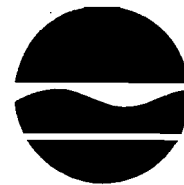


New York State Department of Environmental Conservation
Division of Environmental Permits, 4th Floor
625 Broadway, Albany, New York 12233-1750
Phone: (518) 402-9167 • FAX: (518) 402-9168
Website: www.dec.ny.gov



Alexander B. Grannis
Commissioner

May 2, 2008

PERMITTEE INFORMATION

Texas Eastern Products Pipeline Co.
Attn: John Pitman, Terminal Mgr
PO Box 179
Harford, NY 13784

FACILITY INFORMATION

NAME: TEPPCO Harford Mills Terminal
DEC No. 7-1128-00002/00002
SPDES No. NY 007 1111

*01
Cortland Co.*

Dear Permittee:

Enclosed is a final modified State Pollutant Discharge Elimination System (SPDES) permit for the TEPPCO Harford Mills Terminal in Cortland County. This permit has been modified in accordance with the Environmental Benefit Permit Strategy. No comments were received on this modification.

Should you have questions on the administration of this modification, please feel free to contact me at the address or phone number listed above. Should you have technical questions on permit content, please contact the permit drafter, Percival Miller, at (518) 402-8120, or the Regional Water Engineer, Jim Burke, at (315) 426-7506.

Sincerely,

Teresa Diehsner
Division of Environmental Permits

Enclosures

cc: J. Feltman, RPA
J. Burke, RWE
P. Miller, Permit Drafter
✓ Permit Coordinator, Bureau of Water Permits, Albany
SRBC
USEPA, Region 2
DOH, Cortland County



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

First 3.99

Industrial Code:	1389	SPDES Number:	NY- 007 1111
Discharge Class (CL):	01	DEC Number:	7-1128-0002/002-0
Toxic Class (TX):	N	Effective Date (EDP):	4/01/04
Major Drainage Basin:	06	Expiration Date (ExDP):	4/01/09
Sub Drainage Basin:	03	Modification Dates:	5/2/08
Water Index Number:	SR-16-8		
Compact Area:	SRBC		

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: TEPPCO	Attention: John Pitman, Terminal Manager
Street: Post Office Box 179	
City: Harford	State: NY Zip Code: 13784

is authorized to discharge from the facility described below:

FACILITY NAME AND ADDRESS

Name: TEPPCO	County: Cortland
Location (C,T,V): Harford (T)	
Facility Address: Post Office Box 179	
City: Harford	State: NY Zip Code: 13784
NYTM -E: 400.648	NYTM - N: 4697.812
From Outfall No.: 001	at Latitude: 42 ° 25 ' 28 " & Longitude: 76 ° 12 ' 11 "
into receiving waters known as: East Branch, Owego Creek	Class: C(T)

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

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

DISCHARGE MONITORING REPORT (DMR) MAILING ADDRESS

Mailing Name: TEPPCO	
Street: Post Office Box 179	
City: Harford	State: NY Zip Code: 13784
Responsible Official or Agent: John Pitman, Terminal Manager	Phone: 607-844-8131

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 Coordinator, Bureau of Water Permits, Albany
SRBC
USEPA, Region 2
DOH, Cortland County

Permit Administrator: William R. Adriance	
Address: 625 Broadway Albany, NY 12233-1750	
Signature: <i>William R. Adriance</i>	Date: 5/2/08

PERMIT LIMITS, LEVELS AND MONITORING DEFINITIONS

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

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

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

DAILY AVG or 30 DAY ARITHMETIC MEAN (30 day average): The highest allowable average of daily discharges over a calendar month, calculated as the sum of each of the daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

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

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

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

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

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

INTERIM PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL No.	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
001	Brine Discharge from Holding Ponds	East Branch - Owego Creek	5/2/08	4/1/09

PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FOOTNOTES (FN)
pH	6.5	8.5	SU	Continuous	Recorder	

