

Engineering Report

Town of Springwater WWTP Improvements

CWSRF Project Listing No. C8-6544-03-00

SPDES Permit No. NY026450

Town of Springwater
Livingston County, NY



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July 2025



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Prepared for:

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1 EXECUTIVE SUMMARY

The Town of Springwater Wastewater Treatment Plant (WWTP) serves a small residential community of approximately 200 customers in Livingston County, New York. The WWTP has a history of non-compliance for State Pollutant Discharge Elimination System (SPDES) effluent permit limits, and is under two NYSDEC Orders on Consent (DEC Case Nos. R8-20150120-45 and R8-20240108-1) to resolve the chronic treatment issues. A copy of the facility's SPDES permit is included in Appendix A for reference.

The Springwater WWTP discharges into Springwater Creek (Fishing-Stressed), which discharges into Hemlock Lake (Water Supply-Stressed, Classified as AA(T)). The City of Rochester's water plant, the Hemlock Lake Filtration Plant, is located on Hemlock Lake. The plant produces 37 million gallons of water each day, which is delivered to the residents and businesses in the City of Rochester and wholesaled to the Monroe County Water Authority, the Town of Livonia, Livingston County Water & Sewer Authority, and the Town of Lima.

This report evaluates potential alternatives to improve the WWTP, including No Action (Alternative 1), WWTP Additional Improvements Proposed by Hunt Engineers (Alternative 2), WWTP Replacement with Conventional Activated Sludge Plant (Alternative 3), and WWTP Replacement with Sequencing Batch Reactor (SBR) Plant (Alternative 4). The selected alternative was Alternative 4, due to highly reliable nature of the SBR process for compliance with the effluent limitations of the plant's current SPDES permit and the economic design offered by the SBR process.

The existing WWTP process consists of the following elements:

- Raw wastewater enters the WWTP property, a 7.13 acre parcel located on the south side of Kellogg Road, via two 6-inch low pressure force mains.
- The force mains discharge to three, unmixed, unaerated septic tanks where heavy solids and grease accumulate before the remaining fraction of solids and the liquid wastewater is pumped to a series filter fabric, attached growth bio-media style treatment tanks.
- Soluble elements of the wastewater such as BOD and ammonia are processed in the series attached growth bio-media tanks.
- Processed wastewater is pumped to two package ultraviolet disinfection systems located in the WWTP common control, garage, UV treatment building.
- After UV disinfection, the finished effluent flows by gravity to an underground cascade aeration chamber before flowing by gravity to discharge to surface water on the north side of Kellogg Road.

The implementation of Alternative 4 will require an entirely new wastewater treatment process and the removal of the existing bio-media treatment tanks. The selected alternative proposes to reuse several elements of the existing WWTP, to the extent that they will effectively and durably serve as part of the proposed Alternative. Alternative 4 will involve the following elements:

- The overall WWTP site including the existing control building with lab, garage, and UV disinfection room will remain. Small alterations to the UV disinfection room will be made to remove the existing dry chemical feed system and install a new liquid chemical (pH control) injection system.
- The reuse of the existing septic tanks, and equalization pump station as emergency equalization/holding tanks.

- A new variable speed influent pump station to lift raw wastewater in a flow paced manner to the new above ground screen machine and sequencing batch reactor tanks.
- A new headworks screen machine to remove inorganic solids and floatable solids. The screen machine will have self-contained freeze protection or be located in a small, freeze protected shelter depending on the manufacturer chosen during the design process. Solids removed by the screen machine will be dewatered, compacted and deposited in a solid waste container for off-site disposal.
- A new Sequencing Batch Reactor (SBR) treatment process consisting of two SBR tanks containing fine bubble diffused aeration, influent distribution headers, floating effluent decanters, and waste sludge pumps. A PLC-based control system will be provided to operate the sequencing of the process.
- A new waste sludge holding tank, constructed with walls common to the above described SBR's sized to allow for a minimum of 30 days of waste sludge volume with a sludge thickening decant valve and a fine bubble diffused aeration system.
- New sludge drying beds located in a portion of the WWTP area currently occupied by the abandoned wetlands treatment system to allow for a 60-day sludge drying cycle and removal to a solid waste container via a new skid steer loading vehicle.
- Reuse of the existing UV disinfection system and cascade aerator.
- Removal of the four existing bio-media treatment tanks.
- Repairs to a portion of the existing off-plant conveyance force main that is prone to plugging due to poor geometric layout.
- Addition of an electrical safety disconnect at all customer grinder pump stations to improve safety and operations efficiency for maintenance personnel.
- Improvements to the WWTP SCADA communication system so the plant can be monitored from the LCWSA headquarters during times when the operations staff is not physically present at the plant.

With these critical improvements, the Town will be able to provide protection of a critical water supply and support the retainage of businesses and residents by promoting placemaking and economic development opportunities. The total opinion of probable construction cost for the recommended alternative is approximately \$5.63M, and the total project cost is estimated at \$6.0M

This report is intended to support the Water Infrastructure Improvement Act (WIIA) grant and NYS Clean Water State Revolving Fund (CWSRF) financing, as administered by the NYS Environmental Facilities Corporation, as well as other potential grant opportunities through the NYS Consolidated Funding Application (CFA) program. The Engineering Report Certification is included in Appendix B.

2 PROJECT BACKGROUND AND HISTORY

2.1 Site Information

2.1.1 Location

The Town of Springwater (Town) is located in the southeast corner of Livingston County. The area is served by a municipal sanitary sewer system that was constructed between 2007 and 2009. The WWTP is located at the north end of the Town at 7737 Kellog Road, and is surrounded by agricultural fields, meadows, and wooded areas. The site is predominantly grass covered, and divided by a north-south gravel access drive. The project area will be located within the confines of the existing WWTP land parcel. A site location map is included in Appendix C.

Construction of the current recirculating media filter facility was completed in February 2021, which is located on the south-western portion of the site. Before 2021, the Town used a hybrid system that included individual septic tanks and grinder pump stations that conveyed wastewater to a vegetated submerged bed constructed wetland system. The wetland treatment trains were abandoned in place as part of the 2021 upgrades, and are located in the eastern half of the WWTP parcel.

2.1.2 Geologic Conditions

Site fill on the order of 5 to 7 feet thick was used to establish current grades, which slope downward from west to east from approximately elevation 938 to 932 feet. Based on available surficial geologic maps, soils in the vicinity of the project area are lacustrine deposits of laminated silt and clay, underlain by shale.

Soil borings from a 2019 geotechnical investigation completed at the location of the existing operations building and media filters encountered medium compact sandy gravel with clay and silt that extended 6 to 8 feet below grade, underlain by medium compact sandy gravel with lesser amounts of silt to a depth of 22 to 33 feet. Underlying the sandy gravel, the boring in the location of the media filters encountered stiff silt and sand to a depth of 48 feet, which was underlain by soft to very soft silty clay to a depth of 62 feet below grade. Soil borings located at the existing WWTP septic tanks found loose silty sand with gravel to depths ranging from 4 to 6 feet below the surface, underlain by medium compact to compact sandy gravel that extended 23 to 32 feet below grade.

Freestanding groundwater was previously observed at depths ranging from 7 to 10 feet in temporary observation wells. The soil samples were classified as moist 6 to 8 feet below grade, and wet to saturated thereafter. A copy of the 2019 geotechnical report is included in Appendix D.

2.1.3 Environmental Resources

Wetlands

According to National Wetlands Inventory mapping provided by the US Fish and Wildlife Service, the WWTP site is bound by emergent and forested/shrub wetlands on the east, west, and north. Refer to Exhibit A in Appendix E for NWI Mapping.

Waterbodies

Springwater and Limekiln Creek are located west and east of the project area, respectively, and discharge approximately 2 miles north at Hemlock Lake. The watershed for the creeks includes several unnamed tributaries

within the Springwater Valley. The WWTP effluent discharges directly to Springwater Creek, which is classified as “C” with best uses designated for fishing and secondary contact recreation according to the Waterbody Segment Assessment Factsheet. While unconfirmed, the fishing use assessment is currently believed to be “stressed” due to pH concerns.

Hemlock Lake is approximately 2.85 miles downstream from the Springwater WWTP discharge point on Springwater Creek. According to the Waterbody Segment Assessment Factsheet, the lake is classified as “AA(T)” and serves as a major water supply source for the region. Best uses for the lake include fishing (unassessed), secondary contact recreation (fully supported), and primary contact recreation (fully supported). The use assessment currently designates the lake as being “stressed” as a result of ammonia, chloride, nitrate, and nitrite. Completion of these critical improvements at the WWTP will support the protection of a critical regional water supply, recreation uses, economic benefits realized through tourism, and the quality of life for constituents.

Waterbody Segment Assessment Factsheets are included in Appendix E.

NYSDEC Endangered Species

The New York State Department of Environmental Conservation (NYSDEC) Environmental Resource Mapper shows a zone of “Rare Plants and Animals” located approximately 1 mile north of the project site. Refer to Exhibit B in Appendix E for NYSDEC Environmental Resource Mapping. Based on the conclusions of SEQR reviews of the past multiple constructions on this site, this project will not impact endangered species.

Archeologically Sensitive Areas

According to the NYSDEC Environmental Assessment Form (EAF) mapper, the project site is located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory. Refer to Exhibit C in Appendix E for EAF mapping. Based upon a preliminary SHPO review for the project, an opinion was rendered that no historic properties, including archaeological and/or historic resources, will be affected by this undertaking. A copy of this letter has been included in Appendix F. The final design and designated Area of Potential Effect (APE) will be coordinated with SHPO.

Agricultural Districts

The project site borders a parcel designated as part of the Livingston County Agricultural District #3 immediately east and south of the WWTP. Refer to Exhibit D in Appendix E for agricultural mapping.

2.1.4 Floodplain Considerations

The WWTP is not located within a floodplain zone per Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM). FEMA “Zone A” 100-year floodplains are located to east, west, and north of the project area. Refer to Exhibit E in Appendix E for the FIRM of the project area.

2.1.5 Potential Impacts to Environmental Justice Area(s)

The project will have a direct impact on the water quality of several Environmental Justice (EJ) areas (Census Block ID Nos. 360550131043, 360550130011, and others) and several Disadvantaged Community (DAC) areas (Census Block ID Nos. 36055013104, 36055013001, and others) as the received waterbody of the WWTP discharges to Hemlock Lake, which is one of the water supplies for the City of Rochester. The mapping for EJ and DAC areas is included in Appendix G.

A recent income survey indicates the Median Household Income (MHI) for the project's service area is \$43,000, which is considerably lower than the 2023 American Community Survey (ACS) Census data and should be considered to be an EJ or DAC area. The Town will make certain Environmental Justice practices will be followed, ensuring the project will service all people living, working, and visiting the Town regardless of race, color, or income with respect to development, implementation, and enforcement laws, regulations, and policies. A copy of the income survey is included in Appendix G.

2.2 Ownership and Service Area

In August 2023, the Town and LCWSA entered into an intermunicipal cooperation agreement (IMA) with LCWSA to assist the Town with project management in achieving compliance with the 2015 Consent Order and SDPES permit. Effective January 14, 2025, the Town of Springwater entered into an agreement with the LCWSA to assume responsibility of the Town's water and sewer system through a 40-year lease agreement. A copy of both agreements is included in Appendix H.

The WWTP service area includes 194 customers, or 253 total Equivalent Dwelling Units (EDUs), located within the Springwater Hamlet. Wastewater is collected from homes and businesses and transported via low pressure sewer grinder pump stations to the WWTP. Wastewater influent is primarily from residential sources.

2.2.1 Outside Users

There are no users from outside the Town.

2.2.2 Industrial Discharges and Hauled Waste

There are no industrial waste producers within the Town.

2.2.3 Population Trends and Growth

In the 2010 census, the population of the Town of Springwater and hamlet of Springwater was 2,439 and 549, respectively. As of 2023, the estimated population was 2,487 in the Town and 418 in the hamlet, according to the ACS 5-year estimate.

Within the service area, a 30-unit expansion of a mobile home park is anticipated.

2.2.4 Sewer Debt Responsibility

Approximately 194 customers, or 253 EDUs, within the WWTP service area share the sewer debt responsibility for the Town of Springwater. The 2025 combined annual sewer rent for the district is approximately \$136,000 from revenue and late fees.

2.3 Existing Facilities and Present Conditions

2.3.1 Overview of Major System Components

Raw wastewater collected at the plant's influent manhole flows into two primary settling/septic tanks arranged in series, followed by a pre-anoxic/equalization (EQ) Tank. The EQ tank is equipped with duplex dosing pumps that send wastewater for secondary treatment at a two-stage recirculating media filter (RMF) system by Orenco AX-MAX AdvanTex®. Recirculation from the RMF units is pumped through a supplemental alkalinity dry chemical feed

system which returns to the EQ tank. Chemical feed has not historically been necessary, so the recirculation bypasses the system.

RMF effluent is pumped through two parallel UV disinfection units followed by a cascade aerator prior to discharge into Springwater Creek through Outfall 001. The system is metered between the EQ tank and RMFs within the operations (also known as control) building. A process flow diagram is provided in the figure below.

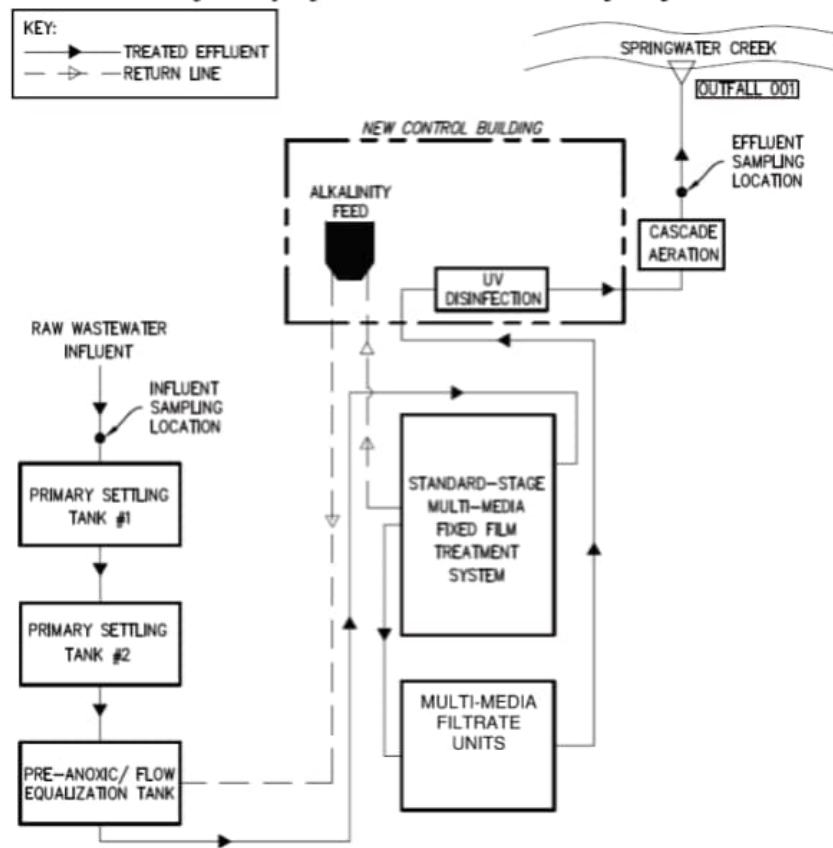


Figure 1: Process Flow Diagram

2.3.2 Current or Future Projects on the Site

Apart from this project (i.e. the improvement of the existing WWTP), there are no other ongoing or future plans for the WWTP parcel.

2.3.3 Discharge Limits

SPDES Permit Conditions and Effluent Discharge Limits

The Springwater facility is permitted to operate under existing SPDES Permit NY-0246450 (Appendix A). The referenced SPDES permit allows this facility to discharge to the surface waters of Springwater Creek, a Class C waterway. The effluent quality requirements of the Springwater permit are summarized in the following table.

Table 1 – SPDES Permit Summary

Effluent Criteria	30 Day Arithmetic Mean	7 Day Arithmetic Mean	Daily Maximum Value
Flow (gpd)	40,000		
Total Suspended Solids (TSS) (mg/l)	30	45	
Settleable Solids (ml/l)			0.1
Carbonaceous Biochemical Oxygen Demand, 5 Day (CBOD5) (mg/l)	25	38	
Nitrogen, Ammonia (as N) (mg/l) June 1st to October 31st	5.0		
Nitrogen, Ammonia (as N) (mg/l) November 1st to May 31st	8.0		
Chlorine Residual (Cl ₂) (mg/l)			0.03
Fecal Coliform (CFU/100 ml)	200	400	
pH (Daily Max / Daily Min)		6.5 to 8.5	

Current SPDES Permit

The current permit expires August 31, 2029.

Publicly Owned Sewer System (POSS) Identification Number

Not applicable.

Documented Compliance Issues

In May 2015, prior to the construction of the current WWTP, the Town was issued their first Order on Consent, Case No. R820150120-45. However, the current WWTP continues to exceed SPDES permit limits, and the Town was subsequently issued a Notice of Violation in September 2023 for “chronic noncompliance.” A second Order on Consent, Case No. R820240108-1, was issued in January 2024, to address the chronic noncompliance.

The Orders document numerous excursions from the effluent permit limits for CBOD5 % removal; CBOD5 7-day load; CBOD5 30-day load; fecal coliform 7-day geometric mean; fecal coliform 30-day geometric mean; nitrogen, ammonia total; total suspended solids 7-day concentration; total suspended solids 30-day concentration; total suspended solids % removal; total suspended solids effluent gross 7-day average; and, total suspended solids effluent gross 30-day average. A copy of the two Orders on Consent and Notice of Violation are included in Appendix I of this report.

2.3.4 Flows and Waste Loads

Design Flows and Waste Loads

The current permitted capacity of the WWTP is 40,000 gpd (average day of max month), and growth projections for the system do not warrant an increase in design flow. The 30-unit expansion of a mobile home community is estimated to produce an additional 6,600 gpd (30 units x 220gpd/unit), per NYSDEC Design Standards for Intermediate Sized Wastewater Treatment Systems, dated March 2014.

Since the historical and projected flows do not exceed current capacity, the design wastewater flow to the Springwater WWTP used in the alternatives analysis and recommendations presented in the proceeding sections of this report will be 40,000 gpd. Furthermore, this project intends to utilize the existing septic tanks for surge

protection at the plant should high flows be experienced during future extreme wet weather events. The associated flow multipliers for hydraulic design are presented in the table below.

Table 2 – WWTP Design Flows

	Annual Average Daily Flow	Peak Day Flow	Minimum Day	Average Day of Max Month	Peak Hour
Flow (gpd)	32,400	79,200	1,200	40,000	110,800
Multiplier (Value/ADMM)	0.81	1.98	0.03	1.00	2.77

Characteristics of the influent wastewater used in this report were based on the results of analysis performed by the LCWSA in 2024, and are summarized in the table below.

Table 3 – WWTP Design Waste Loads

Constituent	Value
Carbonaceous Biochemical Oxygen Demand, 5 Day (CBOD ₅) (mg/l)	350
Total Suspended Solids (TSS) (mg/l)	370
Ammonia (NH ₄ ⁺) (mg/L as N)	64
Total Phosphorus (mg/L as P) (assumed)	10
pH (assumed)	7.0
Temperature (°C)	6 to 16

Historical Flow Loading

The LCWSA provided potable water demand records for all customers in the Town for the final quarter of 2024 and the first quarter of 2025. These records included in Appendix J. The average daily demand which is tributary to the Springwater WWTP was calculated, and the data is summarized in the table below.

Table 4 – Potable Water Demand Records

Time Period	Total Potable Water Demand (gallons)	Number of Active Customers	Average Daily Demand, Total (gpd)	Average Daily Demand, per Customer (gpd/unit)
Fourth Quarter 2024 (90 Days)	1,282,787	131	14,253	109
First Quarter 2025 (90 Days)	1,269,526	133	14,106	106
Averages			14,180	

The LCWSA also provided the monthly WWTP discharge monitoring reports from January 2022 till April 2025. The long-term historical flow was analyzed to determine the annual average daily flow to the WWTP, as well as the peak day flow, minimum day flow, and the average day of maximum month flow. The results of that analysis are shown on the table below.

Table 5 – 3-Year Historical Flows

Year	Annual Average Daily Flow (gpd)	Peak Day Flow (gpd)	Minimum Day (gpd)	Average Day of Max Month (gpd)
2022	22,000	53,000	12,000	24,900
2023	22,200	33,000	12,000	26,800
2024	20,500	31,000	7,500	24,600
2025 (partial)	20,800	37,700	900	21,500
Long Term Averages	21,600	53,000	900	26,800
Average + 1 Standard Deviation (84% Occurrence)	24,900			

The average potable water demand and wastewater effluent volumes were compared to gauge the amount of infiltration/inflow that might be present in the Town of Springwater wastewater collection system. The results are shown on the table below.

Table 6 – Infiltration and Inflow Estimates

Time Period	Average Daily Potable Water Demand, Total (gpd)	Average Daily Wastewater Effluent Volume (gpd)	Possible Infiltration / Inflow (gpd) / (% of total WW flow)	Possible Infiltration / Inflow (gpd/customer)
Fourth Quarter 2024 (90 Days)	14,300	19,600	5,300 / 27%	49
First Quarter 2025 (90 Days)	14,100	20,800	6,700 / 32%	65

The Springfield wastewater collection system is of relatively modern construction and consists entirely of low-pressure sewers. Therefore, the only route of infiltration / inflow (other than possible sump pumps a roof leader connections) could be rain or ground water entering the individual grinder pump manholes at each customers residence. Both the potable water meters at each customer’s residence and the magnetic flow meter measuring the WWTP effluent flow can be considered reliable.

The LCWSA has and will continue efforts to investigate and reduce extraneous flows to the WWTP.

Historical Waste Loading

The LCWSA also provided the monthly WWTP discharge monitoring reports from January 2022 till April 2025. The long-term historical wastewater characteristics were analyzed to determine the average and maximum TSS, CBOD₅ and Ammonia loadings. The results of the analysis of those samples are shown on the table below.

Table 7 – 3-Year Historical Waste Loading

Constituent	Average	Average + 1 Standard Deviation (84% Occurrence)	Average - 1 Standard Deviation (16% Occurrence)
Carbonaceous Biochemical Oxygen Demand, 5 Day (CBOD ₅) (mg/l)	313	470	156
Total Suspended Solids (TSS) (mg/l)	242	439	45
Ammonia (TKN) (mg/L as N)	50.6	63.6	37.5
Temperature (°C)	11.1	15.3	6.8

Unfortunately, the record data reported above were obtained from grab samples rather than 24-hour composite samples. This method of sampling makes the lab results less useful since the data represents a single moment in the course of the day rather than an average of the total loading to the WWTP in a full day.

To supplement the historical grab samples, the LCWSA conducted additional daily 24-hour composite sampling from June 10, 2024, till August 2, 2024. The results of the analysis of those 38 samples are included in Appendix J, and summarized in the table below.

Table 8 – 3-Year Historical Waste Loading

Constituent	Average	Average + 1 Standard Deviation (84% Occurrence)	Average - 1 Standard Deviation (16% Occurrence)
Carbonaceous Biochemical Oxygen Demand, 5 Day (CBOD ₅) (mg/l)	223	353	93
Total Suspended Solids (TSS) (mg/l)	266	366	167
Ammonia (TKN) (mg/L as N)	53.3	63.7	43.0

The results of the 24-hour composite samples were within 10% of the historical grab samples except for the CBOD₅, which is not atypical of a BOD₅ test result. Therefore, we have adopted the results of the 24-hour composite sample results as the best representation available of the long-term organic loadings to the WWTP.

Production Rates for Processing and/or Manufacturing

Not Applicable.

2.3.5 Energy Consumption

The WWTP’s electric utility bill from February to April 2025 shows a usage of 17,253 kilowatt-hour (kWh), or approximately 8,630 kWh per month.

2.3.6 Photographs



Figure 2: Photo of Buried Septic Tanks



Figure 3: Photo of RMF Units

2.3.7 History of Damage Due to Storm or Flood Impacts

The WWTP has not experienced significant impacts from storms or floods during its service life.

2.3.8 Present Conditions of Each Unit Process

The WWTP has a design capacity of 40,000 gallons per day (GPD). The capacity of the individual unit processes is outlined in Table 1 below.

Table 9 – Existing WWTP Unit Process Capacity

Process	Quantity - Arrangement	Dimensions	Capacity
Primary Septic Tanks	2 each in series	12 foot diameter x 54 feet long	40,000-gallons each
Equalization Tank	1	12 foot diameter x 31 feet long	25,000 gallons
Equalization Tank Pumps	2 each Lead/Lag		75 gpm each
RMF System Orenco AX-MAX AdvanTex®	3 Recirculation / Blend Tanks	42 feet long x 7.5 feet wide x 8 feet high	19,000-gallons each, 25 gpd/SF
	2 Filtrate Tanks	42 feet long x 7.5 feet wide x 8 feet high	15,700-gallon each, 62.5 gpd/SF
	1 Filtrate/Pump Tank	28 feet long x 7.5 feet wide x 8 feet high	12,600 gallons
UV Disinfection	2 each in Parallel		75 gpm each
Cascade Aerator	1	11 feet high with 7 steps	Effluent D.O., 7 mg/L

Primary Treatment Tanks

The influent septic and EQ Tanks are buried cylindrical HDPE tanks, with the septic tanks including effluent mesh filters. The septic tanks are currently pumped every 6 months due to accumulation of thick scum and sludge layers. Without upstream headworks or primary clarification, the septic and EQ tanks are overloaded and unable to provide the proper anaerobic decomposition of solid matter.

Orenco Filters

The existing RMF units are a simplified variation of a attached growth activated sludge process, in which wastewater is sprayed onto hanging synthetic non-woven filter fabric located at the top of the tanks. The wastewater drips through the textile and is supplied with warm air to support attached, live biofilm that breakdown BOD and Ammonia from the filtrate.

Construction of the Orenco system was intended to be completed in two phases, with the second phase of construction being dependent on financial resources and the success of the first stage in meeting the permitted effluent conditions. It was anticipated that the first phase of treatment would meet effluent CBOD₅ and TSS limits, and the system would be evaluated at the one-year mark for compliance with seasonal Ammonia limits (as Nitrogen). However, the current system is not providing adequate treatment and is frequently exceeding effluent limits for CBOD₅, TSS, Fecal Coliform, and Nitrogen.

During various site inspections conducted in September 2023, the RMF system exhibited signs of anaerobic conditions, infestation of filter flies and worms, and significant sludge accumulation on the filter media. These issues require constant maintenance to service and clean the media, above and beyond what was anticipated at system conception. It is assumed that the overload of solids within the upstream primary treatment works is passing higher load wastewater to the filters.

The Orenco filters are also prone to freezing due to the installation being partially above ground, in uninsulated FRP tanks. The aeration/air heating system has a history of failure and may be inadequate to provide the necessary oxygen levels to the biomass growing on the filter fabric.

UV Systems

Effluent from the RMS system is pumped to the existing UV disinfection facility located within the operations building. The two parallel UV units have a capacity of 75 gpm each, and appear to be in good working condition. However, the level of suspended solids remaining in the effluent stream following the Orenco filters is suspected to be fouling the UV units. The absence of a final clarification method is anticipated to be rendering the UV disinfection system ineffective, leading to fecal coliform violations.

Cascade Aerator

The cascade aerator is a concrete structure with 11 steps, and improves dissolved oxygen in the finished effluent prior to discharge through Outfall 001.

Effluent Pipe and Outfall

The 8" SDR 35 PVC effluent pipe conveys WWTP finished effluent from the cascade aerator to Outfall 001. However, approximately 75 feet of the 310 linear feet of gravity pipe from MH-1 to MH-2, is improperly sloped backwards. From MH 2 to Outfall 001, the effluent pipe appears to be sloped correctly.

Permit Violations

As noted previously, the Springwater WWTP has been under NYSDEC Order on Consent (Case No. R8-20150120-45) since May 2015 for failure to comply with SPDES permit effluent limitations. The Town has undergone two major WWTP projects since 2005, each being almost entirely new wastewater collection and treatment systems intended to meet the requirements of the SPDES permit. In each instance, the system has not functioned as designed, has been difficult to operate and maintain, and has not met effluent limitations. Since the completion of the current WWTP, the NYSDEC has issued additional Notices of Violation, and the Town entered into a second Consent Order (Case No. R8-20140108-1) in May 2024.

Since the Town entered into the Lease with the LCWSA, the two entities have worked closely to address various issues at the WWTP, as well as NYSDEC compliance requirements; these include reduction of chronic infiltration and inflow at holding tank risers, adoption of NYS DEC approved Sewer Use Rules and Regulations, installation of collection system grease traps, improving operation and maintenance schedules, and RMF heating and insulation upgrades.

2.4 Definition of the Problem

The systemic issues at the Town of Springwater's WWTP have resulted in chronic non-compliance with its SPDES permit for over a decade. The persistent violations and resulting Consent Orders with NYSDEC carry serious consequences that span across environmental, human, health, legal, and economic sectors. The Town has endured the financial burden of two large-scale projects in recent history, and both projects have failed to deliver a reliable, effective, and operationally friendly wastewater treatment plant. The existing system continues to be unreliable in regard to SPDES compliance, and a third large-scale investment will be required to bring the Town's WWTP into working order. Implementing essential improvements will help safeguard a vital regional water source, enhance

recreational opportunities, support tourism-driven economic gains, and improve overall quality of life for the community.

2.5 Financial Status

The Town of Springwater is a very small community with limited fiscal resources. As noted previously, the district has been burdened by the financial responsibility of two failed WWTP projects, of which the debt load is carried by 194 customers, or 253 EDUs. A recent income survey (Appendix G) indicates the MHI for the project's service area is \$43,000, which is considerably lower than the 2023 ACS Census data, and should be considered to be an EJ or DAC area.

The project was previously awarded a NYS Water Infrastructure Improvement Act (WIIA) grant in 2024. Based on the State's new criteria established to benefit small communities, the Town qualified for an enhanced award in an amount not to exceed \$1,170,215, based on information provided in the application, including total estimated eligible project costs. The Town also qualified for subsidized financing through the CWSRF in an amount of \$1,170,215. Note, the Town's authorized amount for financing through the CWSRF is expected to exceed the required local match of 25% of the grant award under the Water Quality Improvement (WQIP) program.

However, based on the current improvements recommended for the WWTP, the Town now expects to have a significant funding gap for the project. While the Town is extremely grateful for the previous grant award through the WIIA program, as well as the subsidized financing through the CWSRF, this represents a significant cost burden for a small, disadvantaged community. As such, the Town is requesting consideration of this project under the current round of CFA grant funding, for award of WQIP funds in order to minimize the cost burden of significantly higher sewer rates for our constituents (253 EDUs).

Should additional grant funding not be available under the 2025 CFA, WQIP program, the Town will be required to apply for funding under additional programs under the NYS CFA 2026 program. This, however, could lead to further delays in reaching compliance for SPDES permit effluent limits, as required under the Executed Order on Consent (Case No. R8-20240108-1).

3 ALTERNATIVES ANALYSIS

This section presents options available to address the non-compliance of the Town of Springwater’s WWTP. The potential options for this project include No Action, WWTP Additions Proposed by Hunt Engineers, WWTP Replacement with Conventional Activated Sludge Plant, and WWTP Replacement with Sequencing Batch Reactor Plant.

Note that Green Infrastructure alternatives were not evaluated because the sanitary sewer system is separate from the stormwater conveyance system, and Green Infrastructure projects are most applicable to stormwater or combined systems. Similarly, alternatives associated with system centralizing/decentralizing or regional consolidation opportunities are not applicable to the project and were not evaluated.

3.1 Alternative 1 – No Action

3.1.1 Description

The “No Action” alternative consists of proceeding without addressing the Springwater WWTP’s non-compliance with SPDES discharge limits. The LCWSA would continue to operate the existing treatment system, despite its inability to consistently meet the required treatment standards to minimize environmental, economic, human, and health-related impacts. This alternative does not meet the Town’s goal of achieving compliance for its community, and selection of this approach would violate the terms of the existing Order on Consent issued by NYSDEC. For these reasons, the No Action alternative was not given further consideration.

3.2 Alternative 2 – WWTP Additions Proposed by Hunt Engineers

3.2.1 Description

The existing WWTP was originally designed by Hunt Engineers, and their recommendations for improvements are outlined in an Evaluation and Corrective Measures Report, dated May 2024, which is enclosed in Appendix K. That report including a number of recommended process additions to achieve SPDES compliance, as summarized herein:

- 1) Addition of a 27-foot diameter primary circular clarifier upstream of existing septic tanks with a surface flow rate of 300 gpd/SF and 10 ft of liquid depth to reduce solids loading on downstream processes.
- 2) Installation of 5,000-gallon aerated sludge holding tank to provide 50-60 days of on-site storage.
- 3) Installation of a second stage Orenco AX-MAX AdvanTex® system for continued treatment of BOD and to provide extended time for nitrification and ammonia removal.
- 4) Re-installation of abandoned vegetated submerged bed constructed wetland treatment trains as a polishing step to be used seasonally for nitrification.

3.2.2 Cost Estimate

The total estimated construction cost proposed by Hunt Engineers for this alternative is approximately \$2.39M in 2025 dollars, which includes a contingency of 30%. The plant’s existing annual operation and maintenance (O&M) budget is estimated to increase by \$13,600 (in 2025 dollars). Assuming these modifications were implemented in 2027, the total estimated 2028 sewer O&M costs would be \$144,000.

3.2.3 Non-Monetary Factors

The recommendations presented under this alternative would warrant additional evaluation prior to implementation. Specifically, uncertainties regarding the long-term operability of the Orenco filters, coupled with the absence of final clarification, suggest that the improvements proposed by Hunt Engineers may not reliably achieve the effluent limits required by the SPDES permit.

This alternative does not address the continuing operational issues encountered with the Orenco systems, does not make provisions for odor control, dewatering or disposal of highly objectionable primary sludge and did not present calculations demonstrating that the revised system would consistently comply with the effluent limitations of the WWTP's current SPDES permit. For these reasons, Alternative #2 was not given further consideration.

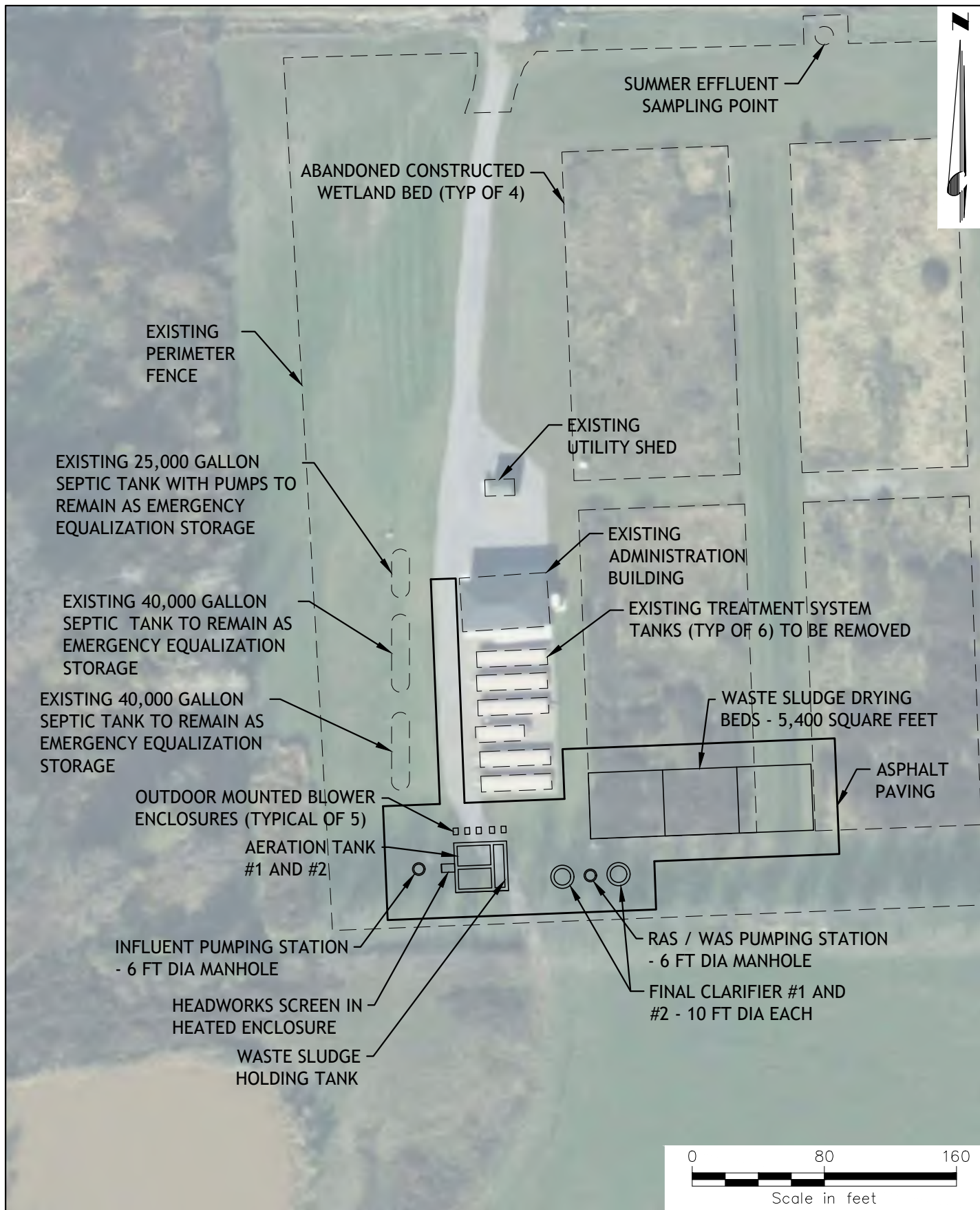
3.3 Alternative 3 – WWTP Replacement with Conventional Activated Sludge Plant

In order to comply with the effluent limitations set forth in the Town's SPDES permit, Alternative 3 proposes to replace the existing recirculating media filter facility with a new conventional activated sludge package plant. Conventional Activated Sludge package plants are one of the most common types of package plants across the country due to their simple operation, and flexibility to handle a wide range of wastewater loadings and flows. These plants are modular by design, allowing the Town to easily expand or modify the plant if need arises in the future.

3.3.1 Description

A conventional activated sludge plant is a biological wastewater treatment technique that uses a series of tanks to equalize flow, store sludge, aerate wastewater, and clarify the effluent before discharging to the disinfection portion of the plant. Throughout the treatment process, the plant acts as a continuously stirred tank reactor (CSTR) where wastewater is constantly flowing into the plant, getting treated, and flowing out of the plant in one continuous flow. Figure 4 below details the site layout of Alternative 3.

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PROPOSED SITE PLAN
TOWN OF SPRINGWATER WWTP -
CONVENTIONAL AERATION ALTERNATIVE
 7737 KELLOGG ROAD
 SPRINGWATER, NY 14560

PROJECT NO.
 101769
 DATE: 07/23/25
 FIGURE NO. 4

Influent Pump Station

Raw sewage from the two common conveyance force mains that enter the WWTP site will be discharged into a new submersible pump station that will lift the flow into the new headworks screening equipment and the partially above grade aerobic bioreactors. The pumps will be equipped with variable speed drives so that the flow rate from the system customers can be matched as the influent flow to the WWTP.

Table 10 – Alternative 3 Influent Pumping Design Criteria

Criteria	Value
Design Flow Rate (gpd / gpm)	120,000 / 85
Number of Pumps	2 (Service / Standby)
Pump Type	Submersible, Non-Clog, Variable Speed
Minimum Flow Rate (per Pump) (gpm)	20
Motor Size (Hp)	5
Wet Well Type	Pre-Cast Concrete
Wet Well Size	6 Foot Diameter

Headworks Screening

Since the existing and proposed method of providing public sewer to individual residents and businesses within the Town is by low pressure sewer, we have assumed that all flow that enters the WWTP will be pumped via force main (i.e. no gravity sewers flow). Given that the system is closed and primarily serves single-family residential customers, grit loading is anticipated to be minimal; therefore, the installation of a dedicated grit removal system does not appear to be warranted.

A packaged rotary drum fine screening system will provide coarse solids separation for incoming flow to the plant. This type of system includes a screen for removing large debris / particulate and fibrous material followed by an auger for conveying, washing, dewatering, and compacting the screenings before discharging the compacted screenings into a dumpster. The screening system will sit in its own stainless-steel tank with frost protection.

Table 11 – Alternative 3 Headworks Design Criteria

Criteria	Value
Design Flow Rate (gpd)	120,000
TSS Concentration (mg/L)	350
Screen Spacing (mm)	6
Diameter of Screen Basket (mm)	300
Screen Angle	Adjustable between 35-48 degrees
Motor	1.5 HP, 480V, 3 Phase
Wash Water Consumption (gpm)	14
Wash Water Pressure (psi)	60
Material Type	Stainless Steel
Frost Protection?	Yes

Chemical Addition

Due to the level of influent ammonia and the rate of conversion to nitrate, a liquid chemical dosing system is proposed to adjust pH using sodium hydroxide (NaOH). The new chemical dosing system will be located in the

existing operations building in the place of the current dry chemical feed system, which will be removed. Sodium hydroxide will be dosed between the influent screen and bioreactor. The system will be a prefabricated, packaged unit complete with pumps, valves, flow measurement, and containment. The chemical feed rate is estimated at 15 gpd.

Conventional Activated Sludge Package Plant Process

Treatment in a conventional activated sludge system with aeration uses multiple tanks in series to continuously treat the wastewater. The treatment system proposed in this alternative will be constructed of the following elements:

- Two aerated bioreactor tanks and an aerated sludge holding tank all constructed as a rectangular structure with poured-in-place reinforced concrete, common wall construction. The tanks will be partially buried to keep the bottom of their foundation slab at 5 feet below grade for frost protection while minimizing the amount of excavation and ground water control required for construction. Screened raw sewage will flow from the headworks screen into a splitter box by gravity and be split to each reactor by downward operating weir gates. The reactors will be provided with positive displacement blowers mounted in weather-proof outdoor enclosures that will supply air to bottom mounted, fine bubble diffusers in each reactor.
- Wastewater will flow from the bioreactor tanks via gravity to two circular final clarifiers. The clarifiers will be of poured-in-place reinforced concrete construction with pre-engineered steel bridges, sludge and scum collection mechanisms. Clarified effluent will be discharged by gravity to the existing UV disinfection system. Return and waste sludge will be collected in the center well of the clarifiers and flow by gravity to the new RAS/WAS pump station.
- Return and waste sludge from the final clarifiers will be pumped back to the bioreactor splitter box on a continuous basis at a rate controlled by the operations staff via variable frequency drives and the WWTP PLC controller. When required to control mixed liquor concentration, sludge flow will be diverted by a manual valve to the waste sludge holding tank.
- The waste sludge holding tank will provide a minimum of 30 days of sludge storage and have provisions to decant sludge supernatant via a manually operated telescoping valve so as to thicken the sludge as much as possible (typically 5% solids). The sludge holding tank will be provided with positive displacement blowers mounted in weather-proof outdoor enclosures that will supply air to bottom mounted, fine bubble diffusers.

The activated sludge system designed for the Springwater site has the design criteria as follows:

Table 12 – Alternative 3 Conventional Activated Sludge Plant Design Criteria

Criteria	Value	
Sludge Holding Tank Dimensions (ft)	No. of Tanks	1
	Length	26
	Width	6
	Side Water Depth	12
	Total Depth	13
	Volume per tank (gal)	14,000
Number of Blowers	1 Service, 1 Standby	
Blower Motor Size (Hp)	3	
Air Flow per Blower (scfm)	30	
Aeration Tank Dimensions (ft)	No. of Tanks	2
	Length	20
	Width	12
	Side Water Depth	12
	Total Depth	13
	Volume per tank (gal)	21,500
Number of Blowers	2 Service, 1 Standby	
Blower Motor Size (Hp)	5	
Air Flow per Blower (scfm)	60	
Clarifier Dimensions (ft)	No. of Clarifiers	2
	Diameter	10
	Side Water Depth	12
	Total Depth	13
Clarifier Surface Loading Rate (gpd/sf @ Peak Hour Flow Rate)	1,000	

UV Disinfection

Effluent from the conventional activated sludge package plant will flow by gravity to the existing UV disinfection facility located within the operations building. Inside, two parallel UV units with a capacity of 75 gpm each treat the flows before exiting the building to the plant outfall. The existing UV system appears to be in good working order so no substantial changes are expected to be made to the existing UV disinfection system. Existing UV design criteria are listed below.

Table 13 – Alternative 3 Existing UV Disinfection Design Criteria

Criteria	Value
Number of UV Banks	2
Number of UV Lamps per Bank	2
Power Usage per Bank (watt)	510
Channel Dimensions (L x W x H) (inches)	67 inches x 12 inches x 20 inches
Minimum UV Transmittance	65% at 253.7 nm
Minimum Dosage	30 mJ

Effluent Outfall

The finished effluent from the UV disinfection system currently discharges north from the WWTP into Springwater Creek as shown on Figure 5. The design of Alternative 3 will not change the location of the outfall.

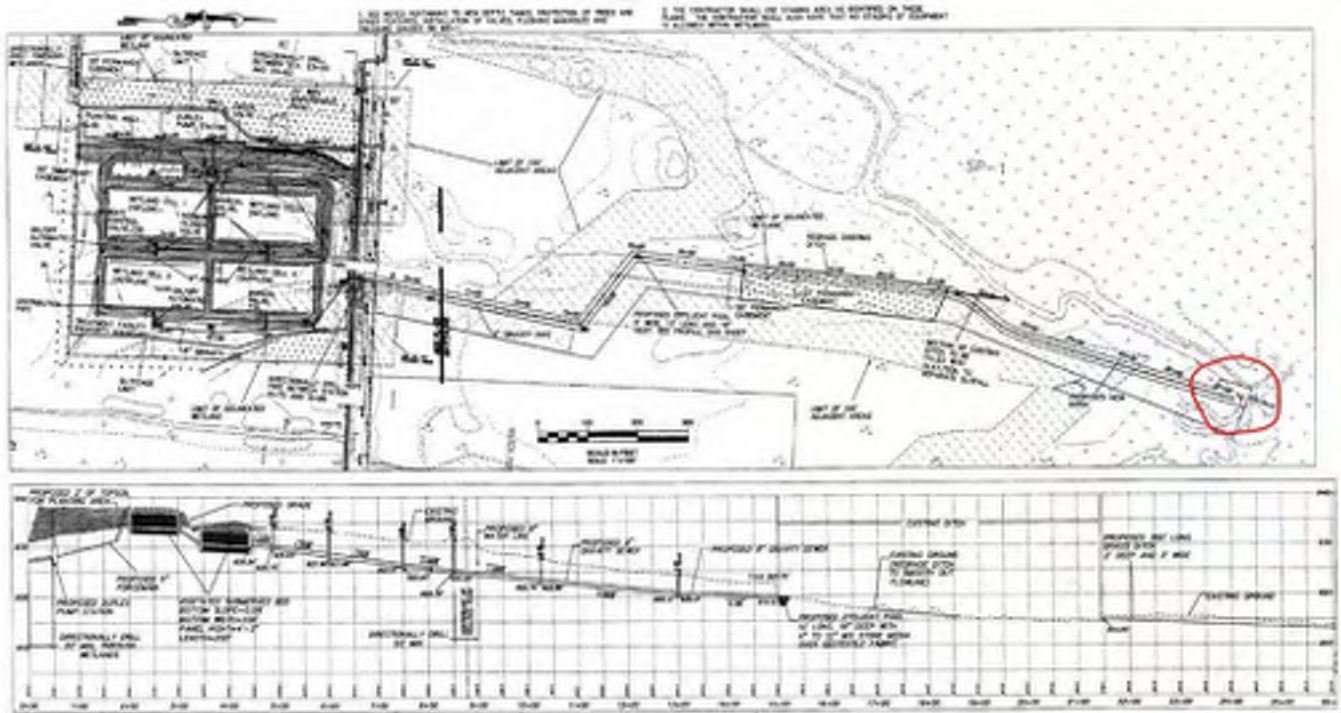


Figure 5: WWTP Outfall Location

Sludge Handling

Sludge produced in the aeration tanks will be wasted from the system intermittently to control sludge retention time. Sludge drying will be accomplished in new sludge drying beds constructed in a portion of the existing vegetated submerged bed constructed wetland system location. A dedicated skid steer loading vehicle will also be provided to transfer dried sludge from the drying beds to a roll-off solid waste container. See below for sludge drying bed criteria.

Table 14 – Alternative 3 Sludge Drying Bed Criteria

Criteria	Value
Sludge Loading @ 5% (gpd)	290
Max Allowable Bed Loading Depth (in)	8
Total Drying Area Required (sf)	5,200
Sludge Drying Cycle Time (days)	60
Assumed Sludge % Dryness	40
Bed Length (ft)	40
Bed Width (ft)	135
Total Drying Area Provided (sf)	5,400

Operations Building

The existing 1,200 square foot operations building will remain and will continue to house the existing WWTP computer control room, electrical distribution gear, restrooms, office and records storage space, parts storage space, UV disinfection process, and a maintenance shop.

Miscellaneous Improvements

In order to provide additional safety measures and ease of operations and maintenance for the WWTP and upstream conveyance system, the following miscellaneous improvements are proposed:

- Addition of an electrical safety switch on the power supply at every customer grinder pump station in the Springwater service area.
- Reconstruction of the conveyance force main geometry at a tee fitting in the existing low pressure sewer system located on Depot Road at the mobile home park that is prone to plugging.
- Provision of a SCADA communication system including a means of WAN connection so that the WWTP can be monitored remotely from the LCWSA headquarters.

3.3.2 Cost Estimate

See table below for the Alternative 3 opinion of probable project cost. Refer to Appendix L for a more in-depth breakdown of each item.

Table 15 – Alternative 3 Project Cost Estimate

Item	Cost
Site Work	\$498,000
Influent Screening	\$295,000
Conventional Activated Sludge Package Plant with Aeration	\$992,000
Influent and RAS/WAS Pump Stations	\$513,000
Waste Sludge Holding Tank	\$188,000
Sludge Dewatering Beds	\$383,000
Miscellaneous Items	\$216,000
Subtotal	\$3,085,000
Contractors Conditions, Overhead and Profit	\$1,234,000
Contingency (35%)	\$1,512,000
Construction Total	\$5,831,000
Construction Total with 4% Escalation to Midpoint of Construction	\$6,064,000
Professional Engineering Services	\$365,000
Project Total	\$6,429,000

See table below for the Alternative 3 operation and maintenance cost summary. Refer to Appendix E for a more in-depth breakdown of each item.

Table 16 – Alternative 3 O&M Cost Estimate

Year	2028	2029	2030	2031	2032
Labor	\$79,000	\$81,000	\$83,000	\$85,000	\$87,000
General Expenses	\$28,000	\$28,500	\$29,000	\$29,500	\$30,000
Sludge and Screenings Disposal	\$7,800	\$7,900	\$8,000	\$8,100	\$8,200
Repairs, Replacements & Maintenance	\$28,000	\$22,000	\$30,000	\$23,000	\$31,000
Electric Power	\$24,000	\$25,000	\$25,000	\$26,000	\$26,000
Annual Total	\$167,000	\$164,000	\$175,000	\$172,000	\$182,000

Note: Assumes Annual Cost Escalation Factor of 2%

3.3.3 Non-Monetary Factors

The construction of this alternative will provide performance reliability for wastewater treatment, thus protecting local ecosystems and waterbodies. This system will provide ease of operation for plant staff, and simplify routine maintenance requirements.

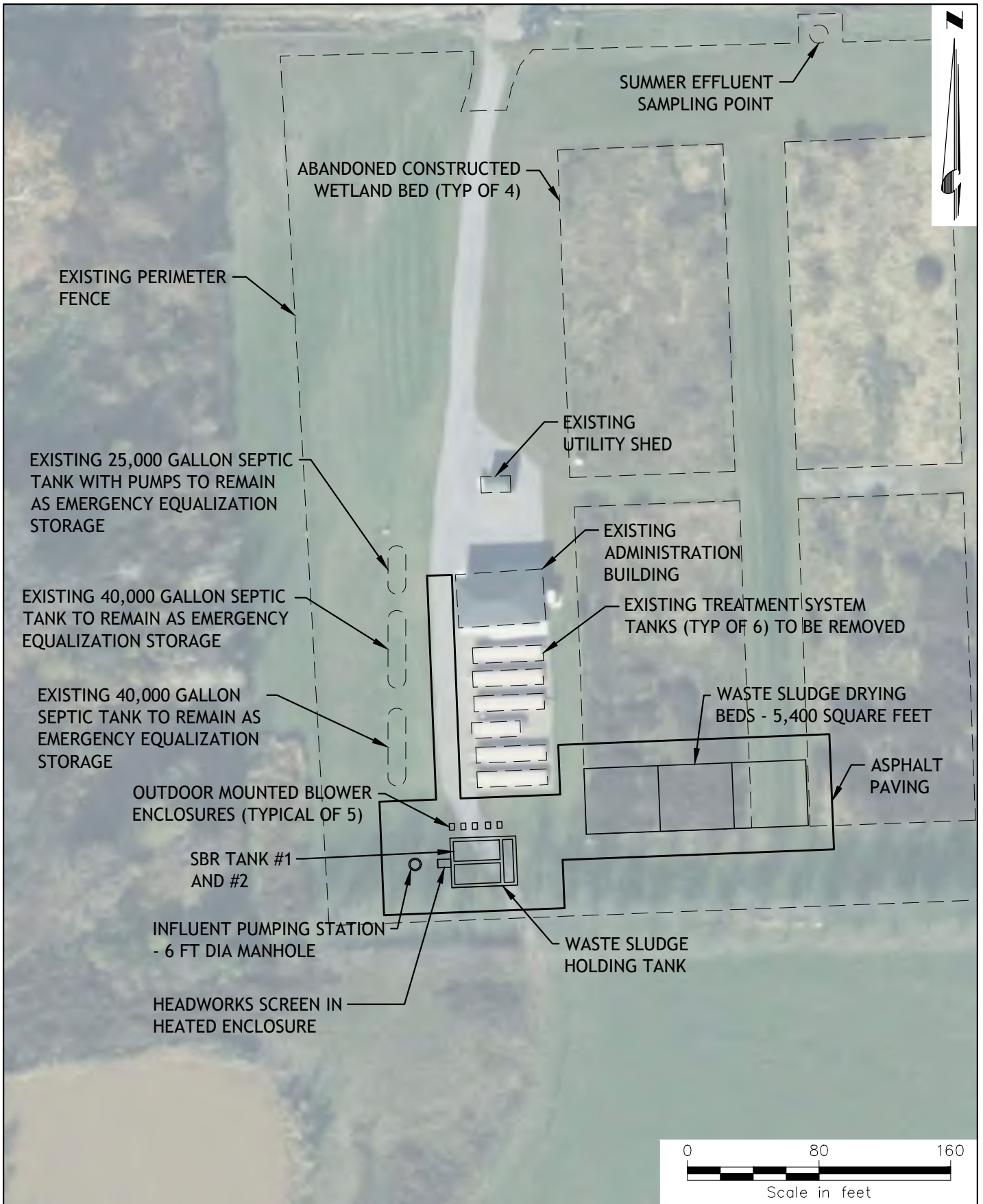
3.4 Alternative 4 – WWTP Replacement with Sequencing Batch Reactor Plant

Alternative 4 seeks to replace the existing recirculating media filter facility with a new sequencing batch reactor (SBR) treatment plant designed to bring the town’s wastewater treatment system into compliance with their SPDES discharge permit. Similar to the conventional activated sludge plant alternative, a sequencing batch reactor package plant can handle highly variable flows and loading associated with small to medium collection systems while retaining a compact footprint and low maintenance requirements.

3.4.1 Description

An SBR package plant is a variation of the activated sludge process where all biological treatment phases occur in a single tank as a “batch” of treatment. This allows the plant to operate with less tanks than a conventional system, usually operating in parallel with one or more other tanks for equalization purposes. Figure 6 below details the layout of the proposed SBR system.

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PROPOSED SITE PLAN
TOWN OF SPRINGWATER WWTP - SEQUENCING
BATCH REACTOR ALTERNATIVE
 7737 KELLOGG ROAD
 SPRINGWATER, NY 14560

PROJECT NO.
 101769
 DATE: 07/23/25
 FIGURE NO. 6

Influent Pump Station

Raw sewage from the two common conveyance force mains that enter the WWTP site will be discharged into a new submersible pump station that will lift the flow into the new headworks screening equipment and the partially above grade aerobic bioreactors. The pumps will be equipped with variable speed drives so that the flow rate from the system customers can be matched as the influent flow to the WWTP.

Table 17 – Alternative 3 Influent Pumping Design Criteria

Criteria	Value
Design Flow Rate (gpd / gpm)	120,000 / 85
Number of Pumps	2 (Service / Standby)
Pump Type	Submersible, Non-Clog, Variable Speed
Minimum Flow Rate (per Pump) (gpm)	20
Motor Size (Hp)	5
Wet Well Type	Pre-Cast Concrete
Wet Well Size	6 Foot Diameter

Headwork Screening

Since the existing and proposed method of providing public sewer to individual residents and businesses within the Town is by low pressure sewer, we have assumed that all flow that enters the WWTP will be pumped via force main (i.e. no gravity sewers flow). Given that the system is closed and primarily serves single-family residential customers, grit loading is anticipated to be minimal; therefore, the installation of a dedicated grit removal system does not appear to be warranted.

Similar to Alternative 3, a packaged rotary drum fine screening system will provide solids separation for incoming flow to the plant. This type of system includes a screen for removing large debris / particulate and fibrous material followed by an auger for conveying, washing, dewatering, and compacting the screenings before discharging the compacted screenings into a dumpster. The screening system will sit in its own stainless-steel tank with frost protection.

Table 18 – Alternative 4 Headworks Design Criteria

Criteria	Value
Design Flow Rate (gpd)	120,000
Screen Spacing (mm)	6
Diameter of Screen Basket (mm)	300
Screen Angle	Adjustable between 35-48 degrees
Motor	1.5 HP, 480V, 3 Phase
Wash Water Consumption (gpm)	14
Wash Water Pressure (psi)	60
Material Type	Stainless Steel
Frost Protection?	Yes

Chemical Addition

Due to the level of influent ammonia and the rate of conversion to nitrate, a liquid chemical dosing system is proposed to adjust pH using sodium hydroxide (NaOH). Similar to Alternate 3, the new chemical dosing system will

be located in the existing operations building in the place of the current dry chemical feed system, which will be removed. Sodium hydroxide will be dosed between the influent screen and bioreactor. The system will be a prefabricated, packaged unit complete with pumps, valves, flow measurement, and containment. The chemical feed rate is estimated at 15 gpd.

Sequencing Batch Reactor Package Plant Process

Treatment in an SBR varies significantly from a conventional activated sludge system by splitting the treatment process into a series of five distinct time steps all contained within two tanks in parallel.

1. Fill – During the fill stage, screened wastewater enters one of the reactors via an influent diffuser, filling the tank to approximately 75–100% of its maximum liquid volume. Throughout this phase, the reactor is mixed and aerated to initiate biological reactions within the influent wastewater.
2. React – In the react stage, the biomass formed within the reactor consumes the substrate under controlled conditions. Aeration and mixing are cycled on and off to facilitate biological nitrification and denitrification. While Tank 1 is in the react stage, all influent is diverted to Tank 2, where it begins the fill stage and provides flow equalization.
3. Settle – During the settling stage, aeration and mixing are completely halted in the reacting tank, allowing solids to separate from the liquid under quiescent conditions. This results in a clarified supernatant, which is prepared for discharge in the subsequent stage.
4. Decant – In the decant stage, the clarified effluent is removed from the tank via a floating fixed solids excluding decanter. During this period, a small amount of sludge will be wasted out of the system and sent to the sludge drying area of the plant.
5. Idle – If reactor 1 finishes decanting while reactor 2 is still in the fill stage, reactor 1 will enter an idle period where no influent will enter or exit the tank until reactor 2 finishes filling and begins the react stage.

The treatment system proposed in this alternative will be constructed of the following elements:

- Two sequencing batch reactor tanks and an aerated sludge holding tank all constructed as a rectangular structure with poured-in-place reinforced concrete, common wall construction. The tanks will be partially buried to keep the bottom of their foundation slab at 5 feet below grade for frost protection while minimizing the amount of excavation and ground water control required for construction. Screened raw sewage will flow from the headworks screen into a splitter box by gravity and will be sequenced to each SBR during its fill cycle by downward operating weir gates. The SBR's will be provided with positive displacement blowers mounted in weather-proof outdoor enclosures that will supply air to bottom mounted, fine bubble diffusers in each SBR.
- Wastewater will flow from the SBR tanks via gravity by solids excluding decanters in each SBR. Clarified effluent will be discharged to the existing UV disinfection system.
- Waste sludge will be pumped to the waste sludge holding tank directly from each SBR at the end of its settling cycle at a rate controlled by the operations staff via variable frequency drives and the WWTP PLC controller when required to control mixed liquor concentration in the SBR.
- The waste sludge holding tank will provide a minimum of 30 days of sludge storage and have provisions to decant sludge supernatant via a manually operated telescoping valve so as to thicken the sludge as much as possible (typically 5% solids). The sludge holding tank will be provided with positive displacement

blowers mounted in weather-proof outdoor enclosures that will supply air to bottom mounted, fine bubble diffusers.

The SBR designed for the Springwater site has the design criteria as follows:

Table 19 – Alternative 4 SBR Design Criteria

Criteria	Value	
Number of SBR Tanks	2	
SBR tank dimensions (ft)	Length	28
	Width	12
	Total Depth	13
	Side Water Depth	12
Total Tankage Volume per SBR (gal)	30,200 gal	
Time For Each Stage (hours)	Fill / React	3.47
	Settle	1.00
	Decant	0.33
Total Cycle Time (hours)	4.80	
Number of Blowers	2 Service, 1 Standby	
Blower Motor Size (Hp)	5	
Air Flow per Blower (scfm)	80	
Sludge Holding Tank Dimensions (ft)	No. of Tanks	1
	Length	26
	Width	6
	Total Depth	13
	Side Water Depth	12
	Volume per tank (gal)	14,000
Number of Blowers	1 Service, 1 Standby	
Blower Motor Size (Hp)	3	
Air Flow per Blower (scfm)	30	

UV Disinfection

Similar to Alternate 3, effluent from the SBR package plant will be pumped to the existing UV disinfection facility located within the operations building. Inside, two parallel UV units with a capacity of 75 gpm each treat the flows before exiting the building to the plant outfall. The existing UV system appears to be in good working order so no substantial changes are expected to be made to the existing UV disinfection system. Existing UV design criteria are listed below.

Table 20 – Alternative 4 Existing UV Disinfection Design Criteria

Criteria	Value
Number of UV Banks	2
Number of UV Lamps per Bank	2
Power Usage per Bank (watt)	510
Channel Dimensions (L x W x H) (inches)	67 inches x 12 inches x 20 inches
Minimum UV Transmittance	65% at 253.7 nm
Minimum Dosage	30 mJ

Effluent Outfall

The finished effluent from the UV disinfection system currently discharges north from the WWTP into Springwater Creek as shown in Figure 5. The design of Alternative 4 will not change the location of the outfall.

Sludge Handling

Sludge produced in the aeration tanks will be wasted from the system intermittently to control sludge retention time. Sludge drying will be accomplished in new sludge drying beds constructed in a portion of the existing vegetated submerged bed constructed wetland system. A dedicated skid steer loading vehicle will also be provided to transfer dried sludge from the drying beds to a roll-off solid waste container. See below for sludge drying bed criteria.

Table 21 – Alternative 4 Sludge Drying Bed Criteria

Criteria	Value
Sludge Loading @ 5% (gpd)	290
Max Allowable Bed Loading Depth (in)	8
Total Drying Area Required (sf)	5,200
Sludge Drying Cycle Time (days)	60
Assumed Sludge % Dryness	40
Bed Length (ft)	40
Bed Width (ft)	135
Total Drying Area Provided (sf)	5,400

Operations Building

The existing 1,200 square foot operations building will remain and will continue to house the existing WWTP computer control room, electrical distribution gear, restrooms, office and records storage space, parts storage space, UV disinfection process, and a maintenance shop.

Miscellaneous Improvements

In order to provide additional safety measures and ease of operations and maintenance for the WWTP and upstream conveyance system, the following miscellaneous improvements are proposed:

- Addition of an electrical safety switch on the power supply at every customer grinder pump station in the Springwater service area.
- Reconstruction of the conveyance force main geometry at a tee fitting in the existing low pressure sewer system located on Depot Road at the mobile home park that is prone to plugging.

- Provision of a SCADA communication system including a means of WAN connection so that the WWTP can be monitored remotely from the LCWSA headquarters.

3.4.2 Cost Estimate

See table below for the Alternative 4 opinion of probable project cost. Refer to Appendix L for a more in-depth breakdown of each item.

Table 22 – Alternative 4 Project Cost Estimate

Item	Cost
Site Work	\$481,000
Influent Screening	\$295,000
SBR Package Plant	\$1,081,000
Influent Pump Station	\$264,000
Waste Sludge Holding Tank	\$194,000
Sludge Dewatering Beds	\$333,000
Miscellaneous Items	\$216,000
Subtotal	\$2,864,000
Contractors Conditions, Overhead and Profit	\$1,146,000
Contingency (35%)	\$1,404,000
Construction Total	\$5,414,000
Construction Total with 4% Escalation to Midpoint of Construction	\$5,631,000
Professional Engineering Services	\$365,000
Project Total	\$5,996,000

See table below for the Alternative 4 operation and maintenance cost summary. Refer to Appendix E for a more in-depth breakdown of each item.

Table 23 – Alternative 4 O&M Cost Estimate

Year	2028	2029	2030	2031	2032
Labor	\$79,000	\$81,000	\$83,000	\$85,000	\$87,000
General Expenses	\$28,000	\$28,500	\$29,000	\$29,500	\$30,000
Sludge and Screenings Disposal	\$7,800	\$7,900	\$8,000	\$8,100	\$8,200
Repairs, Replacements & Maintenance	\$28,000	\$22,000	\$30,000	\$23,000	\$31,000
Electric Power	\$23,000	\$24,000	\$24,000	\$25,000	\$25,000
Annual Total	\$166,000	\$163,000	\$174,000	\$171,000	\$181,000

Note: Assumes Annual Cost Escalation Factor of 2%

3.4.3 Non-Monetary Factors

The construction of this alternative will provide performance reliability for wastewater treatment, thus protecting local ecosystems and waterbodies. This system will provide ease of operation for plant staff, and simplify routine maintenance requirements.

4 COMPARISON OF ALTERNATIVES

A table of the Alternatives for comparison is presented below.

Table 24 – Comparison of Alternatives

Category	Alternative 1 No Action	Alternative 2 WWTP Additions Proposed by Hunt Engineers	Alternative 3 WWTP Replacement with Conventional Activated Sludge Plant	Alternative 4 WWP Replacement with SBR Plant
Pro's	No construction, no increased O&M costs, or increase to bond of service costs	Lower construction cost than Alternative 3 and 4	Offers conventional treatment means	Offers conventional treatment means. Requires less tankage, pumps, and mechanical systems.
Con's	Does not comply with NYSDEC Order on Consent	Feasibility of existing Orenco Filters to meet SPDES requirements is uncertain. O&M requirements are high. Odors are a concern	The Town will need to seek funding and/or incur long term bond costs to finance the capital improvements	The Town will need to seek funding and/or incur long term bond costs to finance the capital improvements
Construction Cost	Not Applicable	\$2.39M	\$6.06M	\$5.63M
Estimated 2028 O&M Cost	\$144,000	\$159,000	\$167,000	\$166,000
Conclusion	Not Feasible	Not Feasible	Not Preferred	Preferred Alternative

5 DEVELOPMENT OF THE RECOMMENDED ALTERNATIVE

5.1 Basis of Selection

Based on the analysis presented above and the preferences of the Town of Springwater and LCWSA, Alternative 4, WWTP Replacement with an SBR Plant is the preferred alternative. The SBR process accomplishes the goals of this project and analysis in the following ways:

- Produces consistent effluent quality in compliance with the facilities SPDES permit limits.
- Requires less tankage than a conventional activated sludge process. This process also lends itself to economical common wall design rather than separate tanks for aeration and settling.
- Requires less pumps and other mechanical systems (sludge and scum collectors) that must be operated and maintained by the WWTP staff.
- Lower construction cost than the conventional activated sludge process.
- Similar annual operations and maintenance costs in comparison to the conventional active sludge process.

The proposed improvements will be designed in accordance with the Recommended Standards for Wastewater Facilities Manual, dated 2014, in combination with the Design Guidelines for Wastewater Facilities, dated 2021.

5.2 Cost Estimate

The opinion of probable construction cost for the recommended alternative is \$5.63M, which includes a 35% contingency. The cost for professional services for design, construction administration, and construction observation is \$365,000, and total project cost is estimated at approximately \$6.0M.

5.3 Project Schedule

A breakdown of the anticipated project schedule is provided in the table below.

Table 25 – Anticipated Project Schedule

Milestone	Anticipated Date
Funding Applications	July 2025
50% Design	April 2026
90% Design for Regulatory Review	July 2026
DEC/EFC Approval Milestone	October 2026
Bid Documents	November 2026
Project Award	January 2027
WWTP Start-Up	January 2028

5.4 Next Steps

The Town has presently executed the professional services contract for the final design and permitting for the project. In addition, the Town is attempting to secure additional grant funding to close the current funding gap for the project.

5.4.1 Permits and Approvals

It is anticipated that this project may require the following permits and approvals prior to construction:

- NYSDEC and EFC Approval of Plans, Specifications and Bidding Documents
- SEQOR Board Resolution
- SHPO Determination of No Effect
- Town Board Approval of Increase in Bond Authorization
- Local Approval of Construction Package

APPENDIX A

SPDES PERMIT



Department of
Environmental
Conservation

State Pollutant Discharge Elimination System (SPDES) DISCHARGE PERMIT - MUNICIPAL

SIC Code: 4952	NAICS Code: 221320	SPDES Number:	NY0246450
Discharge Class (CL): 07		DEC Number:	8-2448-00057/00001
Toxic Class (TX): N		Effective Date (EDP):	09/01/2019
Major-Sub Drainage Basin: 04 - 02		Expiration Date (ExDP):	08/31/2024
Water Index Number: Ont 117-27-34-P44-7		Modification Dates: (EDPM)	12/01/2019 Correction 03/01/2021
Compact Area: IJC			

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.)

