

**COUNTY OF MONROE  
SEWER USE PERMIT ENCLOSURE**

**Waste Management of NY LLC**  
**Mill Seat Sanitary Landfill**  
303 Brew Road  
Bergen, New York 14416

**Permit Number:** 846  
**District Number:** 8535

TYPE OF BUSINESS: Sanitary Landfill Operation

SIC CODE: 4953

SAMPLE POINT: 4. Lateral Line Discharge Between Tanks and MC Pump Station

(this site is located within the confines of the MC pump Station. Sampling is conducted in the wet well as identified in a meeting on January 22, 2007).

---

**REQUIRED MONITORING & EFFLUENT LIMITS**

SELF-MONITORING FREQUENCY: **Monthly**

\* A minimum of two (2) grab samples shall be collected throughout the duration of a process discharge. Grab samples for pH shall be analyzed separately.

\*\* A minimum of two (2) grab samples shall be collected throughout the duration of a process discharge. Grab samples shall be combined and analyzed as one (1).

* pH	5.0-12.0 su
**Cyanide	1.0 ppm

**SAMPLING PROTOCOL:** Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto. A timed composite sample, collected throughout the duration of a normal process day, shall be analyzed for the following parameters:

<u>Analyte</u>	<u>MCSUL Effluent Limit</u>
Cadmium (T)	1.0 ppm
Chromium (T)	3.0 ppm
Copper (T)	3.0 ppm
Lead (T)	1.0 ppm
Nickel (T)	3.0 ppm
Silver (T)	2.0 ppm
Zinc (T)	5.0 ppm

**SELF-MONITORING FREQUENCY: Semi-annual**

SAMPLING PROTOCOL: Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto. A timed composite sample, collected throughout the duration of a normal process day, shall be analyzed for the following parameters:

<u>Analyte</u>	<u>MCSUL Effluent Limit</u>
Total antimony	1.0 ppm
Total arsenic	0.5 ppm
Total beryllium	5.0 ppm
Total mercury	0.05 ppm
Total selenium	2.0 ppm
Total thallium	1.0 ppm
***Acid extractables, Base Neutrals	2.13 ppm

---

**SELF-MONITORING FREQUENCY: Quarterly**

SAMPLING PROTOCOL: Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto. In the absence of 40 CFR Part 136 testing methodology, a New York State Department of Health, approved method is acceptable. A grab sample, collected from the above noted sample point shall be analyzed for the following:

<u>Analyte</u>	<u>MCSUL Effluent Limit</u>
***Purgeable Halocarbons	2.13 ppm
***Purgeable Aromatics	2.13 ppm
Total Phenolics	2.13 ppm

\*\*\* The summation of all compounds within this group, with detection levels greater than 10 ug/l, shall not exceed 2.13 mg/l.

**SELF-MONITORING FREQUENCY: Optional**

**SAMPLING PROTOCOL:** Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto. A timed composite sample, collected throughout the duration of a normal process day, shall be analyzed for the following parameters:

Self-monitoring shall be considered optional for surcharge computation. The industrial user shall have the option to sample and test their discharges for the purpose of calculating the surcharge, if applicable. The testing values shall be averaged with those testing values determined by the district for the purpose of calculating the surcharge. Should the industrial user choose to self monitor for surcharge purposes, it will be imperative, each/every wastewater sample analyzed by a NYS certified laboratory be submitted to this office in a timely matter.

Biochemical Oxygen Demand	monitor only
Phosphorus (T)	monitor only
Suspended Solids (T)	monitor only

**Flow Monitoring: Monthly**

Waste Management will be required to report leachate flows to Monroe County on a monthly basis. Leachate disposal fees will be based on current Gates/Chili/Ogden (GCO) Pure Waters District operation, maintenance and capital charges as listed in the annual scale of charges and an operation and maintenance charge for operation of the Mill Seat pump station.

**Monroe County Pump Station at Mill Seat Landfill:**

The key provided to Waste Management for the purpose of entry and monitoring at the pumping station shall be kept in the possession of the appropriate Waste Management personnel. A Waste Management employee shall escort the independent testing laboratory during routine sampling while at this location.