PARAMETER	COMPLIANCE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Daily Average	Daily Maximum	TYPE I	TYPE II				
Flow	Monitor	Monitor			GPD	Daily	Calculated	1
Total Dissolved Solids	Monitor	Monitor			mg/l	Weekly	Grab	2
Total Dissolved Solids	Monitor	Monitor			lbs/day	Weekly	Grab	2
Total Suspended Solids	30	50			mg/l	Weekly	Grab	
Total Suspended Solids	Monitor	Monitor			lbs/day	Weekly	Grab	
Chlorides	Monitor	Monitor			mg/l	Weekly	Grab	2
Chlorides	Monitor	Monitor			lbs/day	Weekly	Grab	2
Temperature	Monitor	70			Deg. F	Weekly	Grab	

FOOTNOTES:

- Flow shall be calculated by multiplying the discharge pumping rate times the elapsed time or by another method acceptable to the Department.
- The receiving stream shall be monitored daily approximately 50 feet upstream of the outfall and at the NYS Route 200 bridge which is approximately 600 feet downstream of the outfall, during periods of briny water discharge. Monitoring results are to be attached to the corresponding DMR report.

FINAL PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL No.	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
001	Brine Discharge from Holding Ponds	East Branch, Owego Creek	5/2/08	4/1/09

PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FOOTNOTES (FN)
pH	6.5	8.5	SU	Continuous	Recorder	

PARAMETER	COMPLIANCE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Daily Average	Daily Maximum	TYPE I	TYPE II				
Flow	Monitor	Monitor			GPD	Daily	Calculated	1
Total Dissolved Solids	Monitor	500			mg/l	Weekly	Grab	2
Total Dissolved Solids	Monitor	Monitor			lbs/day	Weekly	Grab	2
Total Suspended Solids	30	50			mg/l	Weekly	Grab	
Total Suspended Solids	Monitor	Monitor			lbs/day	Weekly	Grab	
Chlorides	Monitor	250			mg/l	Weekly	Grab	2
Chlorides	Monitor	Monitor			lbs/day	Weekly	Grab	2
Temperature	Monitor	70			Deg. F	Weekly	Grab	

FOOTNOTES:

- Flow shall be calculated by multiplying the discharge pumping rate times the elapsed time or by another method acceptable to the Department.
- The receiving stream shall be monitored daily approximately 50 feet upstream of the outfall and at the NYS Route 200 bridge, approximately 600 feet downstream of the outfall, during periods of discharge. **The Total Dissolved Solids and Chlorides concentrations at the downstream location shall not exceed 500 mg/l and 250 mg/l, respectively, at any time while Outfall 001 is discharging.** Attach monitoring results to corresponding DMR.

SCHEDULE OF COMPLIANCE

a) The permittee shall comply with the following schedule.

Action Code	Outfall Number(s)	Compliance Action	Due Date
96299	001	<p>The permittee shall conduct a one year study, using appropriate surface water sampling methods, to collect and test the effluent and receiving water for chloride and TDS levels. Analysis shall be conducted using approved EPA methods. Sampling shall be conducted during days of discharge from onsite brine holding ponds, and shall include samples from 50 feet upstream of the effluent discharge point, to a downstream point indicated to have a chloride concentration of less than or equal to 230 mg/l chloride. Collection shall include samples taken at the permitted sampling location (600' downstream of Outfall 001).</p> <p>A minimum of four bioassessment (kicknet) samples shall be taken from each of two sampling locations, one downstream and one upstream of the effluent discharge, during a period when stream flow is not fluctuating and is at least of sufficient depth that benthic organisms can be collected. Sampling locations should be selected as the first encountered, best attainable riffle habitat upstream of the discharge, and at the first, best attainable riffle habitat downstream of the discharge beyond a minimum of 500 meters. The biological assessment sampling and analysis methods should follow the procedures outlined in the NYSDEC publication <u>Biological Impairment Criteria for Flowing Waters in New York State (Bode, et al., 1990)</u>.</p>	5/2/08 plus 4 months
	001	<p>A report of results shall be submitted in tabulated, electronic format, shall include chloride and TDS concentrations, and shall identify sampling dates, time interval, effluent discharge rate, stream flow rate, and sampling point distances upstream and downstream of the discharge. Laboratories performing analyses shall be reported. The report shall also indicate (a) distance from the outfall to the nearest stream junction downstream, and (b) a (single) description of potential groundwater well yield and chloride content within the sampled stream reach. Results of the study shall not be used by any party to determine whether the facility has complied with current effluent limitations.</p>	5/2/08 plus 16 months

