

ARTICLE 6
SPECIAL PERMITS FOR SIGNIFICANT INDUSTRIAL USERS
INTO TOWN'S WASTEWATER SYSTEM

Section 6.1. All significant industrial users (SIU) proposing to connect or contribute to the Town's Wastewater System, shall obtain a special SIU Wastewater Discharge Permit before connecting or contributing to the POTW. This permit is not related to building sewer ^Permits which are required under Article 3, section 3.2 of this local law. All existing significant Industrial users already connected or contributing to the Town's Wastewater System, shall obtain a special SIU Wastewater Discharge Permit within 180 days after the effective date of this local law.

Section 6 . 2 - Special SIU Wastewater Dischar^ge Permit Application.

Users required to obtain a special SIU Wastewater Discharge Permit shall complete and file with the Town an application in the form prescribed by the Town and accompanied by the appropriate fee. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:

- (a) Name and address of the owner and location of the facility (if different from the address of the owner);
- (b) SIC number according to the standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
- (c) Wastewater constituents and characteristics including but not limited to those mentioned in Article 6 of this local law, as determined by a reliable laboratory; sampling and analysis shall be performed in accordance with ^Procedures established by the EPA ^Pursuant to section 304 (g) of the Act and contained in 40 CFR, Part 136, as amended;
- (d) Time and duration of contribution;
- (e) Average daily and 3-minute peak wastewater flow rates including daily, monthly and seasonal variations, if any;

Site plans, floor plans, mechanical and plumbing plans and details

to show all sewers, sewer connections and appurtenances by size, locations and elevation;

Description of activities, facilities and plant processes on the premises, including all materials which are or could be discharged;

Where known, the nature and concentration of any pollutants in the discharge which are limited by any Town, State or Federal Pretreatment Standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and, if not, whether additional O&M and/or additional pretreatment is required for the user to meet applicable Pretreatment Standards; If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the user **will** provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard.

The following conditions shall apply to this schedule:

The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards (e.g., hiring an Engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).

No increment referred to in paragraph (1) shall exceed 9 months.

Not later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress

report to the Superintendent of Water and Sewer including as a minimum, whether or not it complies with the increment of progress to be met on such date, and if not, the date on which

it expects to comply with this increment of progress, the reason for delay, and the steps taken by the user to return the construction to the schedule established. In no event shall more than 9 months elapse between the submission of such progress reports to the Superintendent of Water and Sewer.

(j) Each product produced by type, amount, process or processes and rate of production.

(k) Type and amount of raw materials processed (average and maximum per day)

(l) Number and type of employees, hours of operation of plant and proposed or actual hours of operation of pretreatment system; and

(m) Any other information as may be deemed by the Town to be necessary to evaluate the permit application.

The Town will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the Town may issue a Special SIU Wastewater Discharge Permit subject to terms and conditions provided herein.

Section 6.3 - SIU Permit Modifications. Within 9 months of the promulgation of a National Categorical Pretreatment Standard, the Special SIU Wastewater Discharge Permit of users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user subject to a National Categorical Pretreatment Standard has not previously submitted an application for a Special SIU Wastewater Discharge Permit as required by Section 6.2 herein, the user shall apply for a wastewater contribution permit within 180 days after the promulgation of the applicable National Categorical Pretreatment Standard. In addition, the User with an existing Special SIU Wastewater Discharge Permit shall submit to the Superintendent of Water and Sewer within 180 days after the

promulgation of an applicable National Categorical Pretreatment Standard, the information required by paragraph (h) and (i) of section 6.2 herein.

Section 6.4 - SIU Permit Conditions. Wastewater Discharge Permits shall be expressly subject to all provisions of this local law and all other applicable regulations, user charges and fees established by the Town. Permits shall contain the following:.

The unit charge or schedule of user charges and fees for the wastewater to be discharged to the Town's Wastewater System sewer;

Limits on the average and maximum wastewater constituents and characteristics;

Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization.

Requirements for installation and maintenance of inspection and sampling facilities;

Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, type and standards for tests and reporting schedule;

Compliance schedules;

Requirements for submission of technical reports or discharge reports;

Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the Town and affording Town access thereto;

Requirements for notification to the Town of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system;

Requirements for notification of slug discharges;
and

(k) Other conditions as deemed appropriate by the Town to ensure compliance with this local law.

Section 6.5 - SIU Permit Duration. SIU Permits shall be issued for a specified time period not to exceed 5 years. At the option of the Town, a permit may be issued for a period less than one year or may be stated to expire on a specific date. The user shall apply for permit reissuance a minimum of 180 days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modifications by the Town during the term of the permit as limitations or requirements are modified or other just cause exists. The user shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

Section 6.6 - SIU Permit Transfer. SIU Wastewater Discharge Permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be assigned or transferred or sold to a new owner, new user, different premises or a new or changed operation without the approval of the Town. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

Section 6.7 - Reporting Requirements for SIU Permit Holders.