PERMITTEE NAME AND ADDRESS			
Name:	Town of Springwater	Attention:	Deborah Babbitt-Henry, Town Supervisor
Street:	8022 South Main Street		
City:	Springwater	State:	NY Zip Code: 14560
Email:	springwatersuper@yahoo.com	Phone:	(585)-669-2545

is authorized to discharge from the facility described below:

FACILITY NAME, ADDRESS, AND PRIMARY OUTFALL															
Name:	Town of Springwater Wastewater Treatment Facility														
Address / Location:	Kellogg Road						County:	Livingston							
City:	Springwater				State:	NY	Zip Code:	14560							
Facility Location:	Latitude:	42	°	38	'	34	" N	& Longitude:	77	°	36	'	00	" W	
Primary Outfall No.:	001	Latitude:	42	°	38	'	53	" N	& Longitude:	77	°	35	'	56	" W
Outfall Description:	Treated Sanitary		Receiving Water:	Springwater Creek					Class:	C					

in accordance with: effluent limitations; monitoring and reporting requirements; other provisions and conditions set forth in this permit; and 6 NYCRR Part 750-1 and 750-2.

This permit and the authorization to discharge shall expire on midnight of the expiration date shown above and the permittee shall not discharge after the expiration date unless this permit has been renewed or extended pursuant to law. To be authorized to discharge beyond the expiration date, the permittee shall apply for permit renewal not less than 180 days prior to the expiration date shown above.

DISTRIBUTION:

CO BWP - Permit Coordinator
CO BWC - SCIS
RWE
RPA
EPA Region II
NYSEFC

Permit Administrator:	Kimberly A. Merchant		
Address:	6274 East Avon-Lima Road, Avon, NY, 14414		
Signature:		Date:	02/26/2021

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DEFINITIONS FOR PERMIT LIMITS, LEVELS AND MONITORING TERMS

TERM	DEFINITION
7-Day Geometric Mean	The highest allowable geometric mean of daily discharges over a calendar week.
12-Month Rolling Average (12 MRA)	The current monthly value of a parameter, plus the sum of the monthly values over the previous 11 months for that parameter, divided by 12.
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.
Action Level	Action level means a monitoring requirement characterized by a numerical value that, when exceeded, triggers additional permittee monitoring and department review to determine if numerical effluent limitations should be imposed.
Compliance Level / Minimum Level	A compliance level is an effluent limitation. A compliance level is given when the water quality evaluation specifies a Water Quality Based Effluent Limit (WQBEL) below the Minimum Level. The compliance level shall be set at the Minimum Level (ML) for the most sensitive analytical method as given in 40 CFR Part 136, or otherwise accepted by the Department.
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 Maximum	The highest allowable Daily Discharge.
Daily Minimum	The lowest allowable Daily Discharge.
Effective Date of Permit (EDP or EDPM)	The date this permit is in effect.
Effluent Limitations	Effluent limitation means any restriction on quantities, quality, rates and concentrations of chemical, physical, biological, and other constituents of effluents that are discharged into waters of the state.
Expiration Date of Permit (ExDP)	The date this permit is no longer in effect.
Instantaneous Maximum	The maximum level that may not be exceeded at any instant in time.
Instantaneous Minimum	The minimum level that must be maintained at all instants in time.
Monthly 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.
Outfall	The terminus of a sewer system, or the point of emergence of any waterborne sewage, industrial waste or other wastes or the effluent therefrom, into the waters of the State.
Range	The minimum and maximum instantaneous measurements for the reporting period must remain between the two values shown.
Receiving Water	The classified waters of the state to which the listed outfall discharges.
Sample Frequency / Sample Type / Units	See NYSDEC's "DMR Manual for Completing the Discharge Monitoring Report for the SPDES" for information on sample frequency, type and units.

PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL	LIMITATIONS APPLY	RECEIVING WATER	EFFECTIVE	EXPIRING
001	Year Round	Springwater Creek	03/01/2021	08/31/2024

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
Flow	Monthly Average	0.04	MGD			Continuous	Recorder	X		
pH	Range	6.5 - 8.5	SU			Daily	Grab		X	
Temperature	Monitor		Deg_C			Daily	Grab		X	
CBOD ₅	Monthly Average	25	mg/L	8.3	lbs/d	2X/month	Grab	X	X	1
CBOD ₅	7-Day Average	38	mg/L	12.7	lbs/d	2X/month	Grab	X	X	
Total Suspended Solids (TSS)	Monthly Average	30	mg/L	10	lbs/d	2X/month	Grab	X	X	1
Total Suspended Solids (TSS)	7-Day Average	45	mg/L	15	lbs/d	2X/month	Grab	X	X	
Settleable Solids	Daily Maximum	0.1	mL/L			Daily	Grab		X	
Ammonia (as N)	Monthly Average	5.0 (S)	mg/L			2X/month	Grab		X	2,4
		8.0 (W)								
Total Phosphorus	Monthly Average	Monitor	mg/l			2X/month	Grab		X	

Effluent Disinfection Required All Year										
Coliform, Fecal	30-Day Geometric Mean	200	No./100 ml			2X/month	Grab		X	2
Coliform, Fecal	7 Day Geometric Mean	400	No./100 ml			2X/month	Grab		X	2
Chlorine, Total Residual	Daily Maximum	0.03	mg/L			1/day	Grab		X	2,3

FOOTNOTES:

- Effluent shall not exceed 15 % and 15 % of influent concentration values for BOD₅ & TSS respectively.
- This is a final effluent limitation. See Schedule of Compliance for interim effluent limitation.
- Effluent limitation for Total Residual Chlorine is only applicable if chlorine is used for disinfection or other treatment processes.
- These are seasonal limits in which Summer or (S) is from June 1 through October 31 and Winter or (W) is from November 1 through May 31.

MERCURY MINIMIZATION PROGRAM - Low Priority POTWs

The permittee shall inspect each tributary dental facility at least once every five years to verify compliance with the wastewater treatment operation, maintenance, and notification elements of 6NYCRR Part 374.4. In lieu of an inspection, the permittee can accept a certification from the dental facility owner that the treatment system was properly installed and the facility complies with the wastewater treatment operation, maintenance, and notification elements of 6NYCRR Part 374.4. Prior to acceptance of new or increased tributary discharges that are industrial in nature, including hauled wastes, sample data shall be provided to the permittee for mercury content. Discharges which may exceed 500 ng/L, must receive approval from the Department prior to acceptance. A file shall be maintained containing inspection results, certifications, and other information submitted by dental offices and all other potential dischargers of mercury. This file shall be available for review by NYSDEC representatives and copies shall be provided upon request.

Note: The mercury-related requirements in this permit conform to the mercury Multiple Discharge Variance specified in NYSDEC policy *DOW 1.3.10*.

DISCHARGE NOTIFICATION REQUIREMENTS

- (a) The permittee shall install and maintain identification signs at all outfalls to surface waters listed in this permit, unless the Permittee has obtained a waiver in accordance with the Discharge Notification Act (DNA). Such signs shall be installed before initiation of any discharge.
- (b) Subsequent modifications to or renewal of this permit does not reset or revise the deadline set forth in (a) above, unless a new deadline is set explicitly by such permit modification or renewal.
- (c) The Discharge Notification Requirements described herein do not apply to outfalls from which the discharge is composed exclusively of storm water, or discharges to ground water.
- (d) The sign(s) shall be conspicuous, legible and in as close proximity to the point of discharge as is reasonably possible while ensuring the maximum visibility from the surface water and shore. The signs shall be installed in such a manner to pose minimal hazard to navigation, bathing or other water related activities. If the public has access to the water from the land in the vicinity of the outfall, an identical sign shall be posted to be visible from the direction approaching the surface water.

The signs shall have **minimum** dimensions of eighteen inches by twenty-four inches (18" x 24") and shall have white letters on a green background and contain the following information:

<p>N.Y.S. PERMITTED DISCHARGE POINT</p> <p>SPDES PERMIT No.: NY_____</p> <p>OUTFALL No. : _____</p> <p>For information about this permitted discharge contact:</p> <p>Permittee Name: _____</p> <p>Permittee Contact: _____</p> <p>Permittee Phone: () - ### - #####</p> <p>OR:</p> <p>NYSDEC Division of Water Regional Office Address:</p> <p>NYSDEC Division of Water Regional Phone: () - ### - #####</p>
--

- (e) Upon request, the permittee shall make available electronic or hard copies of the sampling data to the public. In accordance with the RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS page of your permit, each DMR shall be maintained (either electronically or as a hard copy) on record for a period of five years.
- (f) The permittee shall periodically inspect the outfall identification sign(s) in order to ensure they are maintained, are still visible, and contain information that is current and factually correct. Signs that are damaged or incorrect shall be replaced within 3 months of inspection.
- (g) If the permittee believes that any outfall which discharges wastewater from the permitted facility meets any of the DNA waiver criteria, notification must be made to the Department's Bureau of Water Permits. Provided there is no objection by the Department, a sign for the involved outfall(s) are not required. This notification must include the facility's name, address, telephone number, contact, permit number, outfall number(s), and reason why such outfall(s) is waived from the requirements of discharge notification. The Department may evaluate the applicability of a waiver at any time and take appropriate measures to assure that the ECL and associated regulations are complied with.

SCHEDULE OF COMPLIANCE

a) The permittee shall comply with the following schedule:

Outfall(s)	Compliance Action	Due Date
001	<p><u>DRAFT SEWER USE LAW</u> Permittee shall submit for NYSDEC approval a draft local Sewer Use Law equivalent to the <u>DEC Model Sewer Use Law</u>.</p> <p><u>ADOPTED SEWER USE LAW</u> Permittee shall adopt the NYSDEC approved draft into Law and submit a copy of the enacted Law accompanied by proof of enactment.</p>	<p>EDP+4 months</p> <p>NYSDEC Approval + 4 Months</p>
001	<p><u>LOW-LEVEL MERCURY SAMPLING</u> The permittee shall submit Low-Level Mercury analytical results from one (1) final effluent sample. The sample shall be collected in accordance with EPA Method 1669, and the analysis in accordance with EPA Method 1631.</p>	EDP + 6 months
001	<p><u>EASEMENTS</u> Submit documentation for finalized easements that authorizes Sanitary Collection System staff access to the Town owned grinder pumps, laterals, and pump stations.</p>	3/1/2020
001	<p><u>ENGINEERING REPORT</u> The permittee shall submit an approvable engineering report, prepared by a Professional Engineer licensed to practice engineering in New York State, detailing the designs that will be used to improve collection system to reduce inflow and infiltration and to upgrade the POTW to comply with the final water quality based effluent limitations for Ammonia (as N), fecal coliforms, and Total Residual Chlorine.</p> <p><u>ENGINEERING PLANS / SPECIFICATIONS / SCHEDULE</u> The permittee shall submit approvable Engineering Plans, Specifications, as well as a schedule of construction for the improvement works described in the approved Engineering Report. The schedule of construction shall not exceed more than 12 months. The schedule of construction contained in the approved report shall, by reference, be made an enforceable part of the permit.</p> <p><u>PROJECT BIDDING AND AWARD</u> Issue bid notices to contractors for work to be done according to the approved plans and provide copy to the Department.</p> <p><u>BEGIN CONSTRUCTION</u> The permittee shall begin construction of the upgrades and the improvements to the facility and collection system described in the approved report, plans, and specifications in accordance with the Department approved schedule of construction.</p> <p><u>WWTP UPGRADES AND COLLECTION SYSTEM IMPROVEMENTS</u> <u>PROGRESS REPORTING</u> Submit Quarterly Progress reports pertaining to WWTP Upgrade & Collection System Improvements.</p>	<p>Submitted 11/2/2018</p> <p>Submitted 5/13/2019</p> <p>DEC Approval of Plans/Specs +3 months</p> <p>DEC Approval of Plans/Specs +3 months</p> <p>EDP + 12 Months through Construction Completion</p>

	<p>COMPLETE CONSTRUCTION (PHASE 1) & COMMENCE OPERATION The permittee shall complete construction of Stage 1 of the WWTP and place all constructed portions of the facility into full operation.</p> <p>EVALUATE TREATMENT PLANT The permittee shall submit an Engineering Report to demonstrate the performance of the facility as constructed can comply with the all final permit limits.</p> <p>COMPLETE CONSTRUCTION (PHASE 2) & COMMENCE OPERATION Pending the outcome of the performance report, the permittee shall construct the second stage of the approved designed facility, commence operation of the full system, have completed all remaining above compliance actions, and comply with the final limits for Ammonia (as N), fecal coliforms, and Total Residual Chlorine.</p> <p>Submit Certification of Completion for WWTP Upgrade.</p>	<p>10/31/2020</p> <p>5/1/2022</p> <p>6/1/2023</p> <p>7/1/2023</p>
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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(s) noted above. The above due dates are independent from the effective date of the permit stated in the “SPDES NOTICE/RENEWAL APPLICATION/PERMIT” letter.

INTERIM EFFLUENT LIMITS FOR PARAMETERS SUBJECT TO THIS SCHEDULE OF COMPLIANCE

Outfall	Parameter(s) Affected	Interim Effluent Limit			Limits Apply	Notes	Interim Limits Expire
		Type	Limit	Units			
001	Ammonia (as N)	Daily Average	Monitor Only	mg/L	June 1 to October 31		6/1/2023
001	Ammonia (as N)	Daily Average	Monitor Only	mg/L	November 1 to May 31		6/1/2023
001	Fecal Coliform	30-Day Geometric Mean	Monitor Only	No./100mL	Year- Round		1/1/2021
001	Fecal Coliform	7-Day Geometric Mean	Monitory Only	No./100mL	Year-Round		1/1/2021
Discharge Ditch at confluence of Springwater Creek and Limekiln Creek.	Ammonia (as N)	Daily Average	Monitor Only	mg/L	June 1 to October 31	1	5/31/2023
Notes:	1. Sampling location is at the discharge ditch 10 feet prior to flowing into the confluence of Springwater Creek and Limekiln Creek. The sampling frequency shall be 1 time per month and the sample type shall be a grab sample.						

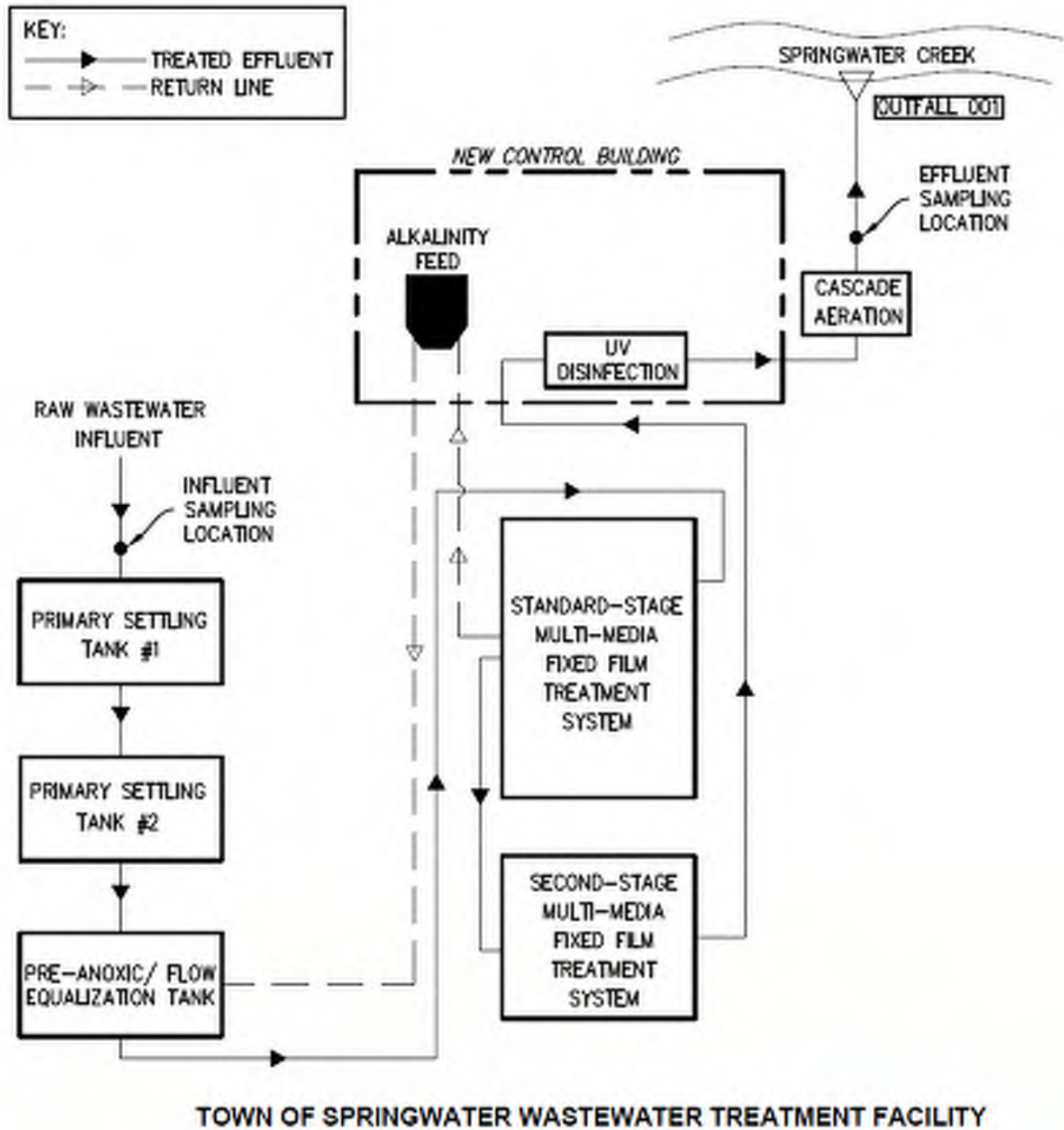
- b) The permittee shall submit a written notice of compliance or non-compliance with each of the above schedule dates no later than 14 days following each elapsed date, unless conditions require more immediate notice as prescribed in 6 NYCRR Part 750-1.2(a) and 750-2. All such compliance or non-compliance 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. Any details which tend to explain or mitigate an instance of 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 the NYSDEC Regional Water Engineer and to the Bureau of Water Permits.

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:



GENERAL REQUIREMENTS

- A. The regulations in 6 NYCRR Part 750 are hereby incorporated by reference and the conditions are enforceable requirements under this permit. The permittee shall comply with all requirements set forth in this permit and with all the applicable requirements of 6 NYCRR Part 750 incorporated into this permit by reference, including but not limited to the regulations in paragraphs B through I as follows:
- B. General Conditions
- | | |
|--|--|
| 1. Duty to comply | 6NYCRR 750-2.1(e) & 2.4 |
| 2. Duty to reapply | 6NYCRR 750-1.16(a) |
| 3. Need to halt or reduce activity not a defense | 6NYCRR 750-2.1(g) |
| 4. Duty to mitigate | 6NYCRR 750-2.7(f) |
| 5. Permit actions | 6NYCRR 750-1.1(c), 1.18, 1.20 & 2.1(h) |
| 6. Property rights | 6NYCRR 750-2.2(b) |
| 7. Duty to provide information | 6NYCRR 750-2.1(i) |
| 8. Inspection and entry | 6NYCRR 750-2.1(a) & 2.3 |
- C. Operation and Maintenance
- | | |
|-----------------------------------|-------------------------------------|
| 1. Proper Operation & Maintenance | 6NYCRR 750-2.8 |
| 2. Bypass | 6NYCRR 750-1.2(a)(17), 2.8(b) & 2.7 |
| 3. Upset | 6NYCRR 750-1.2(a)(94) & 2.8(c) |
- D. Monitoring and Records
- | | |
|---------------------------|---|
| 1. Monitoring and records | 6NYCRR 750-2.5(a)(2), 2.5(a)(6), 2.5(c)(1), 2.5(c)(2), & 2.5(d) |
| 2. Signatory requirements | 6NYCRR 750-1.8 & 2.5(b) |
- E. Reporting Requirements
- | | |
|---|----------------------------|
| 1. Reporting requirements for POTWs | 6NYCRR 750-2.5, 2.7 & 1.17 |
| 2. Anticipated noncompliance | 6NYCRR 750-2.7(a) |
| 3. Transfers | 6NYCRR 750-1.17 |
| 4. Monitoring reports | 6NYCRR 750-2.5(e) |
| 5. Compliance schedules | 6NYCRR 750-1.14(d) |
| 6. 24-hour reporting | 6NYCRR 750-2.7(c) & (d) |
| 7. Other noncompliance | 6NYCRR 750-2.7(e) |
| 8. Other information | 6NYCRR 750-2.1(f) |
| 9. Additional conditions applicable to a POTW | 6NYCRR 750-2.9 |
- F. Planned Changes
1. The permittee shall give notice to the Department as soon as possible of planned physical alterations or additions to the permitted facility when:
 - a. The alteration or addition to the permitted facility may meet any of the criteria for determining whether facility is a new source in 40 CFR §122.29(b); or
 - b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject either to effluent limitations in the permit, or to notification requirements under 40 CFR §122.42(a)(1); or
 - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

In addition to the Department, the permittee shall submit a copy of this notice to the United States Environmental Protection Agency at the following address: U.S. EPA Region 2, Clean Water Regulatory Branch, 290 Broadway, 24th Floor, New York, NY 10007-1866.

GENERAL REQUIREMENTS (continued)

2. Notification Requirement for POTWs

All POTWs shall provide adequate notice to the Department and the USEPA of the following:

- a. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 or 306 of CWA if it were directly discharging those pollutants; or
- b. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
- c. For the purposes of this paragraph, adequate notice shall include information on:
 - i. the quality and quantity of effluent introduced into the POTW, and
 - ii. any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

POTWs shall submit a copy of this notice to the United States Environmental Protection Agency, at the following address:

U.S. EPA Region 2, Clean Water Regulatory Branch, 290 Broadway, 24th Floor, New York, NY 10007-1866

G. Sludge Management

The permittee shall comply with all applicable requirements of 6 NYCRR Part 360.

H. SPDES Permit Program Fee

The permittee shall pay to the Department an annual SPDES permit program fee within 30 days of the date of the first invoice, unless otherwise directed by the Department, and shall comply with all applicable requirements of ECL 72-0602 and 6 NYCRR Parts 480, 481 and 485. Note that if there is inconsistency between the fees specified in ECL 72-0602 and 6 NYCRR Part 485, the ECL 72-0602 fees govern.

I. Water Treatment Chemicals (WTCs)

New or increased use and discharge of a WTC requires prior Department review and authorization. At a minimum, the permittee must notify the Department in writing of its intent to change WTC use by submitting a completed *WTC Notification Form* for each proposed WTC. The Department will review that submittal and determine if a SPDES permit modification is necessary or whether WTC review and authorization may proceed outside of the formal permit administrative process. The majority of WTC authorizations do not require SPDES permit modification. In any event, use and discharge of a WTC shall not proceed without prior authorization from the Department. Examples of WTCs include biocides, coagulants, conditioners, corrosion inhibitors, defoamers, deposit control agents, flocculants, scale inhibitors, sequestrants, and settling aids.

1. WTC use shall not exceed the rate explicitly authorized by this permit or otherwise authorized in writing by the Department.
2. The permittee shall maintain a logbook of all WTC use, noting for each WTC the date, time, exact location, and amount of each dosage, and, the name of the individual applying or measuring the chemical. The logbook must also document that adequate process controls are in place to ensure that excessive levels of WTCs are not used.
3. The permittee shall submit a completed WTC Annual Report Form each year that they use and discharge WTCs. This form shall be submitted in electronic format and attached to either the December DMR or the annual monitoring report required below. The *WTC Notification Form and WTC Annual Report Form* are available from the Department's website at: <http://www.dec.ny.gov/permits/93245.html>

RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS

- A. The monitoring information required by this permit shall be retained for a period of at least five years from the date of the sampling for subsequent inspection by the Department or its designated agent.
- B. Discharge Monitoring Reports (DMRs): Completed DMR forms shall be submitted for each 1 month reporting period in accordance with the DMR Manual available on Department's website.

DMRs must be submitted electronically using the electronic reporting tool (NetDMR) specified by NYSDEC. Instructions on the use of NetDMR are available in the DMR Manual. **Hardcopy paper DMRs will only be received at the address listed below for the Bureau of Water Permits, if a waiver from the electronic submittal requirements has been granted by DEC to the facility.**

Attach the monthly "Wastewater Facility Operation Report" (form 92-15-7) and any required DMR attachments electronically to the DMR or with the hardcopy submittal. In addition, submit a hard copy of the "Wastewater Facility Operator Report" and any attachments to the Regional Water Engineer at the address noted below in Item C.

The first monitoring period begins on the effective date of this permit, and, unless otherwise required, the reports are due no later than the 28th day of the month following the end of each monitoring period.

- C. The monitoring information required by this permit shall be summarized and reported to the RWE and Bureau of Water Permits at the following addresses:

Department of Environmental Conservation
Division of Water, Bureau of Water Permits
625 Broadway, Albany, New York 12233-3505 Phone: (518) 402-8111

Department of Environmental Conservation
Regional Water Engineer, Region 8
6274 E. Avon-Lima Road, Avon, New York, 14414-9519 Phone: (585) 226-5450

- D. Bypass and Sewage Pollutant Right to Know Reporting: In accordance with the Sewage Pollutant Right to Know Act (ECL § 17-0826-a), Publicly Owned Treatment Works (POTWs) are required to notify DEC and Department of Health within two hours of discovery of an untreated or partially treated sewage discharge and to notify the public and adjoining municipalities within four hours of discovery. Information regarding reporting and other requirements of this program may be found on the Department's website. In addition, POTWs are required to provide a five-day incident report and supplemental information to the DEC in accordance with Part 750-2.7(d) by utilizing the Division of Water Report of Noncompliance Event form unless waived by DEC on a case-by-case basis.

- E. Schedule of Additional Submittals:

The permittee shall submit as a hardcopy the following information to the Regional Water Engineer and to the Bureau of Water Permits, unless otherwise instructed:

SCHEDULE OF ADDITIONAL SUBMITTALS		
Outfall(s)	Required Action	Due Date
Discharge Ditch at confluence of Springwater Creek and Limekiln Creek	The permittee shall provide the sampling results generated from sampling the discharge ditch 10 feet prior to flowing into the confluence of Springwater Creek and Limekiln Creek. The sampling frequency shall be 1 time per month and the sample type shall be a grab sample. The sampling results shall be provided to the Department with the DMR forms for each 1 month reporting period during the June 1 to October 31 monitoring season.	Monthly, until POTW upgrades are complete per compliance schedule

Unless noted otherwise, the above actions are one-time requirements. The permittee shall submit the results of the above actions to the satisfaction of the Department. When this permit is administratively renewed by NYSDEC letter entitled "SPDES NOTICE/RENEWAL APPLICATION/PERMIT", the permittee is not required to repeat the above submittal(s), unless noted otherwise. The above due dates are independent from the effective date of the permit stated in the letter of "SPDES NOTICE/RENEWAL APPLICATION/PERMIT."

- F. Monitoring and analysis shall be conducted using sufficiently sensitive test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.
- G. More frequent monitoring of the discharge(s), monitoring point(s), or waters of the State than required by the permit, where analysis is performed by a certified laboratory or where such analysis is not required to be performed by a certified laboratory, shall be included in the calculations and recording of the data on the corresponding DMRs.
- H. Calculations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.
- I. Unless otherwise specified, all information recorded on the DMRs shall be based upon measurements and sampling carried out during the most recently completed reporting period.
- J. 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 which has been issued a certificate of approval. Inquiries regarding laboratory certification should be directed to the New York State Department of Health, Environmental Laboratory Accreditation Program.

New York State Department of Environmental Conservation

Division of Environmental Permits

NYSDEC HEADQUARTERS
625 BROADWAY
ALBANY, NY 12233
(518) 402-9167



SPDES PERMIT RENEWAL

8/5/2024

DAVID R SLIKER
TOWN OF SPRINGWATER
8022 S MAIN ST
SPRINGWATER NY 14560

Permittee Name: TOWN OF SPRINGWATER
Facility Name: SPRINGWATER-T WWTP
Ind. Code: 4952 County: LIVINGSTON
DEC ID: 8-2448-00057/00001 SPDES No.: NY0246450
Permit Effective Date: 9/1/2024
Permit Expiration Date: 8/31/2029

Dear Permittee,

The State Pollutant Discharge 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 12/01/2019 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 KATHERINE M MURRAY at (518) 402-8413.

Sincerely,

Kristen Cady-Poulin
Environmental Analyst

cc:
RPA
BWC

RWE
File

BWP
EPA



Department of Environmental Conservation

Application For Permit Transfer and Application for Transfer of Pending Application

NOTE: Please read ALL instructions before completing this application. Please TYPE or PRINT clearly in ink.

PART 1 - TRANSFEREE (New Owner/Operator/Lessee/Applicant) Completes:

1. List Permit Number(s) And Their Effective And Expiration Dates: NY0246450; 09/01/2019 - 08/31/2024
List Pending Application Number(s):
2. Name Of Transferee: Livingston County Water&Sewer Authority
Telephone Number (Daytime): (585) 346-3523
Transferee is a/an: (check all that apply)
3. Name Of Facility/Project: Town of Springwater Wastewater Treatment Facility
4. Facility Contact Name: Jason Molino
5. Has Work Begun On The Project? Yes [] No [x]
6. CERTIFICATION: This certifies that the Transferee seeks to be the legally responsible party for operations or project development...

PART 2 - TRANSFEROR (Present or Former Owner/Operator/Lessee/Applicant) Completes:

1. Name Of Transferor: Town of Springwater
Telephone Number (Daytime): (585) 669-2545
2. Name Of Facility/Project, if different from Facility Name in Part 1:
3. CERTIFICATION: This certifies that ownership, operation, or a lease for the facility identified in Part 1 of this form [x] will be / [] was conveyed to the party identified as the Transferee on 1/14/2025 (date)...

PART 3 - PERMIT TRANSFER VALIDATION SECTION - Department Of Environmental Conservation Completes:

- XX Transfer of permit approved, effective as of [] Transferee subject to conditions of original permit, without exception.
[] Transfer of permit approved, with the following modifications or contingencies related to this Permit Transfer.

- [] See attached revised permit page(s):
[] Transfer of application approved. See attached for additional information required.
[] Transfer denied, new application required. Please complete the enclosed permit application and return it to the undersigned Regional Permit Administrator at the address listed on the reverse side of this form.

Kimberly A. Merchant

Kimberly Merchant

02/10/2025

NYSDEC PERMIT ADMINISTRATOR

SIGNATURE

DATE

copies to:

APPENDIX B

ENGINEERING REPORT CERTIFICATION



ENGINEERING REPORT CERTIFICATION

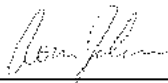
To Be Provided by the Professional Engineer Preparing the Report

During the preparation of this Engineering Report, I have studied and evaluated the cost and effectiveness of the processes, materials, techniques, and technologies for carrying out the proposed project or activity for which assistance is being sought from the New York State Clean Water State Revolving Fund. In my professional opinion, I have recommended for selection, to the maximum extent practicable, a project or activity that maximizes the potential for efficient water use, reuse, recapture, and conservation, and energy conservation, taking into account the cost of constructing the project or activity, the cost of operating and maintaining the project or activity over the life of the project or activity, and the cost of replacing the project and activity.

Title of Engineering Report: Town of Springwater WWTP Improvements

Date of Report 07/31/2025

Professional Engineer's Name: Ron Jackson

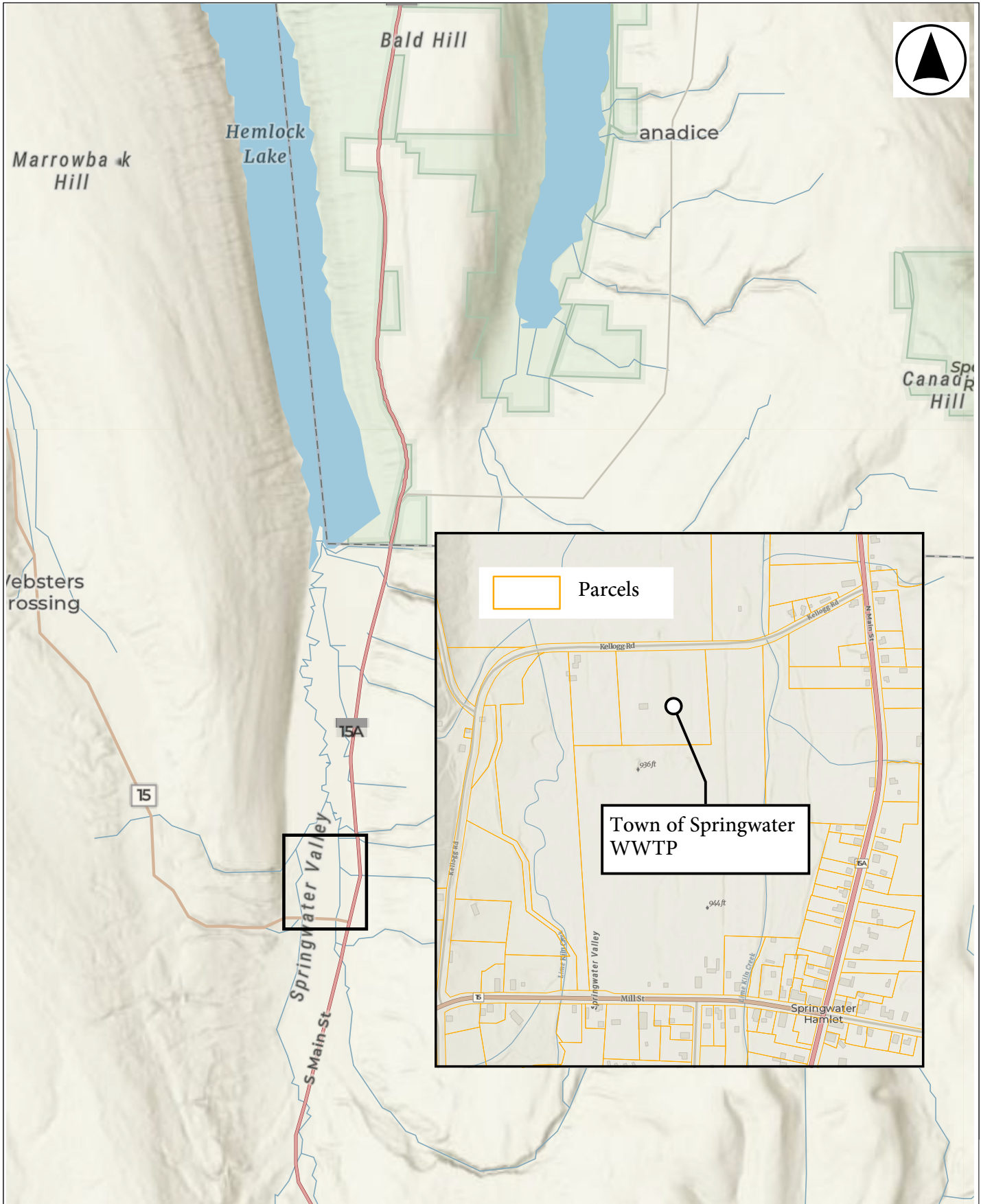
Signature: 

Date: 07/31/2025

APPENDIX C

SITE LOCATION MAP

File: V:\PROJECTS\ANY\K7\101769\009_DESIGN\EXHIBITS\101769_SPRINGWATER_WWTP_SBR FIGURES.DWG
Saved: 7/28/2025 12:11:31 PM Plotted: 7/28/2025 2:20:44 PM Current User: Anderson, Philip LastSavedBy: 7755



SITE LOCATION MAP
TOWN OF SPRINGWATER WWTP
7737 KELLOGG ROAD
SPRINGWATER, NY 14560

PROJECT NO. 101769
DATE: 07/28/25
FIGURE A

APPENDIX D

2019 GEOTECHNICAL REPORT

**SUBSURFACE INVESTIGATION
AND
GEOTECHNICAL EVALUATION**

**PROPOSED SANITARY PROCESS FACILITY
KELLOGG ROAD
VILLAGE OF SPRINGWATER
LIVINGSTON COUNTY, NEW YORK**

**HUNT ENGINEERS, ARCHITECTS & LAND
SURVEYORS, PC**

**PREPARED FOR: HUNT Engineers, Architects & Land Surveyors, PC
100 Hunt Center
Horseheads, New York 14845**

**PREPARED BY: Atlantic Testing Laboratories, Limited
6431 U.S. Highway 11
P. O. Box 29
Canton, New York 13617**

ATL Report No. CD4655E-01-06-19

June 28, 2019

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**SUBSURFACE INVESTIGATION
AND
GEOTECHNICAL EVALUATION**

**PROPOSED SANITARY PROCESS FACILITY
KELLOGG ROAD
VILLAGE OF SPRINGWATER
LIVINGSTON COUNTY, NEW YORK**

**HUNT ENGINEERS, ARCHITECTS & LAND
SURVEYORS, PC**

1.0 INTRODUCTION

At the request of Mr. Peter Martin, EIT, representing HUNT Engineers, Architects & Land Surveyors, PC, (HUNT) and in accordance with our proposal (ATL File No. CD998-118-01-19, dated January 25, 2019) Atlantic Testing Laboratories, Limited (ATL) performed a subsurface investigation and geotechnical evaluation for the referenced project. The subsurface investigation was performed on June 6 and 7, 2019.

The purpose of the investigation was to ascertain the general subsurface soil and groundwater conditions at the site, to evaluate the engineering significance of these findings, and to provide recommendations related to foundation design and construction for the proposed sanitary process facility upgrades.

The proposed project is located along the south side of Kellogg Road, in the Village of Springwater, Livingston County, New York. The approximate project coordinates at the center of the proposed process facility upgrades are N 42°38'33" latitude and W 77°36'0.5" longitude. A **Site Location Plan** is included in **Appendix A**. All dimensions and elevations referenced in this report are in units of feet, unless otherwise noted.

2.0 PROJECT DESCRIPTION

Based on information provided by HUNT, the project consists of constructing sanitary process facility upgrades at the existing wastewater treatment facility. It is our understanding the upgrades will consist of the construction of an approximate 1,200 square-foot control building and nine (9) at-grade recirculation and filtration tanks on the eastern, higher portion of the site, and three (3) 12-foot diameter, fiberglass-reinforced plastic septic tanks in the western, lower portion of the site. It is our understanding the proposed control building will be founded on shallow foundation system bearing approximately 6 feet below grade, having a concrete slab-on-grade with a finished floor elevation of 938.5 feet.

The proposed 12-foot diameter septic tanks will be completely buried under approximately 4 feet of soil, and will reportedly bear on a compacted subbase leveling course. At the time of report issuance, preliminary foundation loading information was not provided for the proposed building, process tanks, or septic tanks.

3.0 SITE SURFACE CONDITIONS & GEOLOGY

The proposed project site is located south of Kellogg Road in the Springwater Valley between Springwater and Limekiln Creeks. The project area generally appears to be surrounded by agricultural fields, meadows, moderately dense wooded areas, and rural residential property. The site of the proposed sanitary process facility is located within the current wastewater treatment facility. The site is generally grass covered, bisected by a north-south gravel access drive. Based on topographic information provided by HUNT, the site slopes downward from east to west from approximately elevation 938 to 932. Four approximate 20,000 square-foot facility structures are located just to the east of the proposed facility footprint. A small service shed is located in the area of the proposed control building. Based on a review of historical Google Earth® imagery, it appears that full-scale earthwork activities were underway prior to the October 2008 image reviewed. It was reported by representatives of HUNT that fills on the order of 5 to 7 feet were utilized to establish the current site grades, based on their review of historical design documents for the facility.

The project area is located in the north-central portion of the Alleghany Plateau Region of New York State, southwest of the Finger Lakes. Based on the Surficial Geologic Map of New York, Finger Lakes Sheet, 1986, the project area is generally mantled with lacustrine deposits of laminated silt and clay; generally formed in proglacial lakes. These soils have the potential for land instability and may be up to 50 meters thick. Based on the Geologic Map of New York, Finger Lakes Sheet, 1970, the project area is generally underlain by Upper Devonian Age, shale of the Lower Beers Hill Group.

4.0 SUBSURFACE INVESTIGATION & SAMPLING METHODOLOGY

The soil boring locations were selected and staked in the field by representatives of HUNT. The boring surface elevations were not provided to ATL at the time of report issuance. A **Boring Location Plan**, provided by HUNT, is included in **Appendix B**.

Four (4) soil borings were advanced at the project site utilizing a combination of 3.75-inch inside diameter flush-joint casing using direct push and percussion-impact methods (Geoprobe® GH63 Percussion Hammer) and 3-inch (NW), inside diameter flush-joint casing using wet rotary methods. Soil sampling and standard penetration testing was performed utilizing a 2-inch outside diameter split spoon sampler and automatic drop hammer in accordance with ASTM D 1586. Soil sampling was generally performed continuously to a maximum depth of 12 feet and at 5-foot intervals thereafter to boring termination at depths ranging from 22 to 62 feet below the surface.

A temporary groundwater observation well was installed within soil borings B-1 and B-4 to depths of approximately 30 and 27 feet, respectively, to facilitate future groundwater readings. The wells were constructed using 1-inch PVC slotted screen, 1-inch PVC riser pipe, and a bentonite surface seal. The screened interval was backfilled with a sand pack.

The boreholes were backfilled with on-site soil upon completion. At the time of report issuance, the temporary observation wells installed in soil borings B-1 and B-4 remained in-place. It is important that the backfilled borings and temporary observation wells be monitored for settlement or subsidence. This will be the responsibility of HUNT Engineers, Architects & Land Surveyors, PC and/or their Client. ATL assumes no liability for loss or damage resulting from borehole settlement.

The recovered soil samples were visually classified in the laboratory by an engineering technician in general accordance with the Burmister Soil Classification System. The split spoon sampler does not recover particles larger than 1³/₈-inch in nominal dimension; therefore, the soil classifications may not be representative of the entire soil matrix. The visual classifications and standard penetration test (SPT) results are presented on the **Subsurface Investigation Logs** included in **Appendix C**.

5.0 SITE SUBSURFACE CONDITIONS

The following description of subsurface conditions is based on the subsurface soil and groundwater conditions encountered during this subsurface investigation. Actual subsurface conditions may vary across the site in both the horizontal and vertical dimensions. Detailed subsurface descriptions are provided on the Subsurface Investigation Logs. The topsoil and organic material thicknesses presented on the subsurface investigation logs should not be utilized to estimate material quantities for construction.

5.1 Soil Borings

5.1.1 Proposed Buried Septic Storage Tanks (B-1 and B-2)

Soil borings B-1 and B-2, performed in the area of the proposed buried septic tanks, generally encountered approximately 4 to 8 inches of topsoil and organic material at the surface underlain by loose (SPT N-values) silty sand with gravel that extended to depths ranging from 4 to 6 feet below the surface. The silty sand was generally underlain by medium compact (SPT N-values 10 to 30) to compact (SPT N-values 30 to 50) sandy gravel or gravelly sand with lesser amounts of silt that extended to boring termination in soil boring B-1 at a depth of 32 feet, and to a depth of 23 feet in soil boring B-2. Underlying the gravelly sand, soil boring B-2 encountered hard (SPT N-values greater than 30) silt with varying proportions of gravel, clay, and sand that extended to boring termination at a depth of 32 feet.

5.1.2 Proposed Control Building and Process Tanks (B-3 and B-4)

Soil borings B-3 and B-4, performed in the area of the proposed control building and process tanks, generally encountered a heterogeneous mixture of medium compact gravelly sand with clay or sandy gravel with silt that extended to depths ranging from 6 to 8 feet below the surface, underlain by medium compact sandy gravel or gravelly sand with lesser amounts of silt that extended to boring termination in soil boring B-3 at a depth of 22 feet, and to a depth of approximately 33 feet in soil boring B-4. Underlying the gravelly sand, soil boring B-4 encountered very stiff (SPT N-values 16 to 30) silt and sand that extended to a depth of approximately 48 feet below the surface. The silt and sand was underlain by very soft (SPT N-values less than 2) to soft (SPT N-values 2 to 4) silty clay with lesser amounts of sand that extended to boring termination at a depth of 62 feet below the surface.

Cobble fragments were generally observed in all four soil borings within the medium compact to compact gravelly sand and sandy gravel layers.

5.2 Groundwater

Groundwater measurements were performed during the subsurface investigation through the cased and open boreholes, and the temporary groundwater observation wells installed in borings B-1 and B-4. The soil samples were also classified for coloration and relative moisture conditions.

Based on groundwater measurements, freestanding groundwater was recorded at depths ranging from approximately 7 to 18.4 feet below the surface during borehole advancement, and at depths of approximately 5 to 6 feet following casing removal and subsequent caving of the boreholes in soil borings B-2 and B-3. Freestanding groundwater was recorded at depths of 7 and 9.6 feet in temporary observation wells B-1 and B-4, respectively, prior to departure from the site. The recovered soil samples were generally classified as moist to depths ranging from approximately 6 to 8 feet, and wet to saturated thereafter to boring termination.

Since the borings were backfilled upon completion of advancement, the groundwater levels may not have had sufficient time to stabilize. Perched water may exist at higher elevations during foundation and utility excavations, especially during wetter periods of the year.

Fluctuations in water levels may occur due to seasonal and climatic variations, changes in surface runoff patterns, construction activity, and subsequent development of the site along with other interrelated factors.

6.0 LABORATORY ANALYSES

Select soil samples were submitted to ATL's geotechnical laboratory for the following physical analyses:

- ◆ Nine (9) Water Content Determination of Soil (ASTM D 2216)
- ◆ Two (2) Particle Size Analysis without Hydrometer (ASTM D 422)
- ◆ One (1) Particle Size Analysis with Hydrometer (ASTM D 422)
- ◆ One (1) Atterberg Limits Determination (ASTM D4318).

The laboratory test results are presented on the Subsurface Investigation Logs included in Appendix C and contained in **Appendix D, Laboratory Test Reports**.

7.0 GEOTECHNICAL ENGINEERING DISCUSSION

The Geotechnical Engineering Discussion is based on information provided by HUNT and the subsurface conditions outlined in this report.

At the time of report issuance, final grading plans were not available; however, based on the existing site topography and proposed finished floor elevation, it is anticipated that significant cuts and/or fills will not be required to achieve the proposed site grades. Based on information provided by HUNT and a review of historical imagery, the site is likely mantled with up to 5 to 7 feet of fill materials utilized to establish the current site grades. Based on the soil borings performed across the site, the density and composition of the upper fill stratum appears relatively consistent and should not adversely affect the design and construction of the proposed facility, provided the soil borings are representative of the overall subsurface conditions across the site. Additionally, significant amounts of organic and deleterious fill materials were not encountered at the soil boring locations.

Based on the subsurface investigation, the proposed sanitary process facility may be founded on a shallow foundation system, provided the recommendations contained in this report are followed.

7.1 Proposed Sanitary Process Facility

7.1.1 Site Preparation

Site work will require the removal of any surficial topsoil and organic material within the proposed control building, process tank, and septic tank footprints. Following the completion of any stripping and cutting operations, and prior to placing controlled fill, the exposed subgrade soils should be thoroughly proof-compacted with a minimum 10-ton vibratory roller, in conditions of low moisture, and proof-rolled in accordance with Geotechnical Recommendation 8.3.2. The proof-compaction and proof rolling should be conducted under the observation of the Geotechnical Engineer. Any areas noted to weave or deflect should be excavated to stable material, at the direction of the Geotechnical Engineer, and replaced with compacted Granular Fill. All fill should be placed and compacted in accordance with Geotechnical Recommendations 8.5.4 and 8.5.5.

The site soils are considered moisture sensitive and may be disturbed by repetitive construction traffic when exposed to excessive moisture. Construction equipment and foot traffic should be limited on exposed subgrades, especially during wetter periods of the year.

7.1.2 Control Building and Process Tank Shallow Foundations

The proposed shallow foundation excavations should be advanced to stable, silty sand and gravel subgrade soils, a minimum of 4.5 feet below final exterior grade.

All foundation excavations should be continuously monitored by a Geotechnical Engineer to verify the stability and uniformity of the subgrade soils, and to ensure that adequate soil bearing capacity is obtained.

It is recommended the exposed foundation subgrade soils be proof-compacted, in conditions of low moisture, with a dual-drum walk-behind vibratory roller; a Wacker DPU 6055 vibrating plate tamper; or equivalent, under the direction of a Geotechnical Engineer. The proof-compaction will densify the surficial subgrade soils and provide a uniform bearing surface for foundations. Wet or saturated subgrades should not be proof-compacted.

Any areas noted to weave or deflect during proof-compaction should be over excavated to stable material, under the direction of the Geotechnical Engineer, and replaced with compacted Granular Fill.

Foundation subgrades that are wet or saturated due to groundwater at the time of construction should be over excavated 6-inches and replaced with a 6-inch layer of NYSDOT Number 2, crushed stone. The Number 2, crushed stone should be compacted with four passes of a dual-drum walk-behind vibratory roller; a Wacker DPU 6055 vibrating plate tamper; or equivalent, under the direction of a Geotechnical Engineer. The Number 2 crushed stone will provide a stable working surface and dewatering media if ground or surface water enters the excavation.

Shallow footings bearing on proof-compacted, subgrade soils, compacted Granular Fill, and/or NYSDOT Number 2, crushed stone that overlies stable, subgrade soils, may be designed using an allowable soil bearing capacity of 3000 psf, provided the recommendations presented in this report are followed.

Continuous strip footings should be a minimum 18 inches wide and individual spread footings a minimum 36 inches wide.

A detailed settlement analysis was outside the scope of this geotechnical evaluation; however, total and differential settlements less than 1-inch and ½-inch, respectively, are estimated.

7.1.3 Slab-on Grade Preparation

Concrete slabs-on-grade should be supported on a minimum of 8 inches of Engineered Structural Fill subbase that overlies properly prepared subgrade soils, as discussed previously. The Engineered Structural Fill should conform to Geotechnical Recommendation 8.5.3, placed and compacted in accordance with Geotechnical Recommendations 8.5.4 and 8.5.5. The slabs-on-grade may be designed using a modulus of subgrade reaction of 150 pci.

The subgrade soils should be proof-compacted with a minimum 10-ton vibratory roller and proof rolled, prior to placing Engineered Structural Fill. Proof rolling should be conducted under the direction of a Geotechnical Engineer, in accordance with Geotechnical Recommendation 8.3.2.

A vapor retarder should be considered beneath the slabs-on-grade if moisture migration through the concrete slab is of concern for moisture sensitive flooring materials. The vapor retarder should be installed in accordance with the latest ACI 302.1 recommendations.

7.2 Proposed Septic Tanks

It is our understanding the septic tank installations will require excavations up to approximately 17 to 18 feet below the surface which will extend below the groundwater elevations encountered during the subsurface investigation. The in-situ sand and gravel soils encountered in the borings will have a tendency to slough into open excavations, especially in the presence of surface and/or groundwater. Dewatering combined with shoring, sloping and benching, and/or others means and methods, determined by the contractor, will be required to provide a dry, stable work area.

Large pumps and/or well points may be necessary to dewater large excavations. The contractor should submit an excavation and dewatering plan to the owner and engineer for review.

It is recommended that a working mat consisting of a minimum 6-inch layer of NYSDOT Number 2, crushed stone, be placed on footing subgrades to provide a dewatering media, prior to placing the proposed subbase leveling course. The Number 2, crushed stone should be wrapped in a non-woven geotextile (Marifi 160, or equivalent) to minimize the potential for fines to migrate into the void spaces of the stone. The NYSDOT Number 2, crushed stone should be compacted with a minimum 4 passes with a dual-drum, walk-behind vibratory roller; a Wacker DPU 6055 vibratory plate tamper, or equivalent, under the direction of the Geotechnical Engineer.

7.3 Frost Protection

Foundations requiring frost protection should be founded a minimum of 4.5 feet below final exterior grade.

7.4 Seismic

Based on the field standard penetration test results, a site classification E has been determined for the project site. The maximum considered earthquake spectral response acceleration for short periods, (S_{MS}) is 0.398g and at 1-second period, (S_{M1}) is 0.202g as determined from the International Building Code, 2015. Seismic exposure should be considered in the design of the structures.

7.5 General

Care must be exercised while excavating in the vicinity of the existing structures and utilities to prevent disturbance of existing facilities. The project should be designed to minimize disturbance to existing facilities that are to remain in service during construction.

Construction equipment and foot traffic should be limited on exposed subgrades, especially during wetter periods of the year. Where possible, subgrades should be sloped to drainage swales or a sump and pump system during construction to prevent surface run-off and/or groundwater from ponding on exposed subgrades.

Perched groundwater, cobbles, fill materials, and sloughing granular soils may be encountered during site, foundation, and utility excavations.

The on-site soils may be utilized as general site fill and exterior backfill provided all deleterious and oversize materials (particles larger than 4 inches in diameter) are removed and the material can be properly moisture conditioned. Granular Fill should be utilized within the structure footprints. All fill should be placed in accordance with Geotechnical Recommendations 8.5.4 and 8.5.5, or as directed by the design engineer.

The empirical soil parameters presented in the following table may be used for the following compacted backfill materials.

Table of Soil Properties

Soil Property	On-site, Silty Sand and Gravel	Granular Fill	Engineered Structural Fill
Angle of Internal Friction (°)	30	32	34
Active Earth Coefficient (K_a)*	0.33	0.31	0.28
At Rest Earth Coefficient (K_o)*	0.50	0.47	0.44
Passive Earth Coefficient (K_p)*	3.00	3.25	3.54
Ultimate Coefficient of Sliding Friction	0.41	0.44	0.47
Moist Unit Weight (pcf)	120-130	130-140	140-150

*The Rankine earth pressure coefficients (ultimate values) assume level backfill placed in a fully drained condition.

8.0 GEOTECHNICAL RECOMMENDATIONS

The following recommendations are presented as the minimum requirements for the design, planning, and construction of the foundation system. The concepts and geotechnical engineering considerations presented in the preceding sections must be considered in project design and construction.

8.1 Site Preparation

- 8.1.1 Site work should be scheduled during drier portions of the year to avoid possible delays and additional costs associated with construction during the wet seasons.
- 8.1.2 In planning excavations adjacent to structures and utilities, care must be taken to locate and maintain their stability. The project should be designed to minimize disturbance to existing facilities that are to remain in service.
- 8.1.3 The site must be prepared as discussed in Section 7.1 of the Geotechnical Engineering Discussion.
- 8.1.4 Site surface grading must be designed to convey surface water away from the site and structures.
- 8.1.5 The contractor must follow excavation safety practices as mandated by 29 CFR Part 1926 (OSHA) and by applicable state regulations.

8.2 Proposed Tank Foundations

- 8.2.1 Foundations requiring frost protection should be founded a minimum of 4.5 feet below final exterior grade.
- 8.2.2 All foundation excavations should be continuously monitored by a Geotechnical Engineer to verify the stability and uniformity of the subgrade soils, and to ensure that adequate soil bearing capacity is obtained.

- 8.2.3** The exposed foundation subgrade soils should be proof-compacted, in conditions of low moisture, with a dual-drum walk-behind vibratory roller; a Wacker DPU 6055 vibrating plate tamper; or equivalent, under the direction of a Geotechnical Engineer. Wet or saturated subgrades should not be proof-compacted.
- 8.2.4** Any areas noted to weave or deflect during proof-compaction should be over excavated to stable material, under the direction of the Geotechnical Engineer, and replaced with compacted Granular Fill.
- 8.2.5** Foundation subgrades that are wet or saturated due to groundwater at the time of construction should be over excavated 6-inches and replaced with a 6-inch layer of NYSDOT Number 2, crushed stone. The Number 2, crushed stone should be compacted with four passes of a dual-drum walk-behind vibratory roller; a Wacker DPU 6055 vibrating plate tamper; or equivalent, under the direction of a Geotechnical Engineer.
- 8.2.6** A working mat consisting of a minimum 6-inch layer of NYSDOT Number 2, crushed stone, should be placed on septic tank foundation subgrades to provide a dewatering media, prior to placing the proposed subbase leveling course. The Number 2, crushed stone should be wrapped in a non-woven geotextile (Marifi 160, or equivalent), and should be compacted with a minimum 4 passes with a dual-drum, walk-behind vibratory roller; a Wacker DPU 6055 vibratory plate tamper, or equivalent, under the direction of the Geotechnical Engineer.

8.3 Slab-on-Grade Preparation

- 8.3.1** A minimum of 8 inches of Engineered Structural Fill subbase conforming to Geotechnical Recommendation 8.5.3 should be placed to support the concrete slab-on-grade. All fill should be placed and compacted in accordance with Geotechnical Recommendations 8.5.4 and 8.5.5.
- 8.3.2** Subgrades to receive slabs-on-grade should be proof rolled. Proof rolling should be conducted using a tandem axle truck with a minimum gross weight of 40,000 lbs. Roller or low ground pressure construction equipment shall not be used for proof rolling. The proof rolling must be conducted under the observation of the Geotechnical Engineer. Any areas noted to weave or deflect should be excavated to stable material, at the direction of the Geotechnical Engineer, and replaced with compacted Granular Fill.

8.4 Dewatering

- 8.4.1** It will be the contractor's responsibility to maintain adequate water control at all times. Project specifications should clearly indicate that standing water, and/or saturated, unstable soil conditions will not be tolerated in areas to receive foundations or utilities. The project specifications should state that the contractor will not be reimbursed for extras related to the control of water.
- 8.4.2** Dewatering combined with shoring, sloping and benching, and/or others means and methods, determined by the contractor, will be required to provide a dry, stable work area.

8.4.3 Large pumps and/or well points may be necessary to dewater large excavations. The contractor should submit an excavation and dewatering plan to the owner and engineer for review.

8.4.4 All dewatering activities must comply with all local, state, and federal storm water discharge requirements for construction.

8.5 Backfill and Compaction Requirements

8.5.1 The on-site soils, excluding organics, deleterious material and oversize material (particles larger than 4 inches in diameter), may be used for general site fill and exterior foundation backfill, provided the soil is properly moisture conditioned, and placed and compacted in accordance with Geotechnical Recommendations 8.5.4 and 8.5.5, or as directed by the design engineer. Granular Fill should be utilized within the structure footprints.

8.5.2 Granular Fill should consist of a clean, screened, crushed, or bank-run gravel conforming to the following gradation:

Sieve Size	Percent Passing
4"	100
¼"	35-65
#200	0-10

8.5.3 Engineered Structural Fill should consist of a screened, crushed gravel or crushed ledge rock conforming to the following gradation:

Sieve Size	Percent Passing
3"	100
1"	80-95
½"	45-75
#4	30-60
#40	10-40
#200	0-7

8.5.4 All fill and backfill should be placed and compacted in lifts not exceeding eight inches in loose thickness, at a moisture content of $\pm 2\%$ of the Optimum Moisture Content, and to densities in excess of 95% of the maximum dry density, as determined by ASTM D 1557, or as directed by the Geotechnical Engineer.

8.5.5 Compaction should be performed with vibratory rollers or compactors, unless there is a concern for damage or disturbance to adjacent structures and utilities.

8.6 Testing and Inspection

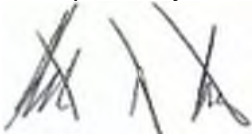
- 8.6.1** The final site grading, foundation plans and project specifications should be reviewed by ATL, as the Geotechnical Engineer of Record, to verify that there has not been a misinterpretation of this report and/or ATL's understanding of the project.
- 8.6.2** We recommend that ATL, as the Geotechnical Engineer of Record, be retained to monitor site earthwork activities and foundation installations. An ATL geotechnical representative familiar with the findings and recommendations of this report will be able to assess the subsurface conditions encountered during construction, provide necessary remedial recommendations, and verify that adequate bearing capacities and proper foundation installation requirements are achieved.
- 8.6.3** All foundation construction and backfilling should be monitored and tested by an Independent Testing Agency, conforming to ASTM E-329, "Standard Specification for Agencies Engaged in Construction Inspection, Testing, or Special Inspection." ATL conforms to ASTM E-329 and can be retained to perform required construction phase monitoring and testing services, including applicable Special Inspections and Structural Tests in accordance with the Building Code of New York State.

9.0 SUMMARY

The subsurface investigation logs and this report in its entirety should be provided to the contractors for information and interpretation. The subsurface investigation logs may not be representative of the entire site subsurface conditions, but only what was encountered at the individual test location at the time the investigations. The subsurface soil and groundwater conditions may be different from those described on the subsurface investigation logs and summarized in this report.

This report was prepared to present the findings of our subsurface investigation and engineering evaluation, and to outline concepts to be utilized in foundation design and construction. These concepts may require alterations to meet the specific design and economic considerations for this project.

Prepared by:



Matthew T. Trodler, IE
Project Manager

Reviewed by:



Brian T. Barnes, PE
Senior Engineer

MTT/BTB/mtt

APPENDIX A
SITE LOCATION PLAN



SITE LOCATION PLAN

Drawn by:
MTT

Scale:
As Noted

Project No.:
CD4655

Date:
June 2019

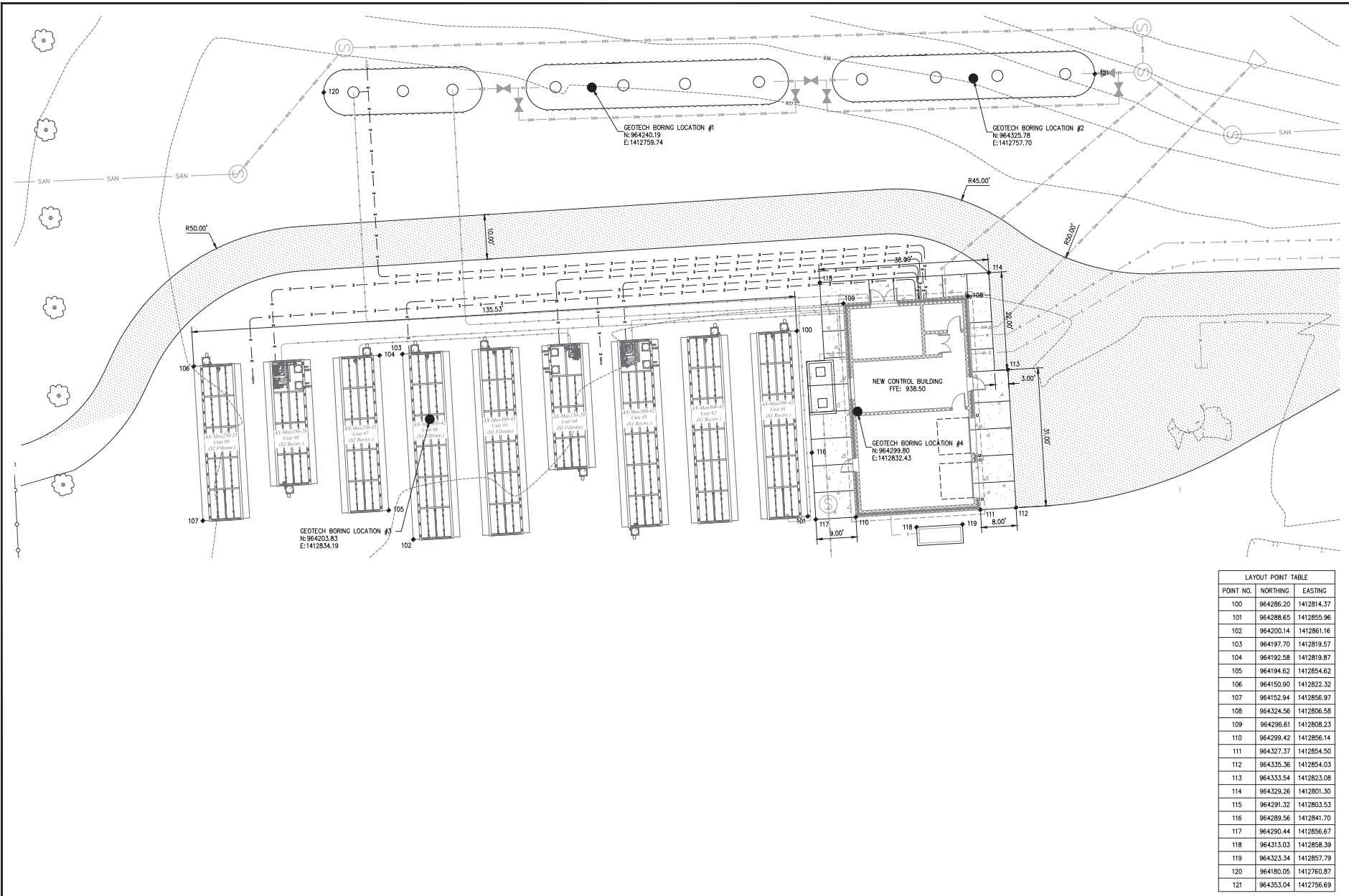
Proposed Sanitary Process Facility
Kellogg Road
Village of Springwater
Livingston County, New York



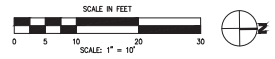
ATLANTIC TESTING LABORATORIES, Limited

Albany, NY Binghamton, NY Canton, NY Elmira, NY Plattsburgh, NY
Poughkeepsie, NY Syracuse, NY Rochester, NY Utica, NY Watertown, NY

APPENDIX B
BORING LOCATION PLAN



1 SITE LAYOUT PLAN (WWTP)
SCALE: 1"=10'



LAYOUT POINT TABLE		
POINT NO.	NORTHING	EASTING
100	964286.20	1412814.37
101	964288.65	1412855.96
102	964200.14	1412861.16
103	964197.70	1412819.57
104	964192.58	1412819.87
105	964194.62	1412854.62
106	964150.90	1412822.32
107	964152.94	1412856.97
108	964324.56	1412806.58
109	964296.61	1412808.23
110	964299.42	1412856.14
111	964327.37	1412854.50
112	964335.36	1412854.03
113	964333.54	1412823.08
114	964329.26	1412801.30
115	964291.32	1412803.53
116	964289.56	1412841.70
117	964290.44	1412856.67
118	964313.03	1412858.39
119	964323.34	1412857.79
120	964180.05	1412760.87
121	964353.04	1412756.69

HUNT
ENGINEERS / ARCHITECTS / POLYESTER
140 State Street, Elizabeth, New Jersey 07208-4000, Tel: 908-486-1400
www.hunt-engineers.com

BORING LOCATIONS
WWTP AND COLLECTION
SYSTEM IMPROVEMENTS
TOWN OF SPRINGWATER, LIVINGSTON COUNTY, NEW YORK

C2.3

PROJECT NO: 2629.017

DATE: 7/19/18
BY: MCR
CHECKED BY: PJM
DATE: JULY 2018
SCALE: AS SHOWN
DRAWN BY: MCR
DESCRIPTION OF REVISION:
INSET COMMENTS
INSET COMMENTS

Unauthorized Alteration Or Addition To Plans Bearing A Licensed Engineer's Or Architect's Seal Is A Violation Of Section 2209 Of The New York State Education Law. Copyright: 2018

APPENDIX C

SUBSURFACE INVESTIGATION LOGS

ATLANTIC TESTING LABORATORIES, Limited

Subsurface Investigation

Client: Hunt Engineers
 Project: Subsurface Investigation
Sanitary Process Facility
Springwater, New York

Report No.: CD4655E-01-06-19
 Boring Location: See Boring Location Plan

Boring No.: B-1 Sheet 1 of 2
 Coordinates _____
 Latitude _____
 Longitude _____
 Sampler Hammer Weight: 140 lbs.
 Fall: 30 in.
 Hammer Type: Automatic
 Ground Elev.: _____ Boring Advance By: _____
3.75" Casing

Start Date: 6/6/2019 Finish Date: 6/6/2019
 Groundwater Observations
 Date Time Depth Casing
6/6/2019 PM 7.6' 29.0'
6/6/2019 PM 7.0' TOW@30.0'

ATL-LOG1 LL CD4655 HUNT ENGINEERS-SPRINGWATER, NY.GPJ ATL4-08.GDT 6/25/19

DEPTH	METHOD OF ADVANCE	SAMPLE NO.	DEPTH OF SAMPLE		SAMPLE TYPE	BLOWS ON SAMPLER PER 6" 2" O.D. SAMPLER				DEPTH OF CHANGE	CLASSIFICATION OF MATERIAL	Recovery (Inches)
			From	To								
1	C S N G	1	0.0	2.0	SS	2	3	3	3	0.7	8" Topsoil & ORGANIC MATERIAL	8
2		2	2.0	4.0	SS	4	4	4	5	4.0	Brown cmf SAND; little SILT; trace f GRAVEL; trace ORGANIC MATERIAL (grass, roots) (moist, non-plastic)	16
3		3	4.0	6.0	SS	3	4	5	5		Brown SILT; little cmf SAND; trace f GRAVEL; trace ORGANIC MATERIAL (wood fragments) (moist, non-plastic)	18
4										6.0	Brown cmf SAND; little f GRAVEL; little SILT (moist, non-plastic)	
5												
6		4	6.0	8.0	SS	6	5	5	5	23.0	Brown cmf GRAVEL; some cmf SAND; little SILT (wet, non-plastic) w = 12.8%	12
7											COBBLE Fragments encountered from 8.0 feet to termination	
8		5	8.0	10.0	SS	15	20	17	12		Brown cmf GRAVEL; little cmf SAND; trace SILT (wet, non-plastic)	16
9												
10												
11												
12												
13												
14												
15		7	14.0	16.0	SS	20	17	24	21		Brown mf GRAVEL; little cmf SAND; trace SILT (saturated, non-plastic) w = 10.8%	14
16												
17												
18												
19												
20		8	19.0	21.0	SS	20	16	14	14		Brown mf GRAVEL; some cmf SAND; trace SILT (wet, non-plastic)	16
21												
22												
23												
24												
25		9	24.0	26.0	SS	8	14	15	17		Dark Brown cmf SAND; trace SILT; trace f GRAVEL (moist,	24

SS Split Spoon Sample
 NX Rock Core
 SH Undisturbed Sample (Shelby Tube)
 Estimated Groundwater

Drillers: Jeff Donovan; Ben Crary
 Inspector: _____

ATLANTIC TESTING LABORATORIES, Limited

Subsurface Investigation

Boring No.: B-1

Report No.: CD4655E-01-06-19

Sheet 2 of 2

DEPTH	METHOD OF ADVANCE	SAMPLE NO.	DEPTH OF SAMPLE		SAMPLE TYPE	BLOWS ON SAMPLER PER 6" 2" O.D. SAMPLER	DEPTH OF CHANGE	CLASSIFICATION OF MATERIAL	RECOVERY (inches)
			From	To					
26								non-plastic)	
27									
28									
29		10	29.0	31.0	SS	15 15 16 11		Brown cmf SAND; some cmf GRAVEL; trace SILT (saturated, non-plastic)	12
30									
31							31.0		
32								Boring terminated at 31.0 feet.	
33								Notes:	
34								1. A temporary observation well was installed within the borehole at a depth of 30.0 feet.	
35									
36									
37									
38									
39									
40									
41									
42									
43									
44									
45									
46									
47									
48									
49									
50									
51									
52									
53									
54									
55									
56									
57									
58									
59									
60									
61									
62									

ATL-LOG1 LL CD4655 HUNT ENGINEERS-SPRINGWATER, NY.GPJ ATL4-08.GDT 6/25/19

ATLANTIC TESTING LABORATORIES, Limited

Subsurface Investigation

Client: Hunt Engineers
 Project: Subsurface Investigation
Sanitary Process Facility
Springwater, New York

Report No.: CD4655E-01-06-19
 Boring Location: See Boring Location Plan

Boring No.: B-2 Sheet 1 of 2

Start Date: 6/7/2019 Finish Date: 6/7/2019

Coordinates _____
 Latitude _____
 Longitude _____
 Sampler Hammer Weight: 140 lbs.
 Fall: 30 in.
 Hammer Type: Automatic

Groundwater Observations			
Date	Time	Depth	Casing
<u>6/7/2019</u>	<u>AM</u>	<u>7.3'</u>	<u>29.0'</u>
<u>6/7/2019</u>	<u>AM</u>	<u>6.0'</u>	<u>CAVED</u>
_____	_____	_____	_____
_____	_____	_____	_____

Ground Elev.: _____ Boring Advance By: 3.75" Casing

Borehole caved at 11.4 feet.