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

b) The permittee shall submit a written notice of compliance or non-compliance with each of the above schedule dates no later than 14 days following each elapsed date, unless conditions require more immediate notice as prescribed in 6 NYCRR Part 750-1.2(a) and 750-2. All such compliance or non-compliance notification shall be sent to the locations listed under the section of this permit entitled RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS. Each notice of non-compliance shall include the following information:

1. A short description of the non-compliance;
2. A description of any actions taken or proposed by the permittee to comply with the elapsed schedule requirements without further delay and to limit environmental impact associated with the non-compliance;
3. A description or any factors which tend to explain or mitigate the non-compliance; and
4. An estimate of the date the permittee will comply with the elapsed schedule requirement and an assessment of the probability that the permittee will meet the next scheduled requirement on time.

- c) The permittee shall submit copies of any document required by the above schedule of compliance to NYSDEC Regional Water Engineer at the location listed under the section of this permit entitled RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS and to the Bureau of Water Permits, 625 Broadway, Albany, N.Y. 12233-3505, unless otherwise specified in this permit or in writing by the Department.

Additional Requirements:

1. Groundwater Monitoring Program - Groundwater quality shall be monitored quarterly for TDS and Chlorides to verify that the brine is adequately contained by the aboveground storage pond. An annual report showing monitoring results and analysis shall be submitted to the regional water engineer within 60 days after the end of each calendar year.
2. Facility Expansion - The permittee shall file an updated permit application with the Department at least 6 months prior to any facility expansion. For the purposes of this permit, facility expansion is defined as an increase in total cavern capacity by 20% over the total volume determined by the April 2005 sonar surveys and/or a 20% increase in total annual wastewater discharge which is not attributable to precipitation.
3. Discharge Operation Best Management Practices - Brine shall be recycled to the maximum extent practicable during site operations. Fresh water inputs to the wastewater system shall be limited to precipitation that falling directly upon on the brine pond, and the minimum amount of water found to be necessary for essential maintenance of related equipment. Wastewater minimization practices shall include the following: (1) any discharge from the brine pond to waters of the State shall be taken from the pond's surface, and (2) only saturated brine from the bottom of the existing brine pond is to be used for product displacement.
4. Discharge Operation Engineering Report - Submit an approveable report to the regional water engineer by EDPM + 6 months which will establish acceptable procedures for determining receiving stream flow and background TDS levels on a routine basis. These procedures must provide for adequate characterization of the receiving stream to ensure that the discharge can be reliably managed to protect water quality.
5. Additional Data Collection - The permittee shall maintain for Department inspection a table summarizing the daily volume of: brine pumped to each well, brine displaced from out of each well, maintenance water pumped into each well, other maintenance water tributary to the brine pond, and brine sold or otherwise removed from the facility not governed by this permit.

Effective Date of Modification: 5/2/08

DISCHARGE NOTIFICATION REQUIREMENTS

- a) The permittee shall, except as set forth in item (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 a 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:

- 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 five 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.
- d) 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.

SPECIAL CONDITIONS - INDUSTRY BEST MANAGEMENT PRACTICES

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

The BMP plan shall be documented in narrative form and shall include the 13 minimum BMPs and any necessary plot plans, drawings, or maps. Other documents already prepared for the facility such as a Safety Manual or a Spill Prevention, Control and Countermeasure (SPCC) plan may be used as part of the plan and may be incorporated by reference. A copy of the current BMP plan shall be submitted to the Department as required in item (2) below, and a copy must be maintained at the facility and shall be available to authorized Department representatives upon request.

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

3. **Facility Review** - The permittee shall review all facility components or systems (including but not limited to material storage areas; in-plant transfer, process, and material handling areas; loading and unloading operations; storm water, erosion, and sediment control measures; process emergency control systems; and sludge and waste disposal areas) where materials or pollutants are used, manufactured, stored or handled to evaluate the potential for the release of pollutants to the waters of the State. In performing such an evaluation, the permittee shall consider such factors as the probability of equipment failure or improper operation, cross-contamination of storm water by process materials, settlement of facility air emissions, the effects of natural phenomena such as freezing temperatures and precipitation, fires, and the facility's history of spills and leaks. The relative toxicity of the pollutant shall be considered in determining the significance of potential releases.

