintenance of water quality standards and guidance values or compliance with other provisions of ECL article 17, this Part, or the act, then the department may propose such a modification. Unless the department determines that such permit modification is unnecessary, the noticed act is prohibited until the permit has been modified pursuant to Part 621 of this Title.

(3) The permittee shall identify all inflow to the tributary system and remove excessive infiltration/inflow to an extent that is economically feasible.

(4) The permittee shall enact, maintain and enforce or cause to be enacted, maintained and enforced up-to-date and effective Sewer Use Law in all parts of the POTW service area. Such enactment and enforcement shall include intermunicipal agreements and/or other enforceable legal instruments that allow the permittee to control discharges, either directly or through jurisdictions contributing flows to the POTW, flow and loads to the POTW as well as discharges to the POTW.

(5) New connections to a publicly owned sewer system or a privatized municipal sewer system are prohibited when the permittee is notified by the department:

(i) that the discharge(s) regulated by a SPDES permit create(s) or is likely to create a public health or potential public health hazard, a contravention of water quality standards or guidance values or the impairment of the best use of waters, as determined by the commissioner; or

(ii) that the permittee has failed or is likely to fail to carry out, meet or comply with any limit or requirement of the permit, compliance schedule, order of the department, judicial order, or consent decree.

(6) The provisions provided for in paragraph (5) of this subdivision shall remain in effect until the permittee can demonstrate to the department's satisfaction and approval that adequate available capacity exists in the plant and that the facility is in full compliance with all of the effluent limitations required by the permit.

(b) National pretreatment standards.

(1) All POTWs shall comply with the provisions contained in 40 CFR 403.5(a), (b), (c) and (d) (see section 750-1.25 of this Part).

(2) EPA and State enforcement actions. If, within 30 days after notice of an interference or pass-through violation has been sent by EPA or the department to the POTW, and to persons or groups who have requested such notice, the POTW fails to

commence appropriate enforcement action to correct the violation, EPA and the department may take appropriate enforcement action.

(3) POTWs required by the department to develop a pretreatment program in accordance with 40 CFR 403.8 shall submit an approvable program application in accordance with 40 CFR 403.8 (see section 750-1.25 of this Part).

(4) The approval authority, as defined by 40 CFR 403.3 (see section 750-1.25 of this Part), shall review, require changes to, approve and/or disapprove such a program in accordance with 40 CFR 403.9 and 403.11 (see section 750-1.25 of this Part).

(5) POTWs and industrial users shall submit reports as required in accordance with 40 CFR 403.12 (see section 750-1.25 of this Part).

(6) Industrial users may obtain intake credits in accordance with 40 CFR 403.15 (see section 750-1.25 of this Part).

(7) Modifications to pretreatment programs shall be made in accordance with 40 CFR 403.18 (see section 750-1.27 of this Part).

(c) POTW design, planning and flow management.

(1) Flow management plan.

(i) Within 120 days of when the permittee determines in accordance with paragraph (4) of this subdivision that the annual average flow value for a calendar year to a POTW has reached or exceeded 95 percent of that POTWs design flow, the permittee shall submit to the regional water engineer a flow management plan to identify and implement reductions in hydraulic loading to the POTW treatment plant or failing that, approvable engineering reports, plans and specifications and/or capital improvements as necessary to stabilize annual average flows below the POTW treatment plant design flow. This plan shall be certified by a professional engineer licensed to practice in the State of New York and endorsed by the chief fiscal officer of the municipality. The provisions of the plan may reflect new efforts or may refer to existing, ongoing efforts. The flow management plan shall, at a minimum, include provisions for:

(a) a statement to the effect that the permittee has the authority in all parts of the POTW service area to implement or cause to be implemented the provisions of this subdivision or, if the permittee does not have such authority, a proposed schedule, not to exceed three years, to obtain such authority or a statement from the permittee's designated legal representative that existing law precludes the permittee from obtaining such authority;

(b) an inventory of all known facilities/projects that have applied to connect to the sewer system and a determination if there is capacity for connection;

(c) a schedule of implementation for all flow reduction measures identified herein;

(d) a map delineating the service area as defined; and

(e) a description of information that will be reported during implementation of the plan to the regional water engineer and a schedule for such reporting.