ATL-LOG1 LL CD4655 HUNT ENGINEERS-SPRINGWATER, NY.GPJ ATL4-08.GDT 6/25/19

DEPTH	METHOD OF ADVANCE	SAMPLE NO.	DEPTH OF SAMPLE		SAMPLE TYPE	BLOWS ON SAMPLER PER 6" 2" O.D. SAMPLER				DEPTH OF CHANGE	CLASSIFICATION OF MATERIAL	Recovery (Inches)
			From	To								
1	C S N G	1	0.0	2.0	SS	3	8	7	6	0.3	4" Topsoil & ORGANIC MATERIAL Brown cmf SAND; little SILT; trace f GRAVEL; trace ORGANIC MATERIAL (grass, roots) (moist, non-plastic)	4
2		2	2.0	4.0	SS	3	3	3	3			16
3		3	4.0	6.0	SS	3	8	10	6	4.0		
4		4	6.0	8.0	SS	10	10	8	7		Brown mf GRAVEL; little cmf SAND; trace SILT (moist, non-plastic) COBBLE Fragments encountered between depths of 4.0 and 26.0 feet Brown cmf GRAVEL; little cmf SAND; trace SILT (wet, non-plastic) w = 10.9%	13
5	5	8.0	10.0	SS	11	9	13	11		9		
6		6	10.0	12.0	SS	18	16	15	13		Brown mf GRAVEL; little cmf SAND; trace SILT (saturated, non-plastic) Brown cmf GRAVEL; little cmf SAND; trace SILT (wet, non-plastic)	6
7	7	14.0	16.0	SS	29	20	23	26		16		
8		8	19.0	21.0	SS	42	36	32	21		Brown mf GRAVEL; some cmf SAND; trace SILT (wet, non-plastic) w = 11.3%	20
9	9	24.0	26.0	SS	16	18	14	20	23.0	16		
10		9	24.0	26.0	SS	16	18	14	20		Brown SILT; some cmf GRAVEL; little cmf SAND (wet,	20
11	11											
12												
13												
14												
15												
16												
17												
18												
19												
20												
21												
22												
23												
24												
25												

SS Split Spoon Sample
 NX Rock Core
 SH Undisturbed Sample (Shelby Tube)
 Estimated Groundwater

Drillers: Jeff Donovan; Ben Crary
 Inspector: _____

ATLANTIC TESTING LABORATORIES, Limited

Subsurface Investigation

Boring No.: B-2

Report No.: CD4655E-01-06-19

Sheet 2 of 2

DEPTH	METHOD OF ADVANCE	SAMPLE NO.	DEPTH OF SAMPLE		SAMPLE TYPE	BLOWS ON SAMPLER PER 6" 2" O.D. SAMPLER	DEPTH OF CHANGE	CLASSIFICATION OF MATERIAL	RECOVERY (inches)
			From	To					
26								non-plastic	
27							28.0		
28									
29		10	29.0	31.0	SS	12 15 17 15		Grey SILT; little CLAY; trace mf SAND (moist, slightly plastic)	16
30									
31							31.0		
32								Boring terminated at 31.0 feet.	
33								Notes:	
34								1. Borehole backfilled with on-site soils.	
35									
36									
37									
38									
39									
40									
41									
42									
43									
44									
45									
46									
47									
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50									
51									
52									
53									
54									
55									
56									
57									
58									
59									
60									
61									
62									

ATL-LOG1 LL CD4655 HUNT ENGINEERS-SPRINGWATER, NY.GPJ ATL4-08.GDT 6/25/19

ATLANTIC TESTING LABORATORIES, Limited

Subsurface Investigation

Client: Hunt Engineers
 Project: Subsurface Investigation
Sanitary Process Facility
Springwater, New York

Report No.: CD4655E-01-06-19
 Boring Location: See Boring Location Plan

Boring No.: B-3 Sheet 1 of 1
 Coordinates _____ Sampler Hammer
 Latitude _____ Weight: 140 lbs.
 Longitude _____ Fall: 30 in.
 Hammer Type: Automatic
 Ground Elev.: _____ Boring Advance By: _____
NW (3") Casing

Start Date: 6/7/2019 Finish Date: 6/7/2019
 Groundwater Observations
 Date Time Depth Casing
6/7/2019 AM 6.9' 20.0'
6/7/2019 AM 5.3' 13.1'

Borehole caved at 13.1 feet.

ATL-LOG1 LL CD4655 HUNT ENGINEERS-SPRINGWATER, NY.GPJ ATL4-08.GDT 6/25/19

DEPTH	METHOD OF ADVANCE	SAMPLE NO.	DEPTH OF SAMPLE		SAMPLE TYPE	BLOWS ON SAMPLER PER 6" 2" O.D. SAMPLER	DEPTH OF CHANGE	CLASSIFICATION OF MATERIAL	Recovery (Inches)	
			From	To						
1	C S N G	1	0.0	2.0	SS	4 11 8 9	4.0	Greyish-Brown cmf SAND; some cmf GRAVEL; trace SILT (moist, non-plastic) COBBLE Fragments	12	
2		2	2.0	4.0	SS	7 9 11 12		Brown cmf SAND; some mf GRAVEL; trace SILT (moist, non-plastic) w = 7.0%	14	
3		3	4.0	6.0	SS	6 7 8 11		Greyish-Brown cmf SAND; little CLAY; little SILT; trace f GRAVEL (moist, slightly plastic) w = 18.0%	12	
4		4	6.0	8.0	SS	8 8 7 5	8.0	Greyish-Brown cmf SAND; and mf GRAVEL; little CLAY; trace SILT (moist, slightly plastic) COBBLE Fragments encountered from 6.0 feet to termination	10	
5	5	8.0	10.0	SS	4 5 5 16	Greyish-Brown cmf GRAVEL; some SILT; little cmf SAND (wet, non-plastic)		8		
6		6	10.0	10.2	SS	50/2"	10.0	Brown cmf GRAVEL; trace cmf SAND; trace SILT (wet, non-plastic)	1	
7										
8										
9										
10										
11										
12										
13										
14										
15										
16		7	15.0	17.0	SS	16 20 18 18	22.0	Greyish-Brown mf GRAVEL; and cmf SAND; trace SILT (wet, non-plastic)	14	
17										
18										
19										
20										
21		8	20.0	22.0	SS	20 19 21 20		Brown cmf GRAVEL; little cmf SAND; trace SILT (wet, non-plastic)	13	
22								Boring terminated at 22.0 feet.		
23										
24								Notes:		
25								1. Borehole backfilled with on-site soils.		

SS Split Spoon Sample
 NX Rock Core
 SH Undisturbed Sample (Shelby Tube)
 Estimated Groundwater

Drillers: Brad Perry; Kevin Jones
 Inspector: _____

ATLANTIC TESTING LABORATORIES, Limited

Subsurface Investigation

Client: Hunt Engineers
 Project: Subsurface Investigation
Sanitary Process Facility
Springwater, New York

Report No.: CD4655E-01-06-19
 Boring Location: See Boring Location Plan

Boring No.: B-4 Sheet 1 of 3

Start Date: 6/6/2019 Finish Date: 6/7/2019

Coordinates _____
 Latitude _____
 Longitude _____
 Sampler Hammer Weight: 140 lbs.
 Fall: 30 in.
 Hammer Type: Automatic

Groundwater Observations			
Date	Time	Depth	Casing
<u>6/6/2019</u>	<u>PM</u>	<u>14.3'</u>	<u>60.0'</u>
<u>6/7/2019</u>	<u>AM</u>	<u>18.4'</u>	<u>60.0'</u>
<u>6/7/2019</u>	<u>AM</u>	<u>9.6'</u>	<u>TOW@27.0'</u>
_____	_____	_____	_____
_____	_____	_____	_____

Ground Elev.: _____ Boring Advance By: _____
NW (3") Casing

DEPTH	METHOD OF ADVANCE	SAMPLE NO.	DEPTH OF SAMPLE		SAMPLE TYPE	BLOWS ON SAMPLER PER 6" 2" O.D. SAMPLER	DEPTH OF CHANGE	CLASSIFICATION OF MATERIAL	Recovery (Inches)
			From	To					
1	C A S I N G	1	0.0	2.0	SS	3 14 9 3	4.0	Brown cmf GRAVEL; little cmf SAND; little SILT (moist, non-plastic) COBBLE Fragments encountered from the surface to the depth of 33.0 feet. Brown mf GRAVEL; some cmf SAND; trace SILT (moist, non-plastic)	12
2		2	2.0	4.0	SS	7 9 12 11			14
3		3	4.0	6.0	SS	20 10 12 11			6
4		4	6.0	8.0	SS	13 12 11 11	8.0	Greyish-Brown cmf GRAVEL; some SILT; and cmf SAND; trace CLAY (moist, very slightly plastic) COBBLE Fragments w = 12.1% Greyish-Brown cmf SAND; some mf GRAVEL; little SILT (moist, non-plastic)	6
5		5	8.0	10.0	SS	12 6 8 11			6
6		6	10.0	12.0	SS	8 11 11 9			6
7									
8									
9									
10									
11									
12									
13									
14									
15		7	15.0	17.0	SS	9 9 8 9		Brown cmf GRAVEL; some cmf SAND; trace SILT (wet, non-plastic)	9
16									
17									
18									
19									
20		8	20.0	22.0	SS	20 20 21 20		Brown cmf GRAVEL; and cmf SAND; trace SILT (moist, non-plastic)	14
21									
22									
23									
24									
25									

f - fine
 m - medium
 c - coarse

and - 35-50%
 some - 20-35%
 little - 10-20%
 trace - 0-10%

ATL-LOG1 LL CD4655 HUNT ENGINEERS-SPRINGWATER, NY.GPJ ATL4-08.GDT 6/25/19

SS Split Spoon Sample
 NX Rock Core
 SH Undisturbed Sample (Shelby Tube)
 Estimated Groundwater

Drillers: Brad Perry; Kevin Jones
 Inspector: _____

ATLANTIC TESTING LABORATORIES, Limited

Subsurface Investigation

Boring No.: B-4

Report No.: CD4655E-01-06-19

Sheet 2 of 3

DEPTH	METHOD OF ADVANCE	SAMPLE NO.	DEPTH OF SAMPLE		SAMPLE TYPE	BLOWS ON SAMPLER PER 6" 2" O.D. SAMPLER	DEPTH OF CHANGE	CLASSIFICATION OF MATERIAL	RECOVERY (inches)
			From	To					
26		9	25.0	27.0	SS	23 30 31 33	Brown mf GRAVEL; some cmf SAND; trace SILT (wet, non-plastic)	12	
27									
28									
29									
30		10	30.0	32.0	SS	27 29 30 32	Brown cmf SAND; some mf GRAVEL; trace SILT (moist, non-plastic)	12	
31									
32									
33							33.0		
34									
35		11	35.0	37.0	SS	8 9 10 10	Grey SILT; and f SAND (saturated, non-plastic) w = 28.2%	12	
36									
37									
38									
39									
40		12	40.0	42.0	SS	7 9 11 9	Grey SILT; and f SAND (moist, non-plastic)	18	
41									
42									
43							43.0		
44									
45		13	45.0	45.2	SS	50/2"	NO RECOVERY	0	
46									
47									
48							48.0		
49									
50		14	50.0	52.0	SS	WH/12" 1 2	Grey CLAY; trace f SAND; trace SILT; trace f GRAVEL (moist, plastic)	24	
51									
52									
53									
54									
55		15	55.0	57.0	SS	WH 1 2 2	Grey CLAY; some SILT; trace mf SAND; trace f GRAVEL (moist, plastic) w = 35.6% PL=14, LL=34, PI=15	24	
56									
57									
58									
59									
60		16	60.0	62.0	SS	WH/12" 1 3	Grey CLAY; trace mf SAND; trace SILT (moist, plastic)	24	
61									
62									
							62.0		

ATL-LOG1 LL CD4655 HUNT ENGINEERS-SPRINGWATER, NY.GPJ ATL4-08.GDT 6/25/19

ATLANTIC TESTING LABORATORIES, Limited

Subsurface Investigation

Boring No.: B-4

Report No.: CD4655E-01-06-19

Sheet 3 of 3

DEPTH	METHOD OF ADVANCE	SAMPLE NO.	DEPTH OF SAMPLE		SAMPLE TYPE	BLOWS ON SAMPLER PER 6" 2" O.D. SAMPLER	DEPTH OF CHANGE	CLASSIFICATION OF MATERIAL	RECOVERY (inches)
			From	To					
63								f - fine m - medium c - coarse and - 35-50% some - 20-35% little - 10-20% trace - 0-10%	
64							Boring terminated at 62.0 feet.		
65							Notes:		
66							1. A temporary observation well was installed within the borehole at a depth of 27.0 feet.		
67									
68									
69									
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ATL-LOG1 LL CD4655 HUNT ENGINEERS-SPRINGWATER, NY.GPJ ATL4-08.GDT 6/25/19

APPENDIX D
LABORATORY TEST REPORTS



ATLANTIC TESTING LABORATORIES

WBE certified company

LABORATORY DETERMINATION OF MOISTURE CONTENT OF SOILS
ASTM D 2216

PROJECT INFORMATION

Client: HUNT Engineers, Architects, & Land Surveyors ATL Report No.: CD4655SL-01-06-19
Project: Proposed Sanitary Process Facility Report Date: June 20, 2019
Springwater, Livingston County, New York Date Received: June 13, 2019

TEST DATA

Boring No.	Sample No.	Depth (ft)	Moisture Content (%)
B-1	S-4 ¹	6-8	12.8
	S-7 ¹	14-16	10.8
B-2	S-4 ¹	6-8	10.9
	S-7 ¹	14-16	11.3
B-3	S-2 ¹	2-4	7.6
	S-3 ¹	4-6	18.0
B-4	S-3 ¹	4-6	12.1
	S-11	35-37	28.2
	S-15	55-57	35.6

REMARKS

1. Sample mass was less than the minimum mass outlined in the referenced test method.

Reviewed By:

Judith Ames

Date:

6/20/19



Particle Size Distribution Report

Project: Proposed Sanitary Process Facility, Springwater, NY

Report No.: CD4655SL-01-06-19

Client: Hunt Engineers, Architects & Land Surveyors

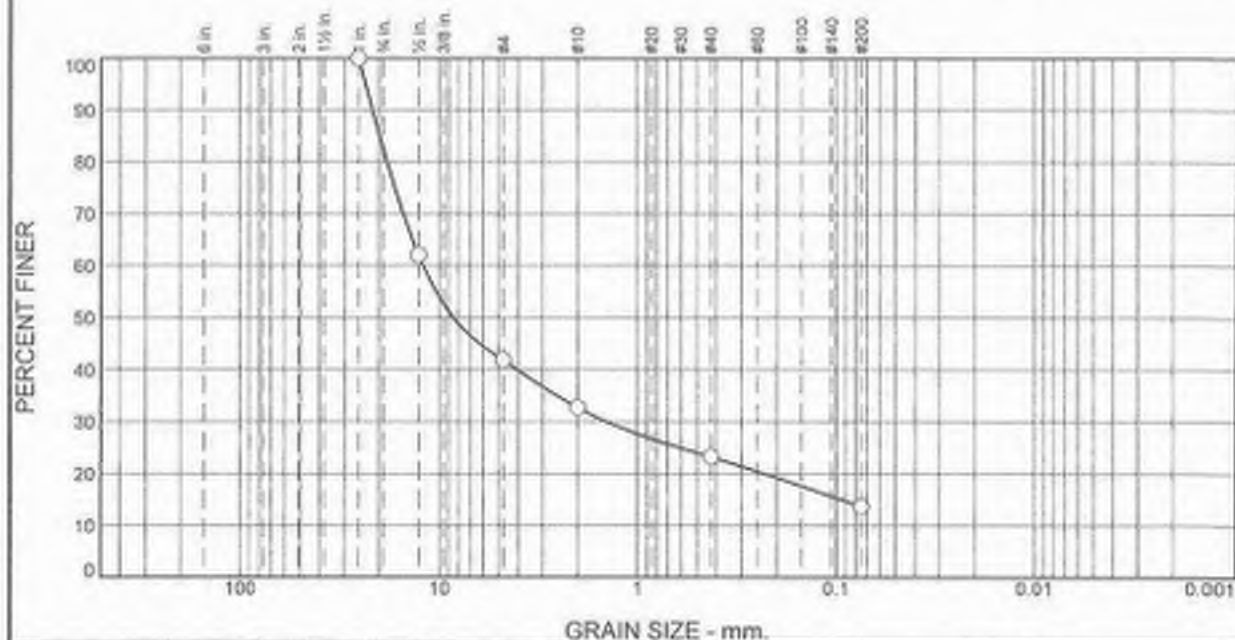
Date: 06/20/19

Sample No: B-1, S-4

Source of Sample: Boring Sample

Location: In-place

Elev./Depth: 6-8'



% Cobbles	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0	17	41	9	10	9	14	

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	OUT OF SPEC. (X)
1"	100		
1/2"	62		
#4	42		
#10	33		
#40	23		
#200	14		

Soil Description		
Brown mf- GRAVEL; some cmf SAND; little SILT		
Atterberg Limits		
PL= --	LL= --	PI= --
Coefficients		
D ₈₅ = 19.8607	D ₆₀ = 12.0488	D ₅₀ = 8.4774
D ₃₀ = 1.4259	D ₁₅ = 0.0944	D ₁₀ =
C _u =	C _c =	
Classification		
USCS=	AASHTO=	
Remarks		
Moisture Content = 12.8%		

* (no specifications provided)

ATLANTIC TESTING LABORATORIES, LIMITED

Figure

Reviewed by: Judith Ames

Date: 6/20/19



Particle Size Distribution Report

Project: Proposed Sanitary Process Facility, Springwater, NY **Report No.:** CD4655SL-01-06-19

Client: Hunt Engineers, Architects & Land Surveyors

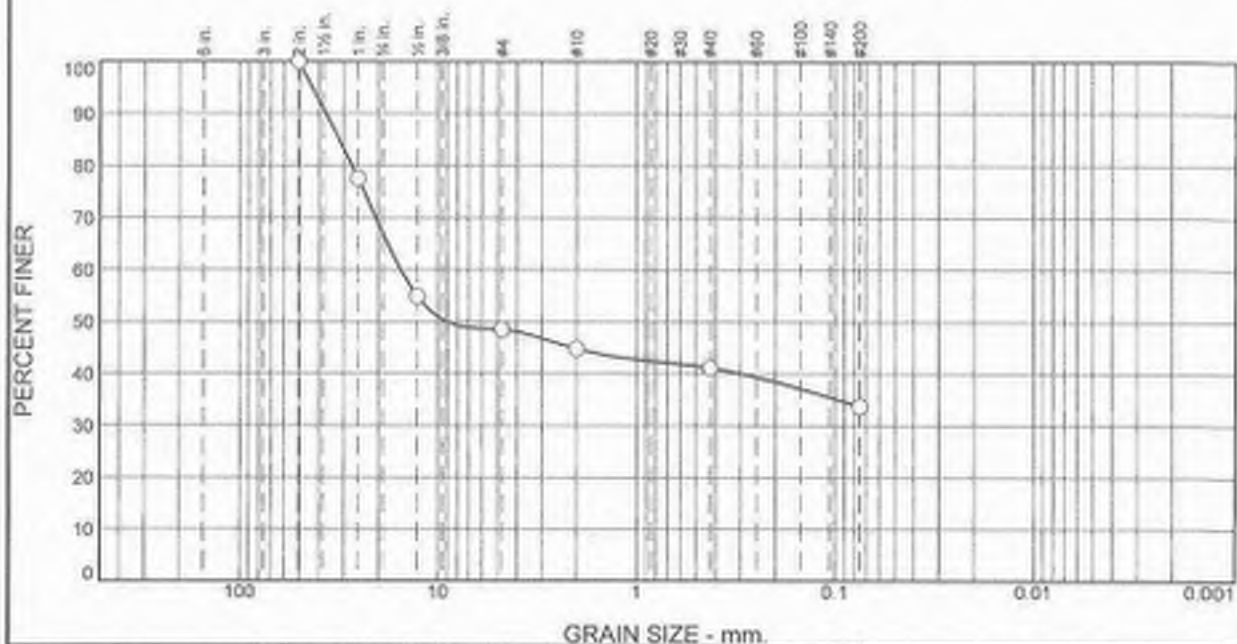
Date: 06/20/19

Sample No: B-4, S-3

Source of Sample: Boring Sample

Location: In-place

Elev./Depth: 4'-6"





Particle Size Distribution Report

Project: Proposed Sanitary Process Facility, Springwater, NY

Report No.: CD4655SL-01-06-19

Client: Hunt Engineers, Architects & Land Surveyors

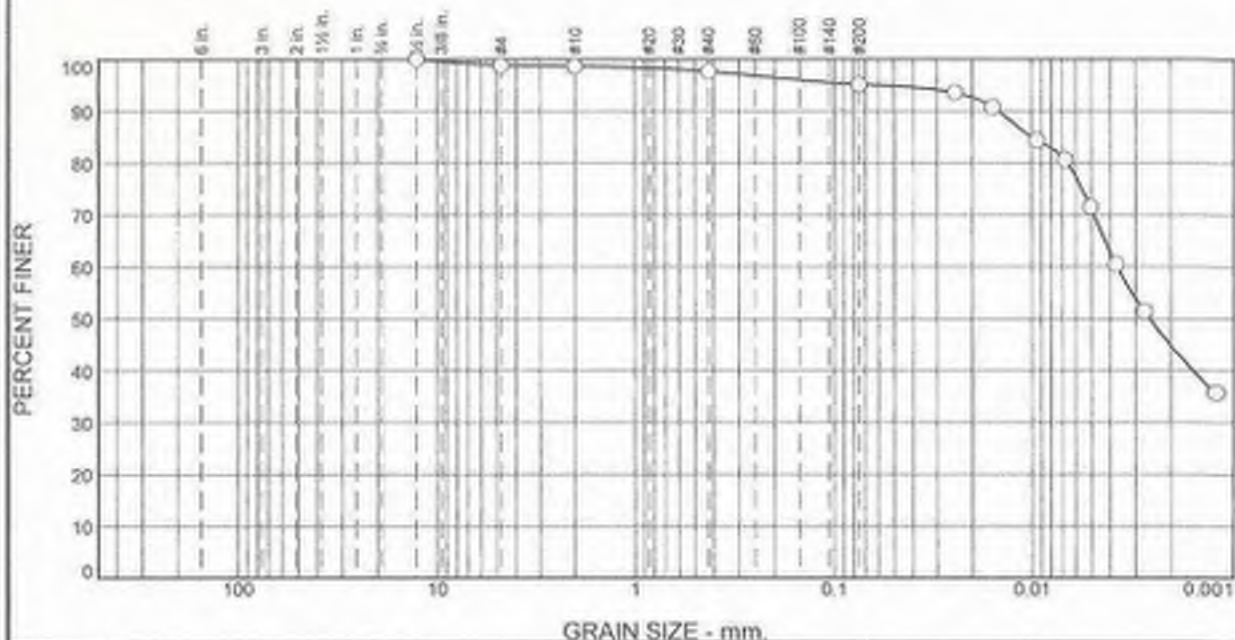
Date: 06/20/19

Sample No: B-4, S-15

Source of Sample: Boring Sample

Location: In-place

Elev./Depth: 55-57'



% Cobbles	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0	0	1	0	1	3	24	71

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	OUT OF SPEC. (X)
1/2"	100		
#4	99		
#10	99		
#40	98		
#200	95		

Soil Description		
Grey CLAY; some SILT; trace ml SAND; trace f GRAVEL		
Atterberg Limits		
PL= 19	LL= 34	PI= 15
Coefficients		
D ₈₅ = 0.0100	D ₆₀ = 0.0037	D ₅₀ = 0.0025
D ₃₀ =	D ₁₅ =	D ₁₀ =
C _u =	C _c =	
Classification		
USCS= CL	AASHTO= A-6(14)	
Remarks		

* (no specification provided)

ATLANTIC TESTING LABORATORIES, LIMITED

Figure

Reviewed by: Judith Ames

Date: 6/20/19



ATLANTIC TESTING LABORATORIES

WBE certified company

LIQUID LIMIT, PLASTIC LIMIT, AND PLASTICITY INDEX OF SOIL ASTM D 4318

PROJECT INFORMATION

Client: HUNT Engineers, Architects, & Land Surveyors
Project: Proposed Sanitary Process Facility
Springwater, Livingston County, New York

ATL Report No.: CD4655SL-01-06-19
Report Date: June 20, 2019
Date Received: June 13, 2019

TEST DATA

Boring No.	Sample No.	LL	PL	PI
B-4	S-15	34	19	15

SAMPLE INFORMATION

Boring No.	Sample No.	Maximum Grain Size (mm)	Estimated Amount of Sample Retained on No. 40 Sieve (%)	As Received Moisture Content (%)
B-4	S-15	12.5	2	35.6

PREPARATION INFORMATION

Boring No.	Sample No.	Preparation	Method of Removing Oversized Material
B-4	S-15	Air Dry	Pulverizing and Screening

EQUIPMENT INFORMATION

Liquid Limit Procedure:	Multipoint - Method A	<input checked="" type="checkbox"/>	Single Point - Method B	<input type="checkbox"/>
Liquid Limit Apparatus:	Manual	<input checked="" type="checkbox"/>	Motor Driven	<input type="checkbox"/>
Liquid Limit Grooving Tool Material:	Plastic	<input checked="" type="checkbox"/>	Metal	<input type="checkbox"/>
Liquid Limit Grooving Tool Shape:	Flat	<input checked="" type="checkbox"/>	Curved (AASHTO Only)	<input type="checkbox"/>
Plastic Limit:	Hand Rolled	<input checked="" type="checkbox"/>	Mechanical Rolling Device	<input type="checkbox"/>

Reviewed By:

Juday Ames

Date:

6/20/19

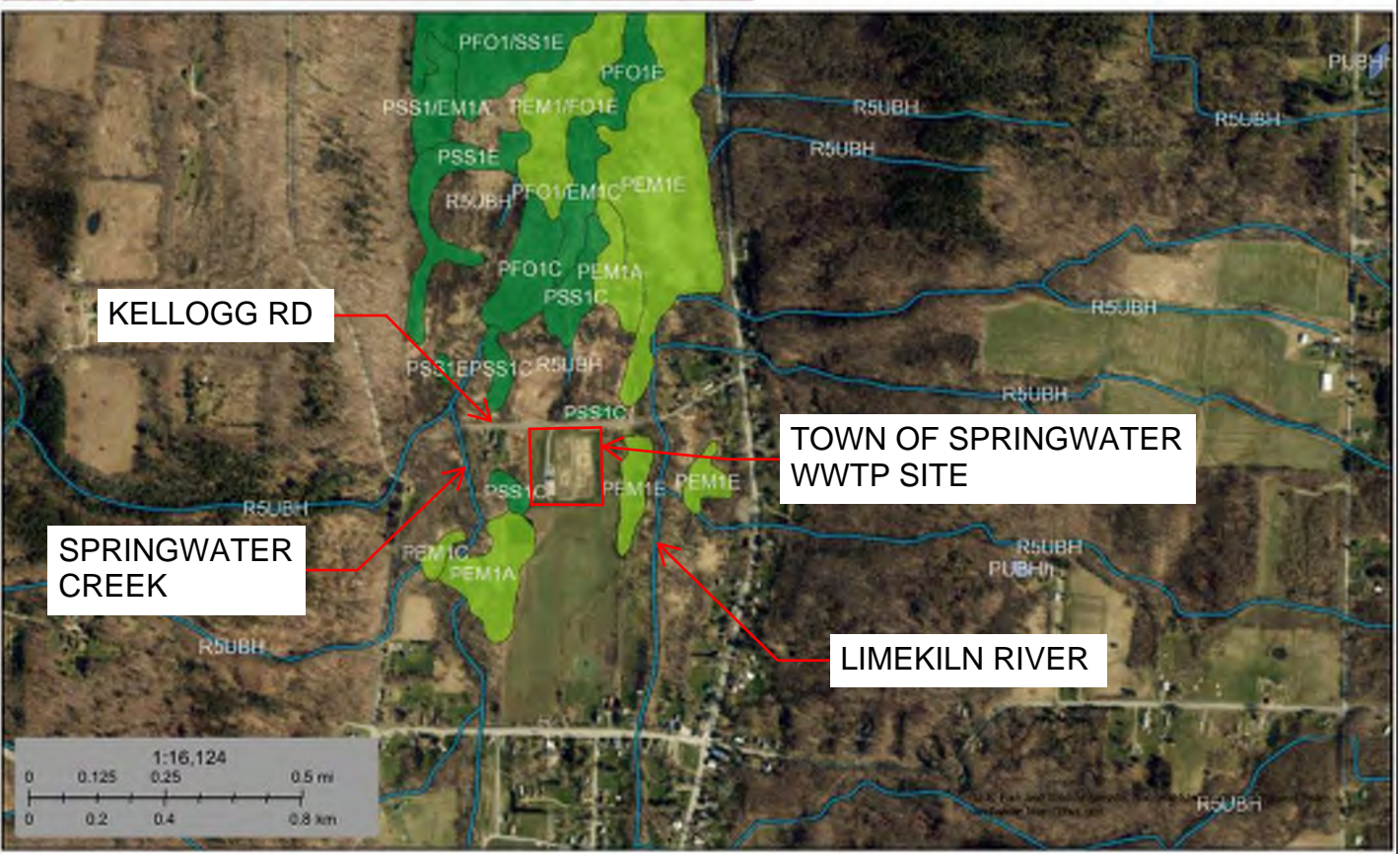
APPENDIX E

ENVIRONMENTAL RESOURCE MAPPING AND WATERBODY SEGMENT ASSESSMENT FACTSHEETS



 **U.S. Fish and Wildlife Service**
National Wetlands Inventory

NWI Mapping



July 9, 2025

- Wetlands**
-  Estuarine and Marine Deepwater
 -  Freshwater Emergent Wetland
 -  Lake
 -  Estuarine and Marine Wetland
 -  Freshwater Forested/Shrub Wetland
 -  Other
 -  Freshwater Pond
 -  Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
 This page was produced by the NWI mapper

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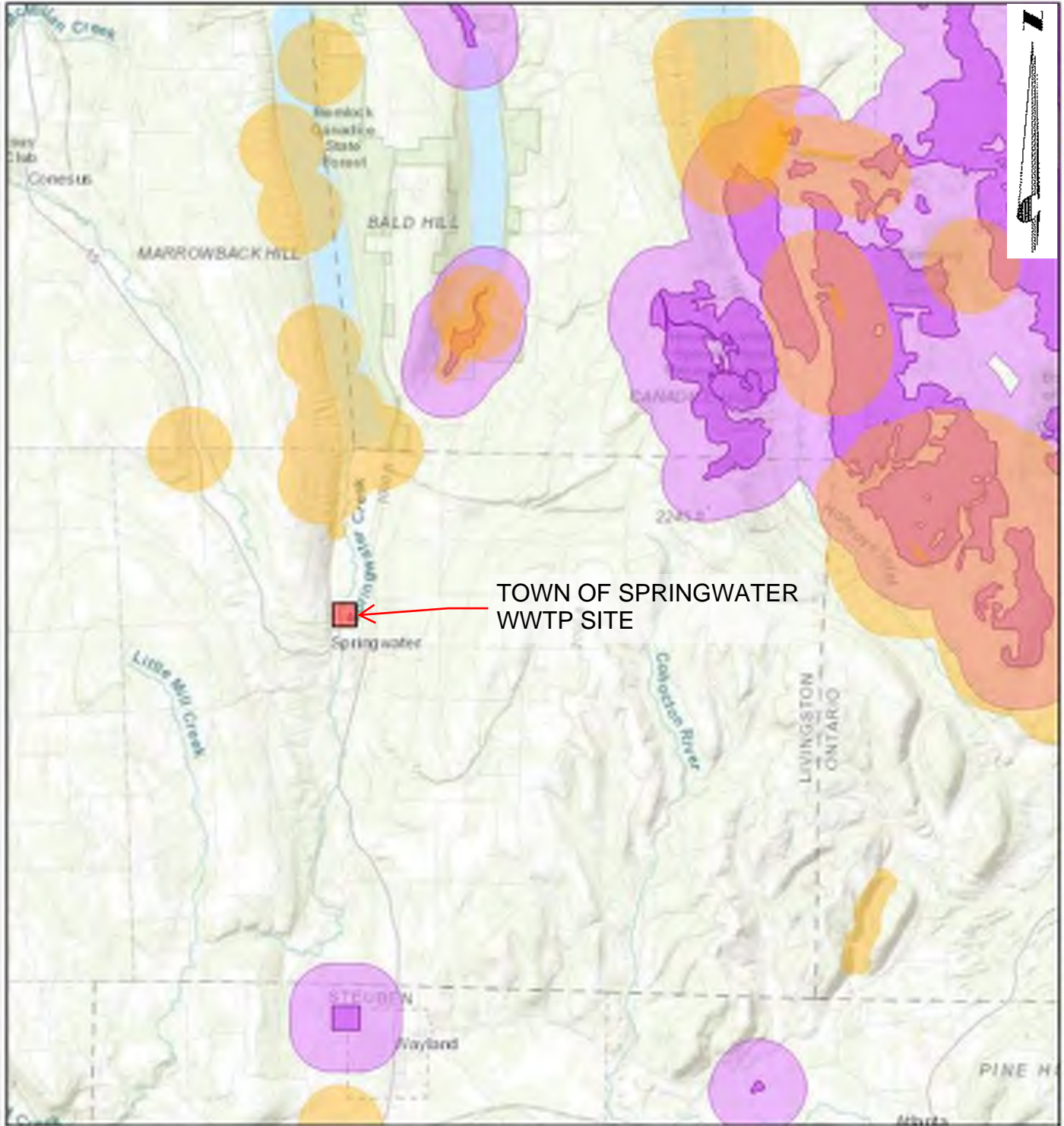
III Winners Circle, PO Box 5269
 Albany, NY 12205-0269
 518.453.4500 www.chasolutions.com

US FISH AND WILDLIFE NWI MAP
TOWN OF SPRINGWATER WWTP

7737 KELLOGG ROAD
 SPRINGWATER, NY 14560

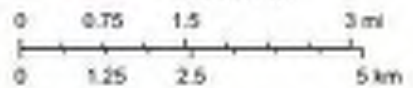
PROJECT NO. 101769
DATE: 07/08/25
EXHIBIT A

Environmental Resource Mapper



July 9, 2025

1:144,448



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NYSDEC ENVIRONMENTAL RESOURCE MAP TOWN OF SPRINGWATER WWTP

7737 KELLOGG ROAD
 SPRINGWATER, NY 14560

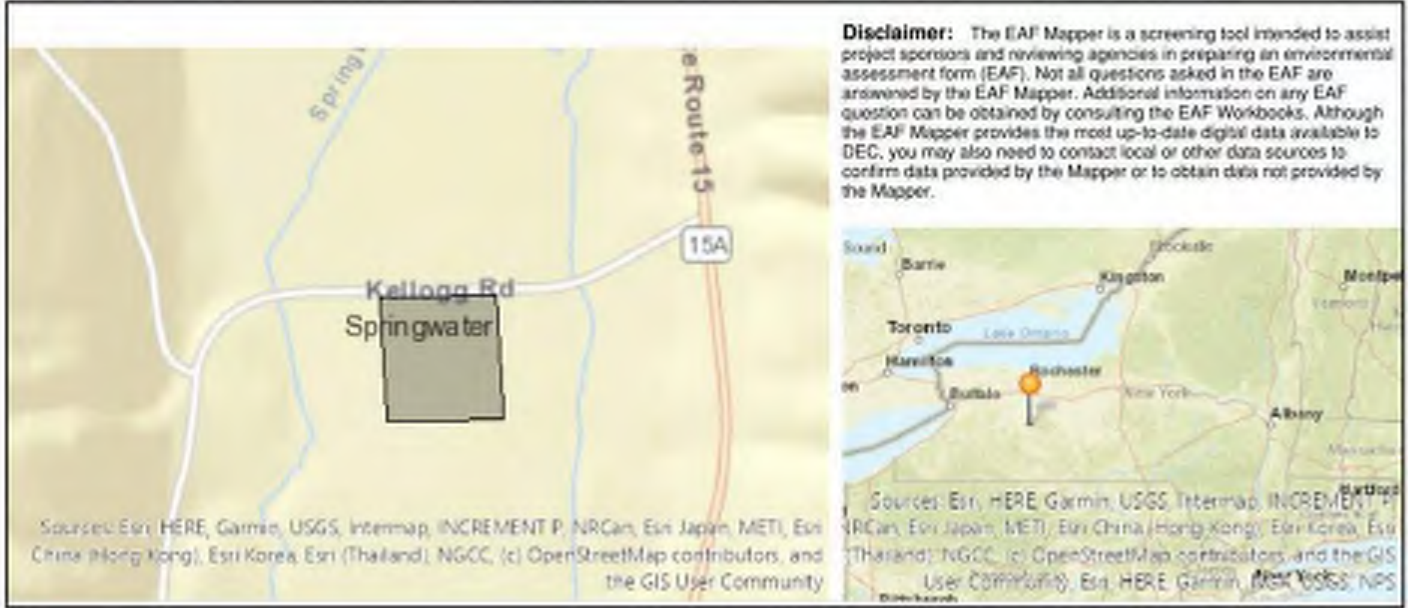
PROJECT NO.
 101769

DATE: 07/08/25

EXHIBIT B

EAF Mapper Summary Report

Wednesday, July 9, 2025 10:04 AM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No

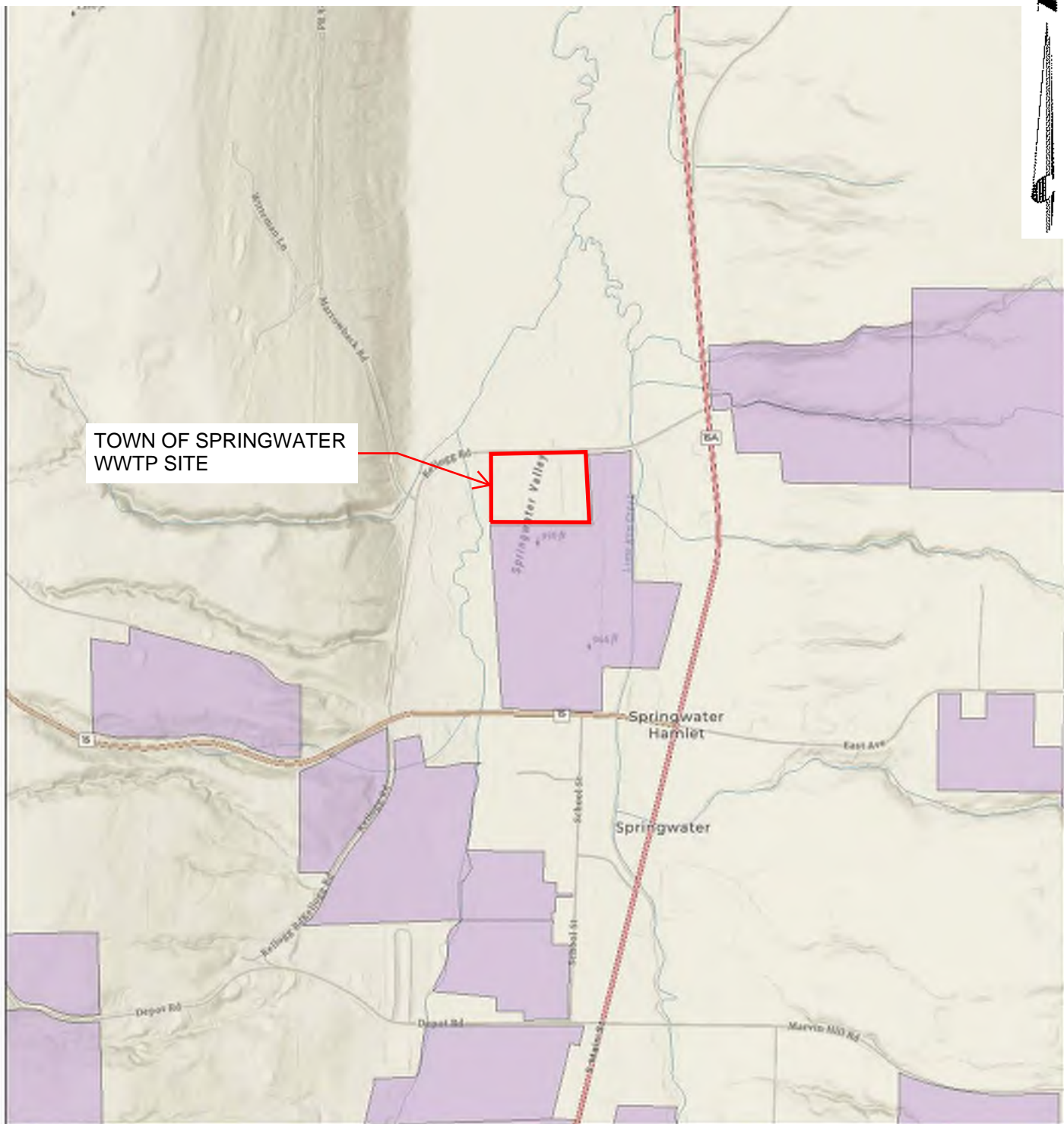
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EAF MAPPER SUMMARY REPORT
TOWN OF SPRINGWATER WWTP
 7737 KELLOGG ROAD
 SPRINGWATER, NY 14560

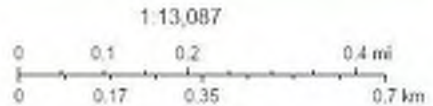
PROJECT NO. 101769
DATE: 07/28/25
EXHIBIT C

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7/9/2025

AGRICULTURAL DISTRICTS 



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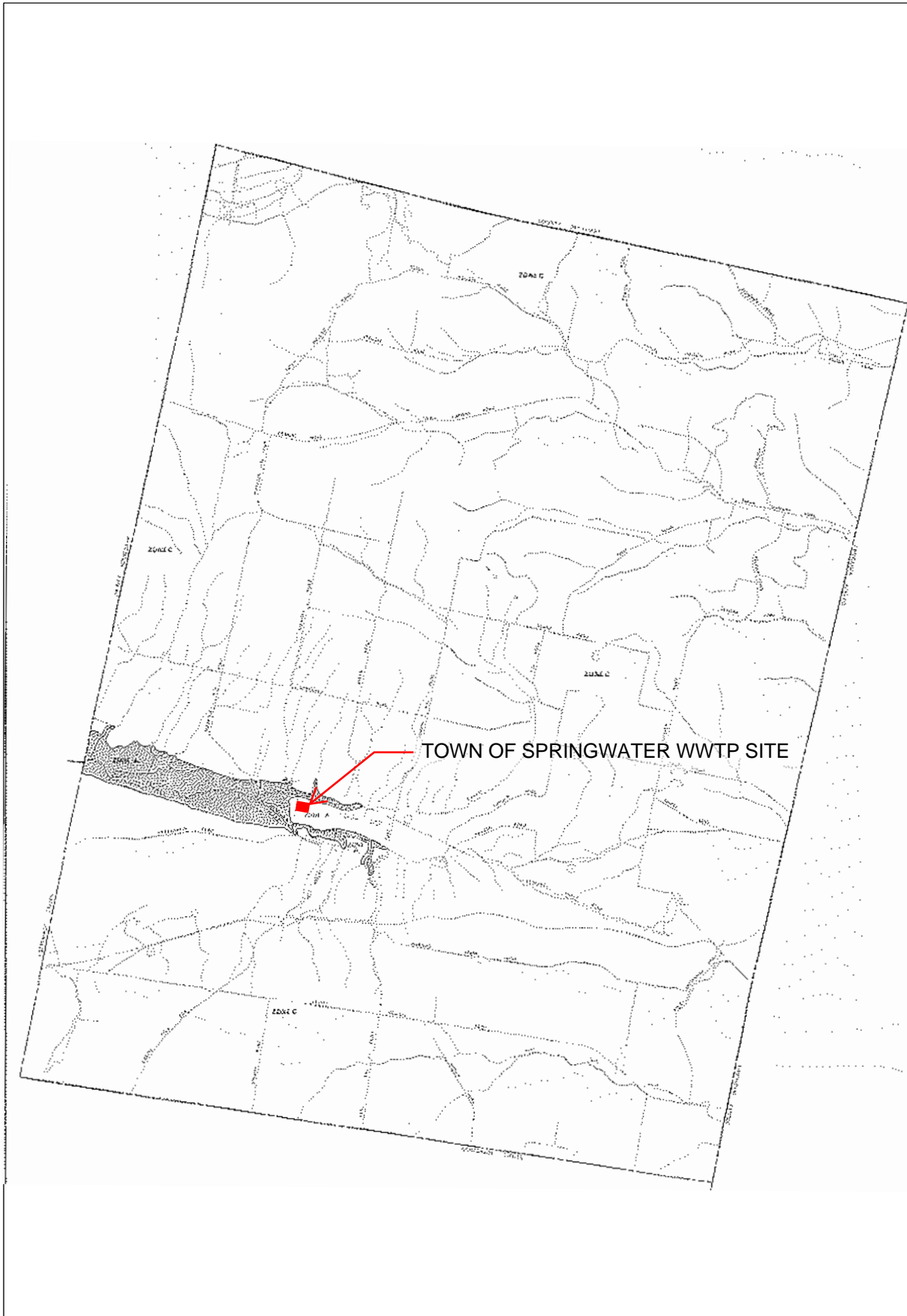
III Winners Circle, PO Box 5269
Albany, NY 12205-0269
518.453.4500 www.chasolutions.com

**AGRICULTURAL DISTRICT MAP
TOWN OF SPRINGWATER WWTP**

7737 KELLOGG ROAD
SPRINGWATER, NY 14560

PROJECT NO. 101769
DATE: 07/08/25
EXHIBIT D

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KEY TO MAP

1	Proposed Flood Hazard Boundary
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100	Proposed Flood Hazard Boundary

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

10000 OF
 SPRINGWATER,
 NEW YORK
 WASHINGTON COUNTY

Ch. 1 TAKE PRINTS

COMMENTS: PANEL NUMBER:
 08030-000-2

ISSUING DATE:
 AUGUST 04, 1994

Label: F:\maps\pans\08030\000-2.dwg

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FEMA FIRM MAP
TOWN OF SPRINGWATER WWTP
 7737 KELLOGG ROAD
 SPRINGWATER, NY 14560

PROJECT NO.
 101769

DATE: 07/08/25

EXHIBIT E

SPRINGWATER CREEK AND MINOR TRIBS (SEGMENT ID 0402-0070)

Waterbody Segment Assessment Factsheet

Factsheet Update: March 24, 2025
Integrated Reporting Cycle: 2022
NYSDEC CALM: 2021

NEEDS VERIFICATION

Introduction

This fact sheet contains the most recent water quality assessment information for this waterbody segment. The assessment is based on water quality data that meet the quality assurance requirements of NYSDEC’s Division of Water (DOW). An outline of the process used to assess the quality of New York State waters is described in the NYSDEC’s Consolidated Assessment and Listing Methodology (CALM).
https://extapps.dec.ny.gov/docs/water_pdf/calm.pdf





WATERBODY INFORMATION


- **Water Index Number:** Ont 117- 27-34-P44-7
- **Segment Classification:** C
- **Waterbody Type:** River/Stream
- **Size:** 49.5 Miles
- **Drainage Basin:** Genesee River
- **Hydrologic Unit Code:** 0413000302
- **County:** Livingston
- **Segment Description:** Stream and selected/smaller tirbs

Assessment of Best Use

Background

New York State waterbodies are classified to reflect their best use(s), and the assessment of a waterbody is based on the ability of waters to support those uses. This section lists whether this waterbody segment supports its best use(s).

Best Use	Use Assessment	Use Assessment Confirmation	Pollutant(s) Cause(s)	303(d) Year	Integrated Reporting Category
 Fishing	Stressed	Unconfirmed	pH	N/A	IR3
 Secondary Contact Recreation	Unassessed	—	No Data	N/A	IR3
 Primary Contact Recreation	N/A for Waterbody Class	—	—	—	—
 Source of Water Supply	N/A for Waterbody Class	—	—	—	—

Best Use	Use Assessment	Use Assessment Confirmation	Pollutant(s) Cause(s)	303(d) Year	Integrated Reporting Category
 Shellfishing	N/A for Waterbody Class	—	—	—	—

Water Quality Monitoring Data and Information

Background

Water quality monitoring data used for assessments may come from a variety of sources, including but not limited to NYSDEC's surface water monitoring and regulatory programs, and monitoring network partnerships on rivers, streams, lakes, reservoirs, estuaries, and coastal waters.

For access to current and historical DOW data collected by our stream and lake monitoring programs, please use the Division of Water Monitoring Data Portal

(<https://experience.arcgis.com/experience/301748017d7d40649bc5082fc1c5365e>).

Data Source	Pollutant(s)
Division of Water's Stream Monitoring and Assessment Programs	pH

For more information, or to sign-up for email updates from NYSDEC, visit our website:
<https://dec.ny.gov/environmental-protection/water> (<https://dec.ny.gov/environmental-protection/water>)



**Department of
Environmental
Conservation**

HEMLOCK LAKE

(SEGMENT ID 0402-0011)

Waterbody Segment Assessment Factsheet

Factsheet Update: March 24, 2025
Integrated Reporting Cycle: 2022
NYSDEC CALM: 2021

MINOR IMPACTS SEGMENT

Introduction

This fact sheet contains the most recent water quality assessment information for this waterbody segment. The assessment is based on water quality data that meet the quality assurance requirements of NYSDEC's Division of Water (DOW). An outline of the process used to assess the quality of New York State waters is described in the NYSDEC's Consolidated Assessment and Listing Methodology (CALM).
https://extapps.dec.ny.gov/docs/water_pdf/calm.pdf





WATERBODY INFORMATION


- **Water Index Number:** Ont 117- 27-34-P44
- **Segment Classification:** AA(T)
- **Waterbody Type:** Lake/Reservoir
- **Size:** 2074 Acres
- **Drainage Basin:** Genesee River
- **Hydrologic Unit Code:** 0413000302
- **County:** Livingston
- **Segment Description:** Entire lake

Assessment of Best Use

Background

New York State waterbodies are classified to reflect their best use(s), and the assessment of a waterbody is based on the ability of waters to support those uses. This section lists whether this waterbody segment supports its best use(s).

Best Use	Use Assessment	Use Assessment Confirmation	Pollutant(s) Cause(s)	303(d) Year	Integrated Reporting Category
 Fishing	Unassessed	—	No Data	N/A	IR3
 Secondary Contact Recreation	Fully Supported	Confirmed	Total Phosphorus	N/A	IR1
 Primary Contact Recreation	Fully Supported	Confirmed	Total Phosphorus	N/A	IR1
 Source of Water Supply	Stressed	Confirmed	Ammonia	N/A	IR1
			Chloride		
			Nitrate and Nitrite		

Best Use	Use Assessment	Use Assessment Confirmation	Pollutant(s) Cause(s)	303(d) Year	Integrated Reporting Category
 Shellfishing	N/A for Waterbody Class	—	—	—	—

Water Quality Monitoring Data and Information

Background

Water quality monitoring data used for assessments may come from a variety of sources, including but not limited to NYSDEC's surface water monitoring and regulatory programs, and monitoring network partnerships on rivers, streams, lakes, reservoirs, estuaries, and coastal waters.

For access to current and historical DOW data collected by our stream and lake monitoring programs, please use the Division of Water Monitoring Data Portal (<https://experience.arcgis.com/experience/301748017d7d40649bc5082fc1c5365e>).

Data Source	Pollutant(s)
Division of Water's Lake Monitoring and Assessment Programs	Ammonia
	Chloride
	Nitrate and Nitrite
	Phosphorus

For more information, or to sign-up for email updates from NYSDEC, visit our website: <https://dec.ny.gov/environmental-protection/water> (<https://dec.ny.gov/environmental-protection/water>)



**Department of
Environmental
Conservation**

APPENDIX F

PRELIMINARY SHPO LETTER



**New York State
Parks, Recreation and
Historic Preservation**

KATHY HOCHUL
Governor

RANDY SIMONS
Commissioner Pro Tempore

June 03, 2024

Kyra Jacobson Evans
HUNT Engineers, Architects, Surveyors
100 Hunt Center
Horseheads, NY 14845

Re: NYSEFC
Springwater Wastewater Treatment Facility
7737 Kellogg Rd, Springwater, NY 14560
24PR04585

Dear Kyra Jacobson Evans:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project.

Based upon this review, it is the opinion of the New York SHPO that no historic properties, including archaeological and/or historic resources, will be affected by this undertaking.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above. If you have any questions, please contact Virginia Bartos at the following email address:

Virginia.Bartos@parks.ny.gov

Sincerely,

A handwritten signature in black ink that reads "R. Daniel Mackay".

R. Daniel Mackay

Deputy State Historic Preservation Officer
Division for Historic Preservation

APPENDIX G

INCOME SURVEY AND MAPPING FOR DAC AND EJ AREAS

Town of Springwater

Median Household Income

Survey 2024

CWSRF

Town of Springwater
Median Household Income Survey
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6/1/2024

NYS Environmental Facilities Corporation
Máire Cunningham, Program Manager
625 Broadway
Albany, New York 12207-2997

RE: MHI SURVEY- Town of Springwater (CWSRF):

Program Manager Cunningham,

Please accept this letter outlining the methodology and containing the results of the Median Household Income (MHI) survey conducted for the **Town of Springwater**. I am writing this letter to seek your approval of the survey.

Service Area

There are approximately 210 households in the project service area which is defined as “all homes, dwellings, and apartments served by the infrastructure project whether occupied or vacant”. The survey universe which is defined as “includes owner-occupied, long-term tenant occupied and seasonal/second households” is approximately 205 occupied households within the proposed service area.

Justification

The request is based on the following factors. The Median Household Income (MHI) of the service area per the US Census Bureau likely has a large margin of error. The 2024 median household income for the area would appear to be improperly elevated by the suspected errors in the random sampling process, as utilized by the US Census Bureau American Community Survey (ACS). Typically, households with lower incomes are underrepresented in the ACS. The service area consists of single-family homes, apartments, trailer homes, seasonal/second homes, has multiple renters, and a high percentage of senior citizens. Accordingly, we suspect the household income levels in the proposed service area will likely fall below the US Census Bureau ACS estimates.

Survey Procedure/Form/Methodology

G&G Municipal Consulting and Grant Writing (G&G) conducted the survey as an unbiased, third party, consultant to the Town of Springwater. Residences in the survey area were identified as to occupancy by tax parcel/utility billing records from the Town, the American Community Survey (ACS) and through "in field" observation conducted by G&G staff during door-to-door canvassing. The survey was limited to owner occupied and long-term tenant occupied households only. Short term rentals, student housing (dormitories), commercial properties, and vacant houses were excluded from the survey.

The survey was initiated in January of 2024 and completed in May of 2024. The survey was initially distributed to approximately 210 households via the United States Post Office. It was determined that 205 households were occupied. 65 households returned the survey using the provided self-addressed stamped envelope. Door-to-door canvassing conducted by employees of G&G obtained another 77 surveys for a total of 142 completed surveys. This response rate of 69.3% exceeds the required EFC response rate of 67% for 181-238 households. The highest income reported by mail was \$156,000 and the lowest was \$7,885. The highest door to door canvass income reported was \$125,000 and the lowest was \$10,800.

A letter from the Town Board was mailed to each household in the service area (see attached) explaining the purpose of the survey. Each household also received a survey (see attached) which asked:

- the number of people living in the home
- whether the living quarters are owned or rented
- if anyone over 62 lives in the residence
- household income for the past year
- female head of household (tax filing status)
- handicapped status
- ethnicity and race

Raw survey responses were assembled and analyzed to determine the median household income (MHI) of the project service area by entering the income amount received into an Excel file which has been retained by G&G. Each blind survey contained a code matching it to the mailing address provided by the Town. The incomes were then formatted into a high to low array. The median was determined using the Excel formula of =median (A1:A142) for a result of \$43,000 (MHI).

It was a pleasure to conduct this survey on behalf of the Town of Springwater. If you have any questions, feel free to contact me anytime. I look forward to working with you in the future.

Respectfully submitted,



J. Grasso



New York State Clean Water State Revolving Fund

**Hardship Financing and Additional Subsidy
Eligibility Policy**

EFFECTIVE OCTOBER 1, 2023

Overview

Municipalities with wastewater treatment works projects may be eligible for up to \$25 million in interest-free financing, known as “hardship” financing, through the Clean Water State Revolving Fund (CWSRF).

Hardship eligibility is generally based on municipal population, median household income (MHI) and percentage of families below the poverty level (Poverty), or whether a project serves, protects, and benefits the residents of a potential Environmental Justice area (PEJA) or Disadvantaged Community (DAC)¹.

The Environmental Facilities Corporation (EFC) may offer, on a very limited basis and at EFC’s sole discretion, extended-term financing with a final maturity up to forty years for hardship recipients. Extended-term financing may be used to assist communities only where EFC determines an extended term would provide a significant benefit to the recipient and its ratepayers. In most cases, hardship financings will have a 30-year term. EFC does not charge issuance costs or an annual fee on hardship financing.

Municipalities eligible for hardship financing may also qualify to receive additional subsidy in the form of grant.

This policy (Hardship Policy) describes the hardship financing program and the process used by EFC to determine eligibility for hardship financing and additional subsidy. The projects that qualify for hardship financing and additional subsidy will be identified in the Intended Use Plan (IUP). The IUP will also identify the sources of additional subsidy, including those provided under the Infrastructure Investment and Jobs Act – also known as the Bipartisan Infrastructure Law (BIL).

¹ per NYSDEC Commissioner Policy 29

Hardship Financing Eligibility Criteria

EFC evaluates a municipality's eligibility for hardship financing using the criteria set forth in the sections below (Eligibility Criteria). Municipalities are eligible for hardship financing if they meet the Project Criteria and either:

- The Municipal Criteria, or
- The Environmental Justice Criteria.

A municipality eligible for hardship financing may or may not qualify for hardship financing in the IUP Period (October 1 through September 30). EFC scores projects using the CWSRF Scoring Criteria in 6 NYCRR 649.13 (Scoring Criteria) and then allocates hardship financing to eligible municipalities in descending Core Score order (i.e., no bonus points). The hardship financing maximums detailed in "Hardship Financing Maximum" section may also impact a municipality's ability to receive hardship financing in the IUP Period. Projects above the Hardship Funding Line in the Category D Annual List within the IUP qualify for hardship financing during the IUP Period.

1. Project Criteria

The project must:

- be a municipally-owned wastewater treatment works project;
- be environmentally significant, as determined by the Commissioner of the Department of Environmental Conservation²; and
- not have a CWSRF short-term financing agreement that was executed before November 15, 2021; and
- not have a long-term financing.

For phased projects, a short-term or long-term financing on a previous phase does not preclude a subsequent phase from hardship eligibility.

2. Municipal Criteria

- The municipal population:
 - must be less than 300,000; or
 - if the municipal population is greater than 300,000, the population served by and responsible for the debt incurred by the project is less than 300,000.

² See 21 NYCRR §§2602.2(a)(23) and 2602.6. For a project to be considered environmentally significant, the project must meet either project priority scoring criterion A (Existing Source Criterion) and B (Water Quality Improvement Criterion), or D.1.a (Enforcement).

- The MHI of the municipality must be:
 - less than 80% of the regionally adjusted MHI presented in [Appendix 1](#); or
 - 80% to less than 100% of the regionally adjusted MHI presented in [Appendix 1](#) and the Poverty of the municipality must be greater than the 2021 statewide Poverty of 9.8%.

For purposes of this Hardship Policy, population, MHI, and Poverty are based on the 2021 American Community Survey’s five-year estimates published by the U.S. Census Bureau. The Statewide MHI is adjusted regionally as described in [Appendix 1](#). EFC, in its discretion, may use alternative means of determining population, MHI, or Poverty when the census data are not reflective of the population served by or responsible for the debt incurred by the project. For special districts or other areas where census data are not available, an income survey (Survey) may be conducted by the municipality and submitted to EFC to establish an MHI.

3. Environmental Justice and Disadvantaged Community Criteria

- Projects that do not meet the Municipal Criteria but meet the Project Criteria may be eligible for hardship financing when at least 50% of the project cost and/or scope serves, protects, and benefits the residents of a PEJA or DAC³.

Examples of eligible scope may include, but are not limited to:

- Eliminating/Mitigating Sanitary Sewer Overflows/Combined Sewer Overflows;
- Replacing septic systems confirmed to be failing by the local Department of Health or New York State Department of Environmental Conservation (DEC); and
- Removing nuisance conditions (e.g., odor control and aesthetic improvements).
- The project is subject to a Value Engineering review, funded by EFC. The recommendations from the review must be incorporated into an acceptable revised Engineering Report and submitted to EFC to be eligible for hardship financing.
- Once a municipality submits a revised Engineering Report, the project will appear in category D in the next IUP period. If a project closes before appearing in Category D, it will not be eligible for hardship financing or additional subsidy.
- To request consideration for hardship through PEJA or DAC, an applicant must complete the questionnaire included in [Appendix 3](#) and submit to EFC.

³ per NYSDEC Commissioner Policy 29

Income Surveys

In certain circumstances, census data may not be reflective of the area served by the project or the population responsible for the debt incurred for the project. In this case, an applicant may perform a Survey to establish an MHI different than what is published in the American Community Survey's five-year estimates published by the U.S. Census Bureau. If the Survey is accepted by EFC, the MHI in the accepted Survey may be used by EFC for determining hardship financing and additional subsidy eligibility. Surveys are typically used to establish an MHI for a special district or other areas where census data are not available.

The Survey must be submitted by the Survey deadline stated in the IUP in a form acceptable to EFC. See [Appendix 2](#), Income Survey Requirements, for more information.

EFC will not accept Surveys to revise the Poverty for a municipality or district. EFC uses the published 2021 American Community Survey Poverty for all evaluations.

Hardship Financing Maximum

Municipalities may receive a maximum of \$25 million in hardship financing over a rolling five-year period regardless of how many projects or project phases are financed with EFC.

- The rolling five-year period includes the current federal fiscal year (FFY) and the previous four FFYs. For example, hardship financings provided to a municipality from FFY 2020 through and including FFY 2024, must not exceed \$25 million in aggregate.
- If a municipality has closed on the maximum \$25 million total in hardship financing during a five-year period and then closes a non-hardship EFC financing during the five-year period, the non-hardship financing may not be refinanced with hardship financing.

If project costs increase, the project may remain eligible for hardship financing up to the amount of the cost increase, subject to the hardship eligibility limitations described above and the availability of CWSRF funds.

Additional Subsidy Eligibility

Projects eligible for hardship financing may qualify for additional subsidy. To be considered for additional subsidy, a municipality and project must meet the following criteria:

- not have closed an EFC financing before November 15, 2021;
- not incurred SRF-eligible debt before November 15, 2021, for BIL additional subsidy only;
- not have issued a Notice to Proceed to construction dated before November 15, 2021, for BIL additional subsidy only;
- not have executed a long-term project finance agreement;
- not substantially completed construction before the beginning of the current IUP Period;

- not have been on the Subcategory D1 list for two consecutive years without closing on a project financing agreement; and
- comply with all applicable federal requirements.

EFC will determine the amount of additional subsidy available for each IUP Period. The sections below describe the process for allocating additional subsidy funds.

Additional subsidy in the form of principal forgiveness or grants may be provided to a recipient that does not meet affordability criteria under limited circumstances. In order to do so, federal law requires that the recipient must: (i) show that the additional subsidy benefits individual ratepayers in the residential user rate class; (ii) show that such ratepayers will experience a significant hardship from the increase in rates based on the project financing; and (iii) ensure that the additional subsidy is directed through a user charge rate system to such ratepayers (see CWA §603(i)(1)(A)).

1. CWSRF Base and BIL General Supplemental Additional Subsidy - Subcategory D1

Projects awarded CWSRF Base or BIL General Supplemental additional subsidy funds may receive grant funding of up to 50% of eligible project costs, net of non-EFC grants, up to a maximum amount of \$25 million. Municipalities may receive a maximum of \$25 million in additional subsidy over a rolling five-year period regardless of how many projects or project phases are financed with EFC.

Additional subsidy will be awarded in Blended Affordability Score order. Blended Affordability Score is the sum of:

- Affordability Score – see criteria in the chart below; and
- Water Quality Score – the portion of the CWSRF scoring system that encompasses existing source condition, water quality improvement, and enforcement action (Scoring Criteria A, B, C, and D1).

Affordability Score and 50% of the Water Quality Score are combined to ensure additional subsidy is awarded to projects that benefit disadvantaged communities and provide a water quality benefit.

Criteria for Determining Affordability Score

Municipal MHI Relative to Regionally Adjusted MHI

Criteria	Score ⁱ
0 – 60%	20
60 – 80%	16
80 – 100%	10
> 100%	0

Municipal Poverty Level Relative to Statewide Level

Criteria	Score ⁱ
> 120%	10
100 – 120%	5
< 100%	0

Environmental Justice

Criteria	Score ⁱⁱ
Project expected to benefit a potential EJ or DACs area	7
No anticipated benefit to a potential EJ or DACs area	0

Readiness

Criteria	Score
EFC received an acceptable financing application	2
EFC did not receive an acceptable financing application	0

Municipal Population Trend

Criteria	Score ⁱⁱⁱ
Negative	1
Positive	0

County Unemployment Rate Relative to Statewide Rate

Criteria	Score ^{iv}
Greater Than	1
Less Than or Equal To	0

Data Sources:

i – 2021 American Community Survey's five-year estimates published by the U.S. Census Bureau or alternate data approved by EFC

ii – Potential Environmental Justice Areas identified by the New York State Department of Environmental Conservation

iii – 2010 and 2020 Decennial Census data

iv – 2021 New York State Department of Labor Local Area Unemployment Statistics

2. BIL Emerging Contaminants Additional Subsidy – Category EC

BIL Emerging Contaminants (EC) funding is available for CWSRF eligible projects whose primary purpose is to address emerging contaminants that are manufactured or naturally occurring physical, chemical, biological, radiological, or nuclear materials, which are known or anticipated in the environment, that may pose newly identified or re-emerging risks to human health, aquatic life, or the environment, including but not limited to, groundwater or surface water contamination caused by perfluoroalkyl and polyfluoroalkyl substances (PFAS), pharmaceuticals, personal care products, and micro/nanoplastics.

Projects eligible for BIL EC additional subsidy may receive grant funding of 100% of eligible project costs up to a maximum amount of \$25 million. Additional subsidy will be offered in Scoring Criteria order to projects that serve disadvantaged communities.

Notification

1. Hardship Financing

Projects that are eligible for hardship financing will be identified in Category D of the IUP. Inclusion above the Hardship Funding Line in Category D of the Final IUP serves as notice that a project qualifies for hardship financing. Municipalities must submit an acceptable financing application by the application deadline stated in the IUP to retain hardship eligibility. Municipalities that do not submit an acceptable financing application must requalify for hardship financing in the next IUP Period. See the IUP for details on the length of time submitted financing applications are considered active.

2. Additional Subsidy

Municipalities with a project above the BIL Funding Line in Subcategory D1 will receive a notification letter for each project that qualifies for BIL additional subsidy. A project is qualified for additional subsidy up to the amount indicated in the notification letter. After the project closes with BIL additional subsidy, it will not be eligible for further BIL additional subsidy.

Projects not receiving BIL additional subsidy may qualify for CWSRF Base additional subsidy, in order of Blended Affordability Score. Municipalities with a project that qualifies for CWSRF Base additional subsidy will receive an award letter for each project to be awarded CWSRF Base additional subsidy.

All applicants in Category EC will receive an award letter for each project eligible to receive additional subsidy. Each letter will specify the date by which a complete financing application must be submitted and the additional subsidy must be obligated in a fully executed project finance or grant agreement. If the date specified is not met, the project will need to recompetete to receive additional subsidy in the next IUP Period.

Modification

EFC may modify the Hardship Policy at any time with public notice; however, such modifications may not negatively impact any project that has already qualified for hardship financing.

Appendix 1: Median Household Income (MHI)

This appendix provides additional detail about the Median Household Income (MHI) used by EFC to determine hardship eligibility.

The 2021 American Community Survey Statewide MHI for New York State is \$75,157, which is adjusted for certain counties by a Regional Cost Factor (RCF).

1. Regionally Adjusted MHI

Region	RCF ⁱ	Adjusted MHI	80%	100%
Upstate	1.00	\$ 75,157	\$ 60,126	\$ 75,157
Dutchess, Orange, Putnam, Rockland, Sullivan, and Ulster Counties ⁱⁱ	1.31	\$ 98,456	\$ 78,765	\$ 98,456
Suffolk, Nassau, and Westchester Counties ⁱⁱⁱ	1.60	\$ 120,251	\$ 96,201	\$ 120,251

ⁱ - [2022-2023 Regional Cost Factor from NYSED.gov Facilities Planning](#)

ⁱⁱ - 1.31 is the average of the RCFs for Dutchess, Orange, Putnam, Rockland, Sullivan, and Ulster Counties

ⁱⁱⁱ - 1.60 is the average of the RCFs for Suffolk, Nassau, and Westchester County

A project’s service area may encompass more than one municipal jurisdiction. If multiple municipalities sponsor a project and jointly own the infrastructure, a weighted MHI may be calculated and used to determine eligibility for hardship financing. Factors in the calculation could include MHI and population, percentage of flow per municipality, or number of service connections served by the project. If the project sponsor and the owner of the infrastructure is one municipality, EFC typically uses the MHI of that municipality.