The review shall address all substances present at the facility that are identified in Tables 6-10 of SPDES application Form NY-2C (available at <http://www.dec.state.ny.us/website/dcs/permits/olpermits/form2c.pdf>), or that are required to be monitored by the SPDES permit.

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

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

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

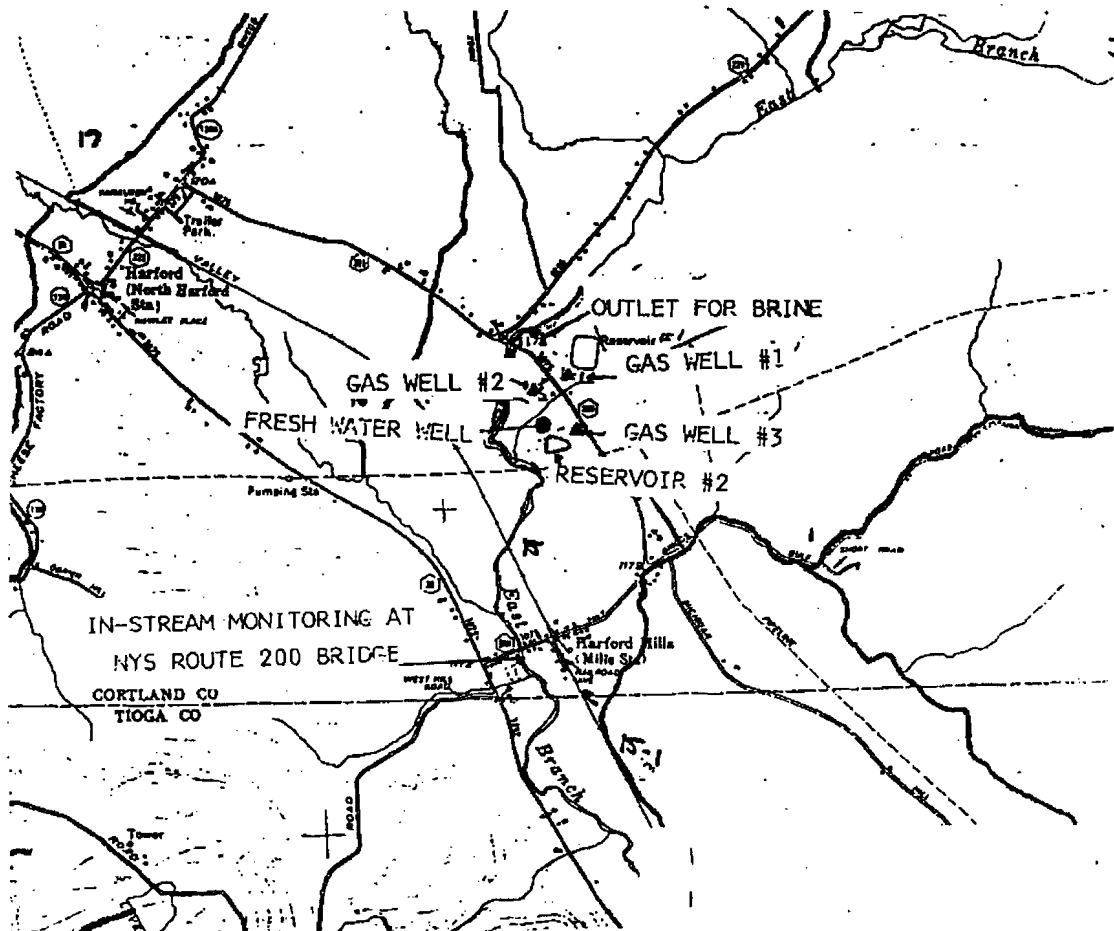
B. Stormwater Pollution Prevention Plans (SWPPPs) Required for Discharges of Stormwater From Construction Activity to Surface Waters - As part of BMP #11, a SWPPP shall be developed prior to the initiation of any site disturbance of one acre or more of uncontaminated area. Uncontaminated area means soils or groundwater which are free of contamination by any toxic or non-conventional pollutants identified in Tables 6-10 of SPDES application Form NY-2C. Disturbance of any size contaminated area(s) and the resulting discharge of contaminated stormwater is not authorized by this permit unless the discharge is under State or Federal oversight as part of a remedial program or after review by the Regional Water Engineer; nor is such discharge authorized by any SPDES general permit for stormwater discharges. SWPPPs are not required for discharges of stormwater from construction activity to groundwaters.