(ii) The flow management plan required by subparagraph (i) of this paragraph shall also include provisions for implementation of any or all of the following that are necessary to stabilize influent flows below design flows:

(a) water conservation measures to reduce customer usage by measures including but not limited to customer metering, meter calibration, retrofitting existing plumbing fixtures with water conservation fixtures and revision of water rate structures;

(b) reduction of infiltration and inflow through continuous measures including but not limited to sewer system metering, evaluation and rehabilitation, removal of roof leaders and footing drains from separate sanitary sewers and installation of separate storm sewers;

(c) prevention of future sources of infiltration and inflow where feasible through measures including but not limited to implementation of standards for sewer installation and requirements to provide for adequate drainage from roof leaders and footing drains in new construction;

(d) measures to maximize sewer system and sewage treatment works capacity at a minimum cost;

(e) approvable engineering reports and/or plans and specifications to assure annual average flows do not exceed 95 percent of the POTW treatment plant design flow; and/or

(f) capital improvements necessary to assure annual average flows do not exceed 95 percent of the POTW treatment plant design flow.

(iii) Within 90 days of submittal to the regional water engineer of the plan required under subparagraphs (i) and (ii) of this paragraph, the permittee shall begin to implement the provisions of said program in accordance with the proposed schedule or cause the provisions of said program to be implemented by another party.

(iv) The regional water engineer may object to the plan, or implementation of the plan, submitted in accordance with subparagraphs (i) and (ii) of this paragraph if the plan does not provide for substantive and effective measures to reduce hydraulic loading to the POTW. Within 90 days of receipt of written notification from the regional water engineer documenting

the aspects of the plan that must be revised, the permittee shall submit a revised plan that addresses the department's objection(s).

(2) Planning.

(i) Within 120 days of when the permittee determines that the actual influent mass loading of biochemical oxygen demand or total suspended solids to a POTW has reached or exceeded the design influent loading for those parameters for any eight calendar months during a calendar year, the permittee shall submit a plan for future growth at the POTW. The plan shall include:

(a) provisions for obtaining any necessary funding;

(b) provisions for preparation and submission to the regional water engineer of approvable engineering reports and/or plans and specifications to provide for growth of discharges in the POTW service area; and

(c) a demonstration of the permittee's ability to impose a connection moratorium in any and all parts of the service area or, if the permittee does not have such authority, a proposed schedule, not to exceed three years, to obtain such authority or a statement from the permittee's designated legal representative that existing law precludes the permittee from obtaining such authority.

(ii) The regional water engineer may object to the plan, or implementation of the plan, submitted in accordance with subparagraph (i) of this paragraph if the plan does not provide for substantive and effective measures to accommodate future growth of discharges from the POTW service area. Within 90 days of receipt of written notification from the regional water engineer documenting the aspects of the plan that must be revised, the permittee shall submit an approvable, revised plan that addresses the department's objection(s).

(iii) Within 90 days of submittal to the regional water engineer of the plan required under subparagraph (i) of this paragraph, the permittee shall begin to implement the plan to obtain the authority required under clause (i)(c) of this paragraph.

(3) Plan implementation and sewer connection moratorium. For POTWs that have exceeded the design influent loading criteria set forth in paragraph (2) of this subdivision, within 90 days of when the permittee determines that, in accordance with the annual review required by paragraph (4) of this subdivision, that the effluent discharge from a publicly owned treatment works has exceeded a SPDES permit limit for biochemical oxygen demand or ultimate oxygen demand for any four or more months during two consecutive calendar quarters, or a SPDES permit limit for total suspended solids for any four or more months during two consecutive calendar quarters, the permittee shall:

(i) begin to implement the plan developed in accordance with paragraph (2) of this subdivision or in accordance with this subparagraph; and

(ii) cease the further approval of sewer connections to the POTW.

(4) Annual certification. The chief fiscal officer of any municipality subject to this subdivision shall certify in writing to the department as an attachment to its February discharge monitoring report that the municipality is complying with the provisions of this subdivision and, if applicable, is complying with the implementation schedule in the program adopted in accordance with paragraphs (1), (2) and (3) of this subdivision or if such compliance certification cannot be provided to the department, satisfactory explanation for deviation from the provisions of this subdivision must be provided.

(5) Rescission of plan requirements or moratoria. The regional water engineer may rescind or hold in abeyance any or all of the conditions imposed under this subdivision provided the permittee can demonstrate to the satisfaction of the department that:

(i) the conditions were implemented on the basis of erroneous data; or

(ii) the situation that gave rise to the imposition of the conditions has been adequately addressed; or

(iii) there is an existing or potential public health nuisance or hazard as determined by the State Department of Health, that is best remediated by rescinding or holding in abeyance the conditions; or

(iv) all compliance conditions in a SPDES permit or a judicially or administratively imposed order have been or will be met.

(6) Violations of permit limits. Compliance with this section does not, in any way, shield the permittee from enforcement actions for violations of SPDES permit limits.

(7) The regional water engineer may, by written approval, upon adequate demonstration of compelling need, allow for relaxation of schedules contained in this subdivision.