A. Compliance Date Report. Within 90 days following the date for final compliance with applicable Pretreatment Standards or in the case of a New Source, following commencement of the introduction of wastewater into the Town's Wastewater System, any user subject to Pretreatment Standards and Requirements shall submit to the Superintendent of Water and Sewer a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Pretreatment Standards and Requirements and the average and maximum daily flow for these process units in the user facility which are limited by such Pretreatment Standards or Requirements. The report shall state whether the applicable Pretreatment Standards or Requirements are being met on a

consistent basis and, if not, what additional O&M and/or pretreatment is necessary to bring the user into compliance with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the industrial user and certified to by a qualified professional.

B. Periodic Compliance Reports.

(1) Any user subject to a Pretreatment Standard, after the compliance date of such Pretreatment Standard or, in the case of a New Source, after commencement of the discharge into the Town's Wastewater System, shall submit to the Superintendent of Water and Sewer during the months of June and December, unless required more frequently in the Pretreatment Standard or by the Superintendent of Water and Sewer, a report indicating the nature and consideration of pollutants in the effluent which are limited by such Pretreatment Standards. In addition, this report shall include a record of all daily flows which during the reporting period exceeded the average daily flow reported in paragraph (a) of this section. At the discretion of the Superintendent of Water and Sewer, and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Superintendent of Water and Sewer may agree to alter the months during which the above reports are to be submitted.

(2) The Superintendent of Water and Sewer may impose mass limitations on users which are using dilution to meet applicable Pretreatment Standards or Requirements or in other cases where the imposition of mass

limitations are appropriate. In such cases, the report required by subparagraph (1) of this section shall indicate the mass of pollutants regulated by Pretreatment Standards in the effluent of the user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration or production and mass where requested by the Superintendent of Water and Sewer of pollutants contained therein which are limited by the applicable Pretreatment Standards. The frequency of monitoring shall

be prescribed in the applicable Pretreatment Standards. All analysis shall be performed in accordance with procedures established by the Administrator pursuant to section 304 (g) of the Act and contained in 40 CFR, Part 136 and amendments thereto or with any other test procedures approved by the Administrator. Sampling shall be performed in accordance with the techniques approved by the Administrator.

Section 6.8 - Monitoring Facilities for SIU Permit Holders. The Town shall require to be provided and operated at the user's own expense, monitoring facilities to allow inspection, sampling and flow measurement of the building sewer and/or internal drainage systems. The monitoring facility should normally be situate on the user's premises but the Town may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public road or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.

There shall be ample room in or near such sampling manhole or monitoring facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user.

Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the Town's requirements and all applicable local construction standards and specifications. Construction shall be completed within 90 days following written notification by the Town.

Section 6.9 - Inspection and Sampling. The town shall inspect the facilities of any user to ascertain whether the purpose of this local law is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the Town or their representatives ready access

at all reasonable times to all parts of the premises for the purpose of inspection, sampling, records examination or in the performance of any of their duties. The Town, POTW, Approval Authority and EPA shall have the right to set up on the user's pro^Perty such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering o^Perations. The filing of an application for a SIU Wastewater Discharge permit shall automatically grant to the Town the right of ingress to and egress from the premises of the applicant/user to conduct on the premises of the applicant/user sampling inspections, compliance monitoring and/or metering operations prior to and after issuance of a SIU Wastewater Discharge Permit. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their security guards so that, upon presentation of suitable identification, personnel from the Town, POTW, Approval Authority and EPA **will** be permitted to enter without delay for the purposes of performing their specific responsibilities.

Section 6.10 - Pretreatment. Users shall provide necessary wastewater Pretreatment as required to comply with this local law and shall achieve compliance with all National Categorical Pretreatment Regulations. Any facilities required to pretreat wastewater to a level acceptable to the Town shall be provided, operated and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Town for review and shall be acceptable to the Town before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the Town under the provisions of this local law. Any subsequent changes in the pretreatment facilities or method of operating shall be reported to and be acceptable to the Town prior to the user's initiation of changes.

The Town shall annually publish in its official newspaper a list of the users which were not in compliance with any Pretreatment Requirements or Standards during the 12 previous months. The notification shall also summarize any enforcement actions taken against the user(s) during the same 12 months.

All records relating to compliance with Pretreatment Standards shall be made available to officials of the POTW, EPA or NYSDEC upon request.