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

5. **Required Sampling For "Hot Spot" Identification** - Development of the BMP plan shall include sampling of waste stream segments for the purpose of pollutant "hot spot" identification. The economic achievability of effluent limits will not be considered until plant site "hot spot" sources have been identified, contained, removed or minimized through the imposition of site specific BMPs or application of internal facility treatment technology. For the purposes of this permit condition a "hot spot" is a segment of an industrial facility (including but not limited to soil, equipment, material storage areas, sewer lines etc.) which contributes elevated levels of problem pollutants to the wastewater and/or stormwater collection system of that facility. For the purposes of this definition, problem pollutants are substances for which treatment to meet a water quality or technology requirement may, considering the results of waste stream segment sampling, be deemed unreasonable. For the purposes of this definition, an elevated level is a concentration or mass loading of the pollutant in question which is sufficiently higher than the concentration of that same pollutant at the compliance monitoring location so as to allow for an economically justifiable removal and/or isolation of the segment and/or B.A.T. treatment of wastewaters emanating from the segment.

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 6 NYCRR Part 750-1.2(a) and 750-2 for additional information concerning monitoring and reporting requirements and conditions.
- b) The monitoring information required by this permit shall be summarized, signed and retained for a period of three years from the date of the sampling for subsequent inspection by the Department or its designated agent. **Also, monitoring information required by this permit shall be summarized and reported by submitting;**

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

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

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

Regional Water Engineer
and/or

County Health Department or Environmental Control Agency specified
below

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

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

Phone: (518) 402-8177

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

Department of Environmental Conservation
Regional Water Engineer
615 Erie Boulevard
Syracuse, NY 13204

Phone: 315-426-7500

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

Cortland County Health Department
Division of Environmental Health
60 Central Avenue
Cortland, NY 13045

- c) Noncompliance with the provisions of this permit shall be reported to the Department as prescribed in 6 NYCRR Part 750-1.2(a) and 750-2.
- d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.
- e) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculations and recording of the data on the Discharge Monitoring Reports.
- f) Calculation for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.
- g) Unless otherwise specified, all information recorded on the Discharge Monitoring Report shall be based upon measurements and sampling carried out during the most recently completed reporting period.
- h) Any laboratory test or sample analysis required by this permit for which the State Commissioner of Health issues certificates of approval pursuant to section five hundred two of the Public Health Law shall be conducted by a laboratory which has been issued a certificate of approval. Inquiries regarding laboratory certification should be sent to the Environmental Laboratory Accreditation Program, New York State Health Department Center for Laboratories and Research, Division of Environmental Sciences, The Nelson A. Rockefeller Empire State Plaza, Albany, New York 12201.

SPDES PERMIT FACT SHEET: Wastewater Data, Receiving Water Data, and, Permit Limit Derivation.

(see last pages of fact sheet for explanatory notes).

Date	April 25, 2006
Permit Writer	Percival Miller
WQ Engineer	Ed Reilly

(1) General Permittee Data:

Permit Number	Permittee Name	Facility Name	Location (C, T, V)	County	Industrial Code	Major/Sub Basin
NY 007 1111	New York L. P. Gas Storage, Inc.	New York L. P. Gas Storage, Inc.	Harford (T)	Cortland	1389	06/03

(2) Summary of Final Outfall Flow Rate(s) and Receiving Water Data:

Outfall Information					Receiving Water Information								
Outfall #	Latitude	Longitude	Flow Rate (GPD)		Name	Class	Water Index Number	For use by WQ Engineer - Critical Data					
	° , ' , "	° , ' , "	Average	Maximum or Design				7Q10 (MGD)	30Q10 (MGD)	Dilution/ Mixing	pH (SU)	Temp (°F)	Hardness (mg/l)
001	42°25'28"	76°12'11"	21,300	150,000	East Branch Owego Creek	C(T)	SR-16-8	0.11	0.17	5.2:1	6.8	70	90

(3) Individual Outfall Data Summaries and Permit Limit Development:

Outfall 001

Source(s) of Wastewater	Brine discharges from maintenance of gas storage capacity in subsurface caverns at old salt mining operation. The brine is pumped to a holding pond, and discharged as convenient to the intermittent stream.
Existing Wastewater Treatment Facilities	None
EPA Point Source Category & Production Rate	Not Applicable

Effluent Parameter (Units) (concentration units - mg/l, ug/l or ng/l; mass units - lbs/d or g/d)	Existing Effluent Quality				Technology Based Effluent Limit					Water Quality Based Effluent Limit				Permit Basis (T or WQ)
	concentration		mass		conc.	mass	Type	PQL conc.	Basis	AWQC conc.	Effluent		Type	
	Avg/Max	95%/99%	Avg/Max	95%/99%							conc.	mass		
Flow Rate, units = GPD	Average	21,300	Maximum	150,000	Monitor		Avg/Max	NA	R(T) - Monitor					
pH (su)	Minimum	6.5	Maximum	8.5	6.5 - 8.5		Range		R(WQ)					
Total Dissolved Solids (mg/l)	180,000				Monitor	Monitor	Maximum		Monitor					
Total Suspended Solids (mg/l)	45	NA	NA	NA	30/50	Monitor	Avg/Max		BPJ - sedimentation					
Temperature (deg. F)	67	NA	NA	NA	70	-	Maximum		Water Quality					
Chlorides (mg/l)	110,000	NA	NA	NA	Monitor	Monitor	Maximum		Monitor					

(4) Additional Issues:

Water Quality Based Effluent Limits (WQBELs):

New York State water quality regulations (for surface waters) are implemented by application of the Total Maximum Daily Load (TMDL) process to watersheds, drainage basins or water body segments, on a pollutant specific basis. The analysis determines if there is a "reasonable potential" that the discharge of a pollutant will result in exceedance of the ambient water quality criteria (AWQC). If there is a reasonable potential for exceedance of the AWQC, the TMDL is used to establish waste load allocations for point source and for non-point sources of the pollutant. For point sources, the waste load allocations are translated to WQBELs for inclusion in SPDES permits. References are: TOGS 1.3.1 USEPA Guidance for Water Quality - Based Decisions: The TMDL Process, 40 CFR 130, and the Clean Water Act § 303(d).

The following table has been completed only for those parameters for which WQBELs were determined to be necessary.

Parameter					
Amount to be Allocated (TMDL)					
Number of Sources					
Allocation to this Permit					

Statistical Analysis:

The statistical methods utilized are consistent with TOGS 1.2.1 and the USEPA, Office of Water, Technical Support Document For Water Quality-based Toxics Control, March 1991, Appendix E. Generally based on log-normal analysis. If other data distributions such as normal or delta log-normal are utilized it is noted below. Statistical calculation were not performed for parameters with insufficient data. Generally, ten or more data points are needed to calculate percentiles. Two or more data points are necessary to calculate an average and a maximum. Non-detects were included in the statistical calculations at the reported detection limit unless otherwise noted.

Monitoring data collected during the following time period was used to calculate statistics: 01/01/03 to 03/31/06

The data was taken from the following source(s): DMR Analysis and Letter of September 10, 2004

(5) Summary of Proposed Permit Changes:

Compared to the issued permit this draft is intended to replace, the following significant changes are proposed -

This is a modification in response to the permittee's request for Department reconsideration of the assigned Chloride limit of 250 mg/ of December 2006. The modification allows for a study of the Chloride and TDS concentrations in the receiving water (intermittent stream during regular discharges, and also an evaluative bioassessment of the affected drainage stream. The Department will review the study information when received, to determine whether any further consideration of liimitations is warranted.

(6) Explanatory Notes:

Please note that some of these terms are not applicable to every fact sheet.