## TERMS AND CONDITIONS

### GENERAL REQUIREMENTS:

- A.** The permittee agrees to accept and abide by all provisions of the Sewer Use Law of Monroe County and of all pertinent rules or regulations now in force or shall be adopted in the future.
- B.1** In addition to the parameters/limits outlined, the total facility discharge shall meet all other concentration values as described in Article II, Section 10e of the Monroe County Pure Waters Districts, Rules and Regulations-Sewer Use Law of the County of Monroe.
- B.2** Included in Article II, Section 10e, is the definition of “Normal Sewage”. “Normal Sewage” may be discharged to the sewer system in excess of the concentrations outlined in the Joint Rules and Regulations, however, the facility will be subject to the imposition of a sewer surcharge and possible self monitoring requirements as a result. Surcharging procedures are outlined in Article X of the MCSUL.
- B.3.** Regulatory sampling for analytes not specified under “required monitoring” shall be conducted by the Industrial Waste Section at a minimum frequency of once every three (3) years.
- C.** This permit is not assignable or transferable. The permit is issued to a specific user and location.
- D.** Per Article VIII, Section 8.11 of the MCSUL, a violation by the permittee of the permit conditions may be cause for revocation or suspension of the permit after a Hearing by the Administrative Board, or if the violation is found to be within the emergency powers of the Director under Sections 4.5 or 5.5. The revocation is immediate upon receipt of notice to the Industrial User, however a Hearing shall be held as soon as possible.
- E.** As provided under Article VIII, Section 8.1, the Director and his duly authorized representatives shall gain entry on to private lands by permission or duly issued warrant for the purpose of inspection, observation, measurement sampling and testing in accordance with the provisions of this law and its implementing Rules and Regulations. The Director or his representatives shall not have authority to inquire into any processes used in any industrial operation beyond that information having a direct bearing on the kind and source of discharge to the sewers or the on-site facilities for waste treatment. While performing the necessary work on private lands, referred to above, the Director or his duly authorized representative shall observe all safety rules applicable to the premises as established by the owner and/or occupant.

### SPECIAL CONDITION:

- A.** All required monitoring shall be analyzed by a New York State Department of Health certified laboratory. All sampling and analysis must be performed in accordance with Title 40 Code of Federal Regulations Part 136.
- B.** The pH range for this permit is 5.0 – 12.0 su. This range is specifically permitted by the Director as allowed under Article IV, Section 4.2 of the Monroe County Sewer Use Law. PH must be analyzed immediately.
- C.** The summation of all Toxic Organic Compounds as defined in the Code of Federal Regulations (40 CFR part 433.11(e)) with detection levels above 10 ug/l shall not exceed 2.13 mg/l as imposed by the Director under Article IV, Section 4.3 of the Monroe County Sewer Use Law unless Federal limits are more stringent under which the Federal limits will apply.
- D.** Petroleum Oil and Grease shall not exceed 100 mg/l as imposed by the Director under Article IV, Section 4.3 of the Monroe County Sewer Use Law.
- E.** Discharges containing Phenolic compounds shall not exceed 2.13 mg/l as imposed by the Director under Article IV, Section 4.3 of the Monroe County Sewer Use Law. These limits are applicable unless Federal limits are more stringent under which Federal limits will apply.

## **REPORTING REQUIREMENTS:**

- A.** Per the requirements of 40 CFR, Part 403.5, Significant Industrial Users must submit Periodic Reports on Continued Compliance to the Control Authority on a biannual (2/yr) basis. Deadline dates of submission for these reports will be August 15 and February 15, respectively.
- B.** Discharge monitoring reports shall be submitted to the Control Authority upon receipt from the permittee's testing laboratory.
- C.** Any Industrial User subject to the reporting requirements of the General Pretreatment Regulations shall maintain records of all information resulting from any monitoring activities required by 403.12 for a minimum of three (3) years. These records shall be available for inspection and copying by the Control Authority. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Industrial User or the operation of the POTW Pretreatment Program or when requested by the Director or the Regional Administrator.