6 CRR-NY 750-2.9
Current through December 31, 2017

END OF DOCUMENT

6 CRR-NY 750-2.10
NY-CRR

OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF NEW YORK
TITLE 6. DEPARTMENT OF ENVIRONMENTAL CONSERVATION
CHAPTER X. DIVISION OF WATER RESOURCES
SUBCHAPTER A. GENERAL
ARTICLE 3. STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM
PART 750. STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES) PERMITS
SUBPART 750-2. OPERATING IN ACCORDANCE WITH A SPDES PERMIT AND POSS REGISTRATION

6 CRR-NY 750-2.10
6 CRR-NY 750-2.10

750-2.10 Special provisions - new or modified disposal systems or service areas.

(a) Except as provided in subdivision (h) of this section, prior to construction of any new or modified waste disposal system or modification of a facility or service area generating wastewater that could alter the design volume of, or the method or effect of treatment or disposing of the sewage, industrial waste or other wastes, from an existing disposal system, provided that discharge from such system is required in accordance with this Part to be authorized under a SPDES permit, the permittee shall submit to the regional water engineer an approvable engineering report, plans, and specifications that have been prepared by a person or firm licensed to practice professional engineering in the State of New York in accordance with standards accepted by the department.

(b) The construction of such new or modified disposal system shall not start until the discharger receives written approval of the system from the department and an issued permit. The department may require the discharger to remove any constructed disposal system or portion thereof if such a system or portion thereof is constructed prior to written approval from the department. The department may approve portions of disposal systems to allow for design and construction of disposal systems to proceed at the same time.

(c) The construction of such new or modified disposal system shall be under the general supervision of a person or firm licensed to practice professional engineering in the State of New York. Upon completion of construction, that person or firm shall certify to the department that the disposal system has been fully completed in accordance with the approved engineering report, plans and specifications, permit and letter of approval; and the permittee shall receive written acceptance of such certificate from the department prior to commencing discharge.

(d) The department reviews disposal system reports, plans, and specifications for treatment process capability only, and approval does not represent any opinion of the system's structural integrity.

(e) Department approval of the disposal system or service area does not relieve the permittee of any responsibility for compliance with its SPDES permit.

(f) The department may accept, in lieu of submission of engineering reports or plans and specifications, certification by a person or firm licensed to practice professional engineering in the State of New York that the design of the disposal system or service area conform to design standards accepted by the department. The department may require certification by letter or form (where the form may include but is not limited to a checklist consistent with the applicable standards). Such certifications shall be deemed notifications in accordance with ECL section 17-0819.

(g) The following standards are accepted by the department:

(1) ten states standards (see section 750-1.25 of this Part) for use in designing POTWs and POTW collection systems;

(2) intermediate design standards (see section 750-1.25 of this Part) for use in designing facilities that are not POTWs, which treat only sanitary sewage; and

(3) other standards that are acceptable by the department.

(h) Submission of approvable engineering report, plans, and specifications is not required where:

(1) the treatment unit is temporarily (less than one year) installed for benchmarking and/or troubleshooting and the permittee has provided notification to the regional water engineer at least 30 days prior to installation;

(2) an equivalent or superior treatment unit is installed;

(3) changes to treatment units do not have a reasonable potential to affect the discharge.

(i) Sewer extensions, public or private, must be reviewed and approved in accordance with this section before construction and connection to any conveyance tributary to a SPDES permitted discharge.

(j) Owners of new or modified POSSs as defined in section 750-1.2(a)(70) of this Part must comply with the registration requirements of section 750-1.22 of this Part before construction and connection to any existing POTW or POSS.

6 CRR-NY 750-2.10
Current through December 31, 2017

END OF DOCUMENT

6 CRR-NY 750-2.11
NY-CRR

OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF NEW YORK
TITLE 6. DEPARTMENT OF ENVIRONMENTAL CONSERVATION
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6 CRR-NY 750-2.11
6 CRR-NY 750-2.11

750-2.11 Closure requirements for disposal systems.

(a) This section applies to any and all disposal systems permanently removed from use or operation at SPDES permitted facilities or at facilities for which a SPDES permit has been revoked or an application for renewal denied, unless a judicial or administrative stay is in effect. The intent of this section is to protect public safety and health and to assure that no contamination of ground or surface water will occur as a result of removing such systems from service either through the act of closure or through continuing the discharge of pollutants into or through equipment; or through leaking, leaching, or discharge of pollutants from wastewater or residuals remaining in disposal systems which has been removed from use but remains on site.

(b) The *closure of a disposal system* means either the termination of the source of wastewater or storm water, or the permitted conveyance of wastewater or storm water to an alternate location (such as a regional facility) in such a manner that no further treatment storage or conveyance of wastewater or storm water is performed by the system.