A census designated place (CDP) may be used if EFC determines that the boundary of the CDP is significantly contiguous with the service area. For proposed districts, EFC may require the use of population data in calculating weighted MHIs.

Appendix 2: Income Survey Requirements for Clean Water and Drinking Water State Revolving Funds

1. Overview

This appendix describes the income survey (Survey) process that must be used by a municipality to document an alternative MHI for EFC's consideration. A municipality and project must meet all hardship criteria described in the Hardship Policy to be eligible for hardship financing or additional subsidy in the form of grant.

EFC recognizes that conducting a Survey requires a substantial commitment of time to complete properly, and also that other funding agencies may have different Survey requirements. EFC recommends that any municipality considering a Survey coordinate the Survey effort with all prospective funding agencies to be sure that each agency's requirements will be satisfied by the Survey performed.

2. Requirements

Requirements for completing a Survey that will be acceptable to EFC are listed below.

Who to Survey

1. Conduct the Survey in the service area of the water supply or wastewater treatment project proposed for SRF financing. The geographic boundaries of the Survey must match the infrastructure project service area identified in the relevant engineering planning report.
2. Survey only residential households.
 - o Residential households include single family homes and individual apartments in multi-family structures.
 - o The following are not residential households: businesses, institutions, or non-residential entities.

Responses

1. Respondents to surveys must be the owner/occupant or long-term tenant of the residential household. In the case of seasonally occupied properties and second homes, respondents shall be the property owner and not a short-term renter/occupant.
2. The Survey form must indicate that the Survey responses represent the aggregate income of all occupants of a household, whether related or not, 15 years of age or older.
3. A numerical response representing the actual income of each household surveyed must be solicited. Surveys that allow respondents to choose from ranges of income on a Survey form will not be accepted.

- The minimum response rate must be met. The table below indicates the percentage of total households surveyed that must respond with a complete Survey.

Number of Households in Proposed Project Service Area	Required Minimum Percent (%) Return Rate
1 to 55	90
56 to 63	87
64 to 70	85
71 to 77	84
78 to 99	80
100 to 115	78
116 to 153	72
154 to 180	69
181 to 238	67
239 to 308	57
309 to 398	50
399 and greater	38

Documentation

- Municipalities must keep documents related to the organization and execution of the Survey on file for a minimum of six years after the term of the project’s financing agreement with EFC. Before submitting a Survey to EFC for consideration, please be sure that the following materials are retained and accessible if requested by EFC:
 - Copy of Survey cover letter sent to residences
 - Master list of all residences with identification as occupied, seasonal/second home, vacant, or derelict structures
 - Original Survey response forms received

Results and Submission

- Surveys must be submitted by the Survey deadline stated in the IUP. An Income Survey Methodology Questionnaire and Checklist is included later in this Appendix for the municipality’s use. Other formats may be acceptable as long as the same information is provided to EFC.
- Survey results must be certified. A certification is included in this Appendix for the municipality’s use.
- A master list must be included in the Survey that categorizes properties as occupied, seasonal/second home, vacant, and derelict residences. The list must include information that may be used to verify the location of these households within the project service area. A map of the survey location must also be submitted.

4. Survey results that are submitted more than four years past the calendar year for which household income was collected will not be accepted.
5. Municipalities whose Surveys were not conducted by an objective third party may be required to submit a representative sample of actual completed Surveys.
6. Municipalities are not required to report demographic data, collect signatures of residents on Survey forms, report names or addresses of Survey respondents or put tracking numbers on Survey forms.

To submit Survey results, or for additional information or guidance, please contact:

Máire Cunningham
Program Manager

Email: CWSRFinfo@efc.ny.gov (please include "Income Survey" in the subject line)

3. Notification

Municipalities will be notified if their Survey is accepted by EFC. Accepted Surveys are valid for a maximum of five years from the Survey completion date. Projects will not appear in category D until the next IUP period. If a project closes before appearing in Category D, it will not be eligible for hardship financing or additional subsidy.

Income Survey Methodology Questionnaire and Checklist for Clean Water and Drinking Water State Revolving Funds

Complete this form and submit it with the required documentation. Attach additional pages as needed.

1. Contact and Project Information

Project Information

Municipality: _____

SRF Project No.: _____ County: _____

Special Improvement District Name: _____

Municipal Contact

Name: _____ Phone: _____

Title: _____ Email: _____

Mailing Address: _____

Third Party Information (complete if Survey is not fully organized and managed by the municipality)

Firm or Agency: _____ Phone: _____

Contact Name: _____ Email: _____

2. Income Survey Methodology

Discuss why the Survey was conducted.

Name the individual(s) who managed and conducted the Survey and their roles (elected officials, municipal staff, consultants, not-for-profits, volunteers, etc.).

Discuss how properties in the project service area were inventoried and categorized with respect to property type (residential, commercial/business, institutions, etc.) and condition (occupied, seasonal/second home, vacant, derelict, etc.).

Discuss how the Survey was initially distributed to each occupied residence, and how follow-up was conducted.

Discuss the outreach that was conducted to owners of seasonal/second homes to assure that those owners responded to the Survey.

Describe how raw Survey responses were assembled and analyzed to determine the median household income (MHI) of the project service area.

3. Income Survey Data

Survey start date: _____

Survey completion date: _____

1. Total households in project service area: _____
This is all homes, dwellings, and apartments served by the infrastructure project whether occupied or vacant.
2. Total households in Survey universe: _____
This is all owner occupied, long-term tenant occupied, and seasonal/second homes.
3. Complete Surveys received: _____
4. Response rate: _____
This is the number of completed Surveys divided by the number of households in the Survey universe.
5. Median Household Income (MHI) as measured by Survey: _____
6. Calendar year for which household income was collected: _____

4. Submission Checklist

- Cover letter signed by a municipal official transmitting the Survey results for EFC’s review.
- Blank copy of the Survey form and cover letter to residents used
- This Income Survey Methodology Questionnaire and Checklist
- Income Survey Certification
- Master list of all residences with identification as occupied, seasonal/second home, vacant, and derelict structures
- Map of the income survey area

Please note: EFC may request additional raw data from Survey responses to document how the MHI was calculated. If the Survey was not conducted by an independent third party, EFC may request copies of completed Survey forms. The municipality must keep a copy of the cover letter to the Survey form, and the master list of all residences in the project service area, identifying each as occupied, seasonal/second home, vacant, or derelict for a minimum of six years after the term of the project’s financing agreement with EFC.

Income Survey Certification for Clean Water and Drinking Water State Revolving Funds

I am authorized to apply for evaluation of alternate Median Household Income (MHI) based on the enclosed Income Survey for the project(s) described in the application. By signing the application, I certify that all of the information contained in this application, in other statements and exhibits attached hereto or referenced herein, and in all statements, data and supporting documents that have heretofore been made or furnished for the purpose of evaluating the Income Survey for the project(s) described herein, are true, correct and complete to the best of my knowledge and belief.

Further, I acknowledge that offering a written instrument knowing that the written instrument contains a false statement of false information, with the intent to defraud the State or any political subdivision, public authority or public benefit corporation of the State, with the knowledge or belief that it will be filed or recorded by the State or any political subdivision, public authority or public benefit corporation of the State, constitutes a crime under New York State Law.

Deborah Babbit Henry

Signature of Authorized Municipal Official

Name and Title

Date

Name of Consultant (if applicable)

Address of Consultant

Sample Household Income Survey Form for Clean Water and Drinking Water State Revolving Funds

This form may be used when conducting an income survey that is in conformance with EFC/SRF requirements. It does not represent a survey that would be in conformance with other agencies such as USDA Rural Development or the NYS Office of Community Renewal. Fields or information in *italics* are required. All other elements of this sample form are optional.

Household Income Survey

This information is needed to support the applications for state and federal funding assistance for our proposed project. The survey is confidential! Data will be collected and compiled into a summary report. Your individual responses will not be shared with any agency.

*Please write in the total income for your household for the calendar year .
Income should include all income of persons 15 years of age or older in the household, whether related or not. Income consists of wage or salary income; net non-farm self-employment income; interest, dividend or net rental income or royalty incomes; social security or railroad retirement income; public assistance or welfare income; retirement or disability income; and all other income.*

TOTAL Annual Household Income (add up all income categories listed above)

\$ _____

Appendix 3: Environmental Justice Questionnaire for Clean Water and Drinking Water State Revolving Funds

Environmental Justice Hardship Questionnaire

Provide a completed questionnaire to request Hardship financing through the Environmental Justice (EJ) pathway to SRFinfo@efc.ny.gov along with any supporting documentation.

Applicant: _____

Project Number: _____

Project Description: _____

Municipal Contact Information:

Name: _____ Email: _____

Title: _____

Address: _____ Phone Number: _____

EJ Screening Questions:

1. The project is less than 30% designed or has undergone a value engineering review:
 - Yes.
 - No. If checked, please proceed to signature block.

2. EJ Project Scope/Benefits:
 - ≥ 50% of the project scope serves an EJ Area.
 - ≥ 50% of the project cost serves an EJ Area. Total estimated project cost: \$_____.
Cost for the portion of the project that serves an EJ Area: \$_____.
 - None of the above. If checked, please proceed to signature block.

Design Engineer to complete the following:

1. Describe the water quality problem faced by the community within the potential environmental justice area boundary or disadvantaged community identified on the DECinfo Locator (Attach map).

DECinfo Locator: <https://gisservices.dec.ny.gov/gis/dil/> navigate to DEC Information Layers/ Environmental Quality/Public Involvement and click the layer for Potential Environmental Justice Areas and the layer for Disadvantaged Communities (DAC).

- Describe how constructing the project serves, benefits and/or protects the residents within the EJ Area. Provide a detailed breakdown of the specific project costs and scope associated with serving the EJ Area.

- Residents in the EJ Area must be contacted and provided the opportunity to be involved in project development. Describe any outreach to residents and how residents have been engaged in project development and provide documentation of notification efforts. Notification may include, but is not limited to, notices in the local newspaper, meetings and/or postings within the community or official mailings to residents. Submit any letters of support from permanent residents within the EJ community.

I understand that, as a condition of this funding, EFC will coordinate a Value Engineering (VE) review on behalf of the municipality. The VE review will be completed at EFCs expense with a goal of ensuring the project scope and design is cost-effective, resilient, and appropriate for the intended purpose. If applicable, the municipality will resubmit a revised engineering report incorporating the recommended modifications that are identified through the VE review. The municipality will not progress the design or proceed to construction until the VE review has been completed.

I certify that the information contained herein is true, accurate, and complete to the best of my knowledge and belief.

Title (Authorized Municipal Rep): _____

Name (written): _____

Signature: Date: _____

Design Engineer Firm: _____

Name (written): _____

Signature: , P.E. Date: _____

Town of Springwater

MHI Survey

2024

High/Low Array

1	\$156,000
2	\$130,000
3	\$130,000
4	\$125,000
5	\$123,400
6	\$120,000
7	\$110,000
8	\$101,000
9	\$100,000
10	\$100,000
11	\$100,000
12	\$90,000
13	\$90,000
14	\$90,000
15	\$90,000
16	\$85,000
17	\$82,000
18	\$81,223
19	\$81,000
20	\$80,000
21	\$78,200
22	\$78,000
23	\$76,461
24	\$75,000
25	\$75,000
26	\$75,000
27	\$75,000
28	\$72,000
29	\$70,000
30	\$70,000
31	\$62,900
32	\$62,000

33	\$62,000
34	\$61,000
35	\$60,120
36	\$60,000
37	\$60,000
38	\$60,000
39	\$60,000
40	\$60,000
41	\$59,000
42	\$58,000
43	\$58,000
44	\$56,734
45	\$56,000
46	\$56,000
47	\$55,500
48	\$55,000
49	\$53,000
50	\$53,000
51	\$52,000
52	\$52,000
53	\$50,000
54	\$50,000
55	\$50,000
56	\$50,000
57	\$49,900
58	\$48,000
59	\$47,600
60	\$47,430
61	\$47,000
62	\$46,000
63	\$45,350
64	\$45,075
65	\$45,000
66	\$45,000
67	\$44,232
68	\$44,000
69	\$44,000
70	\$43,000
71	\$43,000

72	\$43,000
73	\$42,000
74	\$41,000
75	\$41,000
76	\$40,397
77	\$40,000
78	\$40,000
79	\$40,000
80	\$40,000
81	\$40,000
82	\$40,000
83	\$40,000
84	\$39,999
85	\$39,000
86	\$39,000
87	\$38,000
88	\$38,000
89	\$37,000
90	\$37,000
91	\$37,000
92	\$36,000
93	\$36,000
94	\$36,000
95	\$35,000
96	\$35,000
97	\$35,000
98	\$33,400
99	\$33,000
100	\$33,000
101	\$31,000
102	\$30,994
103	\$30,700
104	\$30,000
105	\$30,000
106	\$30,000
107	\$30,000
108	\$29,000
109	\$29,000
110	\$28,000

111	\$28,000	
112	\$28,000	
113	\$27,000	
114	\$26,700	
115	\$26,000	
116	\$26,000	
117	\$26,000	
118	\$25,000	
119	\$25,000	
120	\$25,000	
121	\$24,777	
122	\$24,750	
123	\$24,600	
124	\$24,000	
125	\$24,000	
126	\$23,500	
127	\$23,300	
128	\$22,000	
129	\$21,000	
130	\$20,000	
131	\$20,000	
132	\$20,000	
133	\$19,379	
134	\$19,000	
135	\$17,300	
136	\$16,224	
137	\$15,000	
138	\$14,700	
139	\$13,000	
140	\$13,000	
141	\$10,800	
142	\$7,885	
	\$43,000	MHI



TOWN OF SPRINGWATER

8022 SOUTH MAIN STREET
SPRINGWATER, NEW YORK 14560
585-669-2545 585-669-2002 Fax

February 2024

Dear Resident:

The Town of Springwater is considering applying for state and federal grant assistance that may provide funding to improve municipal infrastructure. Without grant funding, the cost of this project may be prohibitive and above the rate that the New York State Comptroller will approve.

To show that the Town is eligible for state and federal grant assistance, we are required to give grant providing agencies certain information regarding the household characteristics of the population that is intended to benefit from the improvements. It is important that both homeowners and renters respond to this survey.

Please complete the enclosed survey form upon receipt and immediately return the form in the stamped envelope provided. G&G Municipal Consulting will compile the results of the survey. Please be assured that the data collected in this survey will be held in strict confidence.

To protect your privacy, the survey DOES NOT include a space for your name or address. Instead, each survey has an individual code. This code allows G&G Municipal Consulting to identify and match your response to the master list of residents. G&G is not allowed to show individual data to the Town. The grant application will use summary data, not the actual survey forms.

The Town Board and I respectfully request that you provide this information without which we will not be able to obtain grant assistance to improve municipal infrastructure in the Town.

Thank you in advance for your participation. If you should have any questions or need additional copies of the survey, please contact Joyce Nisbet, Town Clerk at (585) 669-2545 or G&G Municipal Consulting at (585) 368-8866.

Regards,

Deborah Babbitt-Henry, Supervisor
Larry Gnau, Deputy Supervisor
Thomas Canute Jr., Board Member
Tracey Proctor, Board Member
Kyle Mason, Board Member

Town of Springwater
Household Characteristics Survey
February 2024

ALL INFORMATION IS CONFIDENTIAL

The purpose of this survey is to determine household characteristics that will allow your municipality to qualify for grant and low interest loan funding. Certain grant applications require race and other demographic information.

G&G Municipal Consulting will collect and compile the data. The Town will receive a summary of all survey responses without any names attached. *All survey information received by G&G is strictly confidential.*

1. How many people live in this household? _____
2. Do you own or rent the living quarters? Own _____ Rent _____
3. How many family members in the household are 62 years of age or older? _____
4. What was your annual household income in the last tax year? _____
(Household income is the sum of money by all household members 15 years old or over. Income includes any sources of gross income received regularly from employment, net business or farm income, Veterans (VA) payments, unemployment compensation, child support, supplemental security income (SSI), public assistance, retirement, survivor or disability pensions, or alimony.)
5. Female head of household? (Taxpayer filing status) Yes _____ No _____
6. Are any members of the household disabled/handicapped? Yes _____ No _____ # _____
7. Ethnicity: (check one)
Hispanic or Latino _____
Not Hispanic or Latino _____
8. Race: (indicate number in household in the space provided)
_____ White or Caucasian
_____ Black or African American
_____ Asian
_____ American Indian or Alaska Native
_____ Black or African American and White
_____ Native Hawaiian or Other Pacific Islander
_____ Asian and White
_____ Alaska Native and Black
_____ American Indian or Alaska Native and Black or African American
_____ Multi-Racial
_____ Other
9. Year-round resident _____ Seasonal resident _____

Please complete and mail upon receipt.

**** Please do not put your name or address on this form. ****

*****This form is applicable to HOMEOWNERS and RENTERS*****

Fully completing this survey will help your municipality qualify for federal or state funds.

Thank you for your assistance!



DECinfo Locator

Base Map: Topographical

[Help](#)

Search

Tools

DEC Information Layers

Environmental Quality Outdoor Activity

Permits and Registrations

Environmental Cleanup

Environmental Monitoring

Public Involvement

Check / Uncheck all

Layer Information

Potential Environmental Justice Areas

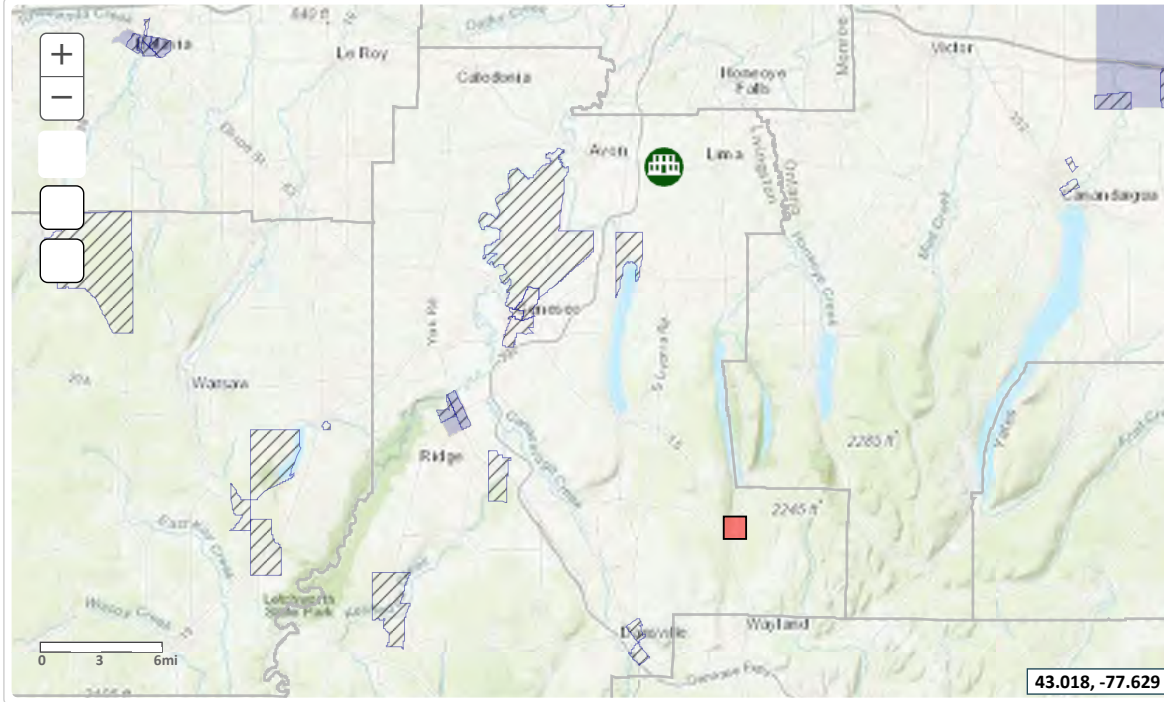
Disadvantaged Communities (DAC)



Environmentally Sensitive Areas

Legal Information

Reference Layers



APPENDIX H

IMA AND LEASE AGREEMENT WITH TOWN AND LCWSA

INTERMUNICIPAL COOPERATION AGREEMENT

THIS AGREEMENT is entered into the 14 day of August, 2023, by and between the **Livingston County Water and Sewer Authority**, a public benefit corporation (the "Authority"), having an office at 1997 D'Angelo Drive, Lakeville, New York and the Trustees of the Town of Springwater, a municipal corporation on its own behalf (the "Town"), having an office at 8022 South Main Street, Springwater, NY 14560.

WHEREAS, The Town owns and operates a wastewater collection system (the "Collection System") and a wastewater treatment facility, commonly known as the Town of Springwater Wastewater Treatment Facility (the "Facility"), located in the Town of Springwater, Livingston County; and

WHEREAS, the Authority was created by state legislation (See NYS Public Authorities Law §1199-CCCC) for the express purpose of providing water and sewer services within Livingston County, New York, and has expertise in the operation of water distribution systems and sewer treatment and distribution systems; and

WHEREAS, on May 22, 2015, a Consent Order (Case No. R8-20150120-45) (the "Consent Order") was entered into by and among the State of New York Department of Environmental Conservation ("DEC") and the Town for purposes of addressing the pollutants that were discharged to the water of the State from an outlet or point source, as defined by the New York State Environmental Conservation Law; and

WHEREAS, since 2015 the Town has designed, bid and constructed improvements to the Town Collection System and Facility consistent with the Compliance Actions identified in the Consent Order and the Town's State Pollutant Discharge Elimination System ("SPDES") Discharge Permit (#NY0246450); and

WHEREAS, the Town has additional Compliance Actions identified in the Consent Order and SPDES permit and has indicated that project management and assistance is needed to meet the required Compliance Actions schedule (the "Project"). Pursuant to discussions with the Authority's Executive Director, the Town became aware of the Authority's strong qualifications and staff capacity to provide the needed project management and oversight assistance. Furthermore, the Project was found to correspond nicely with the Authority's mission to provide high quality, environmentally sound, efficient, reliable, and affordable water and sewer services to the people who live, work and visit Livingston County; and

WHEREAS, the Town of Springwater Resolution No. 35 authorized the Town Supervisor to sign any and all necessary Intermunicipal Agreement documents with the Authority, subject to review and approval by the Town Attorney; and

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties hereby agree as follows:

The Authority, at its reasonable discretion, agrees to assist the Town with project management in achieving the Compliance Actions in the Consent Order and SPDES permit. Specifically, the Authority will be responsible for assisting the Town in coordinating and communicating actions between Town wastewater staff, the Town's engineer's/consultants, and the NYS DEC for the Project. The Authority further agrees to provide the Town Supervisor and Town Attorney with regular updates and the Town Board with monthly updates on the progress of the Project. The Authority will not be compensated by the Town for the services anticipated under this Agreement.

IN WITNESS WHEREOF, the Town and the Authority have executed this Agreement as of the date first written above.

TOWN OF SPRINGWATER

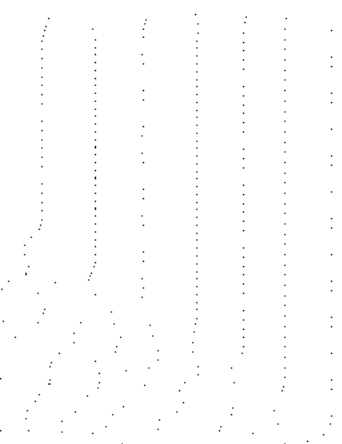
By: Deborah Babbit Henry
Deborah Babbit Henry
Town Supervisor



LIVINGSTON COUNTY WATER AND SEWER AUTHORITY

By: Jason Molino
Jason Molino
Executive Director

8/16/23



**TOWN BOARD
TOWN OF SPRINGWATER
COUNTY OF LIVINGSTON**

RESOLUTION #35 of 2023

At a regular meeting of the Town Board of the Town of Springwater, Livingston County, State of New York, held at the Springwater Town Hall on the 14th day of August, 2023.

WHEREAS, the Town of Springwater is the recipient of a proposed Inter-municipal Cooperation Agreement with the Livingston County Water and Sewer Authority; and

WHEREAS, The Town Board of the Town of Springwater does authorize and direct the Town Supervisor to enter into this Agreement; and

WHEREAS, The Town Board of the Town of Springwater does authorize and direct the Town Supervisor to sign any and all documents necessary to complete such a request.

NOW, THEREFORE, upon motion by Councilmember Thomas Canute, Jr., seconded by Deputy Supervisor Lawrence Gnau

It is

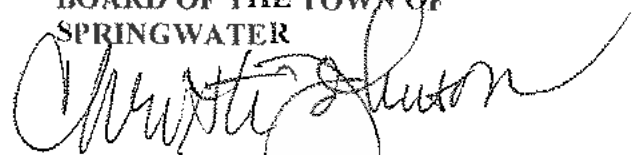
RESOLVED, that the Inter-municipal Cooperation agreement which becomes effective upon acceptance by both the Livingston County Water & Sewer Authority and the Town of Springwater, heretofore approved by this Town, be in effect until such time as both parties terminate this agreement.

DATED: August 14, 2023

VOTE OF THE BOARD:

Deborah Babbitt, Supervisor, Aye
Larry Gnau, Aye
Patricia Willsea, Aye
Thomas Canute, Jr., Aye
Kyle Mason, Absent

**BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
SPRINGWATER**


Christi Johnson, Town Clerk

APPENDIX I

NYSDEC ORDERS ON CONSENT AND NOTICE OF VIOLATION

STATE OF NEW YORK: DEPARTMENT OF ENVIRONMENTAL CONSERVATION

-----X
In the Matter of Violations of Article 17 of the New York
State Environmental Conservation Law, Title 6 of the
Official Compilation of Codes, Rules and Regulations
of the State of New York and State Pollutant Discharge
Elimination System Permit No. NY-0246450 by

CONSENT ORDER

CASE NO.
R8-20150120-45

TOWN OF SPRINGWATER (LIVINGSTON COUNTY)

Respondent.
-----X

WHEREAS:

FIRST. The New York State Department of Environmental Conservation (the "Department" or "DEC") is and at all times mentioned herein has been a Department of the State of New York (the "State") with jurisdiction over the environmental policy and programs of the State pursuant to the provisions of the New York State Environmental Conservation Law ("ECL"), and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York ("6 NYCRR" or the "regulations").

SECOND. The Department is charged with the responsibility and authority to promote and coordinate the management of the water, land, fish, wildlife and air resources of the state to assure their protection, enhancement, provisions, allocation and balanced utilization, pursuant to ECL § 3-0301.

THIRD. The Department is charged with jurisdiction over the maintenance of the quality of the waters of the State, and over the management of the State Pollutant Discharge Elimination System ("SPDES") program and permits issued thereunder, pursuant to Article 17 of the ECL and regulations promulgated pursuant thereto.

FOURTH. The Department is authorized to seek penalties and other

appropriate sanctions for any violations of Article 17 of the ECL, the regulations promulgated and permits issued pursuant thereto.

FIFTH. The Town of Springwater ("Respondent") is a municipal corporation formed pursuant to the laws of the State.

SIXTH. Respondent owns and operates a wastewater collection system (the "Collection System") and a wastewater treatment facility, commonly known as the Town of Springfield Waste Water Treatment Plant (the "Facility"), located in the Town of Springwater, Livingston County, from which pollutants are discharged to the waters of the State from an outlet or point source, as that activity is defined by ECL Article 17 and 6 NYCRR Part 750 *et seq.*

SEVENTH. Respondent discharges pollutants from the Facility to the waters of the State under the authority and subject to the terms and conditions stated in SPDES Permit No. NY-0246450 (the "Permit").

EIGHTH. The expiration date in the Permit is June 30, 2016 and has been in effect at all times hereinafter mentioned.

NINTH. The Permit, *inter alia*, contains effluent limitations or other restrictions relative to biochemical oxygen demand (BOD, 5-day), flow, and nitrogen, ammonia (as NH₃), among others.

TENTH. From June 2010 to October 2014, from time to time, Respondent discharged pollutants to the waters of the State that exceeded the effluent limitations contained in the Permit, namely BOD₅, (30-day average and 7-day average), Flow

and Nitrogen, ammonia (as NH₃)(daily average), as is more fully listed in attached Schedule A.

ELEVENTH. By discharging pollutants to the waters of the State other than in a manner prescribed by the Permit, Respondent has violated the Permit and ECL §§ 17-0803 and 17-0807(4).

TWELFTH. Each violation is subject to the sanctions authorized by ECL Article 71, Title 19. Each effluent limitation excursion listed in Schedule A is a separate and distinct violation.

THIRTEENTH. It is stated by Respondent, and accepted by the Department for purposes of this Consent Order, that due to the small number of households served by the Collection System and Facility, timely compliance with the requirements of this Consent Order will be dependent upon applying for and receiving public funds necessary to perform the studies and to make the improvements to the Facility and Collection System required in this Consent Order.

FOURTEENTH. Representatives of Respondent and the Department have conferred and have agreed to execute this Consent Order in full settlement of Respondent's civil liability for the violations described and identified herein.

FIFTEENTH. Respondent consents to the issuance of this Consent Order and agrees to be bound by its provisions, terms, and conditions.

NOW, being duly advised and having considered the matter, IT IS ORDERED THAT:

I. OBJECTIVE

It is the objective of this Consent Order for Respondent to obtain consistent compliance with the terms of the Permit, including meeting the effluent limitations stated therein, and to reduce flows to the Facility. Towards those ends, Respondent shall perform the compliance requirements hereinafter stated in this Consent Order and take such other and further steps necessary to attain the objectives of this Consent Order.

II. COMPLIANCE REQUIREMENTS

A. Respondent shall submit to the Department for its review and approval an Engineering Report that provides the following:

1. Plans to reduce excessive flows to the Facility (Inflow and Infiltration);
2. Plans to upgrade the Facility to include nitrification;
3. Plans to upgrade the Facility to include adequate disinfection; and
4. Schedules for implementing each of the above Plans.

B. The Engineering Report shall be submitted no later than August 1, 2015.

C. The Engineering Report shall include, but not be limited to, the compliance actions listed in attached Schedule B.

D. Once the Engineering Report is approved by the Department, Respondent shall implement each of the Plans according to the Schedules approved in the Engineering Report, except as Schedules may be amended pursuant to paragraph

III, below.

E. No later than June 1, 2015, Respondent shall file a report with the Department that details the steps that Respondent has taken to procure funds necessary to fulfill the requirements of this Consent Order (see paragraph III. A below), and an estimate of when such funds are expected to become available to Respondent; until such funds become available to Respondent, this report shall be updated no less frequently than every three months.

III. AMENDING SCHEDULES OF COMPLIANCE

A. The Department accepts Respondent's statements that timely submission of the Engineering Report and compliance with the Schedules approved by the Department will be dependent upon Respondent applying for and receiving adequate public funding from USDA Rural Development (RD), Community Development Block Grant Program (CDBG), NYS Water Quality Improvement Project Program (WQIP), NYS Clean Water State Revolving Fund (CWSRF) and/or others as they may be made known and for which the Town may be determined eligible.

B. Respondent may request from the Department, and the Department in its sole discretion may approve, an extension of one or more of the Schedules contained in the approved Engineering Report, or the deadline for submitting the Engineering Report ("the Extension Request").

C. When applying for the Extension Request, Respondent shall provide the following: (1) a detailed explanation and documentation of the steps Respondent has

taken to apply for and receive public funds necessary to perform the compliance requirements contained in this Consent Order; (2) an estimate of when such funds are expected to be available for use by Respondent; and (3) a new schedule for compliance requirements that have not been completed.

D. If the Extension Request is not related to the application for and awarding of public funds, then Respondent shall explain why the approved Schedule(s) or deadline for the submission of the Engineering Report cannot be met.

E. Any Extension Request shall not request an extension of more than one year of any required activity in an approved Schedule(s) or the Engineering Report submission deadline and shall be made as soon as Respondent determines that one is necessary, but in no case shall an Extension Request be made fewer than 20 calendar days before an approved Schedule deadline or the Engineering Report submission deadline.

IV. SPECIAL MONITORING REQUIREMENTS AND SPECIAL INTERIM EFFLUENT LIMITATIONS

A. Respondent shall monitor Nitrogen, Ammonia (as NH_3), mg/l, as described in attached Schedule D, and said monitoring shall continue unless terminated or amended by the Department.

B. Respondent shall also comply with the "Monitor Only" Special Interim Effluent Limits, which are described in attached Schedule C unless terminated or amended by the Department.

C. Respondent shall report the special monitoring results on the monthly operating log submitted with the Facility's discharge monitoring report ("DMR").

D. All other conditions in the Permit are unchanged. Except insofar as special monitoring requirements and special interim effluent limitations are hereby established, the terms and conditions of the Permit remain in full force and effect, and are binding upon Respondent.

V. GENERAL CONDITIONS APPLICABLE TO SUBMISSIONS REQUIRED UNDER THIS ORDER

The following conditions apply to the submissions required by this Consent Order:

A. Should Respondent fail to make any submission in a timely fashion, or should the submission otherwise fail to comply with the requirements of this Consent Order, the Department may declare Respondent to be in violation of this Consent Order and pursue any other remedy against Respondent provided by law;

B. All submissions must be prepared by a professional engineer licensed in the state unless the Department specifies otherwise;

C. All submissions required under this Consent Order shall be made to the Regional Water Engineer in the Department's Region 8 office in Avon, NY;

D. Respondent shall diligently reply to all questions, comments and issues raised by the Department in its review of any submission; and

E. The terms and conditions of the Department's approval of any submission, including any schedule established thereby, constitute and become

material parts of this Consent Order and are enforceable as such without further modification of this Consent Order.

VI. CIVIL PENALTY ASSESSED UNDER CONSENT ORDER

Respondent is assessed a civil penalty in the amount of Thirty-Five Thousand Eight Hundred Dollars (\$35,800) for the violations stated in this Consent Order, all of which is suspended, and shall not be payable provided that Respondent fully complies with the requirements of this Consent Order in a timely fashion. In the event that Respondent fails to fully comply with the requirements of this Consent Order in a timely fashion, all or some of the suspended portion of the penalty shall become due and payable upon written notice to Respondent by the Department (the amount becoming due and payable specified in the Department's notice) without prejudicing the Department from seeking further appropriate penalties from Respondent for violations of this Consent Order.

VII. EFFECT OF PAYMENT OF PENALTY

Notice and payment of any civil penalty imposed under this Consent Order shall not in any way alter Respondent's obligation to satisfactorily perform any action required by the Consent Order or by any approval issued by the Department in response to submissions required under this Consent Order.

IX. EFFECTIVE DATE OF THIS CONSENT ORDER

The effective date of this Consent Order is the date it is signed by a representative of the Commissioner of the Department. The Consent Order will remain in effect until Respondent has fulfilled all of the compliance requirements contained in the Consent Order and has paid any penalties assessed hereby.

X. STANDARD PROVISIONS

Respondent shall further comply with the Standard Provisions recited on the attached blue cover, which constitute material and integral terms and conditions of this Consent Order and are hereby incorporated into this Consent Order by reference.

DATED: May 22, 2015
Avon, New York

JOE MARTENS, Commissioner
New York State Department of
Environmental Conservation

By Paul J. D'Amato
PAUL J. D'AMATO
Regional Director

CONSENT BY RESPONDENT

Respondent hereby consents to the issuance of the foregoing order, waives its right to a hearing herein, and agrees to be bound by the terms, provisions, and conditions contained herein.

TOWN OF SPRINGWATER

BY Deborah Sabitt Henry

TITLE SUPERVISOR

DATE 5/4/15

STATE OF New York)
COUNTY OF Livingston) SS.:

On this 4th day of May, 2015 (Deborah Sabitt Henry) before me personally came Sabitt Henry, to me known, who being by me duly sworn did depose and say that (s)he resides in that (s)he is the Town Supervisor of The Town of Springwater, the corporation described in, and which executed the foregoing instrument, and acknowledged that (s)he signed his/her name thereto by order of the of said corporation.

Jade Marie Perkins
NOTARY PUBLIC

JADE MARIE PERKINS
NOTARY PUBLIC-STATE OF NEW YORK
No. 01PE6260243
Qualified in Livingston County
My Commission Expires April 23, 2016

Schedule A

Town of Springwater

Summary of Effluent Limit Exceedances

Parameter Exceeded	Month of Violation
BOD5 - 30-day Average; mg/l	2/2010, 6/2010, 1/2012
BOD5 - 7-day Average; mg/l	2/2010, 1/2012, 3/2013, 3/2014
BOD5 – Percent Removal; %	2/2010
Flow - 30-Average; MGD	3/2011, 4/2011, 5/2011, 4/2012, 5/2012, 6/2012, 7/2012, 9/2012, 10/2012, 5/2013, 6/2013, 7/2013, 10/2013, 12/2013, 5/2014, 6/2014, 8/2014
Nitrogen, ammonia (as NH ₃) Daily Average	10/2009, 6/2010, 7/2010, 8/2010, 9/2010, 6/2011, 7/2011, 8/2011, 9/2011, 6/2012, 7/2012, 8/2012, 9/2012, 10/2012, 6/2013, 8/2013, 9/2013, 6/2014, 7/2014
Total Suspended Solids – 30-day Average; mg/l	12/2009
Total Suspended Solids – 7-day Average; mg/l	12/2009

Schedule B

Town of Springwater

Compliance Actions

Compliance Action
Submit a Final Engineering Report and plans to reduce excessive flows to the facility (Inflow/Infiltration), and upgrade the facility to include Nitrification and Disinfection to the facility.
Submit Quarterly Progress reports pertaining to Wastewater Treatment Plant (WWTP) Upgrade.
Submit Annual Progress reports pertaining to Collection System Improvements.
Issue bid notices to contractors for work to be done according to the approved plans and provide a copy to the Department.
Award construction contracts according to the approval plans and specifications and Notify DEC of the contract awards.
Commence construction of upgrades and improvements to the facility and the collection system according to the approved plans and specifications.
Finalize easements to access the Town owned septic tanks.
Enact a Sewer Use Law that follows the DEC Model Sewer Use Law.
Complete construction according to the approved plans and specifications.
Submit Certification of Completion for WWTP Upgrade.

Schedule C

Town of Springwater

Special Interim Effluent Limitations

Outfall No. 001

Limitations Apply: All year, except where otherwise specified

Parameter	Special Interim Effluent Limitation
Nitrogen, Ammonia (as NH ₃), Daily Average, mg/l	Monitor Only
Flow, 50-day Avg; MGD	Monitor Only

Schedule D

Town of Springwater

Special Monitoring Requirements

Location: Discharge Ditch 10 feet prior to flowing into the confluence of Springwater Creek and Limekiln Creek.

Monitoring Season: June 1 – October 31

Parameter: Nitrogen, Ammonia (as NH_3), mg/l

Sampling Frequency: 1 time per month

Sample Type: Grab



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Region 8
6274 East Avon-Lima Road, Avon, NY 14414-9516
P: (585) 226-5450 | F: (585) 226-9485
www.dec.ny.gov

September 27, 2023

Ms. Deborah Babbitt-Henry
Town of Springwater
8022 South Main Street
Springwater, NY 14560

RE: **NOTICE OF VIOLATION:** Chronic Noncompliance
Springwater Wastewater Treatment Plant (WWTP)
SPEDES Permit NY- 0246450, Consent Order R8-20150120-45
Springwater (T), Livingston (C)

Dear Ms. Babbitt-Henry,

This letter serves to provide you with a Notice of Violation (NOV) setting forth the specific actions, based on New York State Department of Environmental Conservation (DEC) records, that constitute violations of Article 17 of the Environmental Conservation Law (ECL), 6 NYCRR 750 regarding the State Pollutant Discharge Elimination System (SPDES) Permit and Consent Order # R8-20150120-45 issued to the Town of Springwater WWTP.

On September 13, 2023, the Department met with representatives from the Town of Springwater and the Livingston County Water and Sewer Authority (LCWSA) to conduct a site visit at the Town of Springwater WWTP. The following items were noted during the visit:

- The influent manhole has approximately 3-5 inches of standing water with no bench. It is assumed the standing wastewater is releasing hydrogen sulfide gas which is causing the concrete interior of the manhole to spald after only a couple of years in service.
- The first primary septic tank contained a floating scum layer that was approximately 3 feet in depth. The scum appeared dry and solid. The facility operator stated that the 16,000-gallons was pumped from the two months prior and another 16,000-gallons was scheduled to be pumped again soon. The second septic tank showed an excessive amount of solids buildup in the tank though didn't have the solid scum layer. The equalization tank also showed signs of excessive solids in the tank.
- The Orenco AdvanTex® Ax-Max treatment system (six filter tanks) showed signs of anaerobic conditions, infestation of filter flies, and excessive sludge residue on the filter media which was observed throughout the Ax-Max units. On the September 21, 2023 site visit, worms were observed in the filter media.
- Process control sampling and locations were discussed during the visit. Process control sampling is currently not being conducted at the plant. Process control sampling throughout the treatment system is imperative to assess the operation of the treatment plant and necessary to attain compliance with the SPDES permit.

- It appeared that the high level of suspended solids in effluent is rendering the UV disinfection units ineffective as fecal coliform limits are continually violated.
- During discussions with plant staff and LCWSA, it was highlighted that continuing operator training opportunities with the county would be beneficial to plant staff.
- It was stated that there is an intermunicipal agreement in place between the Town and LCWSA for working to resolve issues at the Springwater WWTP and with SPDES compliance. LCWSA is also helping the Town draft the Sewer Use Law (SUL).
- The Chief Operator obtained Grade 1 Wastewater Treatment Plant Operator Certificate on August 8, 2023.
- It was stated that the South End Dinner has installed a grease trap.

Consent Order/SPDES Compliance Schedule Items Which Require Attention:

1. The draft Sewer Use Law (SUL) was due January 1, 2023 in accordance with the compliance schedule in the SPDES permit. To date, no draft SUL was submitted, this is a violation of 6 NYCRR 750-2.1(e), Article 17-0803 of the ECL, and the SPDES permit.
2. Documentation showing the easements to Town owned grinder pumps, lateral, and pump stations was due March 1, 2020 in accordance with the compliance schedule in the SPDES permit. To date, no documentation has been received. This is a violation of 6 NYCRR 750-2.1(e), Article 17-0803 of the ECL, and the SPDES permit.
3. An engineering report, evaluating treatment plant performance, prepared by a NYS professional engineer was due May 1, 2022 in accordance with the SPDES permit. To date, no evaluation has been submitted. The September 7, 2022 NOV extended the report deadline to October 1, 2023.
4. A review of the monthly Discharge Monitoring Reports (DMRs) submitted for the period of July 1, 2022, through July 31, 2023, indicates the facility has exceeded the SPDES permitted effluent limitations 60 times. The violations for Outfall 001 can be seen in Table 1. These violations, as well as the violations listed in the September 7, 2022 NOV, are violations of 6 NYCRR 750-2.1(e), Article 17-0803 of the ECL, and the SPDES permit.

TO ADDRESS THE ABOVE ISSUES, THE FOLLOWING ACTIONS SHALL BE TAKEN:

1. On or Before **November 1, 2023**: Provide a copy of the intermunicipal agreement between the Town and LCWSA.
2. On or Before **December 15, 2023**: Provide a status report of all the efforts made at the WWTP to-date to get into compliance with the SPDES permit. The report should also address how the WWTP plant is planning to address the high strength loadings

contributing to the on-going SPDES permit violations. An implementation schedule for any planned changes should be included as well.

3. On or Before **December 15, 2023**: Provide an updated operation and maintenance plan describing the routine tasks and maintenance schedules necessary for maintaining all critical equipment at the WWTP.
4. On or Before **December 15, 2023**: Provide documentation that all required grease traps have been installed for the collection system.
5. On or Before **February 2, 2024**: The Town of Springwater is to submit a copy of their draft Sewer Use Law (SUL). The SUL shall be equivalent to the DEC model SUL. If the Town of Springwater chooses to use another approved SUL, that document must be updated to include the Town of Springwater's information and approved by the town.
6. On or Before **April 1, 2024**: Provide a copy of the documentation showing the easements to Town owned grinder pumps, lateral, and pump stations for the distribution system.

PLEASE TAKE FURTHER NOTICE:

The Department is reviewing its options regarding the appropriate enforcement actions, including assessment of penalties, fines and injunctive relief for the violations which have already occurred. You must take immediate action to ensure that all ongoing violations are addressed as described above. Failure to comply with this notice could result in a larger penalty that would otherwise be assessed, should you be adjudged in violation of the law.

ECL Article 71-1929 provides that any person who violates Article 17, or any rule or regulation promulgated thereto, or any permit issued thereunder, shall be liable for a civil penalty not to exceed \$37,500 per day for each violation, plus an additional penalty not to exceed \$37,500 for each day that the violation continues, and that such person may be enjoined from continuing the violation.

Should you have any questions, please contact Chris Cicora at (607) 622-8266, or at christopher.cicora@dec.ny.gov.

Sincerely,



Todd M Caffoe, P.E.
Deputy Regional Water Engineer

Attachment

Ecc:

Dave Sliker – Chief Operator
Jason Molina – Executive Director LCWSA
Tara Blum, P.E. – Regional Water Engineer
Chris Cicora – DOW

Abigail Johnson - DOW
Dudley Loew – Regional Attorney
Tim Steed, PE – Hunt Engineers
Josh Lin - DOW

Table 1
Summary of Violations since September 7, 2022 NOV

Parameter (Enforcement Limit)	Period Month (Reported Value)
CBOD5 % Removal (85%)	July 2023 – 74%
CBOD5 7-Day Load (12.7 lb./day)	April 2023 – 79.23 July 2023 – 43.79
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Fecal Coliform 30 - Day Geometric Mean (200/ 100ml)	July 2022 – 121,500 August 2022 – 167,350 September 2022 – 2,300 October 2022 – 37,500 November 2022 - 215 December 2022 – 940 January 2023 – 33,100 February 2023 – 940 March 2023 – 4,100 April 2023 – 375,000 May 2023 – 155,000 June 2023 – 195,000 July 2023 – 315,000

Table 1
Summary of Violations since September 7, 2022 NOV

Nitrogen, Ammonia Total (5.0 mg/l)	June 2023 – 26.00 July 2023 – 14.50
Total Suspended Solids (TSS) 7 - Day Concentration (45 mg/l)	July 2022 – 65.00
Total Suspended Solids (TSS) 30 - Day Concentration (30 mg/l)	July 2022 – 52.00 January 2023 - 34.00 April 2023 – 34.00 May 2023 – 52.00 June 2023 - 35.50
Total Suspended Solids (TSS) Percent Removal (85%)	July 2022 – 74.00 January 2023 – 83.00 April 2023 – 83.00 May 2023 – 82.00 June 2023 - 84.20
Total Suspended Solids (TSS) Effluent Gross 7 Day Average (45 mg/L)	July 2022 – 65.00
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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Region 8 Main Office

6274 East Avon-Lima Road, Avon, NY 14414-9516

P: (585) 226-2466 | F: (585) 226-2830

www.dec.ny.gov

January 23, 2024

Deborah Babbitt-Henry, Supervisor
Town of Springwater
8022 South Main Street
Springwater, NY 14560

Re: Order on Consent # R8-20240108-1

Dear Ms. Babbitt-Henry:

The enclosed Order on Consent (Order) is offered as a settlement of violations of Environmental Conservation Law Article 17 and 6 New York Code of Rules and Regulations Part 750. The settlement offer contained in the Order will be withdrawn on February 15, 2024. Please return the signed and notarized Order to me at the above address no later than February 15, 2024 with proof that the civil penalty was paid pursuant to the instructions contained in the Order.

If you would like to discuss this matter, please contact me at 585-226-5301.

Sincerely,



Dusty Renee Tinsley
Assistant Regional Attorney



Department of
Environmental
Conservation

STATE OF NEW YORK: DEPARTMENT OF ENVIRONMENTAL CONSERVATION

In the Matter of Violations of
Articles 17 and 71 of the New York State
Environmental Conservation Law and Part 750
of Title 6 of the Official New York State Code
of Rules and Regulations

- by -

ORDER
R8-20240108-1

Town of Springwater
8022 South Main Street
Springwater, NY 14560,

Respondent.

WHEREAS:

Jurisdiction

1. The New York State (State) Department of Environmental Conservation ("Department") is an agency of the State charged with jurisdiction over stormwater discharges pursuant to Article 17 of the Environmental Conservation Law and the rules and the regulations promulgated thereunder at 6 New York Code of Rules and Regulations (NYCRR) Part 750.
2. The Department is charged with the responsibility and authority to promote and coordinate the management of the water, land, fish, wildlife, and air resources of the state to assure their protection, enhancement, provisions, allocation, and balanced utilization consistent with the environmental policy of the state. See ECL §3-0301.
3. "New York State has a State program that has been approved by the United States Environmental Protection Agency for the control of wastewater and storm water discharges in accordance with the act. Under New York State law the program is known as the State Pollutant Discharge Elimination System (SPDES) and is broader in scope than that required by the act in that it controls point source discharges to groundwaters as well as surface waters." 6 NYCRR Part 750-1.1(a).

Respondent

4. Respondent Town of Springwater (Respondent) is a municipality formed pursuant to the laws of the State located in Livingston County, New York.
5. Respondent owns and operates a wastewater collection system and a wastewater treatment facility known as the Town of Springwater Wastewater Treatment Plant (the Facility), located at 7737 Kellogg Road, Town of Springwater, NY 14560 (Livingston County) (Tax ID No. 151.-1-43.122), from which pollutants are

discharged to the waters of the State from an outlet or point source, as that activity is defined by ECL Article 17 and 6 NYCRR Part 750 *et seq.*

6. Respondent discharges pollutants from the Facility to the waters of the State under the authority and subject to the terms and conditions stated in SPDES Permit No. NY0246450 (Permit). The Permit was initially issued effective July 1, 2006 and has been continuously renewed through its most recent renewal on September 1, 2019 which expires on August 31, 2024.

Applicable Rules and Regulations

7. ECL §17-0803 states that "Except as provided by subdivision five of section 17-0701 of this article, it shall be unlawful to discharge pollutants to the waters of the state from any outlet or point source without a SPDES permit issued pursuant hereto or in a manner other than as prescribed by such permit."
8. ECL §17-0807(4) states that "The following discharges into the waters of the state are hereby prohibited. . . . [A]ny discharge not permitted by the provisions of this article, rules and regulations adopted or applicable pursuant hereto, the Act, 2 or provisions of a permit issued hereunder."
9. 6 NYCRR Part 750-2.1(e) states "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."

2015 Order on Consent

10. Respondent entered into an Order on Consent (Case No. R8-20150120-45), effective May 22, 2015, for violations of the Permit, ECL §§17-0803 and 17-0807(4) associated with the discharge of pollutants to waters of the State that exceeded the effluent limitations contained in the Permit (2015 Order).
11. The 2015 Order states that its objective is "for Respondent to obtain consistent compliance with the terms of the Permit, including meeting the effluent limitations stated therein, and to reduce flows to the Facility. Towards those ends, Respondent shall perform the compliance requirements hereinafter stated in this Consent Order and take such other and further steps necessary to attain the objectives of this Consent Order." 2015 Order at Section I, page 4.
12. The 2015 Order states that "[t]he Consent Order will remain in effect until Respondent has fulfilled all of the compliance requirements contained in the Consent Order and has paid any penalties assessed hereby." 2015 Order at IX, page 9.

First Violation

13. The 2015 Order, Compliance Actions, required Respondent to "Finalize easements to access the Town owned septic tanks".

14. The Permit states that by March 1, 2020, Respondent was to "[s]ubmit documentation for finalized easements that authorize Sanitary Collection System staff access to the Town owned grinder pumps, laterals, and pump stations". Permit at Compliance Action, Easements, page 7.
15. Respondent failed to finalize the easements to access the Respondent owned septic tanks and failed to "[s]ubmit documentation for finalized easements that authorize Sanitary Collection System staff access to the Town owned grinder pumps, laterals, and pump stations" to the Department by March 1, 2020.
16. Respondent's failure to finalize the easements to access the Respondent owned septic tanks and failure to submit to the Department, by March 1, 2020, documentation for finalized easements that authorize Sanitary Collection System staff access to the Town owned grinder pumps, laterals, and pump stations is a violation of the Permit, the 2015 Order.

Second Violation

17. The Permit provides effluent Limitations for Outfall 001.
18. Respondent exceeded the Permit effluent limitations as is detailed in **Exhibit 1**.
19. Respondent's exceedances of the effluent limitations set forth in the Permit are violations of the Permit, ECL §17-0803, and 6 NYCRR Part 750-2.1(e).

Third Violation

20. 6 NYCRR Part 750-2.5(a)(1) states that "The permittee shall comply with all recording, reporting, monitoring and sampling requirements specified in the permit."
21. The Permit provides Effluent Limitations and Monitoring Requirements for Outfall 001.
22. The Permit contains an effluent limitation for CBOD₅ and requires monitoring of CBOD₅ two times a month by grab sample.
23. Respondent failed to conduct the required monitoring of CBOD₅ for the period of September 29, 2015 to December 31, 2023.
24. Respondent's failure to conduct the required monitoring of CBOD₅ for the period of September 29, 2015 to December 31, 2023 is a violation of 6 NYCRR Part 750-2.5(a)(1) and the Permit.

Fourth Violation

25. The Permit states that "[t]he permittee shall submit an Engineering Report to demonstrate the performance of the facility as constructed can comply with the [sic] all final permit limits" by May 1, 2020. Permit at Compliance Action, Evaluate Treatment Plant, page 8.

26. The May 1, 2020 deadline was extended by agreement until October 1, 2023.
27. Respondent failed to submit to the Department, by October 1, 2023, an Engineering Report to demonstrate the performance of the facility as constructed can comply with all final permit limits.
28. Respondent's failure to submit to the Department by October 1, 2023 an Engineering Report to demonstrate the performance of the facility as constructed can comply with all final permit limits is a violation of the Permit and 6 NYCRR Part 750-2.1(e).

Civil Penalty

29. The 2015 Order states "Respondent is assessed a civil penalty in the amount of Thirty-Five Thousand Eight Hundred Dollars (\$35,800) for the violations stated in this Consent Order, all of which is suspended, and shall not be payable provided that Respondent fully complies with the requirements of this Consent Order in a timely fashion. In the event that Respondent fails to fully comply with the requirements of this Consent Order in a timely fashion, all or some of the suspended portion of the penalty shall become due and payable upon written notice to Respondent by the Department (the amount becoming due and payable specified in the Department's notice) without prejudicing the Department from seeking further appropriate penalties from Respondent for violations of this Consent Order." 2015 Order at VI, page 8.
30. ECL Section 71-1929 states "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 thirty-seven thousand five hundred dollars per day for each violation, and, in addition thereto, such person may be enjoined from continuing such violation as hereinafter provided."
31. Respondent affirmatively waived its right to notice and hearing in the manner provided by law, consented to the issuing and entering of this Order, and agrees to be bound by the terms, provisions and conditions contained herein.

NOW THEREFORE, having considered this matter and having been duly advised, IT IS ORDERED THAT:

I. **Civil Penalties.**

- a. With respect to the violations identified in this Order, Respondent is hereby assessed a civil penalty in the amount of Sixty-Thousand Dollars (\$60,000) of which Twenty-Five Thousand Dollars (\$25,000) is payable at the time the signed and notarized Order is submitted to the Department. The remaining Thirty-Five Thousand Dollars (\$35,000) is suspended conditioned on Respondent's compliance with this Order, including the Schedule of

Compliance. The \$35,000 suspended penalty is due within 30 days of Department's written notice of violation of this Order.

- b. With respect to the 2015 Order's suspended penalty in the amount of Thirty-Five Thousand Eight Hundred Dollars (\$35,800), this civil penalty is suspended conditioned on Respondent's compliance with this Order, including the Schedule of Compliance. The \$35,800 suspended penalty is due within 30 days of Department's written notice of violation of this Order.
- c. Payment of the above penalties shall not in any way alter Respondent's obligation to complete performance under the terms of this Order. Payment of the suspended penalty shall not limit the Department's ability to seek further civil penalties or commence any other actions for violations of the Order.
- d. **Address to send signed and notarized order on consent.** The Order on Consent, along with any applicable submissions, and a copy of the payment check or proof of the electronic payment, shall be sent to:

New York State
Department of Environmental Conservation
Office of General Counsel – Region 8
6274 East Avon-Lima Road
Avon, New York 14414

- e. **Civil Penalty Payment Methods.** The civil penalty shall be paid by one of the two methods stated below at the time this Order on Consent is placed in the mail or delivered to the New York State Department of Environmental Conservation's Office of General Counsel – Region 8:

- i. by check sent to the following address, made payable to the "New York State Department of Environmental Conservation," with the enclosed invoice and the Case Number of this Order on Consent written in the memo section of the check:

New York State Department of Environmental Conservation
Division of Management and Budget Services
625 Broadway, 10th Floor
Albany, NY 12233-4900

- ii. by electronic payment at <http://www.dec.ny.gov/about/61016.html>. Please have your customer and invoice number available. If you have any questions regarding paying your invoice electronically, please contact the Revenue Fee Unit at 518-402-9343 or revenue@dec.ny.gov.

- II. **Effect of Payment of Penalty.** Assessment and payment of any civil penalty imposed under this Order shall not in any way alter Respondent's obligation to satisfactorily perform any action required by this Order or by any approval issued by the Department under this Order.

- III. **Schedule of Compliance.** Respondent shall comply with the terms and conditions of this Order, including the Schedule of Compliance. The attached Schedule of Compliance and any plans approved thereunder are incorporated into the Order and are enforceable thereunder. Any records submitted to the Department shall have the owner's name, facility name and address, and contact and phone number.
- IV. **Summary Abatement.** This Order shall not be construed to prohibit the Commissioner or his duly authorized representatives from exercising any summary abatement powers, either at common law or as granted pursuant to statute or regulation.
- V. **Scope.** Except as specifically provided in this Order, nothing contained in this Order shall be construed as barring, diminishing, adjudicating or in any way affecting:
- A. Any legal or equitable rights or claims, actions, proceedings, suits, causes of action or demands whatsoever that the State or Department may have against Respondent for any violations not cited in this Order on Consent.
 - B. Any legal or equitable rights or claims, actions, proceedings, suits, causes of action or demands whatsoever that the State or Department may have against anyone other than Respondent, its officers, directors, agents, servants, employees, successors and assigns;
 - C. The Department's right to enforce this Order against Respondent, its officers, directors, servants, and employees in the event that Respondent shall fail to fulfill any of the terms or provisions hereof;
 - D. Whatever right the Department has to bring any action or proceeding against Respondent and/or any of Respondent's directors, officers, employees, servants, agents, successors, and assigns with respect to claims for natural resource damages; and
 - E. Respondent's right to assert all available defenses to any claims, actions, proceedings, suits, causes of actions or demands made or commenced by the State or the Department provided, however, that Respondent waives all legal or equitable rights claims, actions, proceedings, appeals, suits, causes of action, defenses or demands whatsoever that it may have to a judicial review of the validity and binding effect of this Order and whether or not this Order has been entered into voluntarily by Respondent.
- VI. **Communications.**
- A. This paragraph does not apply to payment of the penalty or submission of the Order on Consent, which are instead addressed at Paragraph I, "Civil Penalty", above.

B. All written communications required by this Order shall be transmitted by United States Postal Service, by private courier service, by hand delivery, or by electronic mail.

C. Communications shall be sent to:

For the Department:

Dusty Renee Tinsley
New York State
Department of Environmental Conservation – Region 8
6274 East Avon – Lima Road
Avon, NY 14414

For Respondent:

Deborah Babbitt-Henry, Supervisor
Town of Springwater
8022 South Main Street
Springwater, NY 14560

VII. **Standard Provisions.** Respondent must further comply with the Standard Provisions attached to this Order, which constitute material and integral terms and conditions of this Order and are hereby incorporated into this Order by reference.

DATED: _____, 2024
Avon, New York

Basil Seggos
Commissioner
New York State Department of Environmental
Conservation

BY:

Timothy P. Walsh, MPA, PE
Regional Director
Region 8

Standard Provisions

Access. For the purpose of monitoring or determining compliance with this Order, employees and agents of the Department shall be provided access to any facility, site, or records owned, operated, controlled or maintained by Respondent, in order to inspect and/or perform such tests as the Department may deem appropriate, to copy such records, or to perform any other lawful duty or responsibility.

Binding Effect. The provisions, terms, and conditions of this Order shall be deemed to bind Respondent, its heirs, its employees, servants, agents, successors and assigns, and all persons, firms, and corporations acting subordinate thereto.

Communications. Except as otherwise specified in this Order, any reports, submissions, and notices herein required shall be made to the Regional Director of the Region 8 office of the Department, located at 6274 East Avon-Lima Road, Avon, New York 14414.

Default of Payment. The penalty assessed in the Order on Consent constitutes a debt owed to the State of New York. Failure to pay the assessed penalty, or any part thereof, in accordance with the schedule contained in the Order on Consent, may result in referral to the New York State Attorney General for collection of the entire amount owed (including the assessment of interest, and a charge to cover the cost of collecting the debt), or referral to the New York State Department of Taxation and Finance, which may offset by the penalty amount any tax refund or other monies that may be owed to you by the State of New York. Any suspended and/or stipulated penalty provided for in this Order on Consent will constitute a debt owed to the State of New York when and if such penalty becomes due.

Effective Period of this Order and Termination. This Order shall take effect when it is signed by the Commissioner of the Department or the Commissioner's designee and shall expire when all the requirements imposed by the Order are completed to the Department's satisfaction.

Entirety of Order. The provisions of this Order constitute the complete and entire Order issued to the Respondent, concerning resolution of the violations identified in this Order. Terms, conditions, understandings or agreements purporting to modify or vary any term hereof shall not be binding unless made in writing and subscribed by the party to be bound, pursuant to the "Modifications" provision. No informal oral or written advice, guidance, suggestion or comment by the Department regarding any report, proposal, plan, specification, schedule, comment or statement made or submitted by the Respondent shall be construed as relieving the Respondent of his/her obligations to obtain such formal approvals as may be required by this Order.

Failure, Default, and Violation of Order. The failure of Respondent to comply with any provision of this Order shall constitute a default and a failure to perform an obligation under this Order and shall be deemed to be a violation of both this Order and the ECL. In addition, Respondent's failure to comply fully and in timely fashion with any provision, term, or condition of this Order shall constitute a default and a failure to perform an obligation under this Order and under the ECL and shall constitute sufficient grounds for revocation of any permit, license, certification, or approval issued to the Respondent by the Department.

Force Majeure. If Respondent cannot comply with a deadline or requirement of this Order on Consent, because of natural disaster, federal or state declared national or state emergency based on an epidemic or pandemic, war, terrorist attack, strike, riot, judicial injunction, or other, similar unforeseeable event which was not caused by the negligence or willful misconduct of Respondent and which could not have been avoided by the Respondent through the exercise of due care, Respondent shall apply in writing to the Department within a reasonable time after obtaining knowledge of such fact and request an extension or modification of the deadline or requirement. Respondent shall include in such application the measures taken by Respondent to prevent and/or minimize any delays. Failure to give such notice constitutes a waiver of any claim that a delay is not subject to penalties. Respondent shall have the burden of proving that an event is a defense to a claim of non-compliance with this Order on Consent pursuant to this subparagraph.

Indemnification. Respondent shall indemnify and hold the Department, the State of New York, and their representatives, employees, agents and contractors harmless for all claims, suits, actions, damages and costs of every nature and description arising out of or resulting from the fulfillment or attempted fulfillment of this order by the Respondent, its employees, servants, agents, successors (including successors in title) and assigns.

Modifications. No change to this Order shall be made or become effective except as specifically set forth by written order of the Commissioner, being made either upon written application of Respondent, or upon the Commissioner's own findings after notice and opportunity to be heard have been given to Respondent. Respondent shall have the burden of proving entitlement to any modification requested pursuant to this Standard Provision or the "Force Majeure" provision, *supra*. Respondent's requests for modification shall not be unreasonably denied by the Department, which may impose such additional conditions upon Respondent as the Department deems appropriate.

Multiple Respondents. If more than one Respondent is a signatory to this Order, use of the term "Respondent" in these Standard Provisions shall be deemed to refer to each Respondent identified in the Order.

Not a Permit or Permit Modification. This Order on Consent is not a permit, or a modification of any permit, under any federal, State, or local laws or regulations. Unless otherwise allowed by statute or regulation, Respondent is responsible for achieving and maintaining complete compliance with all applicable federal, State, and local laws, regulations, and permits. Respondent's compliance with this Order on Consent shall be no defense to any action commenced pursuant to any laws, regulations, or permits, except as set forth herein.

Reservation of Rights. Nothing contained in this Order shall be construed as barring, diminishing, adjudicating or in any way affecting any right of the Department to seek natural resource damages from Respondent or others; or to directly perform, to engage others to perform on its behalf, or to direct others including Respondent to perform, any additional measures that are authorized by law to protect human health, safety or the environment, including the summary abatement powers of the Department, either at common law or as granted pursuant to statute or regulation.

Scope of Settlement and Violations Addressed. This Order shall be in full settlement of all claims for civil and administrative penalties that have been or could be asserted by the Department against Respondent, their trustees, officers, employees, successors and assigns for the above-referenced violations. This Order shall not be construed as being in settlement of events regarding which the Department lacks knowledge or which occur after the effective date of this Order.

Service. If Respondent is represented by an attorney with respect to the execution of this Order, service of a duly executed copy of this Order upon Respondent's attorney by ordinary mail or email shall be deemed good and sufficient service.

SCHEDULE OF COMPLIANCE

1. Within 30 days from the effective date of the Order, Respondent must submit to the Department an engineering report for the addition of the new heating and air circulation units for the Orenco system.
2. Within 30 days from the effective date of the Order, Respondent must submit to the Department an engineering report demonstrating that the performance of the facility as constructed can comply with all final Permit limits and/or, where it is unable to comply with final Permit limits, detail all corrective actions to be taken so that the facility will comply with all final Permit limits and requirements. The engineering report must set forth an implementation schedule of the corrective actions identified therein.
3. Within 60 days from the effective date of the Order, Respondent must submit to the Department documentation demonstrating that it has obtained all necessary easements between the Town and property owners that authorize Sanitary Collection System staff access to the Town owned grinder pumps, laterals, pump stations, and Town owned septic tanks.

EXHIBIT 1

Summary of Violations

Parameter (Enforcement Limit)	Period Month (Reported Value)
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Department of
Environmental
Conservation

Consent Order
INVOICE

Customer #: 188352
Invoice #: 7778000000402
Invoice Date: 22-Jan-2024

Legally Responsible Party:
SPRINGWATER, TOWN OF
8022 SOUTH MAIN STREET
SPRINGWATER, NY 14560

Instructions for viewing your invoices on-line and paying electronically can be found at:
<https://www.dec.ny.gov/about/61016.html#On-Line>

DEC Order Number	Billing Year	Description	Qty	Unit Price	Payable Penalty Due
R8-20240108-1		PENALTY PAYMENT FOR CONSENT ORDER R8-20240108-1	1	25,000.00	25,000.00

SubTotal 25,000.00

Payments 0.00

Credits 0.00

Outstanding balance
as of 22-Jan-2024 in
USD 25,000.00

Payment Due Date 22-Jan-2024

PLEASE DISREGARD REMITTANCE INFORMATION ON INVOICE. REMIT PENALTY PAYMENT PER TERMS OF
CONSENT ORDER R8-20240108-1.

=====TEAR HERE=====

CHECKS SHOULD BE MADE PAYABLE TO: NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
PLEASE TEAR THE BOTTOM PORTION AND INCLUDE IT ALONG WITH YOUR PAYMENT.