## **NOTIFICATION REQUIREMENTS:**

- A.** Pursuant to Article VIII, Section 8.4K, the permittee shall notify the Department within 24 hours of becoming aware that discharge monitoring is in violation of any permit limit. This notification shall be directed to the Industrial Waste Section at 585-753-7600 Option 4. The User shall also repeat sampling and analysis for the analyte in non-compliance and submit the results of the repeat analysis to Monroe County within 30 days after becoming aware of the violation.
- B.** Notify the Director in writing when considering a revision to the plant sewer system or any change in industrial waste discharges to the public sewers. The later encompasses either an increase or decrease in average daily volume or strength of waste or new wastes.
- C.** Notify the Director immediately of any accident, negligence, breakdown of pretreatment equipment or other occurrence that occasions discharge to the public sewer of any waste or process waters not covered by this permit.

## **SLUG CONTROL**

An Industrial User shall be required to report any/all slug discharges to the Monroe County sewer system by calling 585-753-7600 option 4. For the purpose of this permit enclosure, a slug discharge shall be identified as any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge. Following a review process, the Control Authority (Monroe County) shall determine the applicability of a facility slug control plan. If the Control Authority decides that a slug control plan is needed, the plan shall contain, at a minimum, the following elements:

1. Description of discharge practices, including non-routine batch discharges.
2. Description of stored chemicals.
3. Procedures for immediately notifying the Control Authority of slug discharges, including any discharge that would violate a prohibition under 40 CFR 403.5 (b), with procedures for follow up written notification within five (5) days.
4. If necessary, procedures to prevent adverse impact from accidental spills, including, but not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents) and/or measures and equipment for emergency purposes.

## **SNC DEFINITION:**

In accordance with 40 CFR 403.8 (f) (vii), an Industrial User is insignificant noncompliance (SNC) if its violations meet one or more of the following criteria:

- A.** Chronic violations of wastewater discharge limits – defined as those which 66% or more of all the measurements taken during a six-month period exceed (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter. This criteria does NOT apply to the following Monroe County surchargeable parameters: Biochemical Oxygen Demand, Total Suspended Solids, Chlorine Demand and Total Phosphorus (ref. Article X – Monroe County Sewer Use Law).
- B.** Technical review criteria (TRC) violations – defined as those in which 33% or more of all the measurements for each pollutant parameter taken during a six month period equal or exceed the product of the daily maximum limit or the average limit times the applicable TRC. This criteria does NOT apply to the following Monroe County surchargeable parameters: Biochemical Oxygen Demand, Total Suspended Solids, Chlorine Demand and Total Phosphorus (ref. Article X – Monroe County Sewer Use Law).
- C.** Any other violation of a pretreatment effluent limit (daily maximum or longer-term average) that the Control Authority determines has caused, alone or in combination with other discharges, interference or pass-through (including endangering the health or POTW personnel or the general public).
- D.** Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or the environment or has resulted in the POTW's exercise of its emergency authority under paragraph (t)(1)(vi)(8) of 40 CFR part 403 to prevent such a discharge.
- E.** Failure to meet, within 90 days after the scheduled date, a compliance schedule milestone contained in a local control mechanism or enforcement order, for starting construction, completing construction or attaining final compliance.
- F.** Failure to provide, within 30 days after the due date, required reports such as BMRs, 90 day compliance reports, period reports on continued compliance.
- G.** Failure to accurately report noncompliance.
- H.** Any other violation or group of violations that the Control Authority determines will adversely affect the operation and implementation of the local Pretreatment Program.

## **PENALTIES**

Should the facility be considered in Significant Non-Compliance (SNC), based on the above mentioned criteria, the minimum enforcement response by Monroe County will be the publication of the company name in the Gannett Rochester newspaper. The company will be published as an Industrial User in Significant Non-Compliance (SNC). Fines and criminal penalties may follow this publication (ref. Article XII – Monroe County Sewer Use Law).

Nothing in this permit shall be construed to relieve the permittees from civil/criminal penalties for noncompliance under Article XII, Section 12.1(D) of the Sewer Use Law of the County of Monroe. Article XII, Section 12.1(D) provides that any person who violates a permit condition is subject to a civil penalty not to exceed \$10,000 for any one case and an additional penalty not to exceed \$10,000 for each day of continued violation.