(c) Disposal system closures shall conform with the following procedures:

(1) On or before 60 calendar days prior to taking the system out of service a permittee shall:

(i) submit to the regional water engineer the following information concerning closure activities:

(a) the date the system will cease operation;

(b) the date the influent and effluent pipes will be sealed;

(c) plans (signed and sealed by a New York State licensed professional engineer) for final disposition of the physical facilities, including all treatment units, outfall line, and all mechanical and electrical equipment and piping;

(d) plans (signed and sealed by a New York State licensed professional engineer) for elimination of all equipment and/or conditions that could possibly pose a safety hazard, either during or after shut-down of operations;

(e) verification that there are no lines in the collection system which are cross connected (receiving both sanitary and storm water) or which do not contain adequate conveyance capacity;

(f) the name of the licensed individual responsible for the maintenance and operation of the wastewater pumping station and/or disposal system systems that are still to be maintained; and

(ii) notify the regional water engineer, in writing, concerning any deactivated lagoons or other actual or potential discharges to ground water which may exist at the site.

(2) Proper management and/or removal of all residual materials (collected grit and screenings, scums, sand bed material, and dried or liquid sludges), as well as filter media, and all other solids from the treatment process that may remain in the abandoned treatment works is required.

(i) The permittee shall submit to the regional water engineer proof of ownership of or contractual arrangement with an operation or operations permitted to manage all such waste materials. A contract with a hauler will only be accepted as proof of proper waste management if documentation of management at an approved site or sites is included. In addition, all necessary State or Federal permits/approvals must accompany the submission.

(ii) All residual material shall be removed within 180 calendar days after the system is taken out of service. Proof of proper residuals management shall be submitted to the regional water engineer within 30 calendar days after their removal. The dates of removal and quantities removed shall be specified.

(d) Upon satisfaction of closure requirements specified in subdivision (c) of this section, the regional water engineer shall be contacted, in writing, to schedule a final site inspection of any disposal system which had a SPDES discharge permit to verify that influent and effluent pipes have been sealed and that all solid and residual materials related to the treatment process have been removed.

6 CRR-NY 750-2.11
Current through December 31, 2017

END OF DOCUMENT

APPENDIX VII

SITE PLAN MAP

LEGEND

DESCRIPTION	MAP SYMBOL	DESCRIPTION	MAP SYMBOL
SHEET FLOW DIRECTION		PROPERTY LINE	
CHANNEL FLOW DIRECTION		MINING LIMIT	
PROCESS FLOW DIRECTION		EXCAVATION LIMIT	
ROAD		EDGE OF WATER/STREAM	
HAUL ROAD		TOE OF SLOPE	
TREE LINE		CREST OF SLOPE	
PARCEL LINE		CONTOUR LINE 5'	
		CONTOUR LINE 25'	1575

GRAPHIC SCALE

0' 200' 400' 500'

IN FEET

80030	4-10R, 4-10RS, 4-10RFM
Monroe & Livingston	Honeoye Falls (#364)
Town of Mendon	SWPPP/BMP SITE MAP
Honeoye Falls	Storm Water Best Mgmt. Practices Plan
MEAN SEA LEVEL	1"=200'

5' | 1 of 1 | (rev. MCL) | 8/04 (Rev.5/17/1?)

Hanson

HoneyeFallsSiteMap

APPENDIX VIII

SWPPP AMENDMENT LOG

SWPPP / BMP PLAN AMENDMENT LOG

If operational changes have been made, the SWPPP/BMP Coordinator will determine if those changes will impact stormwater quality and develop new BMPs to address the change. The facility SWPPP BMP Plan will be updated as necessary. All operational changes and new BMPs will be recorded below and maintained with the SWPPP.

Date	Description of Activity/Summary of Change(s)	Initials
September 2017	Updated/corrected SWPPP Map; added new Clerk's contact information	MCL
September 2015	Updated with new Assistant Plant Manager's contact information; added Tank 028.	MCL
June 5, 2009	SWPPP/BMP site map updated – added/deleted PBS tanks; added drain line from oil-water separator in washbay; added new detention basins prior to Outfall #002.	MCL
June 5, 2009	SWPPP/BMP Updated – new Environmental Manager contact info.; added oil-water separator inspection form; added Outfall #001 discharge inspection form; updated PBS inventory; added SWPPP/BMP Plan Amendment Log; added copy of SPDES permit; added sections J.3 – "Discharge Inspections" and L.2. - "BMP Improvements."	MCL
June 24, 2004	SWPPP/BMP – 1st revision	GBL