Customer #: 188352
Invoice #: 7778000000402
Invoice Date: 22-Jan-2024

Amount Enclosed: _____
Check Number: _____

Bill To:
SPRINGWATER, TOWN OF
8022 SOUTH MAIN STREET
SPRINGWATER, NY 14560

Remit To:
NYS Department of Environmental
Conservation
Division of Management & Budget, 10th Floor
625 Broadway
ALBANY, NY 12233-4900

APPENDIX J

POTABLE WATER FLOWS AND WASTEWATER SAMPLING DATA

**Town of Springwater
Potable Water Demand**

Account	Service Address	Fourth Quarter 2024 Usage (gallons)	First Quarter 2025 Usage (gallons)
15771	7971 MILL ST	7,118	7,757
15772	7970 MILL ST	0	0
15773	7969 MILL ST	5,930	5,484
15774	7965 MILL ST	20,280	18,488
15775	7966 MILL ST	0	2,080
15776	7962 MILL ST	2,160	2
15777	7963 MILL ST	19,125	21,030
15778	7959 MILL ST	7,651	7,230
15779	7958 MILL ST	5,324	5,443
15780	7956 MILL ST	6,181	9,899
15781	7954 MILL ST	14,247	15,308
15782	7951 MILL ST	2,535	1,162
15783	7592 SCHOOL ST	4,831	4,286
15784	7962 SCHOOL ST	3,509	3,644
15785	7970 SCHOOL ST	4,311	4,394
15786	7973 SCHOOL ST	3,034	3,195
15787	7931 - 7937 CARNEY BROCK DR	51,330	41,081
15788	7981 SCHOOL ST	5,454	5,865
15789	7984 SCHOOL ST	3,798	10,031
15790	7985 SCHOOL ST	8,662	8,268
15791	7991 SCHOOL ST	9,354	9,460
15792	7995 SCHOOL ST	16,211	17,379
15793	7988 SCHOOL ST	11,137	19,953
15794	7998 SCHOOL ST	34,319	17,703
15795	8006 SCHOOL ST	10,433	12,603
15796	8003 SCHOOL ST	2,112	3,123
15797	8012 SCHOOL ST	10,525	7,409
15798	8016 SCHOOL ST	0	19,282
15799	8022 SCHOOL ST	0	0
15800	8028 SCHOOL ST	9,846	454
15801	8032 SCHOOL ST	20,151	15,422
15802	8038 SCHOOL ST	15,158	12,805
15803	8046 SCHOOL ST	8,267	8,912
15804	8045 SCHOOL ST	3,871	4,364
15805	8031 SCHOOL ST	1,766	1,841
15806	8058 SOUTH MAIN ST	2,548	3,102
15808	8086 SOUTH MAIN ST	0	0
15809	7411 HOWE AVE	8,237	5,110
15810	7412 HOWE AVE	8,589	12,764
15811	7990 SCHOOL ST	0	0
15812	7417 HOWE AVE	12,817	11,834
15813	7430 HOWE AVE	35,504	34,335
15814	8029 SOUTH MAIN ST	27,718	25,215
15815	8027 SOUTH MAIN ST	4,540	3,950
15816	8028 SOUTH MAIN ST	24,437	14,256
15817	8022 SOUTH MAIN ST	421	530
15818	8021 SOUTH MAIN ST	29,525	26,876
15819	8013 SOUTH MAIN ST	15,400	18,100
15820	8009 SOUTH MAIN ST	6,993	7,077
15821	8010 SOUTH MAIN ST	6,443	8,161
15822	8006 SOUTH MAIN ST	28,051	13,442
15823	8004 SOUTH MAIN ST	0	0
15824	8005 SOUTH MAIN ST	22,863	17,795
15825	8003 SOUTH MAIN ST	18,647	15,148
15826	8001 SOUTH MAIN ST	176	191
15827	7999 SOUTH MAIN ST	6,838	6,316
15828	7993 SOUTH MAIN ST	6,661	6,822
15829	8002 SOUTH MAIN ST	6,750	12,491
15830	7573 EAST AVE	4,032	4,734
15831	7985 SOUTH MAIN ST	6,330	4,515
15832	7981 SOUTH MAIN ST	20,698	9,519
15833	7978 MILL ST	347	0
15834	7849 NORTH MAIN ST	347	83
15835	7847 NORTH MAIN ST	9,249	7,960
15836	7841 NORTH MAIN ST	0	0
15837	7837 NORTH MAIN ST	681	689
15838	7833 NORTH MAIN ST	6,851	6,828
15839	7832 NORTH MAIN ST	24,653	21,067
15840	7838 NORTH MAIN ST	0	0
15841	7842 NORTH MAIN ST	6,300	0
15843	7848 NORTH MAIN ST	21,025	22,155
15844	7850 NORTH MAIN ST	10,668	11,662
15845	7854 NORTH MAIN ST	6,181	7,661
15846	7858 NORTH MAIN ST	0	15,017
15847	7864 NORTH MAIN ST	9,647	11,858
15848	7868 NORTH MAIN ST	10,807	10,662
15849	7870 NORTH MAIN ST	6,925	7,736
15850	7886 NORTH MAIN ST	16,735	15,700
15851	7887 NORTH MAIN ST	0	6,790
15853	7867 NORTH MAIN ST	7,696	5,515

**Town of Springwater
Potable Water Demand**

15854	7863 NORTH MAIN ST	11,398	13,775
15855	7853 NORTH MAIN ST	2,211	2,200
15856	7780 NORTH MAIN ST	0	0
15857	7781 NORTH MAIN ST	2,353	3,213
15858	7745 NORTH MAIN ST	8,553	8,948
15859	7731 NORTH MAIN ST	294	534
15860	7705 NORTH MAIN ST	8,219	8,553
15861	7709 NORTH MAIN ST	5,859	6,860
15862	7710 NORTH MAIN ST	13,414	11,990
15863	7702 NORTH MAIN ST	6,816	6,335
15864	7697 NORTH MAIN ST	0	2
15865	7687 NORTH MAIN ST	16,983	16,621
15866	7681 NORTH MAIN ST	3,843	2,739
15867	7677 NORTH MAIN ST	10,081	10,284
15868	7686 NORTH MAIN ST	7,172	0
15869	7692 NORTH MAIN ST	5,512	5,845
15870	7704 KELLOG RD	0	0
15871	7008 KELLOG RD	12,612	0
15872	7503 EAST AVE	287	684
15873	7520 EAST AVE	8,291	10,576
15874	7507 EAST AVE	20,955	19,210
15875	7508 EAST AVE	30,899	19,972
15876	7512 EAST AVE	6,217	3,202
15877	7595 EAST AVE	1,611	2,438
15878	7604 EAST AVE	3,373	3,874
15880	7529 EAST AVE	1,500	1,610
15881	7524 EAST AVE	0	0
15882	7936 MILL ST	1,963	1,566
15883	7918 MILL ST	12,993	19,091
15884	7901 MILL ST	6,496	7,538
15885	7892 MILL ST	15,533	30,603
15886	7895 MILL ST	888	1,016
15888	7883 KELLOGG RD	4,112	4,833
15889	7878 KELLOGG RD	2,115	5,600
15890	7856 KELLOGG RD	0	0
15891	7683 NORTH MAIN ST	7,948	1,607
15892	8049 SCHOOL ST	1,590	0
15893	8053 SCHOOL ST	2,325	2,686
15894	7876 NORTH MAIN ST	12,012	9,534
15895	7434 MARVIN HILL RD	24,919	25,746
15896	7442 MARVIN HILL RD	4	36
15897	7498 MARVIN HILL RD	8,163	8,112
15898	7488 MARVIN HILL RD	6,331	1,346
15899	7485 MARVIN HILL RD	9,234	9,807
15900	8079 SOUTH MAIN ST	0	37,850
15900	8079 SOUTH MAIN ST	0	1
15901	7438 MARVIN HILL RD	16,086	6,161
15902	8102 SOUTH MAIN ST	19,875	18,644
15903	7507 MARVIN HILL RD	11,416	11,784
15904	7706 KELLOGG RD	0	0
15905	8076 SOUTH MAIN ST	6,161	5,816
15906	8138 SOUTH MAIN ST	2,003	1,851
15907	8052 SCHOOL ST	2,003	10,004
15908	8019 SOUTH MAIN ST	0	0
15909	7926 MILL ST	22,533	21,368
15910	7469 MARVIN HILL RD	12,480	13,369
15911	7853 KELLOGG RD	22,516	21,811
15912	8097 SOUTH MAIN ST	7,355	9,665
15913	8037 SOUTH MAIN ST	0	0
15914	7867 KELLOGG RD	5,978	6,870
15915	8082 SOUTH MAIN ST	7,146	3,813
15916	8145 SOUTH MAIN ST	2,345	0
15917	8061 SOUTH MAIN ST	4,074	3,929
15918	8148 SOUTH MAIN ST	0	0
15918	8148 SOUTH MAIN ST	0	9,126
15919	8130 SOUTH MAIN ST	14	10
15920	7667 NORTH MAIN ST	0	0
15921	8103 SOUTH MAIN ST	9,715	10,486
15922	7439 MARVIN HILL RD	3,171	3,366
15923	7930 MILL ST	9,924	9,042
15924	8070 SOUTH MAIN ST	0	0
15925	7989 SCHOOL ST	1,900	2,092
15926	8094 SOUTH MAIN ST	15,176	16,525
15927	8064 SOUTH MAIN ST	8,453	7,860
15928	8007 SOUTH MAIN ST	8,937	3,636
15929	8091 SCHOOL ST	7,487	6,838
15950	8106 SOUTH MAIN ST	0	0
		1,282,787	1,269,526
	Active Customers	131	133
	Average Daily Usage (gpd/customer)	109	106
	Total Average Daily Demand (gallons)	14,253	14,106

**Town of Springwater
WWTP Influent Loading Analysis**

Date	Influent Manhole			Flow (mgd)
	cBOD (mg/L) 24 Hr Composite	TSS (mg/L) 24 Hr Composite	Ammonia (mg/L) 24 Hr Composite)	
6/10/2024	292	349	58.0	
6/11/2024	243	29.2	59.0	
6/12/2024	864	345	65.0	
6/13/2024	234	332	60.0	
6/14/2024	225	231	63.0	
6/17/2024	306	404	73.0	
6/18/2024	163	367	52.8	
6/19/2024	333	343	55.0	
6/20/2024	152	178	58.0	
6/21/2024	153	268	51.0	
6/24/2024	242	301	55.0	
6/25/2024	107	252	52.0	
6/26/2024	168	195	46.0	
6/27/2024	219	249	59.0	
6/28/2024	161	416	53.0	
7/1/2024	172	292	51.0	
7/2/2024	172	159	49.7	
7/3/2024	177	222	21.0	
7/8/2024	220	311	65.0	
7/9/2024	525	275	51.0	
7/10/2024	160	152	52.0	
7/11/2024	131	178	59.0	
7/12/2024	171	322	58.0	
7/15/2024	248	157	78.0	
7/16/2024	181	134	50.0	
7/17/2024	158	164	42.0	
7/18/2024	195	162	56.0	
7/19/2024	235	241	56.0	
7/22/2024	228	262	53.0	
7/23/2024	158	234	41.0	
7/24/2024	208	223	51.0	
7/25/2024	285	216	48.0	
7/26/2024	149	269	51.0	
7/29/2024	226	578	59.0	
7/30/2024	160	400	39.0	
7/31/2024	134	318	30.0	
8/1/2024	140	317	45.0	
8/2/2024	174	280	61.0	
24 Hour Composite Analysis June and July 2024				
Average	223	266	53.3	
Minimum	107	29	21.0	
Maximum	864	578	78.0	
Standard Deviation	130	99	10.3	
Avg + 1 SD (84.0% Occurrence)	353	366	63.7	
Avg + 2 SD (97.6% Occurrence)	483	465	74.0	
Ave - 1 SD (16% Occurance)	93	167	43.0	
Grab Samples January 2022 to April 2024				
Average	313	242	50.6	
% Delta from 24 Hr Composites	140%	91%	95%	
Standard Deviation	157	197	13.1	
% Delta from 24 Hr Composites	121%	199%	126%	
Average + 1 SD (84.0% Occurrence)	470	439	63.6	
Avg + 2 SD (97.6% Occurrence)	627	636	76.7	
Ave - 1 SD (16% Occurance)	156	45	37.5	
Flow				
Average - AADF				0.0216
Minimum				0.0009
Maximum - Peak Day				0.0530
Average Day of Max Month				0.0268

APPENDIX K

EVALUATION AND CORRECTIVE MEASURES REPORT BY HUNT ENGINEERS

EVALUATION AND CORRECTIVE MEASURES REPORT

for

**TOWN OF SPRINGWATER
WASTEWATER TREATMENT FACILITY
LIVINGSTON COUNTY, NEW YORK**

December 2023
Revised May 2024

HUNT 2629-019

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Appendix D: Proposed Conceptual Figures, Historical Data, & Costing
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I. Background

A. Purpose

The purpose of this Corrective Measures Report is to provide information to the New York State Department of Environmental Conservation (NYSDEC) for their technical review and approval of the evaluation and recommended measures proposed to bring the existing wastewater treatment facility (WWTF) into compliance with the SPDES permit NY0246450 effluent limits. *Refer to Project Location Mapping in Appendix A.* The existing WWTF infrastructure is owned and maintained by the Town of Springwater and was issued a Notice of Violation (NOV) Letter with Order on Consent R8-20150120-45 on 09/27/2023 for effluent violations. The Order and the SPDES permit are in Appendix B.

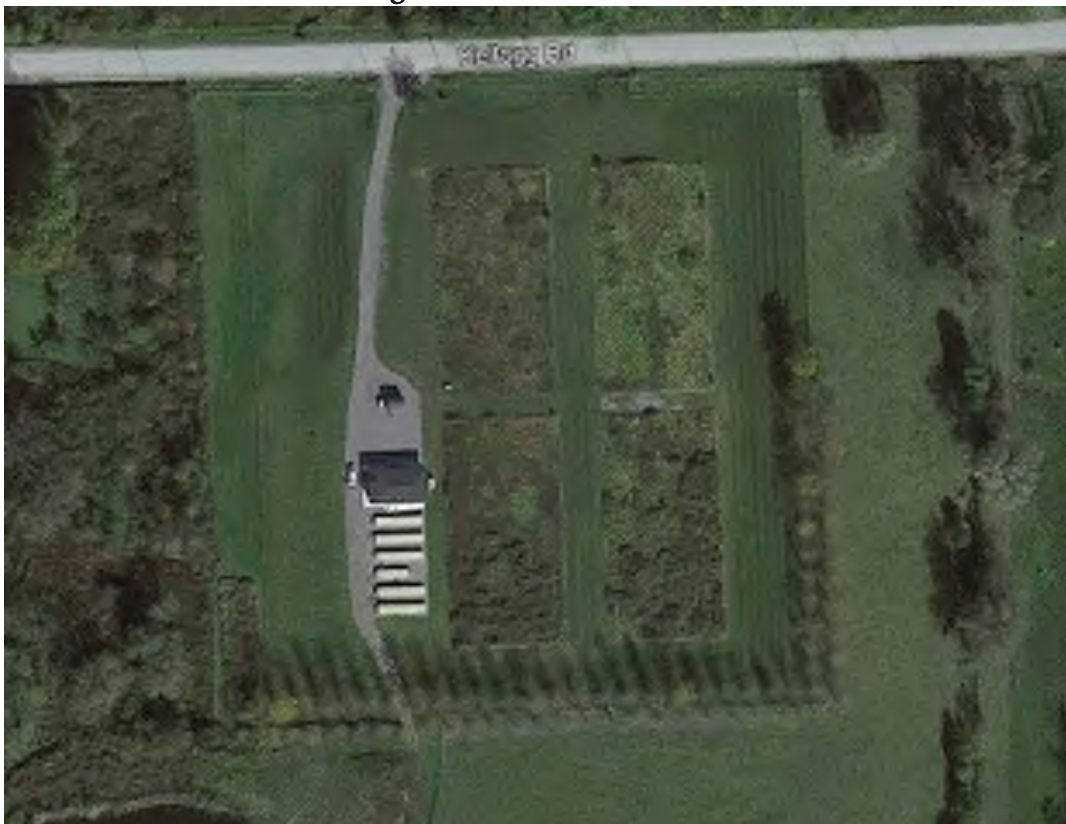
This report will provide the following:

- Current sewerage flows and influent and effluent wastewater quality characteristics.
- Wastewater treatment facility design parameters and sizes.
- Findings and recommendations.

B. Project Location and History

The Town of Springwater WWTF is located on Kellogg Road between North Main Street (SR 15A) and Mill Street as shown in the following aerial map. The facility was constructed in 2020/2021 and has been operational and accepting sewer flows. *See Project Location Map in Appendix A.*

Figure 1: WWTF Location



II. Current Wastewater Flows and Loadings

Historical MORs and raw data were reviewed to assess trends and quantify averages and maximum wastewater constituents. The table below illustrates summaries of these influent values for the period shown. These can be found in **Appendix C**.

A. Design Flows and Waste Loads (Feb. 2022-July 2023)

Table 1: WWTP Average Influent Data (Grab Samples)

Influent Condition	Value
Average Daily Flow	0.023 MGD
Max. Average Month Flow	0.027 MGD
BOD5	335 mg/L*
Suspended Solids	211 mg/L
NH3-N	50.4 mg/L**
Alkalinity	N/A
pH	N/A

*Four daily values over 440 mg/L; maximum values of 560 mg/L (July 2022), 640 mg/l (Nov. 2022), 760 mg/L (Dec. 2022)

**Maximum grab sample values of 130 mg/L (Apr. 2023) and 79 mg/L (July 2023)

B. Existing Flows and Waste Loads

Existing influent flow rates are monitored with an inline magnetic flow meter on the EQ tank force main and are summarized by the graph below for the period shown. The average daily flow rate was 0.023 MGD from Feb.-2022 to July-2023. The highest average month flow was 0.027 MGD in April 2023. The averages are well within the monthly permit limit of 0.04 MGD. Applying a peaking factor of 3.55 based on population and using Figure 1 in Ten States Standards page 10-6, we developed the peak hour flow (PHF) in the chart below.

Figure 2: Plant Flow Data



Historical WWTP Performance:

WWTP performance can be determined by comparing effluent loadings (lbs/day) and concentrations to the limits outlined within the Town’s SPDES permit. To determine the loading rates, the following equation was utilized for each parameter:

$$\text{Effluent Loading rate (lbs/day)} = \text{Flow Rate (MGD)} \times \text{Concentration (mg/L)} \times 8.34$$

cBOD₅ and TSS:

The plant permit has monthly effluent loading (mg/L & lbs/day) limits for cBOD₅ and TSS to Springwater Creek. For cBOD₅ it is 25 mg/L (8.3 lbs/day) with a TSS limit of 30 mg/L (10 lbs/day) all year. cBOD₅ effluent limit for 25 mg/L was exceeded 12 times within the study period while the 8.3 lbs/day limit was exceeded 4 times. TSS effluent limit for 10 mg/L was exceeded 8 times during the study period while the 10 lbs/day limit was not exceeded. See the graphs below and monthly operating reports (MOR) data in Appendix C.

Figure 3: Plant cBOD5 Data

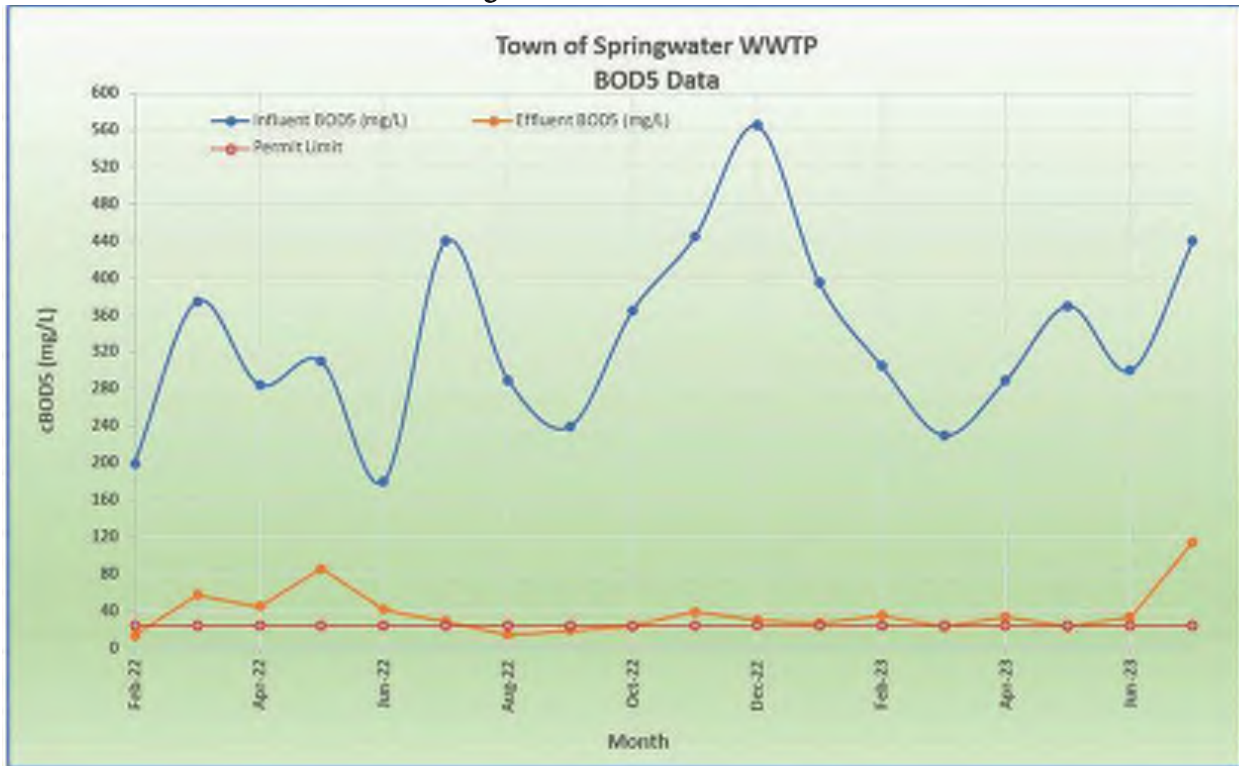
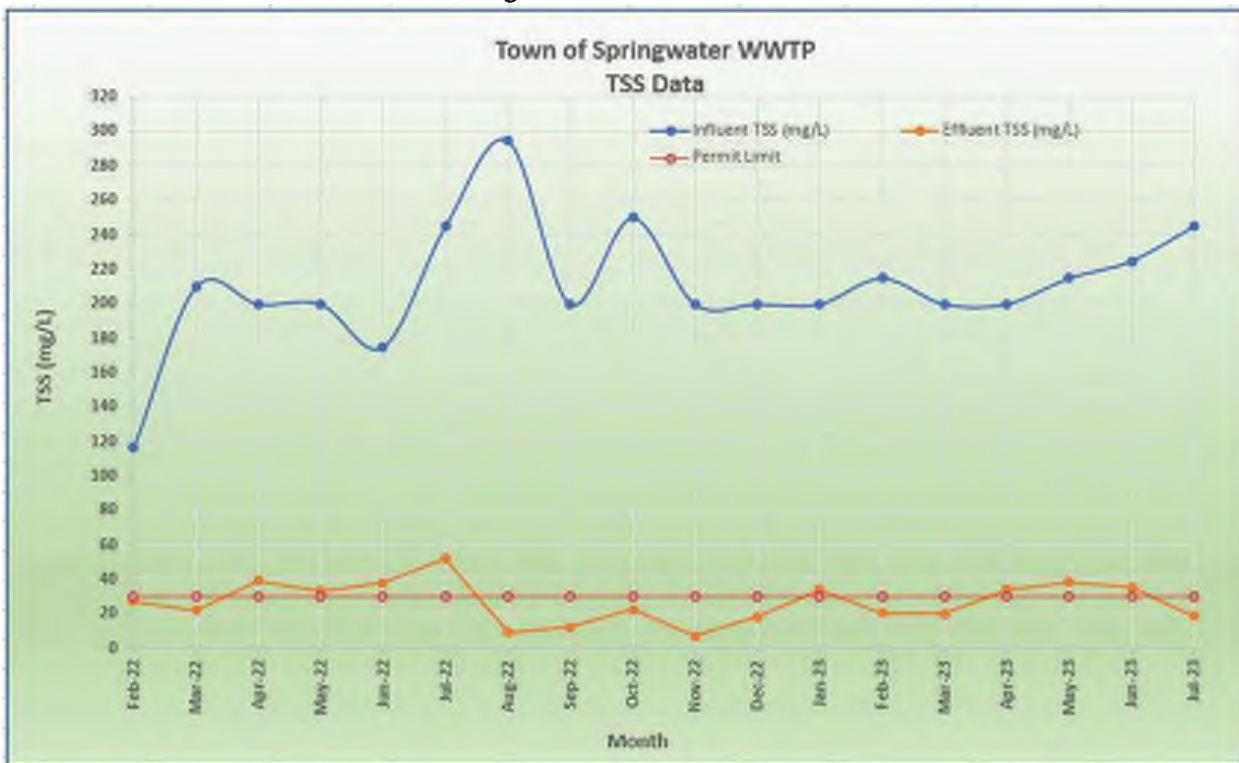


Figure 4: Plant TSS Data



Phosphorus and Nitrogen:

The facility’s permit has only monitoring requirements for total phosphorus (TP) and has seasonal effluent limits for ammonia-nitrogen (NH3-N). For the study period, the 5.0 mg/L Summer TP and 8.0 Winter was exceeded on numerous occasions while NH3-N exceeded the entire period. See the graphs below and MOR data in Appendix C.

Figure 5: Plant Ammonia-N Data

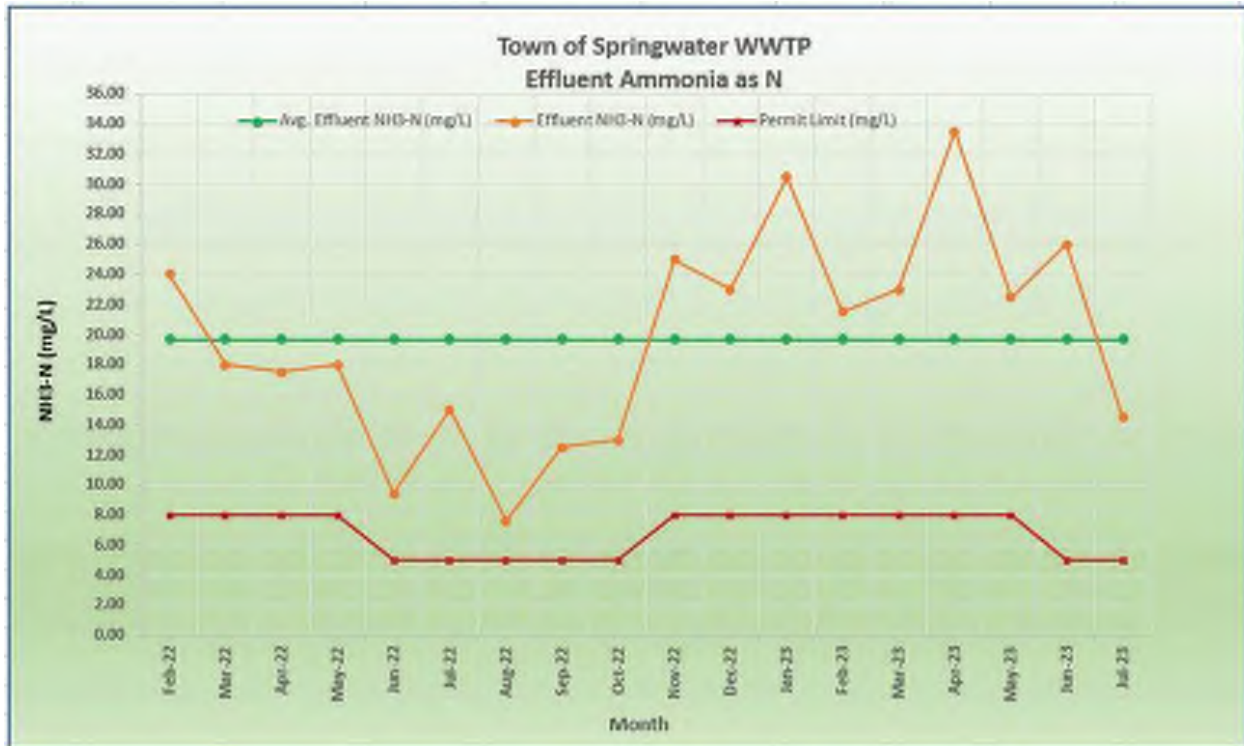


Table 2: Permit Conditions and Effluent Discharge Limits

PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL	LIMITATIONS APPLY	RECEIVING WATER	EFFECTIVE	EXPIRING
001	Year Round	Springwater Creek	03/01/2021	08/31/2024

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
Flow	Monthly Average	0.04	MGD			Continuous	Recorder	X		
pH	Range	8.5 - 8.5	SU			Daily	Grab		X	
Temperature	Monitor		Deg.C			Daily	Grab		X	
CBOD ₅	Monthly Average	25	mg/L	8.3	lbs/d	2X/month	Grab	X	X	1
CBOD ₅	7-Day Average	38	mg/L	12.7	lbs/d	2X/month	Grab	X	X	
Total Suspended Solids (TSS)	Monthly Average	30	mg/L	10	lbs/d	2X/month	Grab	X	X	1
Total Suspended Solids (TSS)	7-Day Average	45	mg/L	15	lbs/d	2X/month	Grab	X	X	
Settleable Solids	Daily Maximum	0.1	ml/L			Daily	Grab		X	
Ammonia (as N)	Monthly Average	5.0 (S)	mg/L			2X/month	Grab		X	2.4
		8.0 (W)								
Total Phosphorus	Monthly Average	Monitor	mg/l			2X/month	Grab		X	

Effluent Disinfection Required All Year										
Coliform, Fecal	30-Day Geometric Mean	200	No./100 ml			2X/month	Grab		X	2
Coliform, Fecal	7 Day Geometric Mean	400	No./100 ml			2X/month	Grab		X	2
Chlorine, Total Residual	Daily Maximum	0.05	mg/L			1/day	Grab		X	2.3

FOOTNOTES:

1. Effluent shall not exceed 15 % and 15 % of influent concentration values for BOD₅ & TSS respectively.
2. This is a final effluent limitation. See Schedule of Compliance for interim effluent limitation.
3. Effluent limitation for Total Residual Chlorine is only applicable if chlorine is used for disinfection or other treatment processes.
4. These are seasonal limits in which Summer or (S) is from June 1 through October 31 and Winter or (W) is from November 1 through May 31.

III. Current Design and Data

A. Description of Existing Treatment Process Train (Single Stage)

The Springwater WWTF was designed and constructed as a series: a multi-media, fixed-film process with recirculation and aerated biological treatment system. The buried primary treatment and EQ/Anoxic tanks (Orenco Advantex) provide nitrification of ammonia as is required by the SPDES permit.

It is important to note that the original design and bid included a second stage Orenco treatment system; however, due to funding constraints this was not installed, leaving the burden on secondary treatment solely on the first stage. This shortfall clearly has affected the treatment level in meeting the effluent limits.

Secondary treatment consists of five (5) multi-media tanks in parallel with spray distribution nozzles to evenly distribute the waste stream over the hanging synthetic media. This consists of one (1) recirculation-blend tank (AX-MAX 100-28) that houses the distribution and recirculation pumps, as well as providing media for further filtration. Recirculation from the first stage is pumped through the supplemental alkalinity-feed system inside the building then out to the EQ/Anoxic tank. Currently, the raw sewage has sufficient alkalinity, whereas the supplemental chemical feed is not required; and the recirculation bypasses the system.

Each of the tanks is equipped with an air-intake and heating unit that provides consistent air exchange and keeps the interior of the tanks greater than 20°C during the colder months. The heating units are shut off during the warmer months, while the air-exchange unit continues to operate year-round. Figure 6 shows the general process flow, and Table 3 lists the process equipment as designed.

Main process components include:

1. Influent Flow Meter
2. Influent and Effluent Sampling Stations
3. Two (2) Buried Primary Treatment Tanks
4. Preanoxic/EQ Tank
5. Orenco AX-MAX Biological Treatment Recirc/Blend Reactors (3 total) in series
6. Orenco AX-MAX Biological Treatment Filtration/Discharge Units (3 total)
7. Dry Chemical Alkalinity Feed System (not in use)
8. UV Disinfection
9. Cascade Post Aeration

Figure 6: Springwater WWTP Process Flow – Single Stage

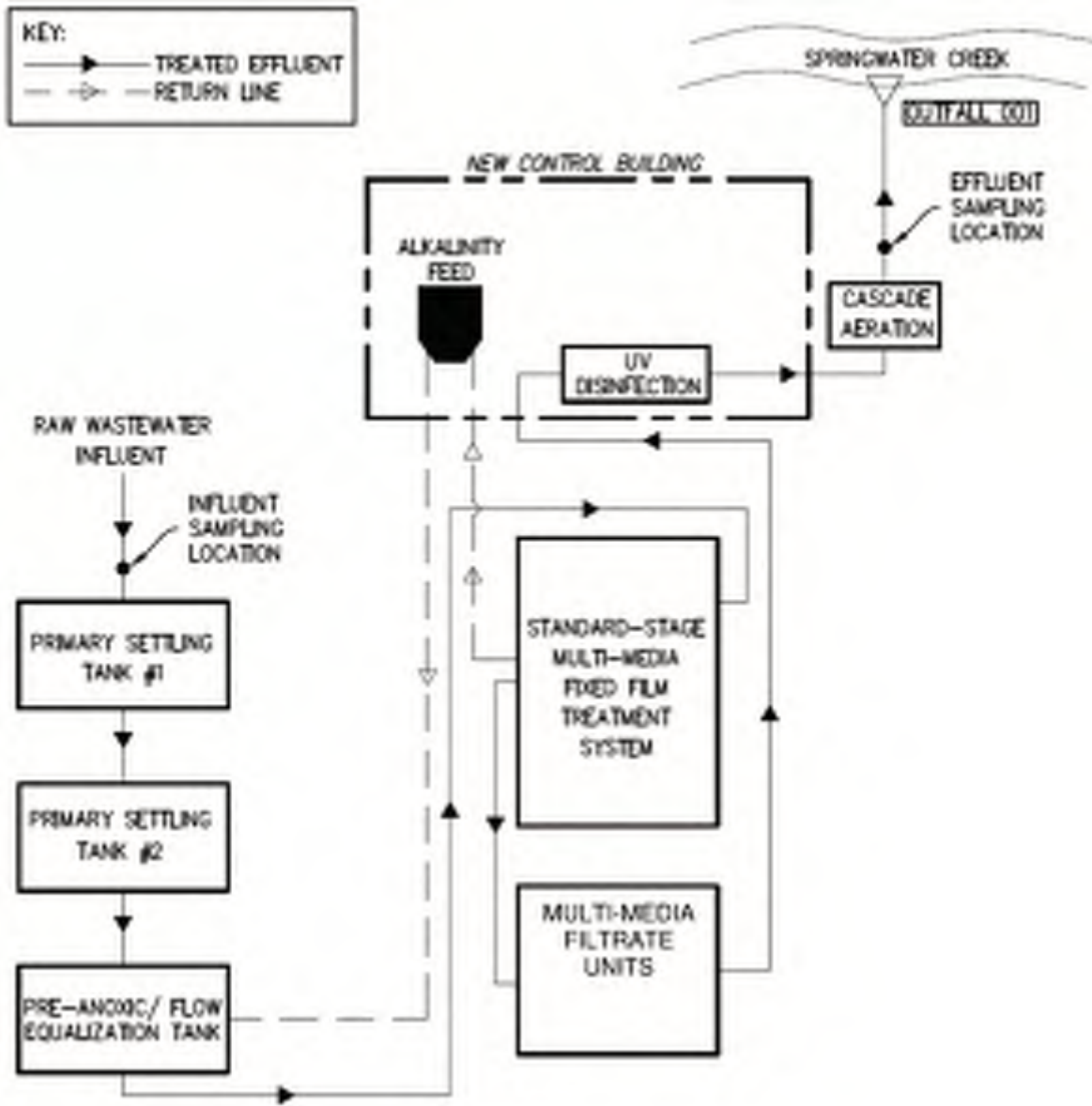


Table 3: WWTP Process Unit Capacities

Process	Quantity	Capacity
Plant Design	-	40,000 gpd (28 gpm +/-)
Flow Meter	1	3-inch Magnetic Meter
Buried Primary Treatment Tanks	2 series 12 ft diam x 54 ft L	40,000 gal nom/ea 15" diam. Effluent filter, 1/8" mesh 1st stage, 1/16" mesh 2nd stage
Pre-Anoxic/EQ Tank -pumps	1 2 lead/lag	25,000 gal nom 15 hrs +/- detention 75 gpm/ea
1st Stage Orenco AX-MAX Inparallel	3 Recirc-blend tanks 42 ft L x 7.5 ft W x 8 ft H	19,000 gal/ea (25 gpd/SF) 12,600 gal
2nd Stage Orenco AX-MAX In parallel	3 tanks 2 Filtrate tank-42 ft L x 7.5 ft W x 8 ft H 1-Filtrate/Pump tank 28 ft L x 7.5 ft W x 8 ft H	15,700 gal/ea (62.5 gpd/SF) 12,600 gal
Post Aeration -cascade	1 tank, 11ft height w/ 7 steps	Effluent D.O, 7 mg/L
UV Disinfection	2 parallel	75 gpm/ea
Sampling Manhole	1 Effluent	N/A

B. Recent Data and Sampling

The Orenco facility became fully online in February 2021 and was designed and approved by the NYSDEC based on the NY design guidelines. The Advantex system should be fully capable of reaching the effluent limits of 25 mg/L cBOD and 30 mg/L TSS, but it has had trouble meeting these levels and has not met the 5.0 mg/L (S) and 8.0 mg/L (W) NH3-N limits based on the lab data from 2022-2023. See table below for summaries. The noncompliance in the case of the Town of Springwater facility has been attributed to several factors. Orenco staff traveled multiple times to Springwater to aid in trying to correct these factors and offer assistance. Orenco staff have also been onsite numerous times since the plant has been in operation helping to address issues as they have arisen. Additionally, the Town has followed every recommendation to clean the Max units and have completed cleaning multiple times. They have been very diligent with their operation and maintenance (O&M) program and have been proactive in putting forth effort above the manufacturer standard operating procedures (SOP).

Table 4: WWTP 2022-2023 Lab Data Summary (Grab Sample)

Influent Condition	2022 Influent Value	2022 Effluent Value	2023 Influent Value	2023 Effluent Value
Min. BOD ₅	170 mg/L	11 mg/L	170 mg/L	20 mg/L
Average BOD ₅	343 mg/L	38 mg/L	341 mg/L	43 mg/L
Max. BOD ₅	760 mg/L	120 mg/L	550 mg/L	210 mg/L
Min. TSS	64 mg/L	6 mg/L	99 mg/L	14 mg/L
Average TSS	198 mg/L	26 mg/L	183 mg/L	29 mg/L
Max. TSS	430 mg/L	65 mg/L	270 mg/L	52 mg/L
Min. NH ₃	25 mg/L	1.8 mg/L*	20 mg/L	9 mg/L
Average NH ₃	46 mg/L	17 mg/L	54 mg/L	24 mg/L
Max. NH ₃	76 mg/L	35 mg/L	130 mg/L	39 mg/L

*Believed to be a sampling/testing error; therefore, the average shown is skewed.

Table 5: WWTP 2024 Lab Data Summary (Grab Sample)

Influent Condition*	2024 Influent Value	2024 Effluent Value
Min. cBOD ₅	113 mg/L	37 mg/L
Average cBOD ₅	351 mg/L	63 mg/L
Max. cBOD ₅	1,290 mg/L	86 mg/L
Min. TSS	92 mg/L	25 mg/L
Average TSS	362 mg/L	30 mg/L
Max. TSS	1,810 mg/L	37 mg/L
Min. NH ₃	21.5 mg/L	17 mg/L
Average NH ₃	41 mg/L	23 mg/L
Max. NH ₃	59 mg/L	26 mg/L

*Data from 12/27/23-4/16/24; cBOD5 testing was initiated; previous data was BOD5.

Based on this recent data, we can conclude that the average influent values for BOD and TSS are in-line with what was presented in the Basis of Design Report (BODR) and used for design (shown below), with the exception of NH₃-N for some sampling results. It is noted that per USEPA document “*Wastewater Technology Fact Sheet Sewers Pressure*”. BOD and TSS values of 350 mg/L should be used for design due to the diminished I&I from pressure sewer systems. As is shown below in **Table 6**, the design values used were 400 mg/L BOD and 350 mg/L TSS, as well as 45 mg/L NH₃-N.

Some of the maximum values for each constituent can, however, be construed as much higher than would be expected or reasonable. These higher values can create process issues within the buried primary treatment tanks and inhibit or restrict the biological process of removing BOD, TSS, and ammonia. Based on the history, it is likely that initial higher influent BOD and ammonia, which were never adequately corrected, has compounded over time, along with continued high values shown in Table 4.

Table 6: BODR Previous WWTP Influent Data 2011-2017

Parameter	Avg.	Min.	Max.
BOD ₅ * (mg/L)	140.2	12.8	465.0
Suspended Solids (mg/L)	55.4	8.3	160.0
NH ₃ -N (mg/L)	57.1	36.0	92.7
Flow (MGD)	0.036	0.027	0.056

As was noted in the BODR, the historical ammonia is on the higher end of the range that would be expected. This is likely due to the long hydraulic retention time in the septic tanks which allows for near complete ammonification of the organic-N and was not used for the original WWTP design. However, the component of organic nitrogen would be very small. If TKN is elevated, it is usually caused by a source other than normal residential wastewater.

Table 7: BODR WWTP Influent Design Data

Parameter	Influent Concentration	Influent Loading (lb/day)
BOD ₅ (mg/l)	400	133
TSS (mg/l)	350	117
NH ₃ -N (mg/l)	45	15

Grab sampling was done on the influent and effluent, and some were taken after the EQ tank to gauge the level of treatment in the buried primary treatment tanks. In 2022, the average BOD and TSS removal from influent to effluent was 88% and 83% respectively, and NH₃ average removal was 62%. Similarly for 2023, the average BOD and TSS removal from influent to effluent was 87% and 83% respectively, and NH₃ average removal dropped to 52%. Based on the permit limits and the average influent data, percent removals should be 93% BOD, 85% TSS, and 90% ammonia (based on summer limit). Clearly ammonia removal is lacking.

EQ tank data from the four (4) sampling dates in 2022, demonstrates average BOD and TSS removal from influent to EQ effluent was 65% and 77% respectively, and NH₃ average removal was 18%. The 2023 data had a full EQ sampling, with the average BOD and TSS removal from influent to EQ effluent of 41% and 69% respectively, and NH₃ average removal of 8%. Note in 2023, there are four (4) negative NH₃ values for removal, i.e. the effluent concentration was greater than influent concentration. This could be attributed to an upset in the primary tanks or ammonia-nitrogen being released back into the waste stream within the process potential related to septic/anoxic conditions within the tankage. If we remove these data points, the NH₃ removal is then 18%.

In 2022, of the 24 sampling dates there were 14 effluent BOD exceedances, 10 effluent TSS exceedances, and the ammonia limit was exceeded every date. In 2023, of the 19 sampling dates, there were 13 effluent BOD exceedances, 9 effluent TSS exceedances, and the ammonia limit was exceeded every date. BOD will compete with nitrifiers for available oxygen. BOD must be reduced before nitrification from ammonia to nitrate can occur. Typically, the target for BOD should be < 10 mg/L to assure nitrification.

Typical design removal efficiencies in an Orenco AdvanTex, buried-primary-treatment - tank process range from 60-70% for BOD and 80-90% for TSS, and should result in a BOD/TSS effluent ranges of 101-135 mg/L for BOD and 19-38 mg/L for TSS (based on the average values shown in Table 4 above). For the 2022 sampling period, the average EQ tank effluent was 179 mg/L BOD and 50 mg/L TSS. Additional Bod and TSS removal will be required to achieve the desired primary-tankage effluent ranges of < 135 mg/L for BOD and < 38 mg/L TSS.

In January 2022, a composite sampler was placed at the plant to measure influent data, EQ Tank effluent data, and plant outfall data. This shows removal efficiencies of 70%/73%/27% respectively for BOD/TSS/NH₃-N within the buried primary treatment system and EQ tank. Effluent data from the EQ Tank shows BOD/TSS/NH₃-N of 98/44/46 mg/L during this period.

While the current data suggests that the waste stream from the EQ tank is in line with the original design parameters, previous treatment issues within the secondary system seem to have created a situation in meeting the effluent limits.

In October of 2023, sampling was conducted at various locations throughout the plant - from the influent manhole to the effluent manhole. Table 7 shows the results of this effort. Influent ammonia values are higher than expected, and the design value of 45 mg/L. In many cases, ammonia increased from process unit to process unit.

Table 8: Recent Sampling Ammonia Data

Process Control Sampling - Ammonia Level mg/L								
Date	Inf Manhole	T2	EQ	Max 3	Max 6	Max 4	Cascade	Eff Manhole
10/2/2023	62	52	50	33	30	26	25	28
10/3/2023	57	57	44.5	38.5	26	24	24	24
10/5/2023	49	65	51	34	23	59	26	26
10/11/2023	65	64	55	42	24	29	20	20.5
10/12/2023	76	70	62	45	25	30	21.5	22
10/13/2023	50	69	58	43	22	30	21.5	22
10/20/2023	67	69	61	47	27	31	24	24
10/27/2023	58	61	53	41	21	27	21.5	21
MIN	49.0	52.0	44.5	33.0	21.0	24.0	20.0	20.5
AVG	60.5	63.4	54.3	40.4	24.8	32.0	22.9	23.4
MAX	76.0	70.0	62.0	47.0	30.0	59.0	26.0	28.0

Items to note on the above sampling:

1. These are grab samples. Composite sampling would be recommended.
2. These samples were not taken at the same time of day each day.
3. Reduced treatment can occur in a specific unit due to blinding of the sheets, improper spray pattern, air flow to the unit, etc. However, provided that the large majority of the units are working well, they should all blend to produce the desired effluent quality.
4. If the flow EQ pumps had just turned on, and then recirc pumps turned on, and that water was being distributed over one of the units that might account for a slightly higher number in MAX 6 or MAX 4 or vice versa.
5. It is prudent to check the one way valve in Max 4 transfer line to make sure it is not leaking recirc into discharge.
6. We also suggest the DO levels in these tanks we recorded.

It should be noted that Nitrogen is not generated or produced in the MAX units. Nitrogen, or TKN, in the raw sewage is comprised of organically bound nitrogen and inorganic ammonia. These are the only forms of nitrogen that are entering the plant.

Organically bound nitrogen usually settles out with TSS, but in the septic tank, it is possible to have ammonification (process of organic nitrogen convert to NH₃) occur in the long term in the anaerobic conditions in the septic tank. This could be the reason some slight increase in NH₃ from the raw influent through the septic tank effluent. In this sensitive system, this, along with making sure retention times in the septic tanks are held, is why keeping the septic tanks cleaned from solids is important.

Neither the volume of solids nor the retention time of the solids in the Orenco MAX units is significant enough to produce noticeable amounts of ammonification. This is the only way that ammonia would be showing up that hadn't been accounted for previously. Therefore, it is recommended to monitor and pump the MAX tanks as needed.

To reiterate, retention time in an aerated system is the exact way that nitrification will occur and longer aeration/retention times in the system will not build up ammonia, but rather help the problem.

IV. Findings and Observations

Treatment is impacted by the macerated nature of the blended waste stream causing elevated biological loading and lighter solids, thus resulting in bulking and problematic operation of the preliminary tankage and elevated BOD and solids loading to the Orenco AdvanTex fixed-film system. These identified shortcomings coupled with various collection system and WWTP operational issues has further amplified the treatment efficiency.

Some of these shortcomings are highlighted in the following collection and WWTP sections:

A. Collection System

The following are potential causes for increased FOGs and/or scum accumulating on the surface in the buried primary treatment tanks, as well as possible inherent grinder system disadvantages:

1. Household detergents and sanitizer/disinfectants have an adverse impact on septic-tank, BOD-treatment performance and can lead to deactivation of microbes. It would be difficult to monitor this for each property but is offered as a potential adverse effect. Septic tanks can recover quickly when household chemical disposal stops.
2. Based on Table C-3 in the New York State Design Standards (March 5, 2014), grinder systems typically have high FOG levels (mg/L) compared to other collection systems.
3. It is suspected that there could be some illegal dumping of problematic wastes that would cause toxicity and/or higher FOG concentrations. Illegal chemicals in the system cause toxicity that would kill the microbial environment thus decreasing BOD removal, which inherently affect ammonia removal.
4. The grinder-system wastewater tends to be more septic/anaerobic when it arrives at the treatment facility. This would make it more difficult for BOD removal.
5. The inherent nature of grinder pumps to macerate the wastes creates a mixture of dense yet light influent sewage that will agglomerate and float rather than settle. This, in combination with FOGs, create a thick dense layer.
6. There are some long stretches in the force-main system that are prone to velocities lower than the required minimum 2.0 fps for cleaning, as well as high retention times

that could lead to solids deposition and anaerobic conditions. While 2.0 fps is the normal minimum velocity recommended to prevent settling in the system, a cleansing velocity of 3-3.5 fps is typically recommended to flush out any sewage that collects in the system during low flow times of the day. There is one stretch of over 2,000 feet of 6-inch piping with an estimated velocity of 1.47 fps, another 670 feet section with 1.34 fps, and another 300 feet section less than 1.0 fps.

7. There are also sections of the collection system that have excessive retention times of seven (7) or more hours.
8. Inflow issues exist within the plant and collection system; however, most of the risers in the collection system have been rectified. They were fixed on the seam between the chimney and tank with an approved epoxy caulk supplied by the supplier of the tank and chimney. A hydraulic mortar was applied over that, and a final form around the chimney was filled with type S mortar. Additionally, all the pipe penetrations of the rubber gromets were not installed correctly, so they needed to be installed correctly. Then the electrical conduit was repaired with the same epoxy.
9. During a site visit, some textile mats were removed and found to have worms and their castings on them. Worms and bugs enter through the collection system in places where there are openings such as the grinder stations vents. Both the collection system and primary tanks have had I&I problems. The worms are the type typically used in vermicomposting and vermifiltration systems, which can typically enhance treatment. The issue is their casting that can become excessive, causing bridging of the media and impeding air flow if left unattended. It appears that the most effective solution would involve physically removing them. A common method for removal includes using peracetic acid (PAA) to treat areas of the sheets that exhibit signs of worm presence. Orenco has employed this method in the past with positive results. The recommended procedure involves diluting 1 liter of 15% PAA in 10 liters of water per 1,600 square feet of textile area and evenly spraying it across the surface of the media using a pump sprayer.
10. As the worms live on the textile, they will continue to leave their castings and will restrict airflow. Cleaning will be necessary to remove them. Unless a treatment can be found, it will be necessary to do this periodically as they don't typically go away once they are there.

B. WWTP

1. Operational/Miscellaneous Issues

In September 2022, the Town provided the NYSDEC with an update to the Notice of Violation (NOV) that was issued for the plant (*See letter in Appendix B*). The update addressed 1) removal of sludge and scum in the buried primary treatment tanks; 2) cleaning of the secondary treatment sprayer nozzles and lateral piping, cleaning of pumps and screens; 3) removal of solids from the media mats; 4) several properties in the collection system did not have the required grease traps/interceptors; and, 5) effluent sampling was incorrectly taken at the UV unit.

In 2021, the WWTP experienced problems originating from improperly installed electrical components that allowed sewer gases and moisture into electrical connections. This resulted in failed EQ tank pumping systems and lack of controls, as well as excessive pumping from the EQ tank and damaging of the AdvanTex aeration systems. This issue was remedied by the original electrical contractor and plant staff.

Influent manhole bench improperly formed, and there is a propensity for settling of sewage and corrosion was noted.

The EQ Tank-pump force main has a drainback style discharge that was initially installed to eliminate freezing of the discharge piping during colder weather. This existing discharge piping does not have a check valve, thus resulting in a portion of the sewage liquid to flow back to the EQ tank during non-pumping events. However, adequate cover was achieved during the initial installation, and the level of pumping frequency is such that freezing is not an issue/concern. Therefore, placement of a check valve on the EQ pump discharge piping could reduce the pumping cycles and increase overall equipment life.

2. Enzyme Usage

While the use of enzymes to emulsify FOG is beneficial in certain cases, emulsified FOGs will get conveyed through the system, agglomerate on the filter mats in the Orenco system and clog the mats and spray nozzles. This would deter the biological process of removing BOD and ammonia.

3. Aeration Issues

The secondary treatment tanks flooded and overflowed disabling the ventilation and heating systems around October 2021. This required a new system with blowers to be implemented by the Town. This “failure” created a situation whereupon the secondary treatment system has had difficulties recovering and providing sufficient BOD removal.

The heating/air system installed by the Town may not be providing enough air for biological treatment and denitrification. Orenco has replaced (completed November 2023) the existing heating/air system with three (3) custom blower/heater assemblies that should provide better dissolved oxygen supply. Photos of the units are below. Continued aeration issues resulting in poor air supply and oxygen transfer for BOD/NH₃-N conversion. Insufficient air/dissolved oxygen subsequently hinders the nitrification process and ammonia removal.

New Blower/Heater Assembly (Typical)



New Blower/Heater Assembly (Typical)



4. Primary Tanks Issues

Possible leaking primary tank access risers causing excessive inflow. This has been an ongoing problem and was thought to have been resolved until the risers from the buried primary treatment tanks were found leaking late last year. One in particular shows visible signs of poor sealing at the tank penetration.

It was exposed recently and found to have gaps in the sealant bead around the perimeter attachment. The water infiltrating into the primary treatment tanks, estimated to be approximately 20 gpm, however, the risers have been repaired and no longer have inflow issues.

The lack of BOD5 reduction in the primary tanks is attributed to a lack of settling, reduction of the solids profile, and ultimate reduction of tank treatment capacity. Heavy/thick agglomeration of what appears to be a combination of macerated solids/scum/FOGs and floatables on the top level of the buried primary treatment tanks does not allow settling and further breakdown of accumulated solids.

During solids removal efforts, the buried primary treatment tanks were not completely dewatered and cleaned of all solids and grease; however, the floating scum/grease layer was removed to the extent of the riser locations. Therefore, removal of the floatables prior to the buried tankage would retain tank capacity and increase treatment effectiveness.

The primary treatment tanks detention time is designed longer to allow settling of primary sludge, however, can allow FOGs/Scum excessive time to dry into the solid layer on surface. It is believed that peak instantaneous flows from the system (much higher than the design average flow) can possibly hydraulically overload the tanks which decreases hydraulic/treatment detention time, and thus settling time.

While the floating solids have been tested for FOG concentrations, said solids have not been tested for any other chemicals that may inhibit settling such as chlorines, etc. FOG concentrations, as expected were elevated for the floating solids and chlorides that may be attributable to other types of non-residential wastewater or widespread usage of water softeners is not anticipated subsequent to interviews of the water/wastewater operators. As such it is not believed that other inhibitors are currently contributory.

Based on the above information, observations, and findings here are the main issues identified and to be addressed under Recommendations:

1. Sections of the collection system have long retention times, which can cause anaerobic conditions, hydrogen sulfide gases, and older sludge age. Older sludge age could result in light, less settleable solids that contribute to sludge bulking in addition to the presence of FOG. This would adversely affect the treatment effectiveness in the primary tanks, wherein the influx of lighter ground-up solids from the grinder pumps would float and agglomerate with FOGs through the inability to settle solids, reduce the solids profile, and consume tank capacity.
2. A thick/dense blanket on the water surface in the primary tanks is caused by lighter density fats, oils, and greases from households in conjunction with the floatable noted above. This is evident by simple visual inspection.

3. The inherent nature of the grinder pumps to macerate all raw solids into small particles would cause ground up inert objects to settle out in the primary tanks, as opposed to being collected on a screen or prevented from entering the collection system.
4. The Orenco treatment system was originally designed as a two-stage system based on the anticipated influent BOD/TSS/Ammonia loadings (shown in the earlier section) and the level of treatment that was needed to meet the effluent limits. The ammonia limits were further reduced during the latter stages of design and monetary constraints precluded installation of the second-stage treatment train, which would have provided a higher level of treatment and potentially prevented the historical issues.

V. Alternatives Analysis

A. Treatment Option No.1

This option proposes installing more primary tank volume with a separate tank for FOG overflow collection, a preaeration tank ahead of the biological system, and a pair of secondary clarifiers. The goal was to 1) allow scum collection outside the primary tanks and offer a wider treatment zone upstream, 2) preaerate for better BOD removal thus allowing the secondary system to have sufficient dissolved oxygen for ammonia conversion/reduction, and 3) allow better solids removal through traditional clarification thus decreasing TSS downstream.

Upon further review and many discussions with Orenco and JA Lange (Mfr. design & Rep) as well as internal review, we felt this would not meet the requirements to treat the varied/unexpected influent raw sewage and sufficiently reduce the concentration levels to meet the permit; ammonia specifically.

B. Treatment Option No. 2

This option proposes installing a circular primary clarifier upstream of the primary tanks with an aerated sludge collection tank, installing the 2nd Stage Orenco biological system (original plant Alternate), and reconnecting the wetlands for treatment polishing during summer months. The goal was to 1) allow separate scum and preliminary sludge collection ahead of the primary tanks, 2) install the second stage AX-MAX units for more aeration and ammonia removal enhancement, and 3) allow the existing wetlands asset to further “polish” TSS/BOD/NH₃ effluent.

This alternative was progressed further below.

C. Water and Energy Efficiency Requirements

Such things as high efficiency motors/equipment, variable speed drives, LED lighting, etc. will be used as much as possible in the project. These improvements will not require additional water demand.

VI. Recommendations

A. Recommendations for operations

While WWTP process improvements are recommended in the subsequent sections, various operational improvements are recommended or otherwise already in process:

1. Due to intermittent variable and elevated influent concentrations of ammonia and BOD obtained through grab samples, regular characterization of the influent waste stream and post-EQ through composite sampling at the influent sewer manhole and EQ tank is desirable and should be completed as part of daily and normal operations. One possible alternative is to run composite sampling at key locations throughout the collection system to home in on where the sewage has higher BOD and/or ammonia levels and assess why this may be happening. However, to clearly identify a specific property or properties would be very time-consuming so the benefit-cost may be suspect.
2. Verify customers are adhering to the grease trap rules and are not disposing FOGs, flushable wipes, plastics, food, or other harmful constituents, such as detergents or sanitizers that may upset the treatment system. The Town of Springwater has recently implemented a Sewer-Use Ordinance for this purpose. It includes a FOG Best Management Practices Plan. Additional education distributed as part of sewer bills or on the Town's website can aid in improved housekeeping measures and eliminate undesirable constituents in the waste stream.
3. Continue to clean the media mats on a regular basis according to the previously developed O&M procedure developed and followed by the WWTP operators. Future improvements to the WWTP preliminary treatment will lessen the cleaning frequency of the media.
4. Remove currently accumulated sludge, scum, and FOG from the primary treatment tanks, equalization tank and AX-MAX tanks. Influent flows can be diverted around tanks being cleaned in the interim. It is assumed that all volume and accumulated scum/solids will be removed from each tank. Floating scum on the first primary tank will have to be mechanically or hydraulically broken apart for removal via septic waste hauling vehicle, while all other solids would be removed normally by a septic waste hauling vehicle/VAC truck. Tank contents of the second primary and equalization tanks, including solids, shall be pumped and removed from the site.

The AX-MAX media shall be cleaned using the methods provided by the manufacturer, media temporarily removed as needed to allow for produced solids collected in the bottom of AX-MAX tanks and pumping of solids out of said tanks. Tank sidewalls can be power washed as needed for cleaning. Costs to remove and dispose of the solids and liquid shall be based upon the total operating volume within the various primary, equalization, and AX-MAX tanks.

5. Remove accumulated sludge and clean the media mats in the secondary biological stage in a stepwise procedure. The plant has been very diligent about cleaning as part of routine maintenance; however, it is uncertain whether all of the excess sludge has been removed to provide a “fresh start” moving forward.
6. There is one possible cleaning procedure for AdvanTex textiles to remove worm castings. This procedure involves removing the sheets, thoroughly cleaning both their exterior and interior surfaces. If cleaning the interior is not possible at this time, you can use the wand provided by Orenco to clean the exterior of the sheets. This will ensure proper airflow to the surface of the textiles for efficient organic removal and nitrification, while also preventing the short-circuiting of dosed wastewater that may occur due to possible media bridging caused by worm castings.

Additionally, you may consider using peracetic acid (PAA) to treat areas of the sheets that still exhibit signs of worm presence. Orenco has employed this method in the past with positive results. The recommended procedure involves diluting 1 liter of 15% PAA in 10 liters of water and evenly spraying it across the surface of the media using a pump sprayer.

B. Process Additions

1. Additional Preliminary Tankage

As previously indicated, the initial Orenco AdvanTex design estimated that suitable BOD and TSS removal would be completed in the initial preliminary tankage such that primary effluent BOD and TSS concentrations were effluent less than 135 mg/L and 38 mg/L respectively. Given the average preliminary treatment tank BOD and TSS effluent was 179 mg/L and 50 mg/L respectively, additional primary treatment is required.

As indicated, it is practical to intercept FOG and floating scum (from solids bulking) be completed in an open-air preliminary treatment tank, ahead of the buried primary treatment tanks. This will prevent it from accumulating in the buried primary treatment tank(s) and free up tank capacity. It is recommended that an open-air preliminary/primary clarifier be utilized to allow primary sludge, grit, and/or scum/FOGs to be captured and removed continuously and more efficiently. This should lower BOD/TSS loading downstream and remove FOGs thus enhancing secondary treatment. Collected waste would be conveyed to an aerated holding tank for offsite hauling. Providing air prevents the sludge/FOG etc. from agglomerating into a thick unpumpable product and maintains an aerobic condition to reduce odors.

As a result, the addition of an open-air preliminary treatment tankage is recommended to alleviate the thick layer of accumulated scum/FOGs on the surface of the primary settling tanks that has occurred and is likely to continue; intercept lighter solids that may contribute to solids bulking resulting from longer solid age from the grinder collection system than originally thought, and intercept higher macerated

solids/loadings that have continued and exacerbated the initial treatment. This would be accompanied by the modification to the WWTP plant influent piping, replacement and repair of influent manholes, as well as installation of an aerated-sludge-holding tank along with associated aeration system/blowers as outlined below and shown on the improvement schematic provided in Appendix D.

- a. Install a new manhole at the location of the new preliminary-treatment tank to allow sewage flow to be diverted to said tank or bypassed around the new tank if maintenance required.
- b. Repair the influent manhole (MH-5) benching. Influent flows will need to be bypassed (bypass pumping) directly to Primary Tank #1 or #2. It is recommended to review the piping alignment through the MH as part of the benching rework and adjust accordingly for a smooth transition.
- c. Install a buried open top preliminary tank/primary clarifier for initial sludge and scum/FOG collection. Flows from Manhole #4 will be diverted to this tank for preliminary sludge settling and collection of floatables/FOGs/scum.

Preliminary treatment tanks/primary clarifiers are typically designed based on TR-16 guidelines with maximum surface overflow rates of 600 gpd/SF for average flow (40,000 gpd) and/or 1,200 gpd/SF (PHF of 121 gpm, 174,000 gpd based on potential peak flow from the grinder system per E-One analysis). If the 600 gpd/SF was implemented with 40,000 gpd, this results in a 9 ft diameter clarifier which is infeasible based on standard Mfr. equipment. Likewise, using the 1,200 gpd/SF peak rate at 174,000 gpd PHF results in a 14 ft diameter, again outside Mfr. minimum sizing. Due to the nature of the influent wastewater constituents and the propensity for lighter floating sludge, an overflow rate safety factor of 0.5 is applied to allow more detention/settling time in the tank since only one tank is provided. Additionally, since redundancy requirements are not specified for a small plant like this, the larger unit makes up for the lack of a redundant unit. Preliminary sizing is therefore based on providing an overflow rate of 300 gpd/SF nominal at the peak flow of 121 gpm is shown in the calculations below. The 121 gpm influent flow rates is obtained utilizing a 5-10% diversity factor for the simultaneous operation of various grinder-pump stations within the system.

Surface Area Required:

$121 \text{ gpm} \times 60 \text{ mins/hr} \times 24 \text{ hrs/day} / 300 \text{ gpd/SF} = 580 \text{ +/- square feet of surface area.}$

Liquid Depth Required & Resulting Volume:

A minimum liquid depth of 10 feet per TR-16 provides a design guideline for an effective volume of 43,400 gallons. This increased volume will add an additional 54% of preliminary treatment tank storage. Assuming a similar reduction ration of BOD and TSS realized by the existing 80,000-gallon preliminary storage tank volume, an additional BOD and TSS reduction of 44 mg/L and 12 mg/L is achievable.

Tank Configuration:

Recommended standards suggest utilizing a circular primary clarifier design in lieu of rectangular design. Given the space available and the overflow rate of 300 gpd/SF, a 27-foot diameter tank is suggested. Having the aforementioned liquid depth of 10 ft liquid depth and a providing freeboard and tank walls to reach existing grade an approximate tank height of 14 feet. Full surface mechanical scum collection will be provided, and the design will follow the requirements in TR-16 and/or 10 States Standards

The influent into the clarifier would be peripheral feed, as suggested by plant staff, and effluent from the preliminary treatment tank would pass over a weir, collect in the center circular weir trough for conveyance downgradient to the existing below grade, preliminary tankage for continued settlement and BOD removal.

Scum and settled sludge will be skimmed and scraped utilizing flights/scrapers/scum skimmers. The accumulated solids will be conveyed to a hopper at the end of the tank where solids handling pumps can remove accumulated solids and discharge them to a solids handling/holding tank.

- d. Install a 5,000 gallon, aerated-sludge holding tank (10 ft x 10 ft x 7 ft liquid depth) near the existing driveway for ease of access. This should allow 50-60 days of storage before hauling in a typical 5,000 gallon tanker truck is needed. The sludge consistency and characteristics, typical to primary sludge, should enable it to be hauled to a local WWTP (such as the Town of Danville) or septage hauling station. There is no solids processing (dewatering/thickening) in this facility and regular sludge removal is part of the O&M. Two (2) exterior blowers (duty/standby) on concrete pads are proposed with manifolded valving and weather enclosures. Blowers are sized for 30 cfm/1000 gallons or 150 cfm nominal, with a coarse, bubble-diffused-aeration array on the tank bottom. A haul-out suction pipe with valve and camlock fitting would be provided for the hauler to connect to. To further enable sludge thickening, a means to decant this tank by turning off the aeration system and allowing time for settling through a valved-decant pipe to the influent manhole is also proposed.

2. Ammonia Removal

As a result of the elevated influent ammonia, it is ultimately recommended that the previously proposed Second Stage Orenco AX-MAX system be installed for continued BOD reduction as well as to provide extended time for nitrification and ammonia removal. This stage is meant to operate in series with the original system for polishing the effluent. Providing additional process tanks and media-surface area will aid with ammonia removal and TSS filtering ahead of the UV system and outfall. Adding additional units for increased aeration contact time will also improve BOD removal which in turn improves ammonia Reduction. The flow regime will actually match to what was originally designed by Orenco with the 2nd Stage online and recirculation flows throughout the various tanks allow the media to remain wet.

Revised calculations were developed based on effluent data from Daily Monitoring Reports (DMRs) from 02/22-07/23 showing average effluent BOD/TSS/Ammonia values of 38/27/20 mg/L. Orenco calculations for second stage treatment are located in Appendix D. To err on the side of caution, we do not assume any BOD/TSS/Ammonia removal in the proposed primary clarifier, although we expect to achieve typical TSS/BOD reduction in this unit of roughly 40-70% TSS and 25-35% BOD (TR-16). Refer to Appendix E for calculations for Stage II sizing.

3. Utilization of Existing Created Wetland for Tertiary Treatment

There are two (2) abandoned, vegetated, submerged-bed-constructed, wetland trains that originally served as the secondary biological treatment process for the waste stream. Each train consisted of two (2) wetland cells operating in series (for a total of four wetland cells). Each cell is 200-feet wide by 100-feet long with a stone media depth ranging from approximately 2.25-feet to 2.75-feet in depth. These units were abandoned in place after the current mechanical WWTP was installed. The original wetland sizing calculations based on 40,000 gpd, 167 mg/L BOD and 100 mg/L TSS (ammonia was not considered) are in Appendix D.

It is believed the wetlands historical use is lower than what is was designed for and the remaining useful life is estimated at 75%-90%. These constructed natural processes are meant to treat raw wastewater influent loadings much higher than they will experience for this bypass mode. Typical maintenance requirements include surface landscaping to eliminate/remove any invasive species and plant appropriate species that will. Loading will be much less than the original design thus prolonging the typical life further.

It is recommended to reconnect these wetlands as a polishing step in the nitrification process. This would only be useful during summer months (June-October +/-) although it would also provide some BOD/TSS polishing. The cascade aerator would be bypassed during summer months since there are no dissolved oxygen requirements and effluent from the UV unit can be piped directly to the original abandoned 6-inch

diameter header pipping to Cells 1 and 3 to each train. Valving would be provided in the cascade aerator (with access in the yard) such that flow can resume in normal flow regime from Nov-May. This is done by closing the valve to the wetlands and opening the valve to the aerator to flow through the newer sanitary line to the outfall.

In bypass wetland mode, flow then moves through the stone media to the existing 6-inch diameter perforated collector pipe at the end of the wetland cells then goes into the 6-inch diameter header pipe at the head of the second wetland Cells 2/4 within each train. Similarly, the wastewater flows through the media and into a collector pipe, where it is discharged to the MH near the road where it flows to the outfall. During this time, the effluent sampling would need to be done at this MH, as was done in the old plant.

4. Add Composite Samplers

As the current sampling program is grab sampling, we recommended adding composite sampling on the influent and effluent ends of the process to get a better snapshot of the raw sewage characteristics and the effluent data. This will capture a more representative matrix to evaluate the processes.

VII. Operation and Maintenance Costs

There are some additional O&M costs associated with this project. Items such as increased electrical demand, maintenance of equipment, and equipment repairs or replacement. Personnel salary, chemical costs, sludge treatment and removal shall be unaffected.

VIII. Summary of Proposed System

A. Modifications Details

It is recommended that additional preliminary tankage and sludge-holding tank be installed to 1) alleviate the thick layer of accumulated scum/FOGs on the surface of the primary settling tanks that has occurred and is likely to continue (this is due to possibly higher flows from the grinder system than originally thought and higher macerated solids/loadings that have continued and exacerbated the initial treatment); 2) bring ammonia reduction to acceptable levels as originally intended and allow further suspended solids filtering prior to UV disinfection; and, 3) repair the faulty manhole.

Install a preliminary treatment clarifier with a downstream, aerated-holding tank to alleviate the BOD/sludge/FOG burden on the existing primary treatment tanks and decrease the loadings downstream. This allows an easier method of collection objectionable influent components as well improved performance for downstream processes.

Install the second stage Orenco AX-MAX system as designed originally to meet the stringent ammonia effluent limits and solids filtering. The current effluent pumping from the smaller 1st-stage unit will now be conveyed to the 2nd stage via a new 2-inch, force main for further treatment and the 2nd stage pumping will be connected to the existing 2-inch force main in the yard to the UV unit.

Reconnect the existing wetland cells as a “nitrification polishing” bypass mode from June through October +/- . This will include 4”/6” PVC piping and valves.

Install composite samplers at the influent and effluent ends of the treatment process.

These new process units will have some additional annual operation & maintenance (O&M) costs associated, estimated at roughly \$4,300 for powering motors and pumps and \$9,000 in equipment replacement parts. Although some additional labor is involved also, it is not expected to increase manpower. The new processes are expected to add about nine (9) horsepower between motors/pumps, but the amperage draw will need to be determined to verify the current electric panel/generator is sized properly.

Approximately 100 gpd of sludge/FOG/scum from the new clarifier will be converted to the solids holding tank, which is sized for a 50-day holding time (100 gpd x 50 days = 5,000 gals). This is not newly created sludge, but sludge that would already be in the system and whose removal is within the \$15,000 hauling budget. The cost to remove 5,000 gallons of sludge is estimated at \$2,000. Utilizing 1000 gpd, would require the tank to be emptied approximately 7.3 times per year for a total of \$14,600, which is less than the budgeted amount. Therefore, no additional costs are associated with this process.

The total estimated improvements cost for the WWTP project, including collection system pipe changes, is approximately \$2,340,430 and has a 30% contingency associated. Refer to Appendix D for the detailed cost estimate.

Table 9: Selected Project Summary

Parameter	Option No.2 (Recommended)
Est. Project Cost	\$2,340,430
Annual Debt Service (30-yr 4.5%)	\$143,682.61
Annual O&M	\$13,300
Number of EDUs	233
Total Annual Cost/EDU	\$673.87
Monthly Cost/EDU	\$56.16

*EDU count from original 2017 PER

B. Draft Sequence of Construction

The 2nd Stage Orenco system can be constructed while the existing plant is operational; however, the connection of site piping (2-inch force mains) will require an interim plant shutdown and will need to be coordinated with plant operations during lower flow periods. The majority of the piping can be installed while the plant is running but the main connection points will need a complete shutdown; all pumping will need to cease.

The primary clarifier, sludge holding tank and appurtenances with piping stubs can be constructed without a plant shutdown. The piping connections will require a few days of bypass pumping directly to the existing primary treatment tanks from the upstream manhole. This is also when existing MH-5 rehabilitation work can be done. Once MH-5 is complete, final influent/effluent piping from the clarifier and decant line from sludge holding can be connected. There may be some final bypass pumping required to make these connections.