AL -	Action level calculated in accordance with TOGS 1.2.1 (non POTWs) and TOGS 1.3.3 (POTWs). See the permit for a complete definition.
AVG or Av -	Average. The arithmetic mean.
AWQC -	Ambient water quality criteria for the receiving water. The applicable standard, guidance value or estimated value in accordance with TOGS 1.1.1, TOG 1.3.1 and 6NYCRR 700-705.
Basis -	The technical analysis, internal guidance, regulation and/or law upon which an effluent limit or monitoring requirement is proposed.
BAT -	Best Available Technology Economically Achievable in accordance with TOGS 1.2.1 (non POTWs) and TOGS 1.3.3 (POTWs), 40 CFR 125, 6NYCRR 754, ECL 17-0811 and the Clean Water Act.
BCT -	Best Conventional Control Technology in accordance with TOGS 1.3.4, 40 CFR 125, 6NYCRR 754, ECL 17-0811 and the Clean Water Act.
BPJ -	Best Professional Judgement in accordance with TOGS 1.2.1 (non POTWs) and TOGS 1.3.3 (POTWs), 40 CFR 122 and 125, 6NYCRR 754.1, ECL 17-081 and the Clean Water Act.
BPT -	Best Practicable Control Technology in accordance with TOGS 1.2.1, 40 CFR 125, 6NYCRR 754, ECL 17-0811 and the Clean Water Act.
Conc. -	Concentration in units of mg/l, ug/l or ng/l.
Design Flow -	Treatment system design capacity as noted in an approved engineering report.
Final -	Final permit period requirements. A level of performance that must be achieved according to a schedule specified in either the permit or a consent order
g/d -	Grams per day discharged.
GW -	Groundwater effluent limitation developed in accordance with TOGS 1.2.1 (nonPOTWs), TOGS 1.3.3 (POTWs), TOGS 1.1.2 and 6NYCRR 703.
Ind -	Indicated parameter. See definition in section (4).
Interim -	Interim permit period requirements. A level of performance that must be achieved while improvements are being implemented in order to achieve final permit period requirements.
lbs/d or #/d -	Pounds per day discharged.
Mass -	Mass discharge in units of #/d or g/d discharge.
Max or Mx -	The maximum value.
MGD -	Million gallons per day.
mg/l -	Milligrams per liter.
Dilution/Mixing -	Used to determine dilution available in receiving waters. For lakes, estuaries and slowly flowing rivers and streams, mixing zone dilution is generally assumed to be 10:1 unless data is available to indicate otherwise.
Model -	Calibrated water quality model applied in accordance with TOGS 1.3.1.
Mon -	Monitor only.
NA -	The characteristics of this parameter and the reported discharge levels do not justify routine monitoring or a limit. Also indicates "not applicable".
ng/l -	Nanograms per liter. 1000 ng/l = 1 ug/l = 0.001 mg/l.
PQL -	The DEC published or site specific practical quantitation limit; the concentration in wastewater at which analytical results are thought to be accurate to within approximately plus or minus thirty percent.
R -	"Rolled Over", i.e. the specific requirement in this permit is equivalent to the previous permit. R(T) is roll over of a technology based requirement and R(WQ) is roll over of a WQBEL.
Range -	The discharge is limited to a range of effluent values, e.g. a pH limit of (6.0-9.0) SU.
RREL -	EPA's Risk Reduction Engineering Laboratory treatability database.
T -	Technology based effluent limit or requirement.
TOGS -	Technical and Operational Guidance Series. Internal guidance to permit drafters used by the NYSDEC Division of Water to aid in permit drafting. Copies of these guidance documents may be obtained from the internet at http://www.dec.state.ny.us/website/dow/togs/index.htm .
ug/l -	Micrograms per liter. 1000 ug/l = 1 mg/l.
WET-	Whole Effluent Toxicity (testing). See TOGS 1.3.2.
WQ -	Water quality.
WQBEL -	Water quality-based effluent limit. See information in section (4).
7Q10 -	The minimum average 7 consecutive day flow at a recurrence interval of 10 years. Applicable to evaluations involving aquatic health based AWQC.
30Q10 -	The minimum average 30 consecutive day flow at a recurrence interval of 10 years. Applicable to evaluations involving human health based AWQC.
95% -	The 95th percent confidence interval for the historical effluent data used to draft the permit.
99% -	The 99th percent confidence interval for the historical effluent data used to draft the permit.
133 -	Secondary treatment requirements in accordance with TOGS 1.3.3, 40 CFR 133, 6NYCRR 754, ECL 17-0509 and the Clean Water Act.
* -	These parameters represent scans. Detections vary among the compounds which are included in the scans. The listed value represent the maximum detected level of any compound in the scan.