The connection of the effluent from the UV to the wetlands would require the flow to be ceased to add the buried valving and TEE fitting on the existing 4-inch pipe to the cascade aerator. The remainder of the site piping to the wetlands can be completed without any bypass pumping or plant shutdown.

In order to clean all the accumulated sludge/scum/FOG in Primary Treatment Tank 1, flow from the clarifier can be plugged to Tank 1 and diverted to Tank 2 using the existing bypass piping/valving in the yard.

C. Project Schedule

The anticipated project schedule is as follows:

- Preliminary Engineering Report Approval– June 2024
- SEQR Neg Declaration - May 2024
- Bond Res, Municipal/Bond Council, Auth. Res. – May 2024
- IUP Listing - June 2024
- NYSEFC WIIA Grant & CWSRF Application Filed – July 2024
- NYSDEC WQIP Application - July 2024
- SHPO No Effect Finding - July 2024
- Engineering Selection October-November 2024
- USDA Rd Application – November 2024
- Engineering Plans, Specifications, and BODR to agency – January – June 2025
- Regulatory comments/responses – June-Oct 2025
- CDBG funding application (if prequals. are met) – July 2025
- Advertising of Bids – January 2026
- Begin Construction – April 2026
- Substantially Complete Construction – December 2026
- Funding Close Out & Operation – Spring 2027

D. Next Steps

The community will continue to discuss the project and funding procurement with the public at regular board meetings and continue to gain local public and private support. SEQR has been completed.

Anticipated procurement methods and plan of contracts (e.g., design/bid/build, energy performance contract, Project Labor Agreement, Wicks, design/build, etc.) will be adhered to as well.

E. Funding Sources

Securing funding from the potential sources identified below can help achieve an actionable project. The following information identifies funding opportunities that have been offered by State and Federal sources in the recent past. The status of the funding programs and application periods is discussed below.

1. USDA Rural Development (RD) Water and Waste Disposal Loan & Grant Program

The Town of Springwater may be eligible for federal USDA RD funding based on the population being less than 10,000. The program offers long-term low-interest loans, and grants may be combined if funds are available. The loan rate is based on the useful life of the facilities to be financed, the need of the project, and the median household income. The 2021 ACS 5 – Year Estimate Median Household Income for Springwater is \$76,445, which is higher than the \$45,506 threshold and therefore it is anticipated that the project would not qualify for the poverty rate loan. The current market rate for 4th Quarter FY 2022 is 3.500%. The application period for USDA loan and grant program is open year round, the first step is to contact the local Rural Development office to discuss the project and begin the electronic application.

2. NYS EFC Clean Water Infrastructure Improvement Act

NYSEFC provides grant funding to assist municipalities in funding water quality infrastructure. A clean water project may be eligible for a WIIA grant of up to the lesser of 25% of total eligible costs after deducting other grant funds awarded for the project, or \$25 million. To enable application for the WIIA grant the sewer district formation must be complete, SEQR process must be complete, SHPO determination complete, bond financing resolution be complete, and resolution approving application and authorization to execute the contract be complete. The grant application period typically closes in September each year.

3. NYS EFC Clean Water State Revolving Fund Loan

The Clean Water State Revolving fund provides interest-free or low-interest rate financing for wastewater and water quality improvement projects to municipalities throughout New York State. EFC provides both short and long-term financing at zero or low interest. Applications are received on a continuous basis; however, the annual

allocation of funds is driven by the presence of the project on the Intended Use Plan (IUP). It is recommended that the submittal of the project be made for publication in the 2024 IUP. The ranking on the IUP will demonstrate eligibility for hardship or subsidized financing.

F. Engineering Report Certification

Engineering Report Certification can be found in Appendix F.

APPENDIX A
PROJECT LOCATION MAPPING



PROJECT LOCATION

MILL STREET

KELLOGG ROAD

SCHOOL STREET

SOUTH MAIN STREET

NORTH MAIN STREET

EAST AVE

LOCATION MAP
SPRINGWATER WWTP [REDACTED]
SPRINGWATER (T)
 7737 KELLOGG RD SPRINGWATER NY 14560

HUNT ENGINEERS | ARCHITECTS | SURVEYORS
 HORSEHEADS, NY 607 - 358 - 1000 ROCHESTER, NY 585 - 327 - 7950
 TOWANDA, PA 570 - 265 - 4868 BINGHAMTON, NY 607 - 798 - 8081
 ALBANY, NY 607 - 798 - 8081 WWW.HUNT-EAS.COM
 NY CERTIFICATE NO. 0018220 PA CERTIFICATE NO. TSC2203131464-1

A5
 DATE:
 SEPTEMBER 2023
 PROJECT NO:
 2629-017

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APPENDIX B
REGULATORY INFORMATION



Department of
Environmental
Conservation

State Pollutant Discharge Elimination System (SPDES) DISCHARGE PERMIT - MUNICIPAL

SIC Code: 4952	NAICS Code: 221320	SPDES Number:	NY0246450
Discharge Class (CL): 07		DEC Number:	8-2448-00057/00001
Toxic Class (TX): N		Effective Date (EDP):	09/01/2019
Major-Sub Drainage Basin: 04 - 02		Expiration Date (ExDP):	08/31/2024
Water Index Number: Ont 117-27-34-P44-7		Modification Dates: (EDPM)	12/01/2019 Correction 03/01/2021
Compact Area: IJC			

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.)

PERMITTEE NAME AND ADDRESS			
Name:	Town of Springwater	Attention:	Deborah Babbitt-Henry, Town Supervisor
Street:	8022 South Main Street		
City:	Springwater	State:	NY Zip Code: 14560
Email:	springwatersuper@yahoo.com	Phone:	(585)-669-2545

is authorized to discharge from the facility described below:


FACILITY NAME, ADDRESS, AND PRIMARY OUTFALL															
Name:	Town of Springwater Wastewater Treatment Facility														
Address / Location:	Kellogg Road						County:	Livingston							
City:	Springwater				State:	NY	Zip Code:	14560							
Facility Location:	Latitude:	42	°	38	'	34	" N	& Longitude:	77	°	36	'	00	" W	
Primary Outfall No.:	001	Latitude:	42	°	38	'	53	" N	& Longitude:	77	°	35	'	56	" W
Outfall Description:	Treated Sanitary		Receiving Water:	Springwater Creek					Class:	C					

in accordance with: effluent limitations; monitoring and reporting requirements; other provisions and conditions set forth in this permit; and 6 NYCRR Part 750-1 and 750-2.

This permit and the authorization to discharge shall expire on midnight of the expiration date shown above and the permittee shall not discharge after the expiration date unless this permit has been renewed or extended pursuant to law. To be authorized to discharge beyond the expiration date, the permittee shall apply for permit renewal not less than 180 days prior to the expiration date shown above.

DISTRIBUTION:

CO BWP - Permit Coordinator
CO BWC - SCIS
RWE
RPA
EPA Region II
NYSEFC

Permit Administrator:	Kimberly A. Merchant		
Address:	6274 East Avon-Lima Road, Avon, NY, 14414		
Signature:		Date:	02/26/2021

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DEFINITIONS FOR PERMIT LIMITS, LEVELS AND MONITORING TERMS

TERM	DEFINITION
7-Day Geometric Mean	The highest allowable geometric mean of daily discharges over a calendar week.
12-Month Rolling Average (12 MRA)	The current monthly value of a parameter, plus the sum of the monthly values over the previous 11 months for that parameter, divided by 12.
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.
Action Level	Action level means a monitoring requirement characterized by a numerical value that, when exceeded, triggers additional permittee monitoring and department review to determine if numerical effluent limitations should be imposed.
Compliance Level / Minimum Level	A compliance level is an effluent limitation. A compliance level is given when the water quality evaluation specifies a Water Quality Based Effluent Limit (WQBEL) below the Minimum Level. The compliance level shall be set at the Minimum Level (ML) for the most sensitive analytical method as given in 40 CFR Part 136, or otherwise accepted by the Department.
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 Maximum	The highest allowable Daily Discharge.
Daily Minimum	The lowest allowable Daily Discharge.
Effective Date of Permit (EDP or EDPM)	The date this permit is in effect.
Effluent Limitations	Effluent limitation means any restriction on quantities, quality, rates and concentrations of chemical, physical, biological, and other constituents of effluents that are discharged into waters of the state.
Expiration Date of Permit (ExDP)	The date this permit is no longer in effect.
Instantaneous Maximum	The maximum level that may not be exceeded at any instant in time.
Instantaneous Minimum	The minimum level that must be maintained at all instants in time.
Monthly 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.
Outfall	The terminus of a sewer system, or the point of emergence of any waterborne sewage, industrial waste or other wastes or the effluent therefrom, into the waters of the State.
Range	The minimum and maximum instantaneous measurements for the reporting period must remain between the two values shown.
Receiving Water	The classified waters of the state to which the listed outfall discharges.
Sample Frequency / Sample Type / Units	See NYSDEC's "DMR Manual for Completing the Discharge Monitoring Report for the SPDES" for information on sample frequency, type and units.

PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL	LIMITATIONS APPLY	RECEIVING WATER	EFFECTIVE	EXPIRING
001	Year Round	Springwater Creek	03/01/2021	08/31/2024

PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				FN
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf.	Eff.	
Flow	Monthly Average	0.04	MGD			Continuous	Recorder	X		
pH	Range	6.5 - 8.5	SU			Daily	Grab		X	
Temperature	Monitor		Deg_C			Daily	Grab		X	
CBOD ₅	Monthly Average	25	mg/L	8.3	lbs/d	2X/month	Grab	X	X	1
CBOD ₅	7-Day Average	38	mg/L	12.7	lbs/d	2X/month	Grab	X	X	
Total Suspended Solids (TSS)	Monthly Average	30	mg/L	10	lbs/d	2X/month	Grab	X	X	1
Total Suspended Solids (TSS)	7-Day Average	45	mg/L	15	lbs/d	2X/month	Grab	X	X	
Settleable Solids	Daily Maximum	0.1	mL/L			Daily	Grab		X	
Ammonia (as N)	Monthly Average	5.0 (S)	mg/L			2X/month	Grab		X	2,4
		8.0 (W)								
Total Phosphorus	Monthly Average	Monitor	mg/l			2X/month	Grab		X	

Effluent Disinfection Required All Year										
Coliform, Fecal	30-Day Geometric Mean	200	No./100 ml			2X/month	Grab		X	2
Coliform, Fecal	7 Day Geometric Mean	400	No./100 ml			2X/month	Grab		X	2
Chlorine, Total Residual	Daily Maximum	0.03	mg/L			1/day	Grab		X	2,3

FOOTNOTES:

- Effluent shall not exceed 15 % and 15 % of influent concentration values for BOD₅ & TSS respectively.
- This is a final effluent limitation. See Schedule of Compliance for interim effluent limitation.
- Effluent limitation for Total Residual Chlorine is only applicable if chlorine is used for disinfection or other treatment processes.
- These are seasonal limits in which Summer or (S) is from June 1 through October 31 and Winter or (W) is from November 1 through May 31.

MERCURY MINIMIZATION PROGRAM - Low Priority POTWs

The permittee shall inspect each tributary dental facility at least once every five years to verify compliance with the wastewater treatment operation, maintenance, and notification elements of 6NYCRR Part 374.4. In lieu of an inspection, the permittee can accept a certification from the dental facility owner that the treatment system was properly installed and the facility complies with the wastewater treatment operation, maintenance, and notification elements of 6NYCRR Part 374.4. Prior to acceptance of new or increased tributary discharges that are industrial in nature, including hauled wastes, sample data shall be provided to the permittee for mercury content. Discharges which may exceed 500 ng/L, must receive approval from the Department prior to acceptance. A file shall be maintained containing inspection results, certifications, and other information submitted by dental offices and all other potential dischargers of mercury. This file shall be available for review by NYSDEC representatives and copies shall be provided upon request.

Note: The mercury-related requirements in this permit conform to the mercury Multiple Discharge Variance specified in NYSDEC policy *DOW 1.3.10*.

DISCHARGE NOTIFICATION REQUIREMENTS

- (a) The permittee shall install and maintain identification signs at all outfalls to surface waters listed in this permit, unless the Permittee has obtained a waiver in accordance with the Discharge Notification Act (DNA). Such signs shall be installed before initiation of any discharge.
- (b) Subsequent modifications to or renewal of this permit does not reset or revise the deadline set forth in (a) above, unless a new deadline is set explicitly by such permit modification or renewal.
- (c) The Discharge Notification Requirements described herein do not apply to outfalls from which the discharge is composed exclusively of storm water, or discharges to ground water.
- (d) The sign(s) shall be conspicuous, legible and in as close proximity to the point of discharge as is reasonably possible while ensuring the maximum visibility from the surface water and shore. The signs shall be installed in such a manner to pose minimal hazard to navigation, bathing or other water related activities. If the public has access to the water from the land in the vicinity of the outfall, an identical sign shall be posted to be visible from the direction approaching the surface water.

The signs shall have **minimum** dimensions of eighteen inches by twenty-four inches (18" x 24") and shall have white letters on a green background and contain the following information:

<p>N.Y.S. PERMITTED DISCHARGE POINT</p> <p>SPDES PERMIT No.: NY_____</p> <p>OUTFALL No. : _____</p> <p>For information about this permitted discharge contact:</p> <p>Permittee Name: _____</p> <p>Permittee Contact: _____</p> <p>Permittee Phone: () - ### - #####</p> <p>OR:</p> <p>NYSDEC Division of Water Regional Office Address:</p> <p>NYSDEC Division of Water Regional Phone: () - ### - #####</p>
--

- (e) Upon request, the permittee shall make available electronic or hard copies of the sampling data to the public. In accordance with the RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS page of your permit, each DMR shall be maintained (either electronically or as a hard copy) on record for a period of five years.
- (f) The permittee shall periodically inspect the outfall identification sign(s) in order to ensure they are maintained, are still visible, and contain information that is current and factually correct. Signs that are damaged or incorrect shall be replaced within 3 months of inspection.
- (g) If the permittee believes that any outfall which discharges wastewater from the permitted facility meets any of the DNA waiver criteria, notification must be made to the Department's Bureau of Water Permits. Provided there is no objection by the Department, a sign for the involved outfall(s) are not required. This notification must include the facility's name, address, telephone number, contact, permit number, outfall number(s), and reason why such outfall(s) is waived from the requirements of discharge notification. The Department may evaluate the applicability of a waiver at any time and take appropriate measures to assure that the ECL and associated regulations are complied with.

SCHEDULE OF COMPLIANCE

a) The permittee shall comply with the following schedule:

Outfall(s)	Compliance Action	Due Date
001	<p><u>DRAFT SEWER USE LAW</u> Permittee shall submit for NYSDEC approval a draft local Sewer Use Law equivalent to the <u>DEC Model Sewer Use Law</u>.</p> <p><u>ADOPTED SEWER USE LAW</u> Permittee shall adopt the NYSDEC approved draft into Law and submit a copy of the enacted Law accompanied by proof of enactment.</p>	<p>EDP+4 months</p> <p>NYSDEC Approval + 4 Months</p>
001	<p><u>LOW-LEVEL MERCURY SAMPLING</u> The permittee shall submit Low-Level Mercury analytical results from one (1) final effluent sample. The sample shall be collected in accordance with EPA Method 1669, and the analysis in accordance with EPA Method 1631.</p>	EDP + 6 months
001	<p><u>EASEMENTS</u> Submit documentation for finalized easements that authorizes Sanitary Collection System staff access to the Town owned grinder pumps, laterals, and pump stations.</p>	3/1/2020
001	<p><u>ENGINEERING REPORT</u> The permittee shall submit an approvable engineering report, prepared by a Professional Engineer licensed to practice engineering in New York State, detailing the designs that will be used to improve collection system to reduce inflow and infiltration and to upgrade the POTW to comply with the final water quality based effluent limitations for Ammonia (as N), fecal coliforms, and Total Residual Chlorine.</p> <p><u>ENGINEERING PLANS / SPECIFICATIONS / SCHEDULE</u> The permittee shall submit approvable Engineering Plans, Specifications, as well as a schedule of construction for the improvement works described in the approved Engineering Report. The schedule of construction shall not exceed more than 12 months. The schedule of construction contained in the approved report shall, by reference, be made an enforceable part of the permit.</p> <p><u>PROJECT BIDDING AND AWARD</u> Issue bid notices to contractors for work to be done according to the approved plans and provide copy to the Department.</p> <p><u>BEGIN CONSTRUCTION</u> The permittee shall begin construction of the upgrades and the improvements to the facility and collection system described in the approved report, plans, and specifications in accordance with the Department approved schedule of construction.</p> <p><u>WWTP UPGRADES AND COLLECTION SYSTEM IMPROVEMENTS</u> <u>PROGRESS REPORTING</u> Submit Quarterly Progress reports pertaining to WWTP Upgrade & Collection System Improvements.</p>	<p>Submitted 11/2/2018</p> <p>Submitted 5/13/2019</p> <p>DEC Approval of Plans/Specs +3 months</p> <p>DEC Approval of Plans/Specs +3 months</p> <p>EDP + 12 Months through Construction Completion</p>

	<p>COMPLETE CONSTRUCTION (PHASE 1) & COMMENCE OPERATION The permittee shall complete construction of Stage 1 of the WWTP and place all constructed portions of the facility into full operation.</p> <p>EVALUATE TREATMENT PLANT The permittee shall submit an Engineering Report to demonstrate the performance of the facility as constructed can comply with the all final permit limits.</p> <p>COMPLETE CONSTRUCTION (PHASE 2) & COMMENCE OPERATION Pending the outcome of the performance report, the permittee shall construct the second stage of the approved designed facility, commence operation of the full system, have completed all remaining above compliance actions, and comply with the final limits for Ammonia (as N), fecal coliforms, and Total Residual Chlorine.</p> <p>Submit Certification of Completion for WWTP Upgrade.</p>	<p>10/31/2020</p> <p>5/1/2022</p> <p>6/1/2023</p> <p>7/1/2023</p>
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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(s) noted above. The above due dates are independent from the effective date of the permit stated in the “SPDES NOTICE/RENEWAL APPLICATION/PERMIT” letter.

INTERIM EFFLUENT LIMITS FOR PARAMETERS SUBJECT TO THIS SCHEDULE OF COMPLIANCE

Outfall	Parameter(s) Affected	Interim Effluent Limit			Limits Apply	Notes	Interim Limits Expire
		Type	Limit	Units			
001	Ammonia (as N)	Daily Average	Monitor Only	mg/L	June 1 to October 31		6/1/2023
001	Ammonia (as N)	Daily Average	Monitor Only	mg/L	November 1 to May 31		6/1/2023
001	Fecal Coliform	30-Day Geometric Mean	Monitor Only	No./100mL	Year- Round		1/1/2021
001	Fecal Coliform	7-Day Geometric Mean	Monitory Only	No./100mL	Year-Round		1/1/2021
Discharge Ditch at confluence of Springwater Creek and Limekiln Creek.	Ammonia (as N)	Daily Average	Monitor Only	mg/L	June 1 to October 31	1	5/31/2023
Notes:	1. Sampling location is at the discharge ditch 10 feet prior to flowing into the confluence of Springwater Creek and Limekiln Creek. The sampling frequency shall be 1 time per month and the sample type shall be a grab sample.						

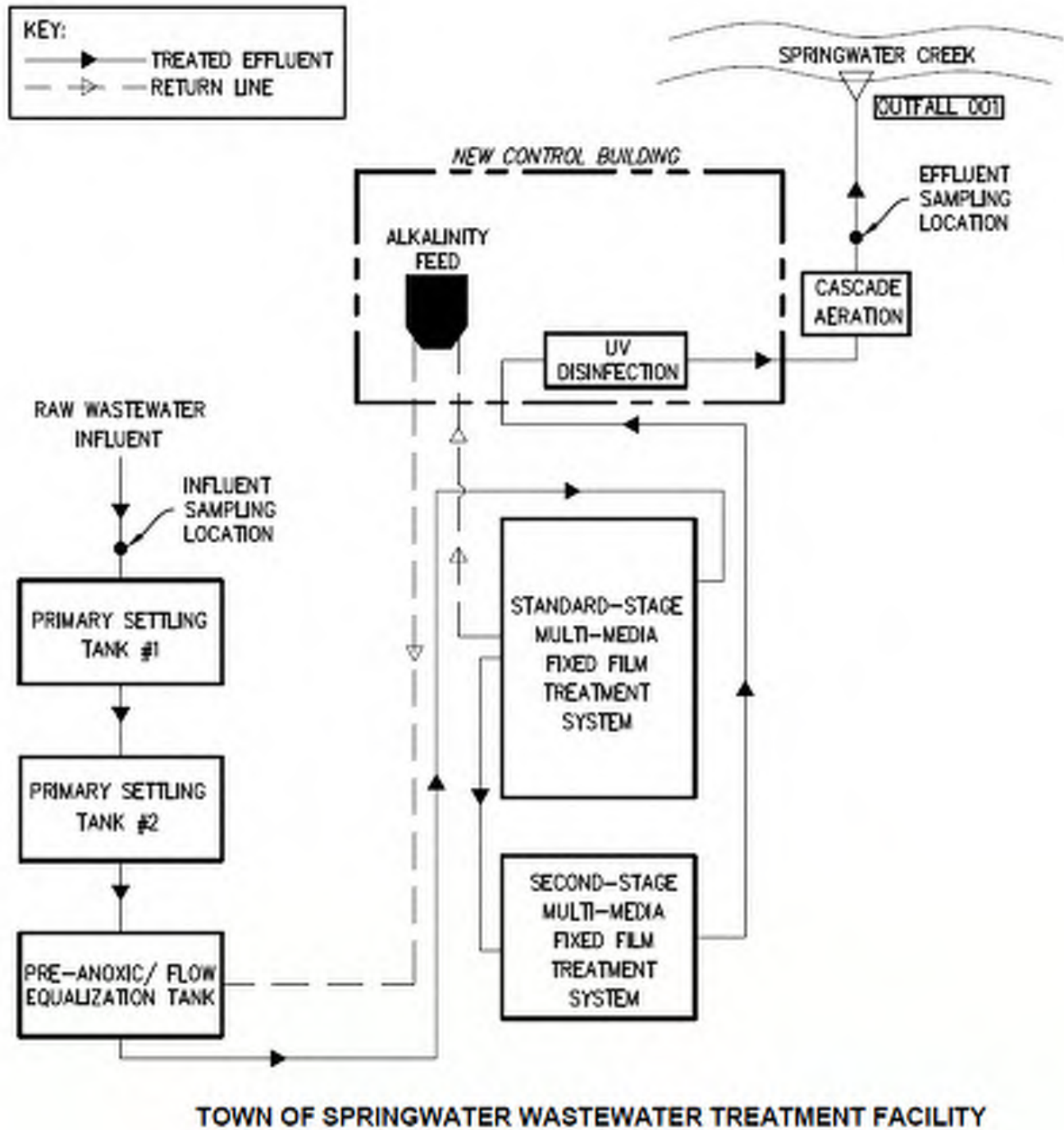
- b) The permittee shall submit a written notice of compliance or non-compliance with each of the above schedule dates no later than 14 days following each elapsed date, unless conditions require more immediate notice as prescribed in 6 NYCRR Part 750-1.2(a) and 750-2. All such compliance or non-compliance 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. Any details which tend to explain or mitigate an instance of 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 the NYSDEC Regional Water Engineer and to the Bureau of Water Permits.

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:



GENERAL REQUIREMENTS

- A. The regulations in 6 NYCRR Part 750 are hereby incorporated by reference and the conditions are enforceable requirements under this permit. The permittee shall comply with all requirements set forth in this permit and with all the applicable requirements of 6 NYCRR Part 750 incorporated into this permit by reference, including but not limited to the regulations in paragraphs B through I as follows:
- B. General Conditions
- | | |
|--|--|
| 1. Duty to comply | 6NYCRR 750-2.1(e) & 2.4 |
| 2. Duty to reapply | 6NYCRR 750-1.16(a) |
| 3. Need to halt or reduce activity not a defense | 6NYCRR 750-2.1(g) |
| 4. Duty to mitigate | 6NYCRR 750-2.7(f) |
| 5. Permit actions | 6NYCRR 750-1.1(c), 1.18, 1.20 & 2.1(h) |
| 6. Property rights | 6NYCRR 750-2.2(b) |
| 7. Duty to provide information | 6NYCRR 750-2.1(i) |
| 8. Inspection and entry | 6NYCRR 750-2.1(a) & 2.3 |
- C. Operation and Maintenance
- | | |
|-----------------------------------|-------------------------------------|
| 1. Proper Operation & Maintenance | 6NYCRR 750-2.8 |
| 2. Bypass | 6NYCRR 750-1.2(a)(17), 2.8(b) & 2.7 |
| 3. Upset | 6NYCRR 750-1.2(a)(94) & 2.8(c) |
- D. Monitoring and Records
- | | |
|---------------------------|---|
| 1. Monitoring and records | 6NYCRR 750-2.5(a)(2), 2.5(a)(6), 2.5(c)(1), 2.5(c)(2), & 2.5(d) |
| 2. Signatory requirements | 6NYCRR 750-1.8 & 2.5(b) |
- E. Reporting Requirements
- | | |
|---|----------------------------|
| 1. Reporting requirements for POTWs | 6NYCRR 750-2.5, 2.7 & 1.17 |
| 2. Anticipated noncompliance | 6NYCRR 750-2.7(a) |
| 3. Transfers | 6NYCRR 750-1.17 |
| 4. Monitoring reports | 6NYCRR 750-2.5(e) |
| 5. Compliance schedules | 6NYCRR 750-1.14(d) |
| 6. 24-hour reporting | 6NYCRR 750-2.7(c) & (d) |
| 7. Other noncompliance | 6NYCRR 750-2.7(e) |
| 8. Other information | 6NYCRR 750-2.1(f) |
| 9. Additional conditions applicable to a POTW | 6NYCRR 750-2.9 |
- F. Planned Changes
1. The permittee shall give notice to the Department as soon as possible of planned physical alterations or additions to the permitted facility when:
 - a. The alteration or addition to the permitted facility may meet any of the criteria for determining whether facility is a new source in 40 CFR §122.29(b); or
 - b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject either to effluent limitations in the permit, or to notification requirements under 40 CFR §122.42(a)(1); or
 - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

In addition to the Department, the permittee shall submit a copy of this notice to the United States Environmental Protection Agency at the following address: U.S. EPA Region 2, Clean Water Regulatory Branch, 290 Broadway, 24th Floor, New York, NY 10007-1866.

GENERAL REQUIREMENTS (continued)

2. Notification Requirement for POTWs

All POTWs shall provide adequate notice to the Department and the USEPA of the following:

- a. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 or 306 of CWA if it were directly discharging those pollutants; or
- b. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
- c. For the purposes of this paragraph, adequate notice shall include information on:
 - i. the quality and quantity of effluent introduced into the POTW, and
 - ii. any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

POTWs shall submit a copy of this notice to the United States Environmental Protection Agency, at the following address:

U.S. EPA Region 2, Clean Water Regulatory Branch, 290 Broadway, 24th Floor, New York, NY 10007-1866

G. Sludge Management

The permittee shall comply with all applicable requirements of 6 NYCRR Part 360.

H. SPDES Permit Program Fee

The permittee shall pay to the Department an annual SPDES permit program fee within 30 days of the date of the first invoice, unless otherwise directed by the Department, and shall comply with all applicable requirements of ECL 72-0602 and 6 NYCRR Parts 480, 481 and 485. Note that if there is inconsistency between the fees specified in ECL 72-0602 and 6 NYCRR Part 485, the ECL 72-0602 fees govern.

I. Water Treatment Chemicals (WTCs)

New or increased use and discharge of a WTC requires prior Department review and authorization. At a minimum, the permittee must notify the Department in writing of its intent to change WTC use by submitting a completed *WTC Notification Form* for each proposed WTC. The Department will review that submittal and determine if a SPDES permit modification is necessary or whether WTC review and authorization may proceed outside of the formal permit administrative process. The majority of WTC authorizations do not require SPDES permit modification. In any event, use and discharge of a WTC shall not proceed without prior authorization from the Department. Examples of WTCs include biocides, coagulants, conditioners, corrosion inhibitors, defoamers, deposit control agents, flocculants, scale inhibitors, sequestrants, and settling aids.

1. WTC use shall not exceed the rate explicitly authorized by this permit or otherwise authorized in writing by the Department.
2. The permittee shall maintain a logbook of all WTC use, noting for each WTC the date, time, exact location, and amount of each dosage, and, the name of the individual applying or measuring the chemical. The logbook must also document that adequate process controls are in place to ensure that excessive levels of WTCs are not used.
3. The permittee shall submit a completed WTC Annual Report Form each year that they use and discharge WTCs. This form shall be submitted in electronic format and attached to either the December DMR or the annual monitoring report required below. The *WTC Notification Form and WTC Annual Report Form* are available from the Department's website at: <http://www.dec.ny.gov/permits/93245.html>

RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS

- A. The monitoring information required by this permit shall be retained for a period of at least five years from the date of the sampling for subsequent inspection by the Department or its designated agent.
- B. Discharge Monitoring Reports (DMRs): Completed DMR forms shall be submitted for each 1 month reporting period in accordance with the DMR Manual available on Department's website.

DMRs must be submitted electronically using the electronic reporting tool (NetDMR) specified by NYSDEC. Instructions on the use of NetDMR are available in the DMR Manual. **Hardcopy paper DMRs will only be received at the address listed below for the Bureau of Water Permits, if a waiver from the electronic submittal requirements has been granted by DEC to the facility.**

Attach the monthly "Wastewater Facility Operation Report" (form 92-15-7) and any required DMR attachments electronically to the DMR or with the hardcopy submittal. In addition, submit a hard copy of the "Wastewater Facility Operator Report" and any attachments to the Regional Water Engineer at the address noted below in Item C.

The first monitoring period begins on the effective date of this permit, and, unless otherwise required, the reports are due no later than the 28th day of the month following the end of each monitoring period.

- C. The monitoring information required by this permit shall be summarized and reported to the RWE and Bureau of Water Permits at the following addresses:

Department of Environmental Conservation
Division of Water, Bureau of Water Permits
625 Broadway, Albany, New York 12233-3505 Phone: (518) 402-8111

Department of Environmental Conservation
Regional Water Engineer, Region 8
6274 E. Avon-Lima Road, Avon, New York, 14414-9519 Phone: (585) 226-5450

- D. Bypass and Sewage Pollutant Right to Know Reporting: In accordance with the Sewage Pollutant Right to Know Act (ECL § 17-0826-a), Publicly Owned Treatment Works (POTWs) are required to notify DEC and Department of Health within two hours of discovery of an untreated or partially treated sewage discharge and to notify the public and adjoining municipalities within four hours of discovery. Information regarding reporting and other requirements of this program may be found on the Department's website. In addition, POTWs are required to provide a five-day incident report and supplemental information to the DEC in accordance with Part 750-2.7(d) by utilizing the Division of Water Report of Noncompliance Event form unless waived by DEC on a case-by-case basis.

- E. Schedule of Additional Submittals:

The permittee shall submit as a hardcopy the following information to the Regional Water Engineer and to the Bureau of Water Permits, unless otherwise instructed:

SCHEDULE OF ADDITIONAL SUBMITTALS		
Outfall(s)	Required Action	Due Date
Discharge Ditch at confluence of Springwater Creek and Limekiln Creek	The permittee shall provide the sampling results generated from sampling the discharge ditch 10 feet prior to flowing into the confluence of Springwater Creek and Limekiln Creek. The sampling frequency shall be 1 time per month and the sample type shall be a grab sample. The sampling results shall be provided to the Department with the DMR forms for each 1 month reporting period during the June 1 to October 31 monitoring season.	Monthly, until POTW upgrades are complete per compliance schedule

Unless noted otherwise, the above actions are one-time requirements. The permittee shall submit the results of the above actions to the satisfaction of the Department. When this permit is administratively renewed by NYSDEC letter entitled "SPDES NOTICE/RENEWAL APPLICATION/PERMIT", the permittee is not required to repeat the above submittal(s), unless noted otherwise. The above due dates are independent from the effective date of the permit stated in the letter of "SPDES NOTICE/RENEWAL APPLICATION/PERMIT."

- F. Monitoring and analysis shall be conducted using sufficiently sensitive test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.
- G. More frequent monitoring of the discharge(s), monitoring point(s), or waters of the State than required by the permit, where analysis is performed by a certified laboratory or where such analysis is not required to be performed by a certified laboratory, shall be included in the calculations and recording of the data on the corresponding DMRs.
- H. Calculations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.
- I. Unless otherwise specified, all information recorded on the DMRs shall be based upon measurements and sampling carried out during the most recently completed reporting period.
- J. 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 which has been issued a certificate of approval. Inquiries regarding laboratory certification should be directed to the New York State Department of Health, Environmental Laboratory Accreditation Program.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Region 8
6274 East Avon-Lima Road, Avon, NY 14414-9516
P: (585) 226-5450 | F: (585) 226-9485
www.dec.ny.gov

September 27, 2023

Ms. Deborah Babbitt-Henry
Town of Springwater
8022 South Main Street
Springwater, NY 14560

RE: **NOTICE OF VIOLATION:** Chronic Noncompliance
Springwater Wastewater Treatment Plant (WWTP)
SPEDES Permit NY- 0246450, Consent Order R8-20150120-45
Springwater (T), Livingston (C)

Dear Ms. Babbitt-Henry,

This letter serves to provide you with a Notice of Violation (NOV) setting forth the specific actions, based on New York State Department of Environmental Conservation (DEC) records, that constitute violations of Article 17 of the Environmental Conservation Law (ECL), 6 NYCRR 750 regarding the State Pollutant Discharge Elimination System (SPDES) Permit and Consent Order # R8-20150120-45 issued to the Town of Springwater WWTP.

On September 13, 2023, the Department met with representatives from the Town of Springwater and the Livingston County Water and Sewer Authority (LCWSA) to conduct a site visit at the Town of Springwater WWTP. The following items were noted during the visit:

- The influent manhole has approximately 3-5 inches of standing water with no bench. It is assumed the standing wastewater is releasing hydrogen sulfide gas which is causing the concrete interior of the manhole to spald after only a couple of years in service.
- The first primary septic tank contained a floating scum layer that was approximately 3 feet in depth. The scum appeared dry and solid. The facility operator stated that the 16,000-gallons was pumped from the two months prior and another 16,000-gallons was scheduled to be pumped again soon. The second septic tank showed an excessive amount of solids buildup in the tank though didn't have the solid scum layer. The equalization tank also showed signs of excessive solids in the tank.
- The Orenco AdvanTex® Ax-Max treatment system (six filter tanks) showed signs of anaerobic conditions, infestation of filter flies, and excessive sludge residue on the filter media which was observed throughout the Ax-Max units. On the September 21, 2023 site visit, worms were observed in the filter media.
- Process control sampling and locations were discussed during the visit. Process control sampling is currently not being conducted at the plant. Process control sampling throughout the treatment system is imperative to assess the operation of the treatment plant and necessary to attain compliance with the SPDES permit.

- It appeared that the high level of suspended solids in effluent is rendering the UV disinfection units ineffective as fecal coliform limits are continually violated.
- During discussions with plant staff and LCWSA, it was highlighted that continuing operator training opportunities with the county would be beneficial to plant staff.
- It was stated that there is an intermunicipal agreement in place between the Town and LCWSA for working to resolve issues at the Springwater WWTP and with SPDES compliance. LCWSA is also helping the Town draft the Sewer Use Law (SUL).
- The Chief Operator obtained Grade 1 Wastewater Treatment Plant Operator Certificate on August 8, 2023.
- It was stated that the South End Dinner has installed a grease trap.

Consent Order/SPDES Compliance Schedule Items Which Require Attention:

1. The draft Sewer Use Law (SUL) was due January 1, 2023 in accordance with the compliance schedule in the SPDES permit. To date, no draft SUL was submitted, this is a violation of 6 NYCRR 750-2.1(e), Article 17-0803 of the ECL, and the SPDES permit.
2. Documentation showing the easements to Town owned grinder pumps, lateral, and pump stations was due March 1, 2020 in accordance with the compliance schedule in the SPDES permit. To date, no documentation has been received. This is a violation of 6 NYCRR 750-2.1(e), Article 17-0803 of the ECL, and the SPDES permit.
3. An engineering report, evaluating treatment plant performance, prepared by a NYS professional engineer was due May 1, 2022 in accordance with the SPDES permit. To date, no evaluation has been submitted. The September 7, 2022 NOV extended the report deadline to October 1, 2023.
4. A review of the monthly Discharge Monitoring Reports (DMRs) submitted for the period of July 1, 2022, through July 31, 2023, indicates the facility has exceeded the SPDES permitted effluent limitations 60 times. The violations for Outfall 001 can be seen in Table 1. These violations, as well as the violations listed in the September 7, 2022 NOV, are violations of 6 NYCRR 750-2.1(e), Article 17-0803 of the ECL, and the SPDES permit.

TO ADDRESS THE ABOVE ISSUES, THE FOLLOWING ACTIONS SHALL BE TAKEN:

1. On or Before **November 1, 2023**: Provide a copy of the intermunicipal agreement between the Town and LCWSA.
2. On or Before **December 15, 2023**: Provide a status report of all the efforts made at the WWTP to-date to get into compliance with the SPDES permit. The report should also address how the WWTP plant is planning to address the high strength loadings

contributing to the on-going SPDES permit violations. An implementation schedule for any planned changes should be included as well.

3. On or Before **December 15, 2023**: Provide an updated operation and maintenance plan describing the routine tasks and maintenance schedules necessary for maintaining all critical equipment at the WWTP.
4. On or Before **December 15, 2023**: Provide documentation that all required grease traps have been installed for the collection system.
5. On or Before **February 2, 2024**: The Town of Springwater is to submit a copy of their draft Sewer Use Law (SUL). The SUL shall be equivalent to the DEC model SUL. If the Town of Springwater chooses to use another approved SUL, that document must be updated to include the Town of Springwater's information and approved by the town.
6. On or Before **April 1, 2024**: Provide a copy of the documentation showing the easements to Town owned grinder pumps, lateral, and pump stations for the distribution system.

PLEASE TAKE FURTHER NOTICE:

The Department is reviewing its options regarding the appropriate enforcement actions, including assessment of penalties, fines and injunctive relief for the violations which have already occurred. You must take immediate action to ensure that all ongoing violations are addressed as described above. Failure to comply with this notice could result in a larger penalty that would otherwise be assessed, should you be adjudged in violation of the law.

ECL Article 71-1929 provides that any person who violates Article 17, or any rule or regulation promulgated thereto, or any permit issued thereunder, shall be liable for a civil penalty not to exceed \$37,500 per day for each violation, plus an additional penalty not to exceed \$37,500 for each day that the violation continues, and that such person may be enjoined from continuing the violation.

Should you have any questions, please contact Chris Cicora at (607) 622-8266, or at christopher.cicora@dec.ny.gov.

Sincerely,



Todd M Caffoe, P.E.
Deputy Regional Water Engineer

Attachment

Ecc:

Dave Sliker – Chief Operator
Jason Molina – Executive Director LCWSA
Tara Blum, P.E. – Regional Water Engineer
Chris Cicora – DOW

Abigail Johnson - DOW
Dudley Loew – Regional Attorney
Tim Steed, PE – Hunt Engineers
Josh Lin - DOW

**Table 1
Summary of Violations since September 7, 2022 NOV**

Parameter (Enforcement Limit)	Period Month (Reported Value)
CBOD5 % Removal (85%)	July 2023 – 74%
CBOD5 7-Day Load (12.7 lb./day)	April 2023 – 79.23 July 2023 – 43.79
CBOD5 30-Day Load (8.3 lb./day)	September 2022 – 22.00 April 2023 – 66.30 July 2023 – 23.90
CBOD5 7-Day Concentration (38 mg/L)	February 2023- 41.00 July 2023 – 210.00
CBOD5 30-Day Concentration (25mg/L)	July 2022- 28.50 November 2022 – 30.00 December 2022 – 30.50 January 2023 – 27.00 February 2023 - 35.50 April 2023 – 33.50 June 2023 - 34.00 July 2023 – 115.00
Fecal Coliform 7- Day Geometric Mean (400/ 100ml)	July 2022 – 220,000 August 2022 – 330,000 September 2022 - 4,500 October 2022 – 68,000 December 2022 – 1,560 January 2023 – 1,200 February 2023 – 1,200 March 2023 – 5,500 April 2023 – 450,000 May 2023 – 290,000 June 2023 – 260,000 July 2023 – 540,000
Fecal Coliform 30 - Day Geometric Mean (200/ 100ml)	July 2022 – 121,500 August 2022 – 167,350 September 2022 – 2,300 October 2022 – 37,500 November 2022 - 215 December 2022 – 940 January 2023 – 33,100 February 2023 – 940 March 2023 – 4,100 April 2023 – 375,000 May 2023 – 155,000 June 2023 – 195,000 July 2023 – 315,000

Table 1
Summary of Violations since September 7, 2022 NOV

Nitrogen, Ammonia Total (5.0 mg/l)	June 2023 – 26.00 July 2023 – 14.50
Total Suspended Solids (TSS) 7 - Day Concentration (45 mg/l)	July 2022 – 65.00
Total Suspended Solids (TSS) 30 - Day Concentration (30 mg/l)	July 2022 – 52.00 January 2023 - 34.00 April 2023 – 34.00 May 2023 – 52.00 June 2023 - 35.50
Total Suspended Solids (TSS) Percent Removal (85%)	July 2022 – 74.00 January 2023 – 83.00 April 2023 – 83.00 May 2023 – 82.00 June 2023 - 84.20
Total Suspended Solids (TSS) Effluent Gross 7 Day Average (45 mg/L)	July 2022 – 65.00
Total Suspended Solids (TSS) Effluent Gross 30 Day Average (30 mg/L)	July 2022 – 52.00 January 2023 – 34.00 April 2023 – 34.00 May 2023 – 52.00 June 2023 – 35.50

Orenco Systems[®]

Incorporated

814 Arroyo Ave

Scituate, OR

97479

Telephone:

541-459-4499

800-348-9843

Fax:

541-459-2884

orenco.com

05/20/2022

Springwater WWTP
David Sliker
8022 S Main St.
Springwater, NY 14560

Subject: Springwater AdvanTex[®] AX-Max Treatment System

Mr. Sliker,

Orenco Systems[®] has reviewed the reviewed the operating data that we have been able to retrieve since the plant was commissioned. It is our opinion that treatment appears to have been impacted by excessive biological loading that has exceeded the design parameters for the plant. We believe that the primary tanks have been impacted by an operational issue, likely the introduction of high strength waste or some other non-residential waste source into the collection system.

We do offer our technical assistance to the extent possible in correcting any wastewater treatment problems that are being experienced. Orenco would be willing to send one of our operators to supervise and provide guidance if the town would be willing to provide personnel and equipment to do the cleaning. Contact Stephen Boring @ (865) 333-6266 to schedule. Once the excessive growth has been eliminated and if the influent to the AdvanTex is reduced to anticipated levels, we should see effluent levels restore to anticipated treatment levels.

Please review the following pages that outlines why/how we arrived at what we believe are causing the issues and our recommendations.

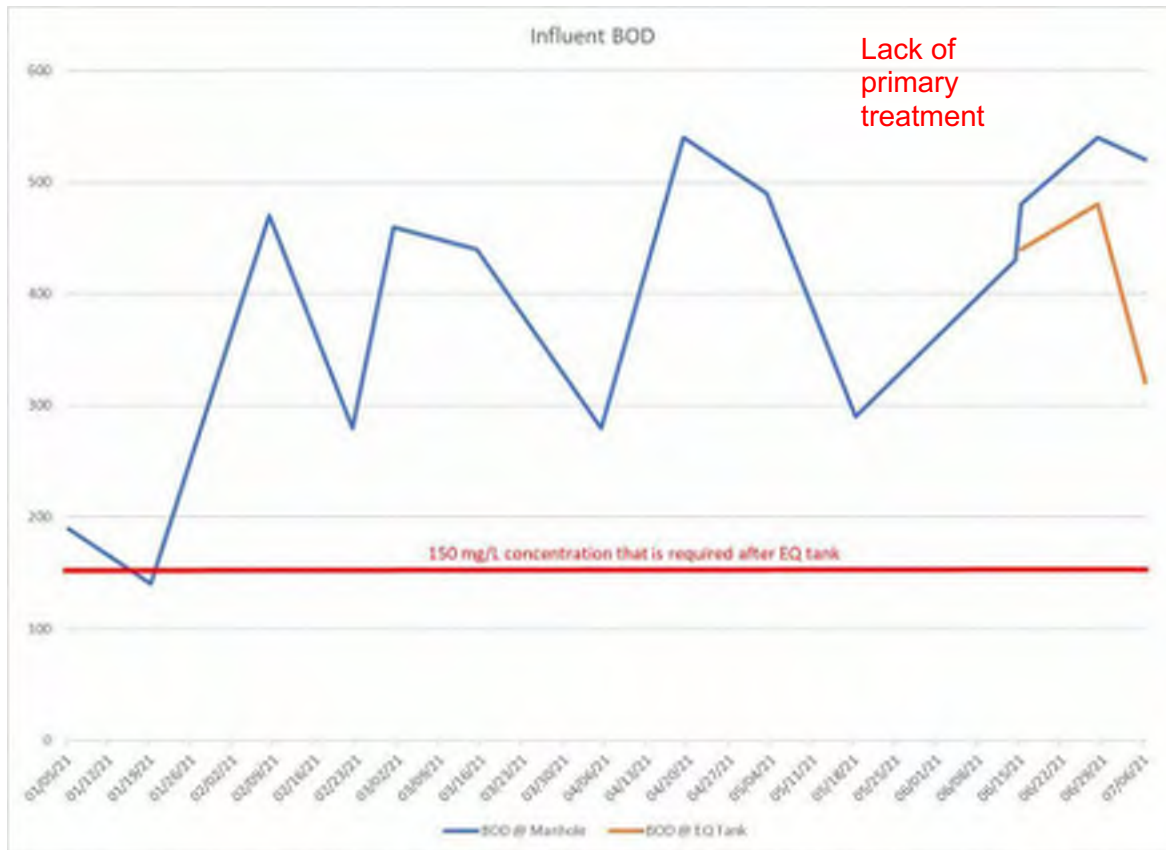
The AdvanTex AX-Max Treatment system was designed for the following influent parameters after primary treatment:

- *Biological Oxygen Demand (BOD₅): 150 mg/L or 50 lbs/day maximum average daily loading*
- *Total Suspended Solids (TSS): 40 mg/L or 13lbs/day maximum daily average*
- *Average Daily Flow: 40,000 gpd maximum daily average*
- *Ammonia (NH₃-N): 45 mg/L or 15lbs/day*

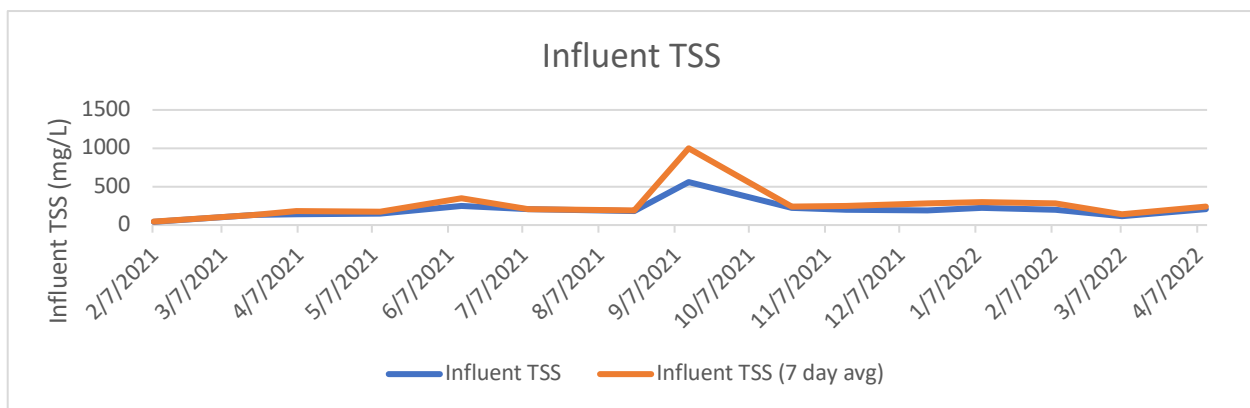
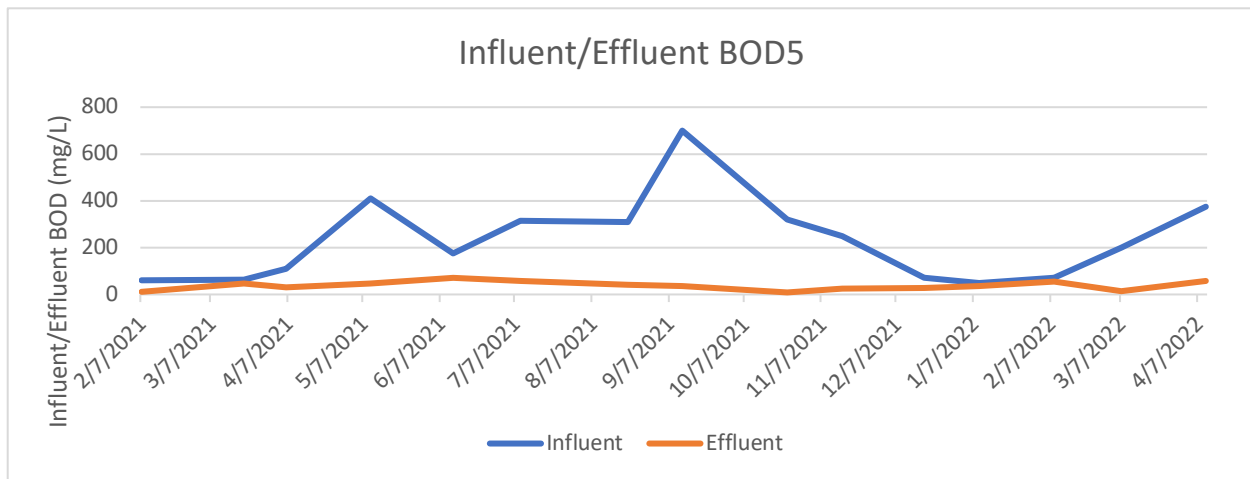
Permit required effluent limits are 15 mg/L BOD₅, 15 mg/L TSS and 5 mg/L NH₃-N

The maximum design daily average influent concentration loading of 150 mg/L or 50 lbs/day is a critical parameter in assuring that the effluent permit limits are achieved. Please note that these loading rates are required after the primary tank from the EQ tank, not at the manhole. While data is limited from the EQ tank, the limited data appears to show that the influent from the EQ tank has had extended exceedances of

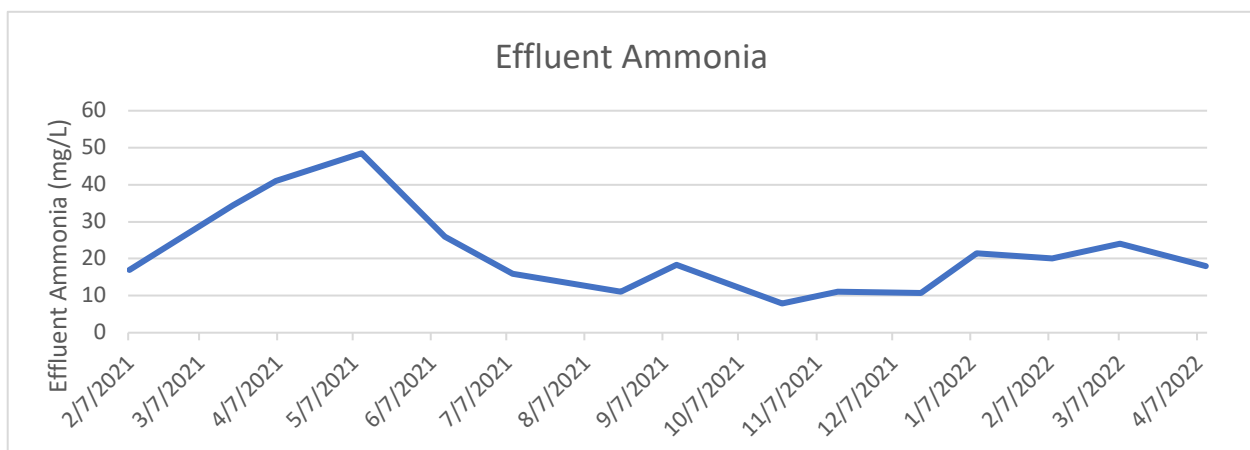
loading criteria for the AdvanTex system. Additionally, it is showed that minimal BOD₅ removal is occurring within the primary tanks. The primary tanks are adequately sized, and we should expect approximately 60% BOD₅ removal and 75% TSS removal in the primary tanks. The following graph shows the measured BOD₅ loading relative to the maximum average loading required.



The broader data appears to show a discernable elevation in influent BOD₅ and influent TSS occurring coincidentally April 1st and June 7th and again between August 21st and October 24th of 2021. At their worst, influent BOD₅ spiked to a monthly average of more than 600 mg/L and a TSS 7-day average spiked to more than 1000mg/L. Graphs of influent BOD₅ and influent TSS are shown below:



Excessive BOD₅ loading will decrease the oxygen necessary to nitrify influent ammonia to nitrite and then nitrate. Accordingly, excessive BOD₅ will also result in excessive effluent ammonia. It also appears that temperature may be impacting nitrification.



The lack of BOD₅ reduction in the primary tanks would likely be attributed to a lack of settling. This would normally be caused by one of the following:

1. Hydraulic overload which decreases hydraulic detention time
2. Sludge buildup which caused decreased tank volume

3. Highly concentrated waste streams, possibly from high strength waste dumped into the system
4. Something in the wastewater that is inhibiting settlement, such as chlorides or other chemicals
5. System bypass by incorrect valving

We believe that the most likely cause would be the discharge of high strength or chemical waste into the existing collection system.

Our recommendation would be to monitor the primary tank influent and effluent (EQ Tank) regularly to see what BOD₅ removal is occurring. If numbers do not trend to normalization and or do not stabilize, corrective action such as pumping the primary tanks should be considered. We would also suggest that the settleability of the influent be measured prior to the primary tanks.

Under heavy organic loading the AdvanTex media can become bound with organics. For the better part of a year or more, the system had been receiving, at times, an organic load double its design capacity. The latest photos of sheets from the plant indicate excessive growth covering the sheets. In addition to inhibiting nitrification, sheets with excessive growth will prevent the effluent from getting to sheets, thus preventing the microorganisms from receiving their food.

If excessive growth is noted, we would recommend that they be cleaned immediately. Cleaning instructions are included in the O&M manual, and a cleaning wand has been provided as part of the O&M tools.

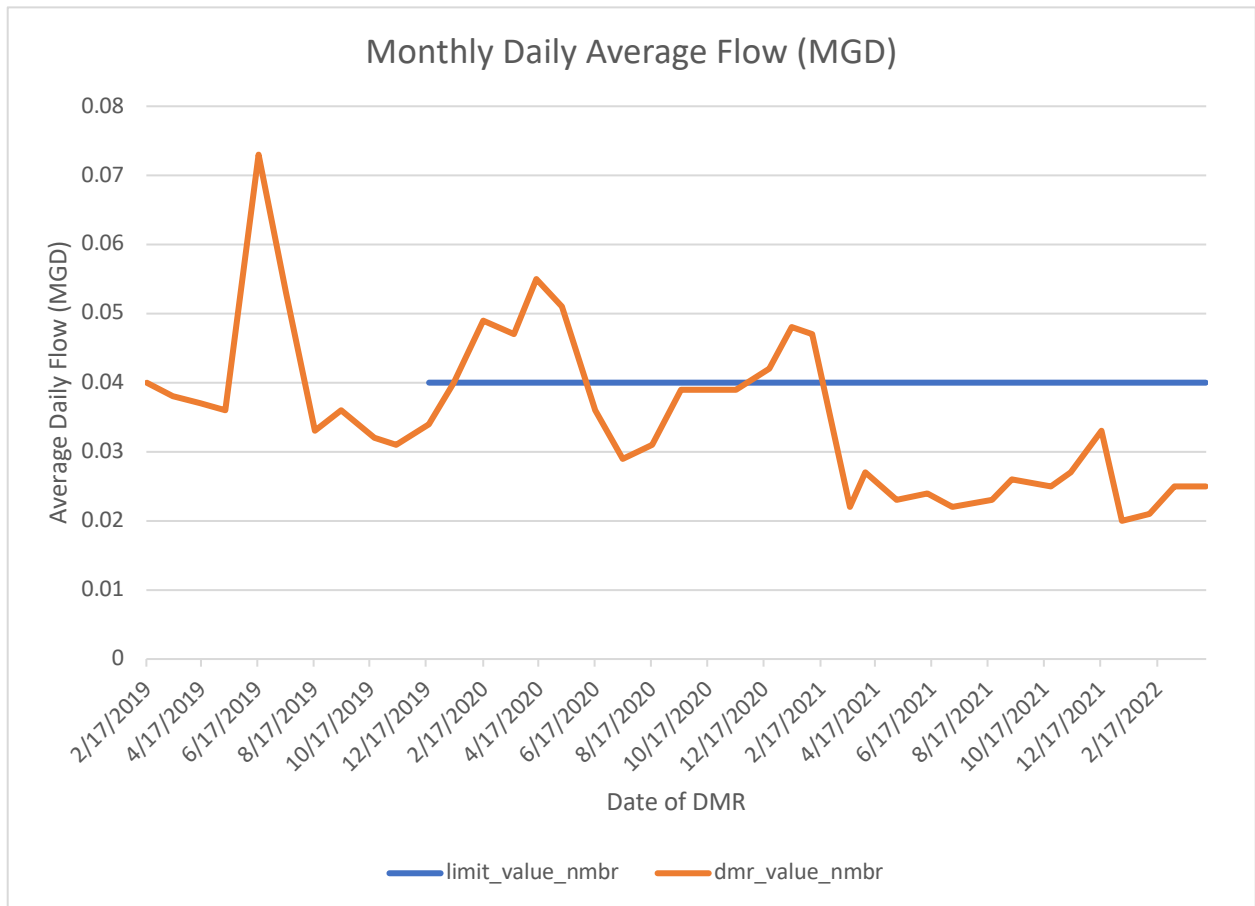
Finally, it is critical to have air flow through all pods and through all media. Air flow should be confirmed not only through the pods but through the media. It is possible that excessive biological growth on the media will impede air flow. Again, media cleaning should correct this.

If Orenco can be of assistance, please don't hesitate to contact Bill Snyder at (518) 469-5462.

Sincerely



Michael L. Saunders
National Sales Manager
Commercial and Municipal Systems





TOWN OF SPRINGWATER

8022 SOUTH MAIN STREET
SPRINGWATER, NEW YORK 14560
585-669-2545 585-669-2002 Fax

September 12, 2022

To: NYS DEC
Re: NOV September, 22nd update,

In reference to the 'Provide an update and firm implementation schedule in response June 30, 2022 Hunt Engineers email and accompanying vendor recommendations regarding (1) removal of solids from the septic tanks; (2) cleaning the units; (3) monitoring of the primary tank influent and effluent (EQ Tank) regularly to determine what BOD5 removal is occurring. Additionally, the schedule must address evaluation of the collection system and the WWTP tanks to determine and correct the causes of the high strength loadings contributing to the ongoing SPDES permit violations.'

(1) Prior to the June 28th meeting and June 30th letter, WWTP employees had been aware of the excess solid deposits in the Primary Settling Tank. The purpose of the June 28th meeting was to discuss the solids issue, the treatment problems of the AdvanTex system and the necessary steps needed to resolve these issues.

(1) Removal of solids from the septic tanks:

9/10/2021 Primary Sludge log – normal accumulation per Chris Hayward (Orenco)

11/21/2021 Primary Sludge log - normal accumulation per Chris Hayward (Orenco) Chris told us that according to these numbers we should expect to have our primary tank pumped after 5 to 10 years of operation and to take sludge readings again in 6 months.

6/8/2022 Primary Sludge log – showing approximately 30% of tank is sludge at bottom 30% of tank is scum at the top leaving 40% water. Findings were reported to HUNT Engineering as well as J. A. Lange as Chris Hayward was no longer with Orenco.

Arrangements were made with O'briens Septic service (Dansville, NY) to begin pumping solids from the Primary Tank.

6/27/2022 – O'briens septic pumped 3,500 gallons of top scum & water from the Primary tank and took to the Mt. Morris treatment plant. The owner of O'briens called that night to inform us that they would not haul any more of our top scum as the wastewater facility would not accept it again.

6/28/2022 – After an inspection and meeting with representatives from HUNT Engineering, J. A. Lange and Orenco, a plan to correct the issues at the WWTP was discussed. It was decided that first, we would need to find a facility that will take our solids and follow through with any analytical testing requirements. Second, we would need to find a company willing to haul our waste. After removal of solids from our tanks, we would then continue routine pumping of both top and bottom layers of deposits on a monthly basis, then quarterly or twice a year depending on how quickly accumulation continues.

7/20/2022 – After several failed attempts to find a dumping site for our waste, Don Cardinal



TOWN OF SPRINGWATER

8022 SOUTH MAIN STREET
SPRINGWATER, NEW YORK 14560
585-669-2545 585-669-2002 Fax

(NYS DEC) recommended we contact Michael Miles (Solid waste engineer NYS DEC). After discussing our situation and needs, Mr. Miles recommended that the Springwater WWTP take their solid waste (minimum of 20% solid) to a landfill willing to accept such waste.

8/3/2022 – Steuben County Landfill agreed to accept our septic solids pending analytical test results. A phone conversation was followed up with emails regarding testing requirements.

8/4/2022 – A testing program was set up and the required sample bottles requested from Life Science Laboratories (Wayland, NY).

8/10/2022 – Samples taken and delivered to the Lab

8/25/2022 – Wolfer's Septic Service (Dansville, NY) removed 4,000 gallons of water/sludge accumulation from the EQ tank (much more than we asked to be removed and it appears they did not remove the sludge, may not use this company again)

9/12/2022 – **Primary Sludge Log** shows that the tank is 80-90% solid. Primary tank has been bypassed awaiting to be completely pumped.

NOTE: The rapid accumulation of solids was anticipated due to the AdvanTex tank cleaning. Solids removed from the filter media in the Units was pumped directly into the Primary Settling Tank to await removal from the Facility.

9/12/2022 – Barefoot Septic Service (Canisteo, NY) has agreed to pump our Primary tank, scheduled to begin 9/19/2022.

9/19/2022 – Barefoot Septic Service completed a full pumping of the Primary settling tank.

9/20/2022 – Primary tank put back in to operation as normal.

STEP COMPLETE

9/20/2022 – Contacted Barefoot Septic to begin monthly maintenance pumping of Settling tanks. We will routinely Sludge Judge the tanks and alter pumping schedule as needed.

(2) Representatives from Orenco, the manufacturer of the AdvanTex system, inspected the Plant on 6/28/22. We were told that they have never had to have one of their plants cleaned before in 30 years and that Springwater is in a unique situation. A cleaning plan was put together and started that same day under supervision of Steven Boring from Orenco.

The cleaning process included the routine maintenance of cleaning spinner nozzles and lateral pipes, as well as spraying and scraping solid material from the media mats. After solids have been scraped off, they then were to be removed from the tanks and pumped into the Primary tank, ultimately to be pumped by a septic service and removed from the property.

(2) Cleaning the Units

6/28/2022 – Cleaning plan developed. Cleaning of the AdvanTex units begun.

8/2/2022 – All pump screens cleaned.

8/3/2022 – Cleaning of the Units Completed

STEP COMPLETE

8/3/2022 – **Present** – Routine maintenance of Units continued as normal

8/25/2022 – Pumped the chamber and area around the pumps in Tanks 3 & 4

9/15/2022 - Pumped the chamber and area around the pumps in Tanks 3 & 4 and cleaned all 11 pump screens.

9/16/2022 – All eleven pumps were pulled, cleaned and screens were cleared of debris.



TOWN OF SPRINGWATER

8022 SOUTH MAIN STREET
SPRINGWATER, NEW YORK 14560
585-669-2545 585-669-2002 Fax

(3) Tim Steed (HUNT Engineering) suggested that composite sampling of the Influent, EQ and Effluent should be routine quarterly for the next year. Additionally, EQ samples were added to the 2x/month testing schedule to further monitor the BOD, TSS and Ammonia removal at the Settling Tank stage. The schedule for the new monitoring was to begin when cleaning of BOTH the Primary settling tank and the AdvanTex units had been completed.

(3) Monitoring of the primary tank influent an effluent (EQ Tank) regularly to determine what BOD5 removal is occurring.

6/28/2022 – A plan to monitor Influent, EQ and Effluent tanks put together.

9/8/2022 – Sampling pump is finished being serviced and all parts necessary to begin a composite program are on site.

9/13/2022 – Life Science Laboratories will begin adding EQ samples to 2x/month program, the first sample should be taken on 9/14/2022 and continue indefinitely.

9/13/2022 – Life Science Laboratories notified of upcoming quarterly composite program planned to begin **10/3/2022**.

(4?) WWTP employees have found that three properties within the Sewer District that have the capacity to serve the public do NOT have grease traps/interceptors. The South End Diner, Fire Hall and American Legion all serve the public and are required by law (enacted in 2014) to have a grease collection system installed.

Additionally, it was found that under DEC direction WWTP employees had been taking Effluent samples from a location other than the SPDES design location. Samples have been taken from the UV Weir box, which is before the final Cascade Aeration treatment step. This likely has led to elevated effluent numbers. Starting 9/15/22 sampling will be routine at the SPDES design locations only.

(4?) Additionally, the schedule must address evaluation of the collection system and the WWTP tanks to determine and correct the causes of the high strength loadings contributing to the ongoing SPDES permit violations.

6/28/2022 – A plan to enforce the existing 'Grease Trap Law' discussed.

6/30/2022 – The owner of the Diner property/American Legion representative and the Springwater Fire Chief were notified of the Grease Trap enforcement and assistance was offered to assist getting the properties into compliance.

9/13/2022 – Representatives contacted for updates:

Diner – Waiting on letter from Town.

Fire Hall – Fire Chief was advised to wait for the Town to provide information on the specs and technical information and is still waiting on a letter.

Legion – Waiting on letter from Town

November 17, 2023

Mr. Todd Caffoe, P.E.
Mr. Chris Cicora
Division of Water, Region 8
6274 East Avon-Lima Road
Avon, NY 14414-9516

RE: **NOTICE OF VIOLATION:** Springwater Wastewater Treatment Plant (“WWTP”)
SPDES Permit NY – 0246450, Consent Order R8-20150120-45

Dear Mr. Caffoe and Mr. Cicora,

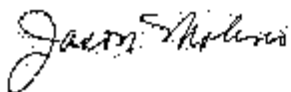
This letter is written on behalf of the Town of Springwater, NY. This letter is intended to provide an update on recent actions the Town of Springwater (“Town”) has taken, with the support of HUNT Engineering (“HUNT”) and the Livingston County Water and Sewer Authority (“Authority”), regarding Consent Order R8-20150120-45 (“Consent Order”) issued to the Town WWTP.

As referenced in our prior communication, the Town has been working closely with the Authority and HUNT to address chronic infiltration and inflow (“I&I”) that has been identified at the holding tank risers at the WWTP. To date, all eleven (11) risers have been improved/repared and upon inspection, appear to be preventing I&I from entering the risers and holding tanks. The Town staff will continue to monitor the risers during wet weather events and seasonal changes.

Attached please find the Town of Springwater Local Law No. 4 adopted on November 13, 2023. Local Law No. 4 establishes the new Sewer Use Law for the Town of Springwater.

Should you have any questions, please contact David Sliker at (585) 519-182 or springwaterdpw@gmail.com, or myself at (585) 346-3523, or jmolino@lcwsa.us.

Sincerely,



Jason Molino
Executive Director

Attachments:

1. Local Law No. 4, Sewer Use Law

LIVINGSTON COUNTY



WATER & SEWER AUTHORITY

Executive Director
Jason Molino

Deputy Director
Lauren Monaghan

Ecc:

Dave Sliker – Chief Operator
Tara Blum, P.E. – Regional Water Engineer
Abigail Johnson – NYS DEC
Deborah Babbit-Henry – Town Supervisor

Dudley Loew – Regional Attorney
Tim Steed, P.E. – HUNT Engineering
Josh Lin – NYS DEC
Jim Campbell – Town Attorney

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of SPRINGWATER

Local Law No. LOCAL LAW NO. 4 of the year 2023

A local law A LOCAL LAW TO ADOPT AND ESTABLISH A NEW SEWER USE LAW OF THE TOWN
(Insert Title)
OF SPRINGWATER, LIVINGSTON COUNTY, NEW YORK

Be it enacted by the SPRINGWATER TOWN BOARD of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of SPRINGWATER as follows:

PLEASE SEE ATTACHED.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2023 of the ~~(County)(City)(Town)(Village)~~ of SPRINGWATER was duly passed by the SPRINGWATER TOWN BOARD on NOVEMBER 13, 2023, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

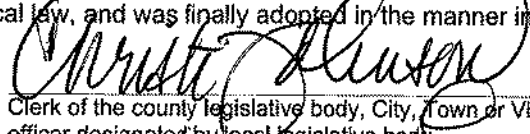
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.


Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body.

Date: November 13, 2023

(Seal)

LOCAL LAW NO. 4 OF THE YEAR 2023
OF THE TOWN OF SPRINGWATER

A local law to adopt a new Sewer Use Law of the Town of Springwater, Livingston County, New York.

Be it enacted by the Town Board of the Town of Springwater as follows:

SECTION 1. TITLE AND SCOPE

This local law shall be known as “A LOCAL LAW TO ADOPT AND ESTABLISH A NEW SEWER USE LAW OF THE TOWN OF SPRINGWATER, LIVINGSTON COUNTY, NEW YORK.”

SECTION 2. AUTHORITY AND GENERAL PURPOSE.

A. Authority. This Local Law is adopted pursuant to the New York State Town Law §198 1. (g) and Articles 2 and 3 of the Municipal Home Rule Law, to protect and promote public health, safety, convenience, order, aesthetics, prosperity and general welfare of the Town of Springwater. This Local Law regulates the discharge of sanitary sewage and other types of wastes into any public sewer collection or treatment system within the Town of Springwater.

B. To these ends, this local law and the Chapter that it creates is designed to:

1. Enhance the orderly growth, development and redevelopment of the Town in accordance with a well-considered plan;
2. Properly regulate the discharge of sanitary sewage and other types of wastes into any public sewer collection or treatment system benefitting the Town, in order to protect the health, safety and welfare of the residents of the Town and to protect the various public benefit infrastructure that collects and treats sanitary sewage and other types of wastes within and/or for the benefit of the Town; and
3. Provide for efficient and effective enforcement of rules and regulations ensuring proper use of and discharge into the public sanitary sewer/waste water collection and treatment system.

SECTION 3. SPECIFIC PURPOSE.

The specific purposes of this Local Law are the following:

- A. To prevent the introduction of substances into the publicly owned sanitary sewer system that will:

- (1) interfere with the publicly owned sanitary sewer system in any way;
 - (2) pass through the publicly owned sanitary sewer system to the State's Waters and cause contravention of standards for those waters or cause violation of the publicly owned sanitary sewer system 's SPDES Permit;
 - (3) increase the cost or otherwise hamper the disposal of publicly owned sanitary sewer system sludge and/or residuals;
 - (4) endanger the Town of Springwater or any municipal employees;
 - (5) cause air pollution, or groundwater pollution, directly or indirectly; and
 - (6) cause, directly or indirectly, any public nuisance condition.
- B. To prevent new sources of Infiltration and Inflow as much as possible and eliminate existing sources of Infiltration and Inflow.
- C. To assure that new sewers and connections are properly constructed.
- D. To provide for equitable distribution amongst all users of the POTW of all costs, associated with Sewage transmission, treatment, and residuals disposal, and to provide for the collection of such costs.
- E. To provide enforcement mechanisms to ensure proper usage of the POTW to further the above purposes.

SECTION 4. ADOPTION OF NEW SEWER USE LAW.

A. The Town of Springwater hereby adopts the following as its Sewer Use Law, which shall supersede and replace any and all prior versions of the same and such Sewer Use Law shall read as follows: See attached TOWN OF SPRINGWATER SEWER USE LAW

SECTION 5. REPEAL OF PRIOR SEWER USE LAW(S).

A. Any and all prior adopted sewer use laws and/or regulations are hereby repealed and replaced by the adoption of this new Town of Springwater Sewer Use Law.

SECTION 6. EFFECTIVE DATE.

This local law shall be effective thirty (30) days after its filing with the Office of the Secretary of State.

Resolution moved by: Councilmember Canute

Seconded by: Deputy Supervisor Gnau

Roll Call: Councilmember Thomas Canute: Aye

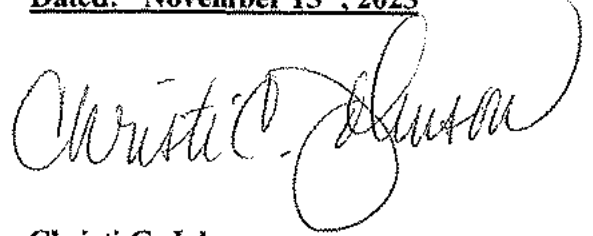
Councilmember Kyle Mason: Aye

Councilmember Patricia Willsea: Absent

Deputy Supervisor Gnau: Aye

Supervisor Babbitt-Henry: Aye

Dated: November 13th, 2023

A handwritten signature in black ink, appearing to read "Christi C. Johnson". The signature is written in a cursive style with a large, looping flourish at the end.

**Christi C. Johnson
Town Clerk**

TOWN OF SPRINGWATER SEWER USE LAW
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Article 1 - Short Title and Purpose

Section 100 - Short Title

For brevity and ease of communication, this Sewer Use Law may be cited as the Town of Springwater Sewer Use Law (hereafter "Sewer Use Law").

Section 101 - Authority

The Town of Springwater (hereafter "Town") has the power to adopt this Sewer Use Law pursuant to New York State Municipal Home Rule Law §20 and New York State Town Law §198.

Section 102 - General Purpose

The general purpose of this Sewer Use Law is the following:

To provide for efficient, economic, environmentally safe, and legal operation of the Town of Springwater Publicly Owned Treatment Works (hereafter "POTW" and as subsequently defined herein).

Section 103 - Specific Purposes

The specific purposes of this Sewer Use Law are the following:

- (1) To prevent the introduction of substances into the POTW that will:
 1. interfere with the POTW in any way;
 2. pass through the POTW to the State's Waters and cause contravention of standards for those waters or cause violation of the POTW's SPDES Permit;
 3. increase the cost or otherwise hamper the disposal of POTW sludge and/or residuals,
 4. endanger Authority or any municipal employees;
 5. cause air pollution, or groundwater pollution, directly or indirectly; and
 6. cause, directly or indirectly, any public Nuisance condition.
- (2) To prevent new sources of Infiltration and Inflow as much as possible and eliminate existing sources of Infiltration and Inflow.
- (3) To assure that new Sewers and connections are properly constructed.
- (4) To provide for equitable distribution amongst all Users of the POTW of all costs, associated with Sewage transmission, treatment, and residuals disposal, and to provide for the collection of such costs.
- (5) To provide enforcement mechanisms to ensure proper usage of the POTW to further the above purposes.

Section 104 - Replacement of Previous Sewer Use Law

The provisions of all prior sewer use rules, regulations and/or local laws in the Town of Springwater are hereby superseded in their entirety and said provisions are wholly replaced by the

herein set forth Articles 1 through 14 inclusive, which are intended to govern all Users of the Town of Springwater POTW.

Article 2 - Definitions

Section 201 - Defined Terms

Unless otherwise stated in the section where the term is used in this Sewer Use Law, the meaning of terms used in this Sewer Use Law shall be as stated below. When not inconsistent with the context, the present tense shall include the future, and words used in the plural shall include the singular and vice versa. Furthermore, a masculine pronoun shall include the feminine. Shall is mandatory; may is permissive.

Abnormal Sewage - Sewage whose concentration of one or more characteristics of Normal Sewage exceeds the maximum concentrations of the characteristics of Normal Sewage. See Normal Sewage.

Act or "THE ACT" - The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq., as may be amended.

Administrator - The Regional Administrator of the U. S. Environmental Protection Agency (USEPA), Region 2.

Ammonia - The result obtained, using an approved laboratory procedure, to determine the quantity of Ammonia in a sample, expressed as milligrams of Nitrogen per liter.

Applicant - That Person or legal entity who makes application for any Permit. The Applicant may be an owner, new or old, or his agent.

Approval Authority - The USEPA, or the New York State Department of Environmental Conservation (NYSDEC), in the event the NYSDEC is delegated approval authority responsibility by the USEPA.

Approved Laboratory Procedure - The procedures defined as 'Standard Methods' in this Article, or other procedures approved by the Operator, for flow measurement or determination of the concentration of Pollutants or their surrogates in waters, Wastewaters, and/or sludges.

ASTM, denoting American Society for Testing and Materials - The latest edition of any ASTM specification, when stipulated in this Sewer Use Law.

Authorized Representative of the Industrial User - An authorized representative of the Industrial User may be:

- (a) An executive officer of at least the level of vice-president, if the Industrial User is a corporation;

- (b) A general partner or proprietor, if the Industrial User is a partnership or proprietorship, respectively;
- (c) A duly authorized representative of the individual designated above, if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

BOD, denoting Biochemical Oxygen Demand - The result obtained when using an approved laboratory procedure to determine the quantity of Oxygen utilized in the aerobic biochemical oxidation of organic matter or in a sample, expressed in milligrams per liter.

Builder - Any Person or legal entity who undertakes to construct a building or any part of a building, either under contract or for resale.

Building Drain - That part of the lowest horizontal piping of a building drainage system which receives the discharge from soil, waste, and other drainage pipes inside the building walls, and conveys it to the Building Lateral, which begins five (5) feet outside the inner face of the building wall.

Chlorine Demand - The result obtained when using an approved laboratory procedure to determine the difference between the amount of Chlorine added to a sample and the amount of chlorine remaining in the sample at the end of a specified contact time at room temperature, expressed in milligrams per liter.

COD, denoting Chemical Oxygen Demand - The result obtained when using an approved laboratory procedure to measure the Oxygen requirement of that portion of matter, in a sample, that is susceptible to oxidation, by a specific chemical oxidant, expressed in milligrams per liter.

Color - The optical density at the visual wave length of maximum absorption, relative to distilled water. One hundred percent (100%) transmittance is equivalent to zero (0.0) optical density.

Composite Sample - The sample resulting from the combination of individual samples of Wastewater taken at selected intervals, for a specified time period. The individual samples may have equal volumes or the individual volumes may be proportioned to the flow at the time of sampling.

Connection - Attachment of one user to a Sewer. (See Extension)

Connection Charge (Tap Fee) - The one-time application fee (to be set from time to time by the Springwater Town Board) to offset expenses to process an application for a connection of a Building/Street Lateral to the Public Sewer. The fee also covers plan review, Permit issuance, street repair cost, and inspection costs. The fee may be scaled to the amount of work involved, or to the size of the Public Sewer involved.

Control Authority - The term shall refer to "Approval Authority", or to the Town Supervisor when the Town of Springwater has an approved pretreatment program under the provisions of 40 CFR 403.11.

Control Manhole - A manhole accessible to the Control Authority in or upstream of the Street Lateral, such that samples collected from the manhole represent the discharge to the POTW.

Conventional Pollutant - A Pollutant that the POTW Treatment Plant was designed to treat, defined in accordance with the Act.

Cooling Water - The water discharged from any system of condensation, air conditioning, refrigeration, or other sources. It shall contain no polluting substances which would produce COD or suspended solids in excess of five (5) milligrams per liter, or toxic substances, as limited elsewhere in this Sewer Use Law.

County - Livingston County, New York, in which the Town of Springwater is located.

Developer - Any Person or legal entity who subdivides land or uses existing parcels of land for the purpose of constructing, or causing to be constructed, buildings or structures for which Wastewater disposal facilities are required.

Direct Discharge - The discharge of treated or untreated Wastewater directly to the Waters of the State of New York. (For reference, see Indirect Discharge.)

Domestic Wastes - see Sewage, Domestic.

Dry Sewers - The Sanitary Sewer installed in anticipation of future connection to a POTW but which is not used, in the meantime, for transport of Storm or Sanitary Sewage.

End of Pipe - For the purpose of determining compliance with limitations prescribed by Article 9, End of Pipe shall mean the Control Manhole, provided the samples collected from the Control Manhole are representative of the discharge to the POTW.

End of Pipe Concentration - The concentration of a substance in a sample of Wastewater at the End of Pipe.

End of Process Concentration - see National Categorical Pretreatment Standard.

Easement - An acquired legal right for the specific use of land owned by others.

EPA, USEPA, or U.S. Environmental Protection Agency - The agency of the federal government charged with the administration and enforcement of federal environmental laws, rules, and Sewer Use Law. Also may be used as a designation for the Administrator or other duly authorized official of this Agency.

Extension - Attachment of a Sewer line, with more than one User, to an existing Sewer line.

Facility - All buildings, other structures, grounds and contiguous property at any locations related to or connected with a User at the User's location.

Floatable Oil - Oil, grease, or fat in a physical state such that it will separate by gravity from Wastewater by treatment in a Wastewater treatment facility.

Flow Rate - The quantity of liquid or waste that flows in a certain period of time.

Garbage - The solid wastes from the preparation, cooking, and dispensing of food, from the handling, storage, and sale of produce, and from the packaging and canning of food.

Grab Sample - A single sample of Wastewater representing the physical, chemical, and biological characteristics of the Wastewater at one point and time.

ICS Form - The form used by the NYSDEC to survey industries to perform and update the Industrial Chemical Survey.

Indirect Discharge - The introduction of Wastewater into a POTW for treatment and ultimate discharge of the treated effluent to the State's Waters. (For reference, see Direct Discharge).

Industrial - Meaning or pertaining to industry, manufacturing, commerce, trade, business, or institution, and is distinguished from domestic or residential.

Industrial Chemical Survey (ICS) - The survey of industries in New York State, initiated by the NYSDEC, to determine chemical usage and storage by those industries.

Industrial User - See User, Industrial.

Industrial Wastes - The liquid or liquid-carried solid, liquid and/or gaseous wastes from industrial manufacturing processes, trade, service, utility, or business, as distinct from Sanitary Sewage.

Infiltration - Water, other than Wastewater, that enters a Sewer System (excluding building drains) from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, Inflow. Infiltration is inadvertent, that is, not purposely designed or built into the Sewer or drain.

Inflow - Water, other than Wastewater, that enters a Sewer System (including building drains) from sources such as, but not limited to, roof leaders, cellar drains, area drains, drains from springs and swampy areas, manhole covers, cross connections between Storm Sewers and Sanitary Sewers, catch basins, cooling towers, storm waters, foundation drains, swimming pools, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from, Infiltration. Inflow is purposely designed and/or built into the Sewer or drain (not necessarily with consent or permission).

Interference - A discharge which, alone or in conjunction with discharges by other sources:
(a) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and

(b) therefore is a cause of a violation of any requirement of the Town of Springwater POTW's SPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of Sewage sludge use or disposal by the POTW in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations):

- i. Section 405 of the Clean Water Act,
- ii. the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act - RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D or the SWDA),
- iii. Clean Air Act,
- iv. Toxic Substance Control Act, and/or
- v. Marine Protection Research and Sanctuaries Act.

Lateral, Building - The Sewer extension from a building drain to a Street Lateral or other place of Wastewater disposal.

Lateral, Street - The sewer extension from a Public Sewer to a property line.

National Categorical Pretreatment Standard, or Categorical Standard - Any regulation containing Pollutant discharge limits promulgated by the EPA in accordance with Section 307 (B) and (C) of the Act (22 U.S.C. 1347), which applies to a specific category of Industrial Users. These standards apply at the end of the categorical process ("end of process").

National Pollutant Discharge Elimination System (NPDES) Permit - A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

National Prohibitive Discharge Standard, or Prohibitive Discharge Standard - Any regulation developed under the authority of Section 307 (B) of the Act, and 40 CFR, Section 403.5.

Natural Outlet - Any outlet, including Storm Sewers and combined Sewer overflows, to State's Waters.

New Owner - That Person or entity who acquired legal title to property within the Service Area of the Town of Springwater Sewer District after the effective date of this Sewer Use Law.

New Source - Any source, the construction of which is commenced after the publication of the proposed regulation prescribing a Section 307 (C) (33 U.S.C 1317) Categorical Pretreatment Standard which will be applicable to such source, if such standard is thereafter promulgated.

New User - A discharger to the POTW who commences discharge after the effective date of this Sewer Use Law.

Normal Sewage - see Sewage, Normal.

Nuisance - The use or lack of use of the POTW in such a manner so as to endanger life or health, give offense to the senses, or obstruct or otherwise interfere with the reasonable use or maintenance of the POTW.

Oil and Grease - The result obtained when using an approved laboratory procedure to determine the quantity of fats, wax, grease, and oil, in a sample, expressed in milligrams per liter.

Old Owner - That Person or entity who owns or owned a property, within the Service Area of the POTW, acquired prior to the effective date of this Sewer Use Law, who owned or inherited the property at any time and intends to sell the property, or has transferred the property to a New Owner, also the agent of the Old Owner.

Operator - That individual appointed by the Springwater Town Board to oversee the day-to-day operation, maintenance and regulatory compliance of the POTW. This definition shall also include his/her authorized deputy, agent, or representative.

Other Wastes - Garbage (shredded or unshredded), refuse, wood, egg shells, coffee grounds, sawdust, shavings, bark, sand, lime, ashes, and all other discarded matter not normally present in Sewage or Industrial Wastes. Also, the discarded matter not normally present in Sewage or Industrial Waste.

Pass Through - The discharge which exits the Town of Springwater POTW into Waters of the State in quantities, which, alone or in conjunction with discharges from other sources, is a cause of a violation of any requirement of the POTW's SPDES permit (including an increase in the magnitude or duration of a violation).

Permit - A temporary, revocable written document allowing use of the POTW for specified wastes over a limited period of time, containing sampling locations and reporting frequencies, and requiring other actions as authorized by this Sewer Use Law.

Person - Any individual, public or private corporation, political subdivision, Federal, State, or local agency or entity, association, trust, estate or any other legal entity whatsoever.

pH - The logarithm (base 10) of the reciprocal of the weight of hydrogen ions, in gram moles per liter of solution. A pH value of 7.0, the pH scale midpoint, represents neutrality. Values above 7.0 represent alkaline conditions. Values below 7.0 represent acid conditions.

Phosphorus, total - See total phosphorus.

Pollutant - Any material placed into or onto the State's Waters, lands and/or airs, which interferes with the beneficial use of that water, land and/or air by any living thing at any time.

Pollution - The man-made or man-induced alteration of the chemical, physical, biological, and/or radiological integrity of the State's Waters, lands and/or airs resulting from the introduction of a Pollutant into these media.

Pretreatment (Treatment) - The reduction of the amount of Pollutants, the elimination of Pollutants, or the alteration of the nature of Pollutant properties in Wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such Pollutants into a POTW. The reduction or alteration can be achieved by physical, chemical, or biological process, process changes, or by other means, except as prohibited by 40 CFR, Section 403.6 (D).

Pretreatment Requirements - Any substantive or procedural requirement related to Pretreatment, other than a National Pretreatment Standard imposed on an Industrial User.

Pretreatment Standard or National Pretreatment Standard - Any Categorical Standard or Prohibitive Discharge Standard.

Priority Pollutants - The most recently revised or updated list, developed by the EPA, in accordance with the Act.

Prohibitive Discharge Standard - see National Prohibitive Discharge Standard.

Properly Shredded Garbage - The wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in Public Sewers, and with no particle having a dimension greater than one-half (1/2) inch in any dimension.

POTW Treatment Plant - That portion of the POTW designed to provide treatment to Wastewater, and to treat sludge and residuals derived from such treatment.

Publicly Owned Treatment Works (POTW) - A treatment works, as defined by Section 212 of the Act, (33 U.S.C 1292), which is owned, in this instance, by the Authority. This definition includes any Sewers and appurtenances that transport Wastewater to the POTW Treatment Plant, but does not include pipes, Sewers, or other conveyances not connected directly or indirectly to a facility providing treatment.

Receiving Waters - A natural water course or body of water (usually Waters of the State) into which treated or untreated Sewage is discharged.

Records - Shall include, but not be limited to, any printed, typewritten, handwritten or otherwise recorded matter of whatever character (including paper or electronic media), including but not limited to, letters, files, memoranda, directives, notes and notebooks, correspondence, descriptions, telephone call slips, photographs, permits, applications, reports, compilations, films, graphs and inspection reports. For the purposes of this Sewer Use Law, records shall mean records of and relating to waste generation, reuse and disposal, and shall include records of usage of raw materials.

Roof Drain - A drain installed to receive water collecting on the surface of a roof for disposal.

Septage - All liquids and solids in and removed from Septic Tanks, holding tanks, cesspools, or approved type of chemical toilets, including but not limited to those serving private residences,

commercial establishments, institutions, and industries. Also sludge from small Sewage Treatment Plants. Septage shall not have been contaminated with substances of concern or priority pollutants.

Septic Tank - A private domestic Sewage treatment system consisting of an underground tank (with suitable baffling), constructed in accordance with any and/or all local and State requirements.

Service Area of the POTW - The legally defined bounds of real property within the Town of Springwater Sewer District from which Wastewater may be discharged into the POTW. The bounds shall be established, altered, changed, modified, reduced, enlarged, combined, or consolidated by action of the Springwater Town Board.

Sewage - A combination of the water-carried wastes from residences, business buildings, institutions, and Industrial establishments, and such ground, surface, and Storm Water as may be inadvertently present. The admixture of Sewage, as defined above, with Industrial Wastes and other wastes shall also be considered "Sewage", within the meaning of this definition.

Sewage, Domestic (Domestic Wastes) - Liquid wastes from the non-commercial preparation, cooking, and handling of food, liquid wastes containing human excrement and similar matter from the sanitary conveniences in dwellings, commercial buildings, Industrial buildings, and institutions, or liquid wastes from clothes washing and/or floor/wall washing. Therefore, domestic Sewage includes both black water and grey water. (See Sewage, Sanitary.)

Sewage, Normal - Sewage, industrial wastes, or other wastes, which show, by analysis, the following characteristics:

- B.O.D. (Five Day) - 2090 lbs. per million gallons (250 milligrams per liter), or less.
- Suspended Solids - 2500 lbs. per million gallons (300 milligrams per liter), or less.
- Phosphorus - 125 lbs. per million gallons (15 milligrams per liter), or less
- Ammonia - 250 lbs. per million gallons (30 milligrams per liter), or less.
- Total Kjeldahl Nitrogen - 417 lbs. per million (50 milligrams per liter), or less.
- Chlorine Demand - 209 lbs. per million gallons (25 milligrams per liter), or less.
- Chemical Oxygen Demand - 2920 lbs. per million gallons (350 milligrams per liter), or less.
- Oil and Grease - 100 milligrams per liter, or less

In spite of satisfying one or more of these characteristics, if the Sewage also contains substances of concern, it may not be considered Normal Sewage.

Sewage, Sanitary - Liquid wastes from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories, or institutions, and free from storm water, surface water, Industrial, and other wastes. (See Domestic Wastes.)

Sewage Treatment Plant (Water Pollution Control Plant) - see POTW Treatment Plant.

Sewage, Unusual Strength or Character - Sewage which has characteristics greater than those of Normal Sewage and /or which contains Substances of Concern.

Sewer - A pipe or conduit for carrying or transporting Sewage.

Sewer, Combined - A Sewer designed to receive and transport both surface runoff and Sewage.

Sewer, Public - A Sewer in which all abutting property owners have equal rights, and the use of which is controlled by the Town of Springwater Sewer District.

Sewer, Sanitary - A Sewer which carries Sewage, and to which storm, surface, and groundwaters are not intentionally admitted.

Sewer, Storm (Storm Drain) - A Sewer which carries storm and surface waters and drainage, but excludes Sewage and Industrial Wastes, other than cooling waters and other unpolluted waters.

Sewer System (also POTW) - All facilities for collecting, regulating, pumping, and transporting Wastewater to and away from the POTW Treatment Plant.

Sewerage Surcharge - The demand payment for the use of a Public Sewer and/or Sewage Treatment Plant for the handling of any Sewage, Industrial Wastes, or other wastes accepted for admission thereto in which the characteristics thereof exceed the maximum values of such characteristics in Normal Sewage. (See Volume Charge.)

Significant Industrial User - see User, Significant Industrial.

Significant Non-Compliance (SNC) - A User is in significant non-compliance if its violation(s) meet(s) one or more of the following criteria:

- Chronic violations of Wastewater discharge limits, defined here as those, in sixty-six (66) percent or more of all of the measurements taken during a six-month period, which exceed (by any magnitude) the daily maximum limit or average limit for the same Pollutant parameter;
- Technical Review Criteria (TRC) violations, defined here as those, in which thirty-three (33) percent or more of all of the measurements for each Pollutant parameter taken during a six-month period, which equal or exceed the product of the daily maximum limits multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease; TRC = 1.2 for all other pollutants);
 - Any other violation of a Pretreatment effluent limit (daily maximum or long-term average) that the POTW Operator determines has caused, alone or in combination with other discharges, Interference or Pass Through (including endangering the health of POTW personnel or the general public);
 - Any discharge of a Pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the Town Supervisor's exercise of its emergency authority under Article 11 of this Sewer Use Law;

- Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
- Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- Failure to report accurately any non-compliance;
- Any other violation which the Operator determines will adversely affect the implementation or operation of the local pretreatment program.

Slug - A substantial deviation from normal rates of discharge or constituent concentration (see Normal Sewage) sufficient to cause Interference. In any event, a discharge which, in concentration of any constituent or in quantity of flow, that exceeds, for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flow during normal user operations, shall constitute a Slug.

Standard Industrial Classification (SIC) - A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972, and subsequent revisions.

Standard Methods - Procedures contained in the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, procedures established by the Administrator, pursuant to Section 304 (G) of the Act and contained in 40 CFR, Part 136, and amendments thereto. (If 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question, then procedures set forth in EPA publication, "Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants", April 1977, and amendments thereto, shall be used), any other procedure approved by the Administrator, or any other procedure approved by the Operator, whichever is the most conservative.

State - State of New York.

State's Waters - See Waters of the State.

Storm Water - Any flow occurring during or following any form of natural precipitation; also the flow resulting therefrom.

Substances of Concern - Those compounds which the New York State Department of Environmental Conservation has determined may be harmful to man or the environment.

Sump Pump - A mechanism used for removing water from a sump or wet well.

Suspended Solids - The result obtained, using an approved laboratory procedure, to determine the dry weight of solids, in a sample, that either float on the surface of, or are in suspension, or are settleable, and can be removed from the sample by filtration, expressed in milligrams per liter.

Total Kjeldahl Nitrogen (TKN) - The result obtained, using an approved laboratory procedure, to determine the quantity of ammonia in a sample and released during the acid digestion of organic nitrogen compounds, expressed as milligrams of nitrogen per liter.

Total Phosphorus - The result obtained, using an approved laboratory procedure, to determine the total quantity of orthophosphate, in a sample of Wastewater, following the hydrolysis of phosphorus compounds, expressed as milligrams of phosphorus per liter of sample.

Toxic Substances - Any substance, whether gaseous, liquid, or solid, that when discharged to a Public Sewer in sufficient quantities may be hazardous to POTW operation and maintenance personnel, tend to interfere with any biological Sewage treatment process, or to constitute a hazard to recreation in the receiving waters, due to the effluent from a Sewage Treatment Plant or overflow point. Any Pollutant or combination of Pollutants listed as toxic in regulations promulgated by the EPA under provisions of CWA 307 (A), or other Acts.

User - Any Person who contributes, causes, or permits the contribution of Wastewater into the POTW.

User, Existing - A discharger to the POTW who is discharging on or before the effective date of this Sewer Use Law.

User, Industrial - A discharger to the POTW who discharges non-domestic Wastewaters.

User, New - A discharger to the POTW who initiates discharge after the effective date of this Sewer Use Law.

User, Significant Industrial (SIU) - An Industrial User of the POTW who is:

- Subject to National Categorical Pretreatment Standards promulgated by the EPA,
- Having substantial impact, either singly or in combination with other industries, on the operation of the treatment works,
- Using, on an annual basis, more than 10,000 lbs. or 1,000 gallons of raw material containing priority Pollutants and/or substances of concern and discharging a measurable quantity of these Pollutants to the sewer system,
- Discharging more than five percent (5%) of the flow or load of conventional Pollutants received by the POTW Treatment Plant.

Note, a User discharging a measurable quantity of a Pollutant may be classified as non-significant if, at the influent to the POTW, the pollutant is not detectable.

Volume Charge (User Charge) - The demand Sewer use charge which is based, in part or wholly, on the volume of Normal Sewage discharged into the POTW (there may be surcharges, as provided for in Article 12). The volume charge shall be based on a specific cost per 100 cubic feet or per 1,000 gallons. The specific charge shall be subject to approval by the Springwater Town Board and may be changed from time to time at its discretion. The moneys so obtained shall be used for current operation and maintenance, for retirement of bonded indebtedness, and for funding of capital projects, of the POTW. The basis of volume charge calculations shall be

made available to the public, on demand, as provided in Article 13. The volume charge shall be recalculated annually, as well as the surcharge rates.

Wastewater - The liquid and water-carried industrial or domestic Wastewaters from dwellings, commercial establishments, Industrial Facilities, and institutions, together with any groundwater, surface water, and Storm Water that may be present, whether treated or untreated, which is contributed into or permitted to enter the POTW.

Wastewater Discharge Permit - A permit as set forth in Article 10 of this Sewer Use Law.

Wastewater, Unusual Strength or Character - see Sewage, Unusual Strength or Character.

Waters of the State (State's Waters) - All streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

Section 202 - Abbreviations

The following abbreviations shall have the designated meanings:

ANSI	American National Standards Institute
ASTM	American Society for Testing and Materials
AWWA	American Water Works Association
BOD	Biochemical Oxygen Demand
CFR	Code of Federal Sewer Use Law
CPLR	Code of Public Law and Rules
COD	Chemical Oxygen Demand
EPA	Environmental Protection Agency
L	Liter
Mg	Milligram
Mg/l	Milligrams per liter
NCPI	National Clay Pipe Institute
NPDES	National Pollutant Discharge Elimination System
NYSDEC	New York State Department of Environmental Conservation
NYSDOH	New York State Department of Health
NYSDOT	New York State Department of Transportation
P	Total Phosphorus
PSI	Pounds per Square Inch
POTW	Publicly Owned Treatment Works
PPM	Parts per Million, weight basis
SIC	Standard Industrial Classification
SPDES	State Pollutant Discharge Elimination System
SWDA	Solid Waste Disposal Act, 42 U.S.C. 690 L, et seq.
U.S.C.	United State Code of Laws

USEPA United State Environmental Protection Agency
TSS Total Suspended Solids

Section 203 - Undefined Terms

Terms not defined in this Article, or terms found to be ambiguous or improperly defined in this Article, shall be defined by the Act, or regulations, pursuant thereto.

Article 3 - Use of Public Sewers Required

Section 301 - Waste Disposal Unlawful

It shall be unlawful and a violation of this Sewer Use Law for any Person to place, deposit, or permit to be deposited, in any unsanitary manner, on public or private property, within the service area of the Town of Springwater Sewer District, any human or animal excrement, Garbage, or objectionable waste. Also, no Person shall discharge domestic Sewage onto the surface of the ground or discharge it in a way that permits it to come to the surface of the ground.

Section 302 - Connecting Private Sewage System to Storm Sewer Unlawful

No Person shall connect a private Sewage System so that Sewage flows into a Storm Sewer or into a drain intended exclusively for Storm Water.

Section 303 - Discharge of Sewage into Well Prohibited

No Person shall discharge Sewage into a well.

Section 304 - Wastewater Discharge Unlawful

It shall be unlawful and a violation of this Sewer Use Law to discharge to any natural outlet, within the Town of Springwater Sewer District service area, any Wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Sewer Use Law and after obtaining a SPDES Permit from the NYSDEC.

Section 305 - Building Permit Allowed Only When Approved Wastewater Disposal Available

No property owner, Builder, or Developer shall be issued a building permit for a new dwelling or structure requiring sanitary facilities unless a suitable and approved method of wastewater disposal, conforming to this Sewer Use Law, is available. All housing construction or building development which takes place after this Sewer Use Law is enacted shall provide for an approved system of Sanitary Sewers.

Section 306 - Private Wastewater Disposal

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault or cesspool intended or used for disposal of Wastewater.

The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated outside the Service Area of the Town of Springwater Sewer District, shall be permitted to install a private onsite Wastewater treatment system provided they obtain approval from the Town of Springwater and the Livingston County Department of Health for systems less than 1,000 gallons per day and the NYSDEC for systems 1,000 gallons per day and larger.

Section 307 - Connection to Public Sewer Required

The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Town of Springwater Sewer District is hereby required, at the owner's expense to install suitable sanitary Facilities therein, and to connect such Facilities directly with the POTW, in accordance with the provisions of this Sewer Use Law, within ninety (90) days after official notice to do so.

Section 308 - Limitation on Use of Public Sewers

The use of the Town of Springwater Sewer District Public Sewers shall be strictly limited and restricted, except as provided in Section 307, to receive and accept the discharge of Sewage and other wastes, including Industrial Wastes generated on or discharged from real property within the bounds of the Service Area of the POTW.

Section 309 - Moratorium

Upon the determination by the Operator, that:

- one or more segments of the POTW is exceeding its hydraulic capacity at any time; or
- any specific purpose of this Sewer Use Law is being violated.

The Town of Springwater, on behalf of the Twon of Springwater Sewer District, shall have the authority to limit or deny new connections to the POTW until the conditions leading to the moratorium are corrected. Such correction may be by:

- construction of new Facilities;
- enlarging existing Facilities;
- correction of Inflow and Infiltration; and/or
- cleaning and repairing of existing Facilities

Section 310 - Basis of Sewer Use Requirement

All requirements, directives, and orders calling for mandatory use of Sewers within the Service Area of the POTW, for the proper discharge of Sewage and other wastes, including Industrial

Wastes, shall be established and given by the Town of Springwater, NYSDEC, USEPA, and/or other such State or Federal agencies, which have enforcement powers.

Article 4 - Private Wastewater Disposal

Section 401 - Public Sewer Unavailable - Private Wastewater Disposal Required

Where a Public Sewer is not available the Building Lateral shall be connected to a private wastewater treatment system complying with the provisions of the Rules and Sewer Use Law of the NYSDOH and/or the Livingston County Department of Health for systems less than 1,000 gallons per day, and the NYSDEC for systems 1,000 gallons per day and larger.

Section 402 - Connection of Two Buildings to the Same Septic Tank Prohibited

No two separate permanent buildings, where the intended use for either is for a distinct and separate business or a dwelling place for a private family or families, shall be connected to the same individual Septic Tank and tile absorption field.

Section 403 - Construction Permit Application

A completed application form, containing results of percolation tests, computations, and a plot plan, including the design and cross-section of the Wastewater disposal system, in relation to lot lines, adjacent and on-site well or water supply, and buildings, shall be submitted to the Town of Springwater. A fee, established by the Springwater Town Board, shall accompany the application. The Wastewater disposal system shall be designed by a professional engineer, licensed surveyor, or architect, and shall be in accordance with the NYSDOH - "Standards for Waste Treatment Works", or NYSDEC "Standards for Commercial and Institutional Facilities", as appropriate.

Section 404 - Construction Permit

A written construction permit shall be obtained from the Code Enforcement Officer/Building Inspector of the Town of Springwater, in coordination with the Livingston County Department of Health and/or NYSDEC before construction commencement. The Code Enforcement Officer/Building Inspector, or his/her designated representative, shall be permitted to inspect the construction work at any stage, without prior notice.

Section 405 - Preventing Nuisances - Rehabilitation Required

When the liquid or liquid-borne effluent from a private Wastewater disposal system enters any watercourse, ditch, Storm Sewer, or water supply system, located within the Town of Springwater, or within the Service Area of the Town of Springwater Sewer District, in such a manner, volume, and concentration so as to create a hazardous, offensive, or objectionable condition, in the opinion of the Code Enforcement Officer/Building Inspector, the Operator, the Livingston

County Health Department, or the NYSDEC, the owner of the premises upon which such Wastewater disposal system is located, upon receiving written notice from the Code Enforcement Officer/ Building Inspector, Operator, Livingston County Department of Health or NYSDEC, shall, within ninety (90) days, after receipt of such notice, repair, rebuild, or relocate such Wastewater disposal system for the purpose of eliminating such hazardous, offensive, or objectionable conditions. The repair, rebuilding, or relocation of the system shall be accomplished in accordance with the rules and regulations of the NYSDOH, Livingston County Health Department and/or NYSDEC, at the owner's expense.

Section 406 - Sanitary Operation Required

The owner shall operate and maintain the private Wastewater disposal system in a satisfactory manner at all times, at the owner's expense.

Section 407 - Septage Removal

Where a private Wastewater disposal system utilizes a Septic Tank, Septage shall be removed from the Septic Tank by a licensed hauler of trucked and hauled wastes, at three year intervals or more frequently.

Section 408 - Direct Connection to New Public Sewers Required

At such time that a Public Sewer becomes available to a property and within ninety (90) days thereof, a direct connection shall be made to the Public Sewer, in compliance with this Sewer Use Law, and any cesspool, Septic Tank, and similar Wastewater disposal Facilities shall be cleaned of Septage by a licensed Septage hauler and either filled with clean sand, bank-run gravel, or dirt, or removed and properly disposed. When the connection is made to the Public Sewer, the connection to the private Wastewater disposal Facility shall be broken and both ends of the break shall be plugged, as appropriate. Alternatively, and with the written consent of the Code Enforcement Officer/Building Inspector (or Operator if within the Service Area of the Town of Springwater Sewer District), the Septic Tank effluent may be piped or pumped to the Sewer; the owner shall provide an Easement (at no cost) to the Septic Tank for Septage removal, said Easement to be in a form acceptable to the Town of Springwater.

Section 409 - Additional Requirements

No statement in this Article shall be construed to prevent, or interfere with, any additional requirements that may be deemed necessary by the Code Enforcement Officer/Building Inspector, the Operator, the Livingston County Health Department, or the NYSDEC to protect public health and public welfare.

Article 5 - New Sewers or Sewer Extensions

Section 501 - Proper Design

New Sanitary Sewers and all extensions to Sanitary Sewers owned and operated by the Town of Springwater Sewer District shall be designed, by a professional licensed to practice Sewer design in the State of New York, in accordance with the Recommended Standards for Sewage Works, as adopted by the Great Lakes - Upper Mississippi River Board of State Sanitary Engineers ("Ten State Standards"), and in strict conformance with all requirements of the NYSDEC. Plans and specifications shall be submitted to, and written approval shall be obtained from the Operator, the Livingston County Health Department, and the NYSDEC before initiating any construction. The design shall anticipate and allow for flows from all possible future extensions or developments within the immediate drainage area, to the extent practical.

If, however, there is inadequate capacity in any Sewer which would convey the Wastewater or if there is insufficient capacity in the POTW Treatment Plant to treat the Wastewater properly, the application shall be denied.

Section 502A - New Sewers Subject to Approval, Fees, Inspection, Testing, and Reporting

When a property owner, Builder, or Developer proposes to construct Sanitary Sewers or extensions to Sanitary Sewers in an area proposed for subdivision or development, the plans, specifications, and method of installation shall be subject to the approval of the Operator, and the Livingston County Health Department, in accordance with Section 501. Said property owner, Builder, or Developer shall pay for the entire installation, including a proportionate share of the Treatment Plant, intercepting or trunk Sewers, pumping stations, force mains, and all other expenses incidental thereto including but not limited to review by the Town's engineer and legal counsel. Each Street Lateral shall be installed and inspected pursuant to Article 6, and inspection fees shall be paid by the Applicant prior to initiating construction. Design and installation of Sewers shall be as specified in Section 503, and in conformance with Paragraphs 3 through 6 of ASTM Specification C-12. The installation of the Sewer shall be subject to periodic inspection by the Operator, without prior notice. The Operator shall determine whether the work is proceeding in accordance with the approved plans and specifications, and whether the completed work will conform with the approved plans and specifications. The Sewer, as constructed, must pass the Infiltration test (or the exfiltration test, with prior approval), required in Section 505, before any Building Lateral is connected thereto. The Operator shall be notified 30 days in advance of the start of any construction actions so that such inspection frequencies and procedures as may be necessary or required, may be established. No new Sanitary Sewers will be accepted by the Town until such construction inspections have been made so as to assure to the Town, compliance with this Sewer Use Law and any amendments or additions thereto. The Operator has the authority to require such excavation as necessary to inspect any installed Facilities if the Facilities were covered or otherwise backfilled before they were inspected so as to permit inspection of the construction.

Section 502B - Plans, Specification, and Pipe Test Results

Required Plans, specifications, and methods of installation shall conform to the requirements of this Article. Components and materials of Wastewater facilities not covered in this Sewer Use Law, such as pumping stations, lift stations, or force mains shall be designed in accordance with Section 501, and shall be clearly shown and detailed on the plans and specifications submitted

for approval. Force main details are covered in Section 506. When requested, the Applicant shall submit, to the Operator and to the Livingston County Health Department, all design calculations and other pertinent data to supplement review of the plans and specifications. Results of manufacturer's tests on each lot of pipe delivered to the job site shall also be furnished, upon request.

Section 503 A - Sewer Pipe

Sewer pipe material shall be:

- Polyvinyl Chloride (PVC) Pipe - Heavy Wall
 - Pipe shall be made from Class 12454-B materials or better in accordance with ANSI/ASTM Specification D-1784.
 - Pipe and accessories shall conform to the requirements of the following, with a minimum pipe stiffness of 46.
 - PSI at a maximum deflection of five percent (5%).
 - ANSI/ASTM D 3034 (4" - 15")
 - ASTM F 679 Type I (18" - 27")

- Other pipe materials
 - Use of other pipe materials require prior written approval of the Operator before being installed, which said approval may be withheld at the Operator's sole discretion.
 - the minimum internal pipe diameter shall be eight (8) inches for gravity Sewers and one (1) inch for low pressure Sewers.
 - Joints for the selected pipe shall be designed and manufactured such that "O" ring gaskets of the "snap-on" type are used.
 - Gaskets shall be continuous, solid, natural or synthetic rubber, and shall provide a positive compression seal in the assembled joint, such that the requirements of Section 505 are met.
 - Joint preparation and assembly shall be in accordance with the manufacturer's recommendations.
 - Wye branch fittings, as approved by the Operator, shall be installed, for connection of Street Laterals, in accordance with Section 606.

Section 503 B - Safety and Load Factors

Selection of pipe class shall be predicated on the following criteria:

- Safety factor - 1.5
- Load factor - 1.7
- Weight of soil - 120 lbs./cu. ft.
- Wheel loading - 16,000 lbs.

Utilizing the foregoing information, design shall be made as outlined in Chapter IX of the Water Pollution Control Federation Manual of Practice No. 9, latest edition, "Design and Construction of Sanitary and Storm Sewers", and the pipe shall have sufficient structural strength to support all loads to be placed on the pipe, with a safety factor as specified above.

PVC pipe shall not be encased in concrete due to their different coefficients of linear thermal expansion.

Section 503 C - Sewer Pipe Installation

- (1) Local utilities shall be contacted to verify construction plans and to make arrangements to disconnect all utility services, where required to undertake the construction work. The utility services shall later be reconnected. The work shall be scheduled so that there is minimum inconvenience to local residents. Residents shall be provided proper and timely notice regarding disconnection of utilities.
- (2) The construction right-of-way shall be cleared only to the extent needed for construction. Clearing consists of removal of trees which interfere with construction, removal of underbrush, logs, and stumps, and other organic matter, removal of refuse, Garbage, and trash, removal of ice and snow, and removal of telephone and power poles, and posts. Any tree which will not hinder construction shall not be removed, and shall be protected from damage by any construction equipment. Debris shall not be burned, but hauled for disposal in an approved manner.
- (3) The public shall be protected from personal and property damage as a result of the construction work.
- (4) Traffic shall be maintained at all times in accordance with applicable highway permits. Where no highway permits are required, at least 1/2 of a street shall be kept open for traffic flow.
- (5) Erosion control shall be performed throughout the project to minimize the erosion of soils onto lands or into waters adjacent to or affected by the work. Erosion control can be effected by limiting the amount of clearing and grubbing prior to trenching, proper scheduling of the pipe installation work, minimizing time of open trench, prompt grading and seeding, and filtration of drainage.
- (6) The trench shall be excavated only wide enough for proper installation of the sewer pipe, manhole, and appurtenances. Allowances may be made for sheeting, de-watering, and other similar actions to complete the work. Roads, sidewalks, and curbs shall be cut, by sawing or by other methods as approved by the Operator, before trench excavation is initiated.
- (7) Under ordinary conditions, excavation shall be by open cut from the ground surface. However, tunneling or boring under structures other than buildings may be permitted at the discretion of the Operator. Such structures include crosswalks, curbs, gutters, pavements, trees, driveways, and railroad tracks.
- (8) Open trenches shall be protected at all hours of the day with barricades, as required.

- (9) Trenches shall not be open for more than 30 feet in advance of pipe installation nor left unfilled for more than 30 feet in the rear of the installed pipe, when the work is in progress, without permission of the Operator. When work is not in progress, including overnight, weekends, and holidays, the trench shall be backfilled to ground surface.
- (10) The trench shall be excavated approximately six (6) inches deeper than the final pipe grade. When unsuitable soils are encountered, these shall be excavated to a maximum depth of 2-1/2 feet below the final pipe invert grade and replaced with select materials.
- (11) Ledge rock, boulders, and large stones shall be removed from the trench sides and bottom. The trench shall be over-excavated at least 12 inches for five (5) feet, at the transition from rock bottom to earth bottom, centered on the transition.
- (12) Maintenance of grade, elevation, and alignment shall be done by some suitable method or combination of methods.
- (13) No structure shall be undercut unless specifically approved by the Operator.
- (14) Proper devices shall be provided, and maintained operational at all times, to remove all water from the trench as it enters. At no time shall the Sewer line be used for removal of water from the trench.
- (15) To protect workers and to prevent caving, shoring and sheeting shall be used, as needed. Caving shall not be used to backfill the trench. Sheeting shall not be removed but cut off no lower than one foot above the pipe crown nor no higher than one foot below final grade, and left in the trench, during backfill operations.
- (16) The pipe barrel shall be supported, along its entire length, on a minimum of six (6) inches of crusher run max. 1/2 inch stone or concrete sand free of organic material. This foundation shall be firmly tamped in the excavation.
- (17) Bell holes shall be hand excavated, as appropriate.
- (18) Pipe shall be laid from low elevation to high elevation. The pipe bell shall be up-gradient; the pipe spigot shall be down-gradient.
- (19) Joint preparation and assembly shall be in accordance with the manufacturer's written instructions.
- (20) The grade and alignment shall be checked and made correct. The pipe shall be in straight alignment. Any negotiation of curves shall be at manholes, except when site conditions require alternative pipe laying procedures. These alternative procedures, including bending the pipe barrel, deflecting the joint, and using special fittings, shall require prior written approval of the plans and also written confirmation approval of need by the Operator after examination of the site conditions.

- (21) When a smaller Sewer joins a larger one, the invert of the larger Sewer shall be lowered sufficiently to maintain the same hydraulic gradient. An approximate method which may be used for securing this result is to place the 0.8 depth of both Sewers at the same elevation.
- (22) Crushed stone or concrete sand shall be placed over the laid pipe to a depth of at least six (6) inches. The embedment of thermoplastic pipe shall be in accordance with ASTM D2321 using class 1A or 1B backfill materials. Care shall be exercised so that stone is packed under the pipe haunches. Care shall be exercised so that the pipe is not moved during placement of the crushed stone.
- (23) The migration of fines from surrounding backfill or native soils shall be restricted by gradation of embedment materials or by use of suitable filter fabric.
- (24) The remaining portion of the trench above the pipe embedment shall be backfilled in foot lifts which shall be firmly compacted. Compaction near/under roadways, driveways, sidewalks, and other structures shall be to 95 % of the maximum moisture-density relationship, as determined by ASTM Specification D 698, Method D. Ice, snow, or frozen material shall not be used for backfill.

Section 503 D - Cleanout Installation

- (1) Cleanouts for low pressure Sewers shall be placed at intervals of approximately 400 to 500 feet, at major changes of direction, where one collection main joins another main and at the upstream end of each main branch.
- (2) The design of the cleanouts shall be as approved by the Operator.

Section 504 - Manholes and Manhole Installation

- (1) Design of all manholes shall be submitted to the Operator and shall receive approval prior to placement.
- (2) Manholes shall be placed where there is a change in slope or alignment, and at intervals not exceeding 400 linear feet except as authorized by the Operator.
- (3) Manhole bases shall be constructed or placed on a minimum of six (6) inches of crusher run max. 1/2 inch stone free of organic materials.
- (4) Manhole bases shall be constructed of 4,000 psi (28 day) concrete 8 inches thick, or shall be precast bases properly bedded in the excavation. Field constructed bases shall be monolithic, properly reinforced, and extend at least 6 inches beyond the outside walls of lower manhole sections. Precast manhole bases shall extend at least 6 inches beyond the outside walls of lower manhole sections.

- (5) Manholes shall be constructed using precast minimum 4 foot diameter concrete manhole barrel sections, and an eccentric top section, conforming to ASTM Specification C-478, with the following exceptions on wall thickness:

Manhole Diameter (Feet)	Wall Thickness (Inches)
4	5
5	6
6	7
6.5	7.5
7	8
8	9

All sections shall be cast solid, without lifting holes.

Flat top slabs shall be a minimum of 8 inches thick and shall be capable of supporting an H-20 loading.

- (6) All joints between sections shall be sealed with an "O" ring rubber gasket, meeting the same specifications as pipe joint gaskets, or butyl joint sealant completely filling the joint.
- (7) All joints shall be sealed against Infiltration. All metal parts shall be thickly coated with bitumastic or elastomeric compound to prevent corrosion.
- (8) No steps or ladder rungs shall be installed in the inside or outside manhole walls at any time.
- (9) No holes shall be cut into the manhole sections closer than 6 inches from joint surfaces.
- (10) Manholes which extend above grade shall not have an eccentric top section. The top plate shall be large enough to accommodate the cover lifting device and the cover.
- (11) The elevation of the top section shall be such that the cover frame top elevation is 0.5 foot above the 100-year flood elevation (in a field), 0.5 foot above a lawn elevation, or at finished road or sidewalk grade.
- (12) When located in a travelled area (road or sidewalk), the manhole frame and cover shall be heavy duty cast iron. When located in a lawn or in a field, the manhole frame and cover may be light duty cast iron. The cover shall be 36 inches, minimum, in diameter. The minimum combined weight of the heavy duty frame and 36 inch cover shall be 735 +/- 5% lbs. The minimum combined weight of the light duty frame and 36 inch cover shall be 420 +/- 5% lbs. The mating surfaces shall be machined, and painted with tar pitch varnish. The cover shall not rock in the frame. Infiltration between the cover and frame shall be prevented by proper design and painting. Covers shall have "Sanitary Sewer" cast into

them. Covers shall have lifting holes suitable for any lifting/jacking device. The lifting holes shall be designed so that Infiltration is prevented.

- (13) A drop of at least 0.1 foot shall be provided between incoming and outgoing Sewers on all junction manholes and on manholes with bends greater than 45 degrees.
- (14) Inverts and shelves/benches shall be placed after testing the manholes and Sewers.
- (15) Benches shall be level and slope to the flow channel at about 1 inch per foot.
- (16) The minimum depth of the flow channel shall be the nominal diameter of the smaller pipe. The channel shall have a steel trowel finish. The flow channel shall have a smooth curvature from inlet to outlet.
- (17) Manhole frames, installed at grade, shall be set in a full bed of mortar with no less than two nor more than four courses of brick underneath to allow for later elevation adjustment. In lieu of brick, grade rings may be used for elevation adjustment. Grade rings shall not exceed 6 inches in depth. The total number of grade rings shall not exceed 12 inches in height, however, in no event shall more than 3 grade rings be used.
- (18) Manholes which extend above grade, shall have the frames cast into the manhole top plate. The top plate shall be securely anchored to the manhole barrel, by a minimum of six 1/2 inch corrosion resistant anchor bolts, to prevent overturning when the cover is removed. The anchor bolts shall be electrically isolated from the manhole frame and cover.
- (19) Internal drop pipes and fittings shall be PVC plastic sewer pipe in compliance with ASTM D2241. Corrosion resistant anchors shall be used to attach the drop pipe to the inside surface of the manhole barrel.

Section 505 A - Infiltration/Exfiltration Testing

All Sanitary Sewers or extensions to Sanitary Sewers, including manholes, shall satisfy requirements of a final Infiltration test before they will be approved and Wastewater flow permitted by the Town of Springwater. The Infiltration rate shall not exceed 25 gallons per 24 hours per mile per nominal diameter in inches. An exfiltration test may be substituted for the Infiltration test; the same rate shall not be exceeded. The exfiltration test shall be performed by the Applicant, under the supervision of the Operator, who shall have the responsibility for making proper and accurate measurements required. The exfiltration test consists of filling the pipe with water to provide a head of at least 5 feet above the top of the pipe or 5 feet above groundwater, whichever is higher, at the highest point under test, and then measuring the loss of water, from the pipe section under test, by the amount of water which must be added to maintain the original level. However, under no circumstances shall the head at the downstream manhole exceed ten (10) feet or fill to within six (6) inches of the top of the downstream manhole. Should this condition prevail, the testing methods in Sections 504 F and/or 504 G shall be utilized. In this test, the test section must remain filled with water for at least 24 hours prior to taking any measurements. Exfiltration shall be measured by the drop of water level in a standpipe with a closed bottom end, or

in one of the Sewer manholes serving the test section. When a standpipe and plug arrangement is used in the upper manhole in the test section, there shall be some positive method for releasing entrapped air prior to taking any measurements.

Section 505 B - Test Section

The test section shall be as ordered or as approved, but in no event longer than 1,000 feet. In the case of Sewers laid on steep grades, the test length may be limited by the maximum allowable internal pressure on the pipe and joints at the lower end of the test section. For purposes of determining the leakage rate of the test section, manholes shall be considered as sections of 48-inch diameter pipe, 5 feet long. The maximum allowable leakage rate for such a section is 1.1 gallons per 24 hours. If leakage exceeds the allowable rate, then necessary repairs or replacements shall be made, and the section retested.

Section 505 C - Test Period

The test period, during which the test measurements are taken, shall not be less than two (2) hours.

Section 505 D - Pipe Televising

Prior to testing, the section shall be cleaned and televised with the video being submitted to Operator for approval.

Section 505 E - Deflection Testing

Also prior to testing, all plastic pipe, in the test section, shall be tested for deflection. Deflection testing shall involve the pulling of a rigid ball or mandrel, whose diameter is 95 percent of the pipe inside diameter, through the pipe. Any length of pipe with a deflection greater than 5 percent shall be replaced. The test section shall be flushed just prior to deflection testing. The test shall not be performed with a mechanical pulling device.

Section 505 F - Low Pressure Air Testing Alternative

In lieu of hydrostatic testing (exfiltration or Infiltration), low pressure air testing may be employed. Low pressure air tests shall conform to ASTM Specification C 828. All sections to be tested shall be cleaned and flushed, and shall have been backfilled, prior to testing. Air shall be added until the internal pressure of the test section is raised to approximately 4.0 PSIG. The air pressure test shall be based on the time, measured in seconds, for the air pressure to drop from 3.5 PSIG to 2.5 PSIG.

Acceptance is based on limits tabulated in the "Specification Time Required for a 1.0 PSIG Pressure Drop" in the Uni-Bell PVC Pipe Association "Recommended Practice For Low-Pressure Air Testing of Installed Sewer Pipe".

Before pressure is applied to the line all connections shall be firmly plugged. Before the test period starts, the air shall be given sufficient time to cool to ambient temperature in the test section.

If the test section is below groundwater, the test pressure shall be increased by an amount sufficient to compensate for groundwater hydrostatic pressure, however, the test pressure shall not exceed 10 PSI, or a lower pressure as required by the Operator.

The pressure test gauge shall have been recently calibrated, and a copy of the calibration results shall be made available to the Operator prior to testing.

Section 505 G - Vacuum Testing Alternative

In lieu of hydrostatic testing (exfiltration or Infiltration), vacuum testing may be employed for testing of Sewer lines and manholes. Sewer lines and manholes shall be tested separately. All Sewer lines to be tested shall be cleaned and flushed, and shall have been backfilled, prior to testing. The vacuum test shall be based on the time, measured in seconds, for the vacuum to decrease from 10 inches of mercury to 9 inches of mercury for manholes, and from 7 inches of mercury to 6 inches of mercury for Sewers.

Acceptance of manholes is based on the following:

Manhole Depth	Manhole Diameter	Time to Drop 1-Inch Hg
10 ft or less	4 ft	120 seconds
10 ft to 15 ft	4 ft	150 seconds
15 ft to 25 ft	4 ft	180 seconds

For 5 ft diameter manholes, add 30 seconds to the times above.

For 6 ft diameter manholes, add 60 seconds to the times above.

If the test on the manhole fails (the time is less than that tabulated above), necessary repairs shall be made and the vacuum test repeated, until the manhole passes the test.

Acceptance of Sewers (7" Hg to 6" Hg) is based on the time tabulated in the "Specification Time Required for a 0.5 PSIG Pressure Drop" in the Uni-Bell PVC Pipe Association "Recommended Practice For Low-Pressure Air Testing of Installed Sewer Pipe".

The vacuum test gauge shall have been recently calibrated, and a copy of the calibration results shall be made available to the Operator prior to testing.

Section 506A - Force Mains

Force mains serving Sewage lifting devices, such as grinder pumps and pump stations, shall be designed in accordance with Section 501. Additional design requirements are:

- (1) Force main pipe material shall be:
 - (a) Polyvinyl Chloride (PVC) Plastic Pipe

Pipe shall conform to ASTM D2241. Materials used in the manufacture of PVC pipe shall meet ASTM c1784. The minimum wall thickness shall be SDR-21. Fittings shall conform to ASTM D2241. Joints and gaskets shall conform to ASTM D2241, D1869, and F477.

(b) Other pipe materials

Other pipe materials require prior written approval of the Operator before being installed.

- (2) Trenching, bedding, and backfilling shall be in accordance with Section 503 C.
- (3) Joint preparation and assembly shall be in accordance with the manufacturer's written instructions.
- (4) Anchorages, concrete blocking, and/or mechanical restraint shall be provided when there is a change of direction of 7-1/2 degrees or greater.
- (5) Drain valves shall be placed at low points.
- (6) Automatic air relief valves shall be placed at high points and at 400 ft intervals, on level force main runs.
- (7) Air relief and drain valves shall be suitably protected from freezing.
- (8) When the daily average design detention time, in the force main, exceeds 20 minutes, the manhole and Sewer line receiving the force main discharge or the Sewage shall be treated so that corrosion of the manhole and the exiting line are prevented. The corrosion is caused by sulfuric acid biochemically produced from hydrogen sulfide anaerobically produced in the force main.
- (9) The force main shall terminate, in the receiving manhole, at a PVC plastic Sewer pipe "T". The vertical arms of the "T" shall be twice the diameter of the force main. The upper arm shall be at least 4 feet long; the lower arm shall terminate in a PVC plastic Sewer pipe 90 degree elbow in a flow channel directed to the manhole exit pipe. The "T" and its arms shall be securely fastened to the inside surface of the manhole wall using corrosion resistant anchors.

Section 506B - Force Main Testing

All force mains shall be subjected to hydrostatic pressure of 150 percent of the normal operating pressure. The duration of the test, at pressure, shall be at least 2 hours. Before conducting the test, the pipe shall be filled with water and all air shall be expelled. During the test, water shall be added, as needed, to maintain the test pressure. The amount of water added shall be recorded so as to calculate leakage. Leakage shall not exceed 25 gallons per day per mile per inch nominal

pipe diameter. During the test, the owner and the Operator (or his/her representative) shall walk the route of the force main and examine the exposed pipe and the ground covering any backfilled pipe to discover leaks. Leakage in excess of that specified above shall be corrected with new material at the owner's expense and the test repeated. Any observed leaks shall be repaired at the owner's expense. Each test section length shall be as approved by the Operator, but in no event longer than one thousand (1,000) feet.

Section 507 - Final Acceptance and Warranty/Surety

All Sanitary Sewers and extensions to Sanitary Sewers constructed at the Applicant's expense, after final approval and acceptance by the Operator, and concurrence by the Springwater Town Board, shall become the property of the Town of Springwater, and shall thereafter be operated and maintained by the Town of Springwater. No Sanitary Sewer shall be accepted by the Town of Springwater until two (2) copies of as-built drawings have been so filed with the Operator and the Operator has approved the submitted drawings. Said Sewers, after their acceptance by the Town of Springwater, shall be guaranteed against defects in materials or workmanship for one (1) year, by the Applicant. The guarantee shall be in such form and contain such provision as deemed necessary by the Town of Springwater, secured by a surety bond or such other security as the Town may approve.

Section 508 - Liability Insurance Coverage During Construction Period

- (1) All contractors engaged in connecting Building Laterals with Sanitary Sewers, who perform any work within the Right of Way of any highway, shall file a bond in the amount of Five Thousand Dollars (\$5,000.00) with the Town of Springwater to indemnify the Town against loss, cost, damage or expense sustained or recovered on account of any negligence, omission or act of the Applicant for such a permit, or any of his, or their agents arising or resulting directly or indirectly by reason of such permit or consent, or of any act, construction or excavation done, made or permitted under authority of such permit or consent. All bonds shall contain a clause that permits given by the Town of Springwater may be revoked at any time for just cause.
- (2) Before commencing work, the above contractor shall file insurance certificates with the Town of Springwater for the following:
 - (a) Workman's Compensation and Employer's Liability Insurance as required by the laws of the State covering the contractor;
 - (b) Personal Injury Liability having limits of not less than \$1,000,000 each occurrence and \$1,000,000 aggregate (completed operations/products, personal injury);
 - (c) Property Damage Liability having limits of not less than \$1,000,000 for all damages arising during the life of the contract; and shall include, but not be limited to, the following designated hazards:
 - i. Premises and operations;
 - ii. Independent contractors;
 - iii. Completed operations and products;
 - iv. Property damage; and
 - v. Explosions, collapse and underground;

- (d) Comprehensive automobile liability (including non-owned and hired automobiles) having limits of not less than:
 - i. Bodily injury - each person, \$300,000
each occurrence, \$500,000
 - ii. Property damage - each occurrence, \$500,000
 - (e) Business Excess Liability Insurance in the amount of \$2,000,000.
 - (f) All insurance policies must provide for five (5) business days' notice to the Town of Springwater before cancellation and must cover all liabilities of the Town and be in a form approved by the Town and its attorney.
 - (g) The minimum insurance limits stated above shall be subject to periodic review by the Town of Springwater and adjustments made, by resolution, as appropriate.
- (3) Where it is necessary to enter upon or excavate any highway or cut any pavement, sidewalk or curbing, permission must be obtained from the Superintendent of Highways of the Town, if a Town road, from the Livingston County Highway Department if a County Highway is involved, and/or the New York State Department of Transportation if a State Highway is involved.
- (4) The minimum insurance limits above shall be as established by the Town of Springwater and shall be subject to periodic review and adjustment, as appropriate, by the Town at its sole discretion.

Article 6 – Building Laterals, Street Laterals Connections, and Fees

Section 601 A - Permit Required for Sewer Connections

No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any Public Sewer or appurtenance thereof without first obtaining a written Permit from the Operator.

Section 601 B - Inflow/Infiltration Prohibited

No Person or entity shall discharge or cause to be discharged any Storm, Cooling Water, or unpolluted Industrial waters to any Sanitary Sewer. Swimming pool drains shall not be connected to any Sanitary Sewer.

Section 602 - Sewer Lateral Permits

A Permit application shall be submitted to the Town of Springwater for any proposed connection to the Public Sewer. The Permit application shall be supplemented by any plans, specifications, or other information considered pertinent, in the judgement of the Operator. A fee for residential, commercial, institutional and Industrial Users, as established by the Springwater Town Board (and as may be modified from time to time) shall accompany the application.

Connections to existing manholes shall be made as directed by the Operator.

Section 603 A - New Building Laterals

A separate and independent Building Lateral shall be provided for every building requiring sanitary Facilities. When, however, there is a building behind a front building, the second building may use the front building's Building Lateral, if there is no other way to provide sanitary service to the back building and such Building Lateral.

New Street Laterals and/or Building Laterals shall not go under building basements. In like fashion, a building shall not be constructed over an existing lateral; the lateral shall be relocated after the Operator has approved plans showing the relocation. If relocation is not physically possible then the lateral shall be:

- (1) exposed and totally encapsulated in not less than three inches of concrete, or
- (2) exposed and walled and the building rooms above positively ventilated outdoors.

All existing manholes in or under the basement shall be sealed air-tight in a manner acceptable to the Operator. No new manholes shall be constructed on the portion of the lateral under the building.

Section 603 B - Laterals Serving Several Buildings

When Building Laterals are to serve multiple dwelling structures, the Building Lateral shall be sized in accordance with the metered water use and with sound professional engineering judgement.

Section 603 C - Laterals Serving Complexes

Where a lateral Sewer is to serve a complex of Industrial, commercial, institutional, or dwelling structures, special design of the Building Lateral system shall be required. Such lateral Sewer shall be connected to the Public Sewer through a manhole. The Operator shall determine if and where this connection to the Public Sewer is required. If required, a new manhole shall be installed in the Public Sewer pursuant to Section 503 D and 1007 and the lateral connection made and tested as directed by the Operator. Plans and specifications shall be prepared and submitted for approval pursuant to this Sewer Use Law.

Section 603 D - Dry Sewers

Dry Sewers shall be designed and installed in accordance to this Sewer Use Law.

Section 604 - Using Existing Building Laterals

Existing Building Laterals may be used in connection with new buildings only when they are found, on examination by the Operator, to meet all requirements of this Sewer Use Law.

Section 605 - Lateral Pipe Materials

Building and Street Lateral pipe materials shall be one of the following:

- (1) Polyvinyl chloride (PVC) pipe and fittings conforming to ASTM Specification D-3034-73, "SDR-35 Polyvinyl Chloride (PVC) Sewer Pipe and Fittings". All pipe shall be suitable for gravity Sewer service. Provisions shall be made for contraction and expansion at each joint with a rubber ring. The bell shall consist of an integral wall section stiffened with two PVC retainer rings which securely lock the solid cross-section ring into position. Minimum "Pipe Stiffness" (F/Y) at five percent (5%) deflection shall be 46 PSI when tested in accordance with ASTM Specification D-2412.

The distance between consecutive joints, as measured along the centerline of the installed pipe, shall not be less than ten (10) feet, except under abnormal circumstances, in which case this dimension may be diminished, if approved by the Operator. The size and slope of Building and Street Laterals shall be subject to approval by the Operator, but in no event shall the internal pipe diameter be less than 4 inches, nor shall the pipe slope be less than 1/4 inch per foot.

The Street Lateral shall include a full port curb stop with flow-through diameter equal to that of the lateral. A curb box shall be installed.

Section 606 A - Street Lateral to Public Sewer Connection

At the point of connection of a Street Lateral to a Sewer main, a standard wye fitting and sufficient one-eighth (45 degree) bend fittings shall be used. The wye fittings shall be installed so that flow in the "arm" shall transition smoothly into the flow in the Public Sewer. No lateral connection shall be made to the Public Sewer which permits the flow into the Public Sewer from the lateral to enter at right angles.

The inside diameter of the fittings shall be same diameter as the Street Lateral inside diameter.

Section 606 B - Future Connection Locations; As-Built Drawings

The Street Lateral, including the wye and eighth bend fittings, shall be connected to the Sewer main at the time of constructing the Sewer main, for each proposed lot for either immediate or future development. Laterals installed for future development shall be fitted a standard plug approved for use by the Operator. All Sewer connections shall be via a properly installed saddle on the main Sewer pipe. No portion of the lateral pipe shall protrude into the main Sewer pipe. The location of all lateral connections shall be field marked with a 2 inch by 6 inch corrosion and rot resistant board. The marker board shall extend from the depth of the lateral to a minimum of two (2) feet above grade. The location of all lateral connections shall be indicated on a drawing with a minimum of three (3) tie lines indicated. Two (2) copies of this drawing, showing the as-built location of these connections, shall be furnished to the Operator. A refundable deposit shall be placed with the Town of Springwater to assure receipt of these as-builts. The deposit shall be placed when application is made; the amount of the deposit shall be \$100 per sheet of plans showing locations of lateral connections. No Sanitary Sewer shall be accepted for dedication by the Town of Springwater until four (4) copies of this record drawing have been so filed with the Operator and the Operator has approved the submitted drawings.

Section 606 C - Special Manhole Requirements

When any Street Lateral is to serve a school, hospital, or similar institution, or public housing, or is to serve a complex of Industrial or commercial buildings, or which, in the opinion of the Operator, will receive Wastewater or Industrial Wastes of such volume or character that frequent maintenance of said Building or Street Lateral is anticipated, then such Street Lateral shall be connected to the Public Sewer through a manhole. The Operator shall determine if and where this type of connection to the Public Sewer is required. Connections to existing manholes shall be made as directed by the Operator. If required, a new manhole shall be installed in the Public Sewer pursuant to Sections 504 and 1007, and the lateral connection made thereto as directed by the Operator.

Section 607 - Laterals At and Near Buildings

Building Laterals laid parallel to a bearing wall shall not be installed closer than three (3) feet to such wall. The Building Lateral shall enter the basement through the basement wall no less than twelve (12) inches above the basement floor. In no event shall any Building Lateral be placed below the basement floor, except with the expressed written approval of the Operator.

The Building Lateral shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings. Changes of direction of 90 degrees or greater shall be made with a cleanout which extends to grade, terminating in a terminal box set in concrete. In Building Laterals, said cleanouts shall be provided such that the maximum distance between cleanouts is 75 feet. The ends of all Building or Street Laterals, which are not connected to the interior plumbing of the building, for any reason, shall be sealed against Infiltration by a suitable stopper, plug, or by other approved means.

Section 608 - Sewage Lifting

In all buildings in which any building drain is too low to permit gravity flow to the Public Sewer, Wastewater carried by such drain shall be lifted by mechanical means and discharged to the Building Lateral, on approval of the Operator.

Section 609 - Lateral Pipe Installation

All excavations required for the installation of a Building or Street Lateral shall be open trench work unless otherwise approved by the Operator. Pipe laying and backfilling, regardless of pipe material used, shall be performed in general accordance with paragraphs 3 through 6 of ASTM Specification C-12, except that trench width, measured at the top of the installed pipe, shall not exceed the outside pipe diameter plus 14 inches and, except that no backfill shall be placed until the work has been inspected. The depth of cover over the pipe shall be sufficient to afford protection from frost, but not in any case shall such depth be less than four (4) feet. Where it is physically impossible to provide cover of four (4) feet, the depth may be reduced to a minimum of two (2) feet and the pipe shall be insulated, as approved by the Operator.

Section 610 A - Watertight Joints

All joints and connections shall be made watertight.

Section 610 B - PVC Push Joints

Joints for PVC Sewer pipe shall follow the manufacturer's recommendations, using properly designed couplings and rubber gaskets pursuant to the published information relating thereto, and conforming to the applicable ASTM specification identified in Section 605.

Section 611 A - Building Lateral/Street Lateral Connection

- (1) The connection of the Building Lateral to an existing Street Lateral shall be made at the property line. Except as provided under Section 502, if a Street Lateral has not previously been provided, the Street Lateral will be constructed from the existing Public Sewer to the property line, by a licensed plumber, at the owner's expense. The Street Lateral shall be installed with a properly sealed and covered clean-out to grade located at the property line. The clean-out shall terminate in a metal box imbedded in concrete.
- (2) The cost of constructing the Street Lateral from the existing Public Sewer to the property line shall be at the property owner's expense; all subsequent costs and expense incidental to the installation and connection of the Building Lateral shall also be borne by the owner.
- (3) The property owner shall indemnify the Town of Springwater from any loss or damage that may directly or indirectly be occasioned by the installation of the Building Lateral.
- (4) It shall be the responsibility of the property owner to maintain, repair, or replace the Building Lateral, as needed.
- (5) The method of connection of the Building Lateral to the Street Lateral will be dependent upon the type of Sewer pipe material, and, in all cases, shall be approved by the Operator. After installation of the Street Lateral has been approved by the Operator, the new Street Lateral shall become the property of the Town of Springwater. Any subsequent repairs to the new Street Laterals shall be made by the Town of Springwater at the Town's expense.

Section 611 B - Cleanout Repair/Replacement

If, in the judgement of the Operator in his/her sole discretion, it is determined that a Building Lateral without a property line clean-out, needs repair or replacement, the Town of Springwater may install a clean-out at the property line, at the property owner's expense, such that the Street Lateral can be maintained independently of the Building Lateral. Said expense shall be reimbursed to the Town of Springwater within thirty (30) days of being invoiced. Unpaid charges may be added on to the Sewer bill for the subject property and relieved if not paid.

Section 611 C - Street Lateral Replacement; Ownership

Any existing Street Lateral which, upon examination by the Operator, is determined to be in need of replacement will be replaced with a new Street Lateral with a property line clean-out. The replacement Street Lateral shall be constructed by a licensed plumber. The cost of constructing the replacement Street Lateral and clean-out shall be at the property owner's expense. Once the replacement Street Lateral and clean-out have been constructed and approved by the Operator, the new Street Lateral shall become the property of the Town of Springwater. Any subsequent repairs to new Street Laterals shall be made by the Town of Springwater at the Town's expense.

Section 612 - Testing

The Street Lateral, Building Lateral, or the combined lateral shall be tested for Infiltration /exfiltration by:

- (a) any full pipe method described in Section 505, or
- (b) by a suitable joint method, with the prior written approval of the Operator.

Section 613 A - Connection Inspection

The Applicant for the Building Lateral permit shall notify the Operator when the Building Lateral is ready for inspection and connection is to be made to the Street Lateral. The connection shall be made under the supervision of the Operator.

The Applicant for the Street Lateral permit shall notify the Operator when the Street Lateral is ready for inspection and connection is to be made to the Sewer main. The connection shall be made under the supervision of the Operator .

Section 613 B - Trench Inspections

When trenches are excavated for the laying of Building Lateral pipes or for laying of Street Lateral pipes, such trenches shall be inspected by the Operator. Before the trenches are backfilled, the person performing such work shall notify the Operator when the laying of the Building Lateral is completed, and no backfilling of trenches shall begin until approval is obtained from the Operator.

Section 614 - Public Safety Provisions Required; Restoration of Disturbed Areas

All excavations for constructing Building Laterals shall be adequately protected with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed, in the course of the work, shall be restored in a manner satisfactory to the Operator. When installation requires disturbance of paved public roads and shoulders, restoration shall involve backfilling to road grade, complete road and shoulder restoration to the satisfaction of the Town of Springwater, Livingston County Highway Department or New York State Department of Transportation.

Section 615 - Interior Clean-Out

An interior clean-out fitting shall be provided for each Building Lateral at a readily accessible location, preferably just inside the basement wall. The fitting shall contain a 45-degree branch with removable plug or test tee, and so positioned that Sewer cleaning equipment can be inserted therein to clean the Building Lateral. The cleanout diameter shall be no less than the Building Lateral diameter.

Section 616 - Costs Borne by Owner

All costs associated with the provisions of this Article shall be borne by the property owner unless specifically stated in writing or agreed in writing to be a cost borne by the Town of Springwater. The property owner shall indemnify the Town of Springwater from any loss or damage that may be directly or indirectly occasioned by the installation of the Building and Street Laterals, and connections and appurtenances.

Article 7 – Inflow

Section 701 – New Inflow Sources Prohibited

No connections shall be made to a Sanitary or to a Combined Sewer which connections are intended to discharge Inflow. Such prohibited connections include, but are not limited to, footing drains, roof leaders, roof drains, cellar drains, Sump Pumps, catch basins, uncontaminated Cooling Water discharges, or other sources of Inflow.

Section 702 – Existing Inflow Sources Disconnected

For properties where separate Storm Sewers are available within 100 feet of the property line or where, in the judgement of the Operator, sufficient natural drainage is available, connections which contribute Inflow to the Sanitary Sewers must be permanently disconnected in a fashion approved by the Operator, prior to the sale of the property.

Section 703 - Existing Inflow Sources Disconnected When Property Sold

Upon notice from the Tax Assessor, the Operator shall inspect any newly sold property within the Service Area for the purpose of determining if Storm Sewers or natural drainage is available, and, if so, if all connections which contribute Inflow have been disconnected.

Section 704 - No Re-connection of Inflow Source Allowed

It shall be a willful violation of this Sewer Use Law for any person to reconnect any Inflow source which has been disconnected pursuant to this Article.

Section 705 - Charges for Inflow

The Operator is enabled to take whatever action is necessary to determine the amount of Inflow including the requirement for installation of a Control Manhole. The property from which the Inflow originated shall be billed for Inflow according to Article 12, however, the Town of Springwater may cause a surcharge at a rate not to exceed five (5) times that for Normal Sewage volume charge.

Article 8 – Trucked or Hauled Waste

Section 801- Licenses and Application

The discharge of trucked or hauled wastes into the Town of Springwater Sewer System and Public Sewers tributary thereto will be permitted only with the written approval (license) of the Operator, which such approval may be denied at the sole discretion of the Operator. Applicants for such license shall apply on a form provided by the Operator. These forms may require information such as vehicle specifications, vehicle license number, vehicle color, NYSDEC permits issued under 6 NYCRR Part 364, approximate annual Septage volume expected, Service Area, and any other information that Operator may require, to determine whether the trucked or hauled wastes could adversely impact the POTW. The application shall be accompanied by an application fee prescribed by the Operator, not to exceed \$300.

The licensee of trucked or hauled wastes will also be charged a fee for each dumping, in accordance with Article 12. The dumping fee shall be paid prior to dumping.

Section 802 – Concurrent Requirements

The Applicant for a license to truck or haul wastes shall be the owner of the vehicle or vehicles to be used for such discharge. Any false or misleading statement, in any license application, shall be grounds for invalidating the license. All licenses, issued by the Operator, for this purpose, shall be for one (1) year and shall automatically expire thereafter. The licensee shall also be duly permitted by the NYSDEC under 6 NYCRR Part 364 ("364 permit"). If, for any reason, the 364 permit is revoked, the 364 permit lapses or becomes invalid, then the license issued under this Article shall become void immediately without any notice requirements. All acts performed in connection with the license shall be subject to the inspection and regulations, as established by the Operator, the terms and conditions of the license and all local and general laws, ordinances, and regulations which are now or may come into effect, and such license may be suspended or revoked, at any time, by the Operator for willful, continued, or persistent violation thereof, or if the Operator determines that the POTW no longer has adequate capacity to accept such Septage.

Section 803 – Dumping Location and Timing

The Operator may require discharging at only certain locations within the POTW, and only at certain times, and on only certain days of the week, or seasons of the year as shall be stated on

said license or as may be relocated by the Operator, after appropriate notice. The time and conditions for permissible discharge shall be as set forth on the license, or as may be revised from time to time by the Operator, after appropriate notice.

Section 804 - Notification of Dumping

Each discharge of trucked or hauled wastes shall be made only with the approval of the Operator. The Operator may require inspection, sampling, and analysis of each load prior to the discharge of a load. Any extra costs associated with such inspection, sampling, and analysis shall be paid by the licensee and failure to promptly provide reimbursement for such costs will be grounds to terminate such license.

Article 9 – Discharge Restrictions

Section 901 - Pretreatment Standards

All Users of the Town of Springwater POTW will comply with all standards and requirements of the Act and standards and requirements promulgated pursuant to the Act, including but not limited to 40 CFR Parts 406 - 471.

Section 902 - General Prohibitions

No User shall contribute or cause to be contributed, in any manner or fashion, directly or indirectly, any Pollutant or Wastewater which will interfere with the operation or performance of the POTW. These general prohibitions apply to all such Users of a POTW whether or not the User is subject to National Categorical Pretreatment Standards, or any other National, State, or Local Pretreatment Standards or Requirements.

Without limiting the generality of the foregoing, a User may not contribute the following substances to the POTW:

- (1) Any solids, liquids, or gases which, by reason of their nature or quantity, are or may be sufficient, either alone or by interaction with other substances, to cause a fire or an explosion or be injurious, in any way, to the POTW, or to the operation of the POTW. At no time shall both of two successive readings on a flame type explosion hazard meter, at the point of discharge into the system (or at any other point in the system) be more than 25 % nor any single reading be more than 40 % of the lower explosive limit (LEL) of the meter. Unless explicitly allowable by a written Permit, prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, carbides, hydrides, and sulfides, and any other substance which the Town of Springwater, the State, or the EPA has determined to be a fire hazard, or hazard to the POTW.
- (2) Solid or viscous substances which may cause obstruction to the flow in a Sewer or otherwise interfere with the operation of the Wastewater treatment facilities. Unless explicitly allowable by a written Permit, such substances include, but are not limited to, grease, Garbage with particles greater than one-half (1/2) inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers,

ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar asphalt residues, residues from refining or processing fuel or lubricating oil, mud, or glass or stone grinding or polishing wastes.

- (3) Any Wastewater having a pH less than 6.5 or greater than 8.5, unless the POTW was specifically designed to manage such Wastewater, or Wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or POTW personnel.
- (4) Any Wastewater containing Toxic Substances or Pollutants in sufficient quantity, either singly or by interaction with other Pollutants (including heat), to injure or interfere with any Wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a Categorical Pretreatment Standard.

A Toxic Substance shall include, but not be limited to, any toxic Pollutant identified pursuant to Section 307(A) of the Act.

- (5) Any noxious or malodorous solids, liquids, or gases which either singly or by interaction with other wastes are sufficient to create a public Nuisance or a hazard to life or are sufficient to prevent entry into the Sewers for their maintenance or repair.
- (6) Oils and grease - Any commercial, institutional, or Industrial Wastes containing fats, waxes, grease, or oils which become visible solids when the Wastes are cooled to ten (10) degrees centigrade (50 degrees Fahrenheit); any petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in excess of 100 mg/l or in amounts that will cause Interference or Pass Through.
- (7) Any Wastewater which will cause Interference or Pass Through.
- (8) Any Wastewater with objectionable Color which is not removed in the treatment process, such as, but not limited to, dye wastes, and vegetable tanning solutions.
- (9) Any solid, liquid, vapor, or gas having a temperature higher than 65 degrees C (150 degrees F); however, such materials shall not cause the POTW Treatment Plant influent temperature to be greater than 40 degrees C (104 degrees F). The Operator reserves the right, in certain instances, to prohibit or limit the discharge of Wastes whose maximum temperatures are lower than 65 degrees C.
- (10) Unusual Flow Rate or concentration of Wastes, constituting Slugs, except by Industrial Wastewater Permit.
- (11) Any Wastewater containing any radioactive Wastes except as approved by the Operator, and in compliance with applicable State and Federal Regulations.

- (12) Any Wastewater which causes a hazard to human life or which creates a public Nuisance, either by itself or in combination, in any way, with other Wastes.
- (13) Any Wastewater with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR Part 261.21.
- (14) Any Pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

Section 903 - Concentration Based Limitations

No Person shall discharge, directly or indirectly, into the POTW, Wastewater containing any of the following substances in concentrations exceeding those specified below on either a daily or an instantaneous basis, except by Permit or as provided for in Section 904. Concentration limits are applicable to Wastewater effluents at the point just prior to discharge into the POTW (End of Pipe Concentrations).

Effluent Concentration Limit - mg/l

Substance (1)	Allowable Average Daily (2)	Allowable Maximum Instantaneous (3)
Aluminum	0.20	0.20
Antimony	0.006	0.006
Arsenic	0.065	0.065
Barium	4.08	4.08
Beryllium	0.10	0.10
Cadmium	0.070	0.070
Chlorides	96.6	96.6
Chromium (hex)	0.01	0.01
Chromium (tot)	0.01	0.01
Cobalt	0.013	0.013
Copper	0.109	0.109
Cyanide (complex)	0.247	0.247
Cyanide (free)	0.247	0.247
Fluorides	4.37	4.37
Gold	None	None
Iodine	10	10
Iron	0.989	0.989
Lead	0.116	0.116
Manganese	0.462	0.462
Mercury	0.0005	0.0005
Molybdenum	0.010	0.010
Nickel	0.104	0.104
Phenols, total	0.016	0.016
Selenium	0.023	0.023
Silver	0.133	0.133
Sulfates	None	None

Sulfides	25	25
Tin	None	None
Titanium	None	None
Vanadium	0.039	0.039
Zinc	0.212	0.212

- (1) Except for chromium (hex), all concentrations listed for metallic substances shall be as "total metal", which shall be defined as the value measured in a sample acidified to a pH value of 2 or less, without prior filtration.
- (2) As determined on a composite sample taken from the User's daily discharge over a typical operational and/or production day.
- (3) As determined on a Grab Sample taken from the User's discharge at any time during the daily operational and/or production period.
- (4) Other substances which may be limited are:
 - alkanes, alkenes and alkynes
 - aliphatic and aromatic alcohols and acids
 - aliphatic and aromatic aldehydes and ketones
 - aliphatic and aromatic esters
 - aliphatic and aromatic halogenated compounds
 - aliphatic and aromatic nitro, cyano and amino compounds
 - antibiotics
 - benzene derivatives
 - chemical compounds which, upon acidification, alkalization, oxidation or reduction, in the discharge or after admixture with Wastewater and its components in the POTW, produce toxic, flammable, or explosive compounds
 - pesticides, including algicides, fungicides, herbicides, insecticides, rodenticides phthalates
 - polyaromatic and polynuclear hydrocarbons
 - total toxic organics, TTO, as defined in 40 CFR 433.11
 - toxic organic compounds regulated by Federal Pretreatment Standards
 - unsaturated aliphatics, including those with an aldehyde, ketone or nitrile functional group
 - viable pathogenic organisms from Industrial processes or hospital procedures

Section 904 - Mass Discharge Based Limitations

The Operator, in consultation with the Town Engineer, may impose mass discharge based limits on individual Users for specific Pollutants. Mass discharge-based limits may be imposed for Pollutants that may have negative impact on the employees, the POTW or the Receiving Water. The Operator shall issue Permits to Significant Industrial Users and may issue Permits to other Industrial Users or commercial Users limiting the discharge of these substances. Each Permit shall

restrict the discharge from each Significant Industrial User (or Industrial User or commercial User as appropriate) to a portion of the total allowable influent loading.

Permits issued in accordance with this Section may allow for discharges in excess of concentration limitations set forth in this Sewer Use Law, if the concentrations and mass discharges do not interfere with the operation and performance of the POTW as recommended by the Operator.

Section 905 - Modification of Limitations

Limitations on Wastewater strength or mass discharge contained in this Sewer Use Law may be supplemented with more stringent limitations when, in the opinion of the Operator:

- (1) The limitations in this Sewer Use Law are not sufficient to protect the POTW,
- (2) The limitations in this Sewer Use Law are not sufficient to enable the POTW Treatment Plant to comply with applicable water quality standards or the effluent limitations specified in the POTW's SPDES Permit,
- (3) The POTW sludge will be rendered unacceptable for disposal or reuse as the Town of Springwater desires, as a result of discharge of Wastewaters at the above prescribed concentration limitations,
- (4) Town of Springwater employees or the public will be endangered, or
- (5) Air Pollution and/or groundwater Pollution will be caused.

The limitations on Wastewater strength or mass discharge shall be recalculated not less frequently than once every five (5) years. The results of these calculations shall be reported to the Springwater Town Board. This Sewer Use Law shall then be amended appropriately. Any issued Wastewater Discharge Permits for Significant Industrial Users, other Industrial Users or commercial Users, which have limitations, based directly on any limitations, which were changed, shall be revised and amended, as appropriate.

Section 906 - Access to User's Records

The Operator shall have the authority to copy any record related to Wastewater discharges to the POTW.

Section 907 - Dilution

Except where expressly authorized to do so by an applicable Pretreatment Standard, no User shall ever increase the use of process water or, in any other way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a Pretreatment Standard.

Dilution flow shall be considered to be Inflow.

Section 908 - Grease, Oil, and Sand Interceptors

Grease, oil, and sand interceptors shall be provided, when, in the opinion of the Operator, they are necessary for the proper handling of Wastewater containing excessive amounts of grease, flammable substances, sand, or other harmful substances; except that such interceptors shall not

be required for private living quarters or living units. All interceptors shall be of type and capacity approved by the Operator and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the owner, at his/her expense.

Section 909 - Solid Waste Grinders

Solid waste grinders at or serving commercial establishments, institutions or industries shall not discharge into the POTW if there is a combined Sewer overflow (CSO) on the Sewer lines conveying the Waste to the POTW Treatment Plant.

Section 910 - Rejection of Wastewater

The Springwater Town Board or Operator may reject a User's Wastewater when it is has been determined that the Wastewater contains substances or possesses characteristics which have a deleterious effect on the POTW and its processes, or on the Receiving Water, or which constitute a public Nuisance or hazard. See Section 1016.

Article 10 – Discharge Permits and Pretreatment Requirements

Section 1001 - Wastewater Discharge Reports

As a means of determining compliance with this Sewer Use Law, with applicable SPDES Permit conditions, and with applicable State and Federal law, each Industrial User shall be required to notify the Operator of any new or existing discharges to the POTW by submitting a completed Industrial Chemical Survey (ICS Form) to the Operator. The Operator may require any User discharging Wastewater into the POTW to file Wastewater discharge reports and to supplement such reports as the Operator deems necessary. All information shall be furnished by the User in complete cooperation with the Operator.

Section 1002 - Notification to Industrial Users

The Operator shall, from time to time, notify each Industrial User in writing of applicable Pretreatment Standards, and of other applicable requirements under Section 204(B) and Section 405 of the Clean Water Act, and Subtitles C and D of RCRA.

Section 1003 A - Wastewater Discharges

No Significant Industrial User shall discharge Wastewater to the POTW without having a valid Wastewater Discharge Permit, issued by the Operator. Significant Industrial Users shall comply fully with the terms and conditions of such Permits in addition to the provisions of this Sewer Use Law. Violation of a Permit term or condition is deemed a violation of this Sewer Use Law.

Section 1003 B - Wastewater Discharge Permits Required For Significant Industrial Users

All Significant Industrial Users proposing to connect to or to discharge to the POTW shall obtain

a Wastewater Discharge Permit before connecting to or discharging to the POTW. Existing Significant Industrial Users shall make application for a Wastewater Discharge Permit within 30 days after the effective date of this Sewer Use Law, and shall obtain such a Permit within 90 days after making application.

Section 1003 C - Other Industrial Users

The Operator may issue Wastewater Discharge Permits to other Industrial Users of the POTW.

Section 1003 D - Discharge Permits to Storm Sewers Not Authorized

The Operator does not have the authority to issue Permits for the discharge of any Wastewater to a Storm Sewer. This authority rests with the NYSDEC.

Section 1004 A - Application for Wastewater Discharge Permits

Industrial Users required to obtain a Wastewater Discharge Permit shall complete and file with the Operator an application in the form prescribed by the Operator. The application shall be accompanied by a fee, as set forth in Section 1203. In support of any application, the Industrial User shall submit, in units and terms appropriate for evaluation, the following information:

- (1) Name, address, and location (if different from the address),
- (2) SIC code of both the industry and any categorical processes,
- (3) Wastewater constituents and characteristics including but not limited to those mentioned in Article 10 of this Sewer Use Law and which are limited in the appropriate Categorical Standard, as determined by a reliable analytical laboratory approved by the NYSDOH. Sampling and analysis shall be performed in accordance with Standard Methods,
- (4) Time and duration of the discharge,
- (5) Average daily peak Wastewater flow rates, including daily, monthly, and seasonal variations, if any,
- (6) Site plans, floor plans, mechanical and plumbing plans, and details to show all Sewers, Sewer connections, and appurtenances,
- (7) Description of activities, Facilities, and plant processes on the premises, including all materials which are or could be discharged to the POTW,
- (8) Each product produced by type, amount, process or processes, and rate of production,
- (9) Type and amount of raw materials processed (average and maximum per day),
- (10) Number and type of employees, and hours of operation, and proposed or actual hours of operation of the Pretreatment system,
- (11) The nature and concentration of any Pollutants in the discharge which are limited by any County, State, or Federal Standards, and a statement whether or not the standards are being met on a consistent basis and if not whether additional Operation and Maintenance (O&M) and/or additional Pretreatment is required for the User to meet all applicable Standards,
- (12) If additional Pretreatment and/or O&M will be required to meet the Standards, then the Industrial User shall provide the shortest schedule to accomplish such additional treatment and/or O&M. The completion date in this schedule shall not be longer than the

compliance date established for the applicable Pretreatment Standard. The following conditions shall apply to this schedule:

- (a) The schedule shall contain progress increments 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 (such events include hiring an engineer, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, completing construction, beginning operation, and beginning routine operation).
 - (b) No increment referred to in (a) above shall exceed 9 months, nor shall the total compliance period exceed 18 months.
 - (c) No later than 14 calendar days following each date in the schedule and the final date for compliance, the User shall submit a progress report to the Operator including, as a minimum, whether or not it complied 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 being taken by the User to return to the established schedule. In no event shall more than 9 months elapse between such progress reports to the Operator.
- (13) Any other information as may be deemed by the Operator to be necessary to evaluate the Permit application.

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

Section 1004 B - Permit Modifications

Wastewater Discharge Permits may be modified by the Operator, upon 30 days written notice to the permittee, for just cause. Just cause shall include, but not be limited to:

- (1) Promulgation of an applicable National Categorical Pretreatment Standard,
- (2) Revision of or a grant of a variance from such categorical standards pursuant to 40 CFR 403.13,
- (3) Changes in general discharge prohibitions and local limits as per Section 903 of this Sewer Use Law,
- (4) Changes in processes used by the permittee, or changes in discharge volume or character,
- (5) Changes in design or capability of any part of the POTW,
- (6) Discovery that the permitted discharge causes or contributes to Pass Through or Interference, and
- (7) Changes in the nature and character of the Sewage in the POTW as a result of other permitted discharges.

Any changes or new conditions in the Permit shall include a reasonable time schedule for compliance as set forth in Section 1004 A (12)(a).

Section 1004 C - Permit Conditions

Wastewater Discharge Permits shall be expressly subject to all the provisions of this Sewer Use

Law, and all other applicable regulations, User charges and fees established by the Town of Springwater. Permits may contain the following:

- (1) Limits on the average and maximum rate and time of discharge, or requirements for flow regulation and equalization.
- (2) Limits on the average and maximum Wastewater constituents and characteristics, including concentration or mass discharge limits.
- (3) The unit charge or schedule of User charges and fees for the management of the Wastewater discharged to the POTW.
- (4) Requirements for installation and maintenance (in safe condition) of inspection and sampling facilities.
- (5) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types, and standards for tests, and reporting schedules.
- (6) Compliance schedules.
- (7) Requirements for submission of technical reports or discharge reports.
- (8) Requirements for maintaining and retaining plant Records relating to Wastewater discharge, as specified by the Town of Springwater, and affording the Operator access thereto.
- (9) Requirements for notification of the Town of Springwater of any new introduction of Wastewater constituents or of any substantial change in the volume or character of the Wastewater constituents being introduced into the POTW.
- (10) Requirements for the notification of the Town of Springwater of any change in the manufacturing and/or Pretreatment process used by the permittee.
- (11) Requirements for notification of excessive, accidental, or Slug discharges.
- (12) Other conditions as deemed appropriate by the Town of Springwater to ensure compliance with this Sewer Use Law, and State and Federal laws, rules, and regulations.

Section 1004 D - Permit Duration

Permits shall be issued for a specified time period, not to exceed five (5) years. A Permit may be issued for a period less than five (5) years, at the sole discretion of the Operator.

Section 1004 E - Permit Reissuance

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 modification, by the Operator, during the term of the Permit, as limitations or requirements, as identified in Section 1004 B, or other just cause exists. The User shall be informed in writing of any proposed changes in his Permit at least 30 days prior to the effective date of the change. Any changes or new conditions in the reissued Permit shall include a reasonable time schedule for compliance as established in Section 1004 A (12)(a).

Section 1004 F - Permit Transfer

Wastewater Discharge Permits are issued to a specific User for a specific operation, or discharge at a specific location. A Wastewater Discharge Permit shall not be reassigned, transferred, or sold to a New Owner, New User, different premises, or a new or changed operation.

Section 1004 G - Permit Revocation

Wastewater Discharge Permits may be revoked for the following reasons: falsifying self-monitoring reports, tampering with monitoring equipment, refusing to allow the Operator timely access to the Industrial premises, failure to meet effluent limitations, failure to pay fines, failure to pay User charges, failure to meet compliance schedules or failure to meet any other requirement of this Sewer Use Law.

Section 1004 H - Public Notification

The Town of Springwater will publish in its official newspaper(s), informal notice of intent to issue a Wastewater Discharge Permit, at least 14 days prior to issuance.

Section 1005 - Reporting Requirements for Permittee

The reports or documents required to be submitted or maintained under this Section shall be subject to:

- (a) The provisions of 18 USC Section 1001 relating to fraud and false statements;
- (b) The provisions of Sections 309(c)(4) of the Act, as amended, governing false statements, representation or certification; and
- (c) The provisions of Section (c)(6) of the Act, as amended, regarding corporate officers.

(1) Baseline Monitoring Report

Within 180 days after promulgation of an applicable Federal Categorical Pretreatment Standard, a User subject to that Standard shall submit, to the Operator, the information required by paragraphs (8) and (9) of Section 1004 A.

(2) 90-Day Compliance 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 POTW, any User subject to Pretreatment Standards and Requirements shall submit, to the Operator, 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's Facility which are limited by such Pretreatment Standards and Requirements. The report shall state whether the applicable Pretreatment Standards and 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.

(3) Periodic Compliance Reports

- (a) 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 POTW, shall submit to the Operator, during the months of June and December, unless required more frequently in the Pretreatment Standard or by the Operator, a report indicating the nature and concentration 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 Section 1004 A. At the discretion of the Operator, and in consideration of such factors as local high or low Flow Rates, holidays, budget cycles, etc., the Operator may agree to alter the months during which the above reports are to be submitted, however, no fewer than two reports shall be submitted per year.
- (b) The Operator 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 at the discretion of the Operator. In such cases, the report required by Section 1005 (3) (a) shall indicate the mass of Pollutants regulated by Pretreatment Standards in the effluent of the User. These reports shall contain the results of discharge sampling and analysis, including the flow, and the nature and concentration, or production and mass, where requested by the Operator, of Pollutants contained therein, which are limited by the applicable Pretreatment Standard. All analyses shall be performed in accordance with Standard Methods, by a laboratory certified by NYSDOH to perform the analyses.

(4) Violation Report

If sampling performed by the User indicates a violation of this Sewer Use Law and/or the User's discharge Permit, the User shall notify the Operator in writing within 24 hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Operator within 30 days after becoming aware of the violation. The User is not required to re-sample if the POTW performs monitoring of the User's discharge at least once a month for the parameter which was violated, or if the POTW performs sampling, for the parameter which was violated, between the User's initial sampling and when the User receives the results of this sampling. If POTW incurs any cost resulting from its sampling following a violation by a User, such cost shall be reimbursed to POTW by User.

(5) Other reports

The Operator may impose reporting requirements equivalent to the requirements imposed by Section 1005(3) for Users not subject to Pretreatment Standards.

Section 1006 - Flow Equalization

No Person shall cause the discharge of Slugs to the POTW. Each Person discharging, into the POTW, greater than five percent (5%) of the average daily flow in the POTW shall install and

maintain, on its property and at its own expense, a suitable storage and flow control Facility to insure equalization of flow to the satisfaction of the Operator.

Section 1007 - Monitoring Stations (Control Manholes)

- (a) All Significant Industrial Users, and other Industrial Users whose Industrial Waste discharge has caused or may cause Interference or Pass-Through shall install and maintain a suitable monitoring station, on their premises at their expense, to facilitate the observation, sampling, and measurement of their Industrial Wastewater discharge.
- (b) If there is more than one Street Lateral serving an Industrial User, the Operator may require the installation of a Control Manhole on each lateral.
- (c) The Operator may require that such monitoring station(s) include equipment for the continuous measurement and recording of Wastewater Flow Rate and for the sampling of the Wastewater. Such station(s) shall be accessibly and safely located, and the Industrial User shall allow immediate access, without prior notice, to the station by the Operator, or his/her designated representative.

Section 1008 - Proper Design and Maintenance of Facilities and Monitoring Stations

Preliminary treatment, and flow equalization Facilities, or monitoring stations, if provided for any Wastewater, shall be constructed and maintained continuously clean, safe, and continuously operational by the owner at its expense. Where an Industrial User has such treatment, equalization, or monitoring Facilities at the time this Sewer Use Law are enacted, the Operator may approve or disapprove the adequacy of such Facilities. Where the Operator disapproves of such Facilities and construction of new or upgraded Facilities for treatment, equalization, or monitoring is required, plans and specifications for such Facilities shall be prepared by a licensed professional engineer and submitted to the Operator. Construction of new or upgraded Facilities shall not commence until written approval of the Operator has been obtained.

Section 1009 - Vandalism, Tampering with Measuring Devices

No unauthorized Person shall negligently break, damage, destroy, uncover, deface, tamper with, prevent access, or render inaccurate, or cause or permit the negligent breaking, damaging, destroying, uncovering, defacing, tampering with, preventing access, or rendering inaccurate to:

- i. any structure, appurtenance, or equipment which is a part of the Town of Springwater POTW, or
- ii. any measuring, sampling, and/or testing device or mechanism installed pursuant to any requirement under this Sewer Use Law except as approved by the Executive Operator.

Section 1010 - Sampling and Analysis

Sampling shall be performed so that a representative portion of the Wastewater is obtained for analysis.

All measurements, tests, and analyses of the characteristics of waters and wastes required in any Section of this Sewer Use Law shall be carried out in accordance with Standard Methods, by a laboratory certified by NYSDOH to perform the analyses. Such samples shall be taken at the approved monitoring stations described in Section 1007, if such a station exists. If an approved monitoring station is not required, then samples shall be taken from another location on the Industrial Sewer lateral before discharge to the Public Sewer. Unless specifically requested otherwise, or unless specifically not allowed in Federal regulation, samples shall be gathered as flow proportioned (where feasible) Composite Samples made up of individual samples taken not less than once per hour for the period of time equal to the duration of Industrial Wastewater discharge during daily operations (including any cleanup shift). Composite Samples for either cyanides, or Oil and Grease are allowed. However, the samples must be collected and delivered to the laboratory as individual Grab Samples. The compositing of these samples must be completed at the laboratory by trained laboratory staff.

Section 1011 - Accidental Discharges; SPCC Plan

Each User shall provide for protection from accidental or Slug discharges of prohibited materials or discharges of materials in volume or concentration exceeding limitations of this Sewer Use Law or of an Industrial Wastewater Discharge Permit. Users shall immediately notify the Operator of the discharge of Wastes in violation of this Sewer Use Law or any Permit. Such discharges may result from:

- (1) Breakdown of Pretreatment equipment
- (2) Accidents caused by mechanical failure, or negligence and/or
- (3) Other causes.

Where possible, such immediate notification shall allow the Operator to initiate appropriate countermeasure action at the POTW. The User shall prepare a detailed written statement following any accidental or Slug discharge, which describes the causes of the discharge and the measures being taken to prevent future occurrences, within five (5) days of the occurrence, and the Operator shall receive a copy of such report no later than the fifth calendar day following the occurrence. Analytical results and their interpretation may be appended to the report at a date not exceeding 45 calendar days after the occurrence.

When required by the Operator, detailed written plans and procedures to prevent accidental or Slug discharges shall be submitted to the Operator, for approval. These plans and procedures shall be called a Spill Prevention, Control, and Countermeasure (SPCC) Plan. The plan shall address, at a minimum, the following:

- (a) Description of discharge practices, including non-routine batch discharges;
- (b) Description of stored chemicals;
- (c) Procedures for immediately notifying the POTW of any accidental or Slug discharge. Such notification must also be given for any discharge which would violate any provision of the Permit and any National Prohibitive Discharge Standard; and
- (d) Procedures to prevent adverse impact from any accidental or Slug discharge. Such procedures include, but are 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 response.

Section 1012 - Posting Notices

In order to inform the Industrial User's employees of the Town of Springwater requirements, a notice shall be permanently and conspicuously posted on appropriate bulletin boards within the User's Facility advising employees of the Town requirements and whom to call in case of an accidental discharge in violation of this Sewer Use Law.

Section 1013 - Sample Splitting

When so requested in advance by an Industrial User, and when taking a sample of Industrial Wastewater, the Town of Springwater representative(s) shall gather sufficient volume of sample so that the sample can be split into two nearly equal volumes, each of size adequate for the anticipated analytical protocols including any Quality Control (QC) procedures. One of the portions shall be given to the representative of the Industrial User whose Wastewater was sampled, and the other portion shall be retained by the Town of Springwater for its own analysis.

Section 1014 - Public Access to Information Maintained by the Operator

When requested, the Operator shall make available, to the public, for inspection and/or copying, information and data on Industrial Users obtained from reports, questionnaires, Permit applications, Permit and monitoring programs, and inspections, unless the Industrial User specifically requests, and is able to demonstrate to the satisfaction of the Operator, that such information, if made public, would divulge processes or methods of production entitled to protection as a trade secret or other intellectual property right of the User. Wastewater constituents and characteristics, and reports of accidental discharges shall not be recognized as confidential.

Confidential information shall not be made available for inspection and/or copying by the public but shall be disclosed, upon written request, to governmental agencies, for uses related to this Sewer Use Law (including the enforcement hereof), or the SPDES Permit, providing that the governmental agency making the request agrees to hold the information confidential, in accordance with State or Federal Laws, Rules and Regulations including but not limited with the NYS Freedom of Information Law. The Operator shall provide written notice to the Industrial User of any disclosure of confidential information to another governmental agency.

Section 1015 A - Access to Property and Records

The Operator and other authorized representatives of the Town of Springwater, representatives of EPA, NYSDEC, NYSDOH, and/or Livingston County Health Department, bearing proper credentials and identification, shall be permitted to enter upon all non-residential properties at all times for the purpose of inspection, observation, sampling, flow measurement, and testing to ascertain a User's compliance with applicable provisions of Federal and State law governing use of the Town of Springwater POTW, and with the provisions of this Sewer Use Law. Inspections of

residential properties shall be performed in proper observance of the resident's civil rights. Such representative(s) shall have the right to set up, on the User's property or property rented/leased by the User, such devices as are necessary to conduct sampling or flow measurement. Guard dogs shall be under proper control of the User while the representatives are on the User's property or property rented/leased by the User. Such representative(s) shall, additionally have access to and may copy any Records the User is required to maintain under this Sewer Use Law. Where a User has security measures in force which would require proper identification and clearance before entry into the premises, the User shall make necessary arrangements so that upon presentation of suitable identification, inspecting personnel will be permitted to enter, without delay, for the purpose of performing their specific responsibilities.

Section 1015 B - Access to Easements

The Operator, bearing proper credentials and identification, shall be permitted to enter all private premises through which the Town of Springwater holds an Easement for the purpose of inspection, observation, measurement, sampling, repair, and maintenance of any portion of the Town's Public Sewer system lying within the Easement. All entry and subsequent work on the Easement shall be done in accordance with the terms of the Easement pertaining to the private premises involved.

Section 1015 C - Liability of Property Owner

During the performance on private premises, of inspections, sampling, or other similar operations referred to in Sections 1014 A and 1014 B, the inspectors shall observe all applicable safety rules established by the owner or occupant of the premises. The owner and/or occupant shall be held harmless for personal injury or death of the inspector and the loss of or damage to the inspector's supplies and/or equipment; and the inspector shall indemnify the owner and/or occupant against loss or damage to property of the owner or occupant by the inspector and against liability claims asserted against the owner or occupant for personal injury or death of the inspector or for loss of or damage to the inspector's supplies or equipment arising from inspection and sampling operations, except as such may be caused by negligence or failure of the owner or occupant to maintain safe conditions.

Section 1016 - Special Agreements

Nothing in this Article shall be construed as preventing any special agreement or arrangement between the Town of Springwater and any User of the POTW whereby Wastewater of unusual strength or character is accepted into the POTW and specially treated, subject to any payments or User charges, as may be applicable. In entering into such a special agreement, the Springwater Town Board shall consider whether the Wastewater will:

- (1) Pass-Through or cause Interference,
- (2) endanger the public, Town of Springwater, or municipal employees,
- (3) cause violation of the SPDES Permit,
- (4) interfere with any Purpose stated in Section 102, and/or
- (5) prevent the equitable compensation to the Town of Springwater for Wastewater conveyance and treatment, and sludge management and disposal.

No discharge which violates the Federal Pretreatment Standards will be allowed under the terms of such special agreements.

No agreement shall be entered into without the User having been issued and presently having a Permit to discharge Wastes into the POTW for treatment and disposal. Additionally, the User shall be in compliance with all conditions in the Permit and shall not be in arrears in any charges due to the Town of Springwater before the agreement is entered into. The Town of Springwater may condition the agreement.

Article 11 – Enforcement and Penalties

Section 1101 – Enforcement Response Plan

The Town of Springwater is committed to proper monitoring of Users to ensure compliance with this Sewer Use Law. Improper discharge or other violations of this Sewer Use Law will result in prompt enforcement as required by State and Federal regulations.

Section 1102 – Notification of Violation

Whenever the Operator finds that any User has violated or is violating this Sewer Use Law, or any Wastewater Discharge Permit, order, prohibition, limitation, or requirement permitted by this Sewer Use Law, the Operator may serve upon such User (pursuant to Section 1111 below) a written notice stating the nature of the violation. Within ten (10) calendar days of the date the Operator serves such notice, an explanation of the violation and a written plan for the satisfactory correction and prevention thereof shall be submitted to the Operator by the User. The written correction and prevention plan shall include specific actions. Submission of this plan in no way relieves the User of liability for any violations caused by the User before or after receipt of the Notice of Violation.

Section 1103 - Consent Orders

The Operator or his/her designee is hereby empowered to enter into written Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the User responsible for noncompliance. Such documents shall include specific action to be taken by the User to correct the noncompliance within a time period also specified by the document. Consent Orders and similar documents shall have the same force and effect as Administrative or Compliance Orders pursuant to Section 1104 of this Sewer Use Law and shall be judicially enforceable. A Consent Order shall not be a bar against, or prerequisite for, taking any other action against a User.

Section 1104 - Administrative or Compliance Orders

When the Operator finds that a User has violated or continues to violate this Sewer Use Law or a

Permit or Administrative Order issued thereunder, he/she may issue a written Administrative Order to the User responsible for the discharge directing that, following a specified time period, Sewer service shall be discontinued, severed and abated unless the violation is corrected and that there is no reoccurrence of the violation. Administrative orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the installation of Pretreatment technology, additional self-monitoring, and/or management practices designed to minimize the amounts of Pollutants discharged to the Sewer. An Administrative or Compliance Order shall not be a bar against, or prerequisite for, taking any other action against a User.

The User may, within fifteen (15) calendar days of the date the Operator mails notification of the Administrative Order, petition in writing to modify or suspend the Order. Such petition shall be in written form and shall be transmitted to the Operator by registered mail. The Operator shall then:

- (1) reject any petitions as frivolous or unfounded,
- (2) modify or suspend the Administrative or Compliance Order, or
- (3) direct the petitioner to show cause in accordance with Section 1109 and may, as part of the show cause notice, require the User to supply additional information.

Section 1105 - Administrative Fines

Notwithstanding any other Section of this Sewer Use Law, any User who is found to have violated any provision of this Sewer Use Law, or a Wastewater Discharge Permit or Administrative or Compliance Order issued hereunder, shall be fined in an amount not to exceed One Thousand Dollars (\$1,000.00) per violation, unless such violation is by a Significant Industrial User or other User that is required to perform Pretreatment, in which case, all penalties shall be governed by 40 C.F.R. Part 403.8 (f)(1)(vi)(A). Each day of noncompliance shall be deemed a separate and distinct violation without the need to provide additional notice of such violations.

The User may, within fifteen (15) calendar days of the date the Operator mails notification of such fine, petition the Operator in writing to modify or suspend the Administrative or Compliance Order and/or resultant fine. Such petition shall be in written form and shall be transmitted to the Operator by registered mail. The Operator shall then:

- (1) reject any petitions as frivolous or unfounded,
- (2) modify or suspend the fine, or
- (3) direct the petitioner to show cause in accordance with Section 1109 and may as part of the show cause notice, require the User to supply additional information.

Section 1106 – Administrative Order to Cease and Desist

When the Operator finds that a User has violated or continues to violate this Sewer Use Law or any Permit or Administrative or Compliance Order issued hereunder, the Operator may issue an Administrative Order to Cease and Desist all such violations and direct those Persons in noncompliance to:

- (1) comply forthwith, and

- (2) take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations or terminating the discharge.

An Administrative Order to Cease and Desist shall not be a bar against, or prerequisite for, taking any other action against a User.

The User may, within fifteen (15) calendar days of the date the Operator mails notification of such Administrative Order to Cease and Desist, petition the Operator to modify or suspend the Order. Such petition shall be in written form and shall be transmitted to the Operator by registered mail. The Operator shall then:

- (1) reject any frivolous petitions,
- (2) modify or suspend the order, or
- (3) direct the petitioner to show cause in accordance with Section 1109 and may as part of the show cause notice request the User to supply additional information.

Section 1107 - Termination of Permit

Any User who violates the following conditions of this Sewer Use Law or any applicable or State and Federal law, is subject to Permit termination: (1) Violation of a Wastewater Discharge Permit or Permit conditions or conditions of an Administrative or Compliance Order, (2) Failure to accurately report the Wastewater constituents and characteristics of its discharge, (3) Failure to report significant changes in operations or Wastewater constituents and characteristics, (4) Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling, or (5) Failure to pay administrative fines, fees or user charges. Non-compliant Industrial Users will be notified, by registered mail, of the proposed termination of their Wastewater Discharge Permit. Termination of a Permit shall not be a bar against, or prerequisite for, taking any other action against a User.

The User may, within fifteen (15) calendar days of the date the Operator mails such notification, petition the Operator in writing to reinstate its Permit and allow continued use of the POTW by the User. Such petition shall be in written form and shall be transmitted to the Operator by registered mail.

The Operator shall then:

- (1) Reject any petitions as frivolous or unfounded or
- (2) Order the petitioner to show cause in accordance with Section 1109 and may as part of the show cause notice, request the User to supply additional information.

Section 1108 A - Water Supply Severance

Whenever a User has violated or continues to violate the provisions of this Sewer Use Law or an Administrative Order or Permit issued hereunder, water service to the User may be severed and service will only recommence, at the User's expense, after it has satisfactorily demonstrated its ability to comply with this Sewer Use Law.

The User may, within fifteen (15) calendar days of written notice of severance, petition the Operator to reconnect water supply service. Such petition shall be in written form and shall be transmitted to the Operator by registered mail. The Operator shall then:

- (1) reject any petitions as frivolous or unfounded,
- (2) reconnect the water supply, or
- (3) direct the petitioner to show cause in accordance with Section 1109 and may as part of the show cause notice require the User to supply additional information.

Water supply severance shall not be a bar against, or prerequisite for, taking any other action against a User.

Section 1108 B – Emergency Suspension of Discharge/ Summary Abatement

The Operator may immediately issue an Emergency Suspension Order to suspend a User's discharge, after informal notice to the User, whenever such suspension is necessary to stop an actual or threatened discharge, which reasonably appears to present, or cause an imminent or substantial endangerment to the health, safety or welfare of persons. The Operator may also, after written notice, immediately issue an Emergency Suspension Order to suspend a User's discharge that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

Any User notified of an Emergency Suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the Suspension Order, the Operator may take such steps as deemed necessary, including immediate severance of the Sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to the health, safety or welfare of any individual. The Operator may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the Operator that the period of endangerment has passed, unless the termination proceedings pursuant to Section 1107 of this Sewer Use Law is initiated against the User.

A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Operator prior to the date of any Show Cause Hearing under Section 1109 of this Sewer Use Law.

Nothing in this Section shall be interpreted as requiring a hearing prior to any Emergency Suspension pursuant to this Section.

The Operator, acting upon the belief that an emergency exists, shall be indemnified by the Town of Springwater against any personal liability that may arise in the performance of his/her duties to protect the public health, safety, or welfare, or to preserve the POTW or the environment.

Section 1109 - Show Cause Hearing

The Operator may order any User that petitions to modify or suspend any administrative remedies for violations of this Sewer Use Law to show cause, before the Springwater Town Board, why the enforcement action and/or administrative remedy initiated by the Operator should not be

taken. A written notice shall be served (pursuant to Section 1111 below) on the User specifying the time and place of a hearing to be held by the Springwater Town Board regarding the violation. The notice shall further indicate the reasons why the action is to be taken, the proposed enforcement action and/or administrative remedy, and directing the User to show cause before the Springwater Town Board why the proposed enforcement action and/or administrative remedy should not be taken.

The Notice of the Hearing shall be served in accordance with Section 1111 of this Article and at least ten (10) calendar days before the hearing. Service shall be made on a User, any principal or executive officer of a User's establishment or to any partner in a User's establishment. The Springwater Town Board may itself conduct the hearing, or may designate any of its members or any officer, agent or employee of the Town to conduct the hearing and:

- (1) Issue, in the name of the Springwater Town Board, notices of hearings requesting the attendance and testimony of witnesses, and the production of evidence relevant to any matter involved in such hearings,
- (2) Take the evidence,
- (3) Take sworn testimony, and
- (4) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Springwater Town Board for action thereon.

After the Springwater Town Board has reviewed the evidence and testimony, it may order the User to comply with the Operator's administrative remedy (including order or fine), modify the Operator's administrative remedy, or vacate the Operator's administrative remedy.

All costs and expenses associated with the Show Cause Hearing, including but not limited to any attorney fees or other professional fees expended by the Town of Springwater shall be reimbursed to the Town by the User within thirty (30) days of a detailed invoice being sent to User for the same.

Section 1110 - Failure of User to Petition the Operator

In the event the Operator issues any Administrative or Compliance Order, terminates the User's Permit, or makes any fine as set forth in this Article, and the User fails, within the designated period of time set forth, to petition the Operator in writing, as provided in appropriate sections of this Article, the User shall be deemed in default and its rights to contest the Administrative or Compliance Order or fine shall be deemed waived.

Section 1111 - Notice

The notices, orders, petitions, or other notification which the User or Operator shall desire or be required to give pursuant to any sections of this Sewer Use Law shall be in writing and shall be served personally or sent by certified mail or registered mail, return receipt requested, postage prepaid; and the notice, order, petition, or other communication shall be deemed given upon its mailing as provided herein. Any notice, Administrative Order, or communication mailed to the User pursuant to this Section shall be mailed to the User where the User's effluent is discharged into transmission lines to the Town of Springwater's POTW. Any notice, petition, or other communication mailed to the Operator shall be addressed and mailed to the Town of Springwater at:

Town of Springwater
Attn: Supervisor
8022 South Main Street
Springwater, New York 14560

Section 1112 - Right to Choose Multiple Remedies

The Operator shall have the right, within the Operator's sole discretion, to utilize any one or more administrative remedies (or to initiate criminal proceedings) set forth in this Article and no such remedy shall be deemed exclusive. The Operator may order one Show Cause Hearing combining more than one enforcement action or administrative remedy. Enforcement of Pretreatment violations or other violations of this Sewer Use Law will generally be in accordance with the Town's Enforcement Response Plan. However, the Operator may take other action against any User when the circumstances warrant.

Section 1113 A - Civil Actions For Penalties For Non-Industrial Users

Any Person or User who violates any of the provisions of or who fails to perform any duty imposed by this Sewer Use Law, or any Administrative or Compliance Order or other determination of the Operator made under this Sewer Use Law, or the terms of any Permit issued hereunder, shall be liable to the Town of Springwater for a civil penalty not to exceed One Thousand Dollars (\$1,000.00) per day for each violation, unless such violation is by a Significant Industrial User, Industrial User or other User that is required to perform Pre-Treatment, in which case, all penalties shall be governed by 40 C.F.R. Part 403.8 (f)(1)(vi)(A). Each violation shall be a separate and distinct violation, and in the case of a continuing violation, each day's continuance thereof shall be deemed a separate and distinct violation without requiring additional notice to be served.

At the request of the Operator, such penalty may be recovered in an action brought by the Town attorney (or his/her designated attorney), in any court of competent jurisdiction, giving preference to courts local to the Town of Springwater. In addition to the above described penalty, any Person or User who violates any provision of this Sewer Use Law, or who fails to perform any duties imposed by this Sewer Use Law (or any Administrative or Compliance Order or determination of the Operator promulgated under this Sewer Use Law), or the terms of any Permit issued hereunder, shall be responsible for all reasonable attorney's fees, costs and disbursements (including but not limited to filing fees, service of process and sampling and monitoring fees related to the underlying violation) incurred by the Town of Springwater in enforcing the provisions of this Sewer Use Law.

In determining the amount of civil penalty, the court shall take into account all relative circumstances, including, but not limited to the extent of harm caused by the violation, the magnitude and duration of the alleged violation, any economic benefit gained through the Person's or User's violation, corrective actions by the Person or User, the compliance history of the Person or User, and any other relative factors as justice may require.

Such civil penalty may be released or compromised by the Operator before the matter has been referred to the Town attorney, and where such matter has been referred to the Town attorney, any such penalty may be released or compromised and any action commenced to recover the same may be settled and discontinued by the Town attorney, with the consent of the Operator.

Filing an action for Civil Penalties shall not be a bar against, or a prerequisite for taking any other action against a Person or User for violations of this Sewer Use Law.

Section 1113 B - Civil Actions For Penalties For Industrial Users and Significant Industrial Users

Any Industrial User or Significant Industrial User who violates any of the provisions of or who fails to perform any duty imposed by this Sewer Use Law, or any Administrative or Compliance Order or other determination of the Operator made under this Sewer Use Law, or the terms of any Permit issued hereunder, shall be liable to the Town of Springwater for a civil penalty of not less than One Thousand Dollars (\$1,000.00), per day for each violation pursuant to 40 C.F.R. Part 403.8 (f)(1)(vi)(A). Each violation shall be a separate and distinct violation, and in the case of a continuing violation, each day's continuance thereof shall be deemed a separate and distinct violation without requiring additional notice to be served.

At the request of the Operator, such penalty may be recovered in an action brought by the Town of Springwater attorney (or his/her designated attorney), in any court of competent jurisdiction, giving preference to courts local to the Town. In addition to the above described penalty, any Industrial User or Significant Industrial User who violates any provision of this Sewer Use Law, or who fails to perform any duties imposed by this Sewer Use Law (or any Administrative or Compliance Order or determination of the Operator promulgated under this Sewer Use Law), or the terms of any Permit issued hereunder, shall be responsible for all reasonable attorney's fees, costs and disbursements (including but not limited to filing fees, service of process and sampling and monitoring fees related to the underlying violation) incurred by the Town of Springwater in enforcing the provisions of this Sewer Use Law.

In determining the amount of civil penalty, the court shall take into account all relative circumstances, including, but not limited to the extent of harm caused by the violation, the magnitude and duration of the alleged violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other relative factors as justice may require.

Filing an action for Civil Penalties shall not be a bar against, or a prerequisite for taking any other action against a Person or User for violations of this Sewer Use Law.

Section 1114 - Court Orders

In addition to the power to seek the civil penalties set forth in this Article, the Town of Springwater attorney may seek an order from the Court enjoining the Industrial User or Significant Industrial User from continuing the violation as per Section 1116 below.

Section 1115 A - Criminal Penalties/Fines For Non-Industrial Users

Any Person or User who willfully violates any provision of this Sewer Use Law or any final determination or Administrative or Compliance Order of the Operator made in accordance with this Article shall be guilty of a Class A Misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00), or imprisonment not to exceed one (1) year or both, unless such violation is by a Significant Industrial User or other User that is required to perform Pre-Treatment, in which case, all penalties shall be governed by 40 C.F.R. Part 403.8 (f)(1)(vi)(A). Each offense shall be a separate and distinct offense, and, in the case of a continuing offense, each day's continuance thereof shall be deemed a separate and distinct offense without requiring additional notice to be served.

Any Person or User who knowingly makes any false statements, representations, or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to this Sewer Use Law, or Wastewater Permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Sewer Use Law shall be guilty of a Class A Misdemeanor and, upon conviction, shall be punished by a fine of not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00) per violation per day or imprisonment for not more than one (1) year or both.

Section 1115 B - Criminal Penalties/Fines For Industrial Users and Significant Industrial Users

Any Industrial User or Significant Industrial User who willfully violates any provision of this Sewer Use Law or any final determination or Administrative or Compliance Order of the Operator made in accordance with this Article shall be guilty of a Class A Misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than One Thousand Dollars (\$1,000.00) per violation, per day as required by 40 C.F.R. Part 403.8 (f)(1)(vi)(A), or imprisonment not to exceed one (1) year or both. Each offense shall be a separate and distinct offense, and, in the case of a continuing offense, each day's continuance thereof shall be deemed a separate and distinct offense without requiring additional notice to be served.

Any Industrial User or Significant Industrial User who knowingly makes any false statements, representations, or certifications in any application, Record, report, plan or other document filed or required to be maintained pursuant to this Sewer Use Law, or Wastewater Permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Sewer Use Law shall be guilty of a Class A Misdemeanor and, upon conviction, shall be punished by a fine of not less than One Thousand Dollars (\$1,000.00) per violation per day or imprisonment for not more than one (1) year or both.

Section 1116 - Additional Injunctive Relief

Whenever a User has violated or continues to violate the provisions of this Sewer Use Law or any Permit or Administrative or Compliance Order issued hereunder, the Operator, through the Town of Springwater Attorney may petition the Court, in the name of the Town, for the issuance

of a preliminary or permanent injunction or both (as may be appropriate) which restrains the violation of, or compels the compliance with any provision of this Sewer Use Law, or any Administrative or Compliance Order or determination made hereunder by the Operator.

Section 1117 - Delinquent Payments

If there shall be any payments which are due to the Town of Springwater, pursuant to any Article or Section of this Sewer Use Law, which shall remain due and unpaid, in whole or in part, for a period of thirty (30) calendar days from the date of billing by the Town, the same shall constitute a default, and there shall be added to the entire amount of the original bill, a penalty equal to twenty-five percent (25%) of the original bill, and interest shall accrue on the unpaid balance, at the rate of two percent (2%) per month, retroactive to the date of the original billing.

Where payments or charges due the Town of Springwater are delinquent or unpaid by a User or other responsible party, the Town attorney is authorized to seek recovery of such payments or charges in a court of competent jurisdiction, including all costs, expenses and reasonable attorney fees associated with the collection of the same. Additionally, the Town of Springwater may make arrangements with the appropriate county where the User is located to add the amount of the Sewer assessment or other charges which shall be in default, plus penalty and interest, as provided for in this Sewer Use Law, to the real property taxes due to the County in the next ensuing year.

Section 1118 - Performance Bonds

The Operator may decline to reissue a Permit to any User which has failed to comply with the provisions of this Sewer Use Law or any Administrative or Compliance Order or previous Permit issued hereunder unless such User first files with the Town of Springwater a satisfactory bond, payable to the Town, in a sum not to exceed a value determined by the Operator to be necessary to achieve consistent compliance.

Section 1119 - Liability Insurance

The Operator may decline to reissue a Permit to any User which has failed to comply with the provisions of this Sewer Use Law or any Administrative or Compliance Order or previous Permit issued hereunder, unless the User first submits proof that it has obtained financial assurances in a form acceptable to the Operator sufficient to restore or repair POTW damage caused by its discharge.

Section 1120 - Informant Rewards

The Operator is authorized to pay up to \$500.00 for information leading to the discovery of non-compliance by a User. In the event that the information provided results in an administrative fine or civil penalty levied against the User, the Operator is authorized to disperse up to ten (10) percent of the collected fine or penalty to the informant. However, a single reward payment may not exceed \$10,000.00, including the discovery reward.

Section 1121 - Public Notification

The Operator shall provide public notification pursuant to 40 CFR 403.8 (f)(2)(viii) of Industrial Users or Significant Industrial Users that, at any time within the previous 12 months, were in significant non-compliance with local or Federal Pretreatment Standards or other requirements set forth in 40 CFR 403.8 (f)(2)(viii)(A-H). The frequency of such notices shall be at least once annually in a newspaper of general circulation which provides meaningful public notice within the operating area of the Town of Springwater.

Section 1122- Contractor Listings

- (1) Users which have not achieved consistent compliance with applicable Pretreatment Standards and requirements are not eligible to receive a contractual award for the sale of goods or services to the Town of Springwater.
- (2) Existing contracts for the sale of goods or services to the Springwater held by a User found to be in significant violation with Pretreatment Standards may be terminated at the discretion of the Springwater Town Board.

Article 12 – Charges

Section 1201 – Normal Sewage Service Charges

All Persons or Users discharging or depositing wastes into the Public Sewers shall pay a Sewer service charge proportional to the liquid volume of waste so deposited, which charge shall be collected as a Sewer rent.

Section 1202 - Surcharge for Abnormal Sewage

All Persons or Users discharging or depositing wastes with concentrations in excess of the Pollutant concentrations in Normal Sewage shall pay a surcharge that shall be set from time-to-time by the Springwater Town Board.

Section 1203 - Total Sewer Service Charge

The total Sewer service charge, (which shall be called the "User Charge"), is comprised of two parts, as follows:

$$UC(t) = UC(n) + UC(an)$$

Where:

UC(t) = total User Charge for POTW operation and maintenance

UC(n) = User Charge associated with Normal Sewage

UC(an) = User Charge associated with Abnormal Sewage

UC(n) = OM X (OQ/100) X (QIA/QA)

$$UC(an) = OM \{ [OB/100 \times (BIA-Bn)/BA] + [OS/100 \times (SIA-Sn)/SA] + [OP/100 \times (PIA-Pn)/PA] + [ONH/100 \times (NHIA-NHn)/NHA] + [OTK/100 \times (TKIA-TKn)/TKA] \}$$

Where:

OM = total annual POTW operation and maintenance costs
 OQ = percentage of OM attributable to flow (Q)
 OB = percentage of OM attributable to BOD5
 OS = percentage of OM attributable to Suspended Solids
 OP = percentage of OM attributable to Total Phosphorus
 ONH = percentage of OM attributable to Ammonia
 OTK = percentage of OM attributable to Total Kjeldahl Nitrogen
 QIA = average daily Flow Rate (MGD) from discharger
 BIA = average daily BOD5 loading (LB/DAY) from discharger
 SIA = average daily Suspended Solids loading (LB/DAY) from discharger
 PIA = average daily Total Phosphorus loading (LB/DAY) from discharger
 NHIA = average daily Ammonia loading (LB N/DAY) from discharger
 TKIA = average daily Total Kjeldahl Nitrogen loading (LB N/DAY) from discharger
 QA = average daily Flow Rate (MGD) at the POTW Treatment Plant
 BA = average daily BOD5 loading (LB/DAY) at the POTW Treatment Plant
 SA = average daily Suspended Solids loading (LB/DAY) at the POTW Treatment Plant
 PA = average daily Total Phosphorus loading (LB/DAY) at the POTW Treatment Plant
 NHA = average daily total Ammonia loading (LB N/DAY) at the POTW Treatment Plant
 TKA = average daily Total Kjeldahl Nitrogen loading (LB N/DAY) at the POTW Treatment Plant
 Bn = BOD5 loading (LB/DAY) in discharge if it were Normal Sewage
 Sn = Suspended Solids loading (LB/DAY) in discharge if it were Normal Sewage
 Pn = Total Phosphorus loading (LB/DAY) in discharge if it were Normal Sewage
 NHn = Ammonia loading (LB N/DAY) in discharge if it were Normal Sewage
 TKn = Total Kjeldahl Nitrogen loading (LB N/DAY) in discharge if it were Normal Sewage

Note: if any difference terms in the equation above is negative, then that portion of the equation shall not be used, that is, the difference shall be set to zero when it is negative.

Note: all averages are arithmetic averages determined from available data during the billing period.

Section 1204 - Segmenting the POTW

The Service Area of the POTW may, at the discretion of the Springwater Town Board, be segmented to assist in a fair distribution of User charges, especially if there is a pump station serving a segment.

Section 1205 - Measurement of Flow

The volume of flow to be used in computing Sewer service charges and Abnormal Sewage surcharges shall be based upon metered water consumption as shown on the records of meter

readings maintained by the Town of Springwater, or provided to the Town from local municipalities pursuant to an inter-municipal agreement, or based on a dedicated sewer flow meter. In the event that a Person or User discharging wastes into the POTW produces credible evidence, to the Operator, demonstrating that a substantial portion of the total amount of metered water does not reach the POTW, then the Operator shall either establish a percentage of the total metered water to be used as a basis for such computations, or direct the installation of appropriate flow measuring (and totalizing) devices to measure and record the actual amount of flow into the POTW. In the event that a Person or User discharging wastes into the POTW procures all or part of its water supply from un-metered sources, the Operator shall either direct the installation of water meters on the other sources of water supply, or direct the installation of appropriate flow measuring devices to measure and record the actual amount of flow into the POTW. Any water meters and/or flow measuring devices installed pursuant to this Section shall be of a type and design acceptable to the Operator and shall be installed, maintained, and periodically tested as required by the Operator, at the User's or owner's expense. All such meters and/or flow measuring devices shall be subject to periodic inspection, testing, and reading by the Operator. Any Person or User discharging wastes into the POTW may install a flow measuring device at its option, of the type, design, installation, and maintenance standards of the Operator, at the User's or owner's expense.

Section 1206 - Billing Period

The Billing Period shall be quarterly.

Section 1207 - Pretreatment Program Costs

The additional charges and fees associated with the operation of the Pretreatment program shall be assessed to the User, and include:

- (1) reimbursement of costs of setting up and operating the Pretreatment program,
- (2) issuing Permits,
- (3) monitoring, inspections, and surveillance procedures,
- (4) costs of equipment and supplies,
- (5) reviewing accidental discharge procedures,
- (6) construction inspections,
- (7) filing appeals,
- (8) application for consistent removal status as outlined in 40 CFR 403, and
- (9) other reasonable expenses to carry out the program to satisfy the requirements of this Sewer Use Law, the NYSDEC, and the Federal government

Section 1208 - Charges for Trucked and Hauled Wastes

The charge for treatment and disposal of trucked or hauled waste which has been introduced into the POTW shall be as established by the Springwater Town Board and may be modified from time-to-time. The manner of determining the volume dumped shall be at the discretion of the Operator.

Section 1209 - Capital Recovery

The Town of Springwater may institute an equitable procedure for recovering the costs of any capital improvements of those parts of the POTW which collect, pump, treat, and dispose of industrial Wastewaters from those Persons or Users discharging such Wastewaters into the POTW.

Section 1210 - Collection of Charges

Provisions of Article 11 of this Sewer Use Law relating to the collection of penalties shall apply to the collection of Sewer Service Charges and Abnormal Sewage Service Surcharges.

Section 1211 - Fiscal Year for System

The POTW shall be operated on the basis of a fiscal year commencing on the first day of January and ending on the thirty-first day of December.

Section 1212 - Impact Fees

The Springwater Town Board shall have the authority to impose impact fees on new development, which development may:

- (1) cause enlargement of the Service Area of the POTW, and/or
- (2) cause increased hydraulic and/or treatment demands on the POTW

Section 1213 - Use of Revenues

Revenues derived from User Charges and associated penalties, and impact fees, shall be credited to a special fund. Monies in this fund shall be used exclusively for the following functions:

- (a) For the payment of the operation and maintenance, including repair and replacement costs of the POTW,
- (b) For the discovery and correction of Inflow and Infiltration,
- (c) For the payment of interest on and the amortization of or payment of indebtedness which has been or shall be incurred for the construction or extension of the POTW, and/or
- (d) For the extension, enlargement, replacement of, and/or additions to the POTW, including any necessary appurtenances.

Section 1214 - Records and Accounts

The Town of Springwater shall maintain and keep proper books of Records and accounts for the POTW, separate from all other Records and accounts, in which shall be made full and correct entries of all transactions relating to the POTW. At its discretion, the Town of Springwater may cause an audit of such books of Record to be made by a recognized independent Certified Public Accountant, and will supply such audit report to authorized officials, and the public, on request.

There shall be an annual review of the Sewer charge system to determine if it is adequate to meet expenditures for all programs for the coming year.

Classification of old and new Industrial Users and Significant Industrial Users should also be reviewed annually.

The Town of Springwater shall maintain and carry insurance on all physical properties of the POTW, of the kinds and in the amounts normally carried by public utility companies and municipalities engaged in the operation of Sewage disposal systems. All moneys received for losses under any such insurance policies shall be applied solely to the replacement and restoration of the property damaged or destroyed.

Article 13 – Public Disclosure of POTW Operations

Section 1301 – POTW Operations Open to the Public

It shall be the policy of the Springwater Town Board to conduct all business with full disclosure to the public.

Section 1302- Procedural Requirements Available

The nature and requirements of all formal procedures for applying for a Permit and for requesting a Permit under this Sewer Use Law shall be formulated from time-to-time by the Town of Springwater and be made available to the public upon request.

Section 1303- Validity Through Public Inspection

The Town of Springwater shall formulate procedures to make available to the public for inspection such orders, statements of policy, and interpretations used by the Town in administration of this Sewer Use Law. No rule, regulation, or civil order shall be valid until it has been available for public inspection.

Article 14 - Conflicts, Severability, Effective Date And Applicability

Section 1401- Conflicts

The provisions of any prior Town of Springwater Sewer Use Law or policies in conflict with any provision of this Sewer Use Law are hereby repealed.

Section 1402- Severability

Each provision of this Sewer Use Law is severable from the others, so that if any provision is held to be illegal or invalid for any reason whatsoever, such illegal or invalid provision shall be severed from this Sewer Use Law which shall nonetheless remain in full force and effect.

Section 1403- Effective Date

This Sewer Use Law shall take effect 30 days after its filing in the office of the Secretary of State.

STATE OF NEW YORK: DEPARTMENT OF ENVIRONMENTAL CONSERVATION

In the Matter of Violations of
Articles 17 and 71 of the New York State
Environmental Conservation Law and Part 750
of Title 6 of the Official New York State Code
of Rules and Regulations

- by -

ORDER

R8-20240108-1

Town of Springwater
8022 South Main Street
Springwater, NY 14560,

Respondent.

WHEREAS:

Jurisdiction

1. The New York State (State) Department of Environmental Conservation (“Department”) is an agency of the State charged with jurisdiction over stormwater discharges pursuant to Article 17 of the Environmental Conservation Law and the rules and the regulations promulgated thereunder at 6 New York Code of Rules and Regulations (NYCRR) Part 750.
2. The Department is charged with the responsibility and authority to promote and coordinate the management of the water, land, fish, wildlife, and air resources of the state to assure their protection, enhancement, provisions, allocation, and balanced utilization consistent with the environmental policy of the state. See ECL §3-0301.
3. “New York State has a State program that has been approved by the United States Environmental Protection Agency for the control of wastewater and storm water discharges in accordance with the act. Under New York State law the program is known as the State Pollutant Discharge Elimination System (SPDES) and is broader in scope than that required by the act in that it controls point source discharges to groundwaters as well as surface waters.” 6 NYCRR Part 750-1.1(a).

Respondent

4. Respondent Town of Springwater (Respondent) is a municipality formed pursuant to the laws of the State located in Livingston County, New York.
5. Respondent owns and operates a wastewater collection system and a wastewater treatment facility known as the Town of Springwater Wastewater Treatment Plant (the Facility), located at 7737 Kellogg Road, Town of Springwater, NY 14560 (Livingston County) (Tax ID No. 151.-1-43.122), from which pollutants are discharged to the waters of the State from an outlet or point source, as that activity is defined by ECL Article 17 and 6 NYCRR Part 750 *et seq.*

6. Respondent discharges pollutants from the Facility to the waters of the State under the authority and subject to the terms and conditions stated in SPDES Permit No. NY0246450 (Permit). The Permit was initially issued effective July 1, 2006 and has been continuously renewed through its most recent renewal on September 1, 2019 which expires on August 31, 2024.

Applicable Rules and Regulations

7. ECL §17-0803 states that “Except as provided by subdivision five of section 17-0701 of this article, it shall be unlawful to discharge pollutants to the waters of the state from any outlet or point source without a SPDES permit issued pursuant hereto or in a manner other than as prescribed by such permit.”
8. ECL §17-0807(4) states that “The following discharges into the waters of the state are hereby prohibited. . . . [A]ny discharge not permitted by the provisions of this article, rules and regulations adopted or applicable pursuant hereto, the Act, 2 or provisions of a permit issued hereunder.”
9. 6 NYCRR Part 750-2.1(e) states “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.”

2015 Order on Consent

10. Respondent entered into an Order on Consent (Case No. R8-20150120-45), effective May 22, 2015, for violations of the Permit, ECL §§17-0803 and 17-0807(4) associated with the discharge of pollutants to waters of the State that exceeded the effluent limitations contained in the Permit (2015 Order).
11. The 2015 Order states that its objective is “for Respondent to obtain consistent compliance with the terms of the Permit, including meeting the effluent limitations stated therein, and to reduce flows to the Facility. Towards those ends, Respondent shall perform the compliance requirements hereinafter stated in this Consent Order and take such other and further steps necessary to attain the objectives of this Consent Order.” 2015 Order at Section I, page 4.
12. The 2015 Order states that “[t]he Consent Order will remain in effect until Respondent has fulfilled all of the compliance requirements contained in the Consent Order and has paid any penalties assessed hereby.” 2015 Order at IX, page 9.

First Violation

13. The 2015 Order, Compliance Actions, required Respondent to “Finalize easements to access the Town owned septic tanks”.
14. The Permit states that by March 1, 2020, Respondent was to “[s]ubmit documentation for finalized easements that authorize Sanitary Collection System

staff access to the Town owned grinder pumps, laterals, and pump stations”. Permit at Compliance Action, Easements, page 7.

15. Respondent failed to finalize the easements to access the Respondent owned septic tanks and failed to “[s]ubmit documentation for finalized easements that authorize Sanitary Collection System staff access to the Town owned grinder pumps, laterals, and pump stations” to the Department by March 1, 2020.
16. Respondent’s failure to finalize the easements to access the Respondent owned septic tanks and failure to submit to the Department, by March 1, 2020, documentation for finalized easements that authorize Sanitary Collection System staff access to the Town owned grinder pumps, laterals, and pump stations is a violation of the Permit, the 2015 Order.

Second Violation

17. The Permit provides effluent Limitations for Outfall 001.
18. Respondent exceeded the Permit effluent limitations as is detailed in **Exhibit 1**.
19. Respondent’s exceedances of the effluent limitations set forth in the Permit are violations of the Permit, ECL §17-0803, and 6 NYCRR Part 750-2.1(e).

Third Violation

20. 6 NYCRR Part 750-2.5(a)(1) states that “The permittee shall comply with all recording, reporting, monitoring and sampling requirements specified in the permit.”
21. The Permit provides Effluent Limitations and Monitoring Requirements for Outfall 001.
22. The Permit contains an effluent limitation for CBOD₅ and requires monitoring of CBOD₅ two times a month by grab sample.
23. Respondent failed to conduct the required monitoring of CBOD₅ for the period of September 29, 2015 to December 31, 2023.
24. Respondent’s failure to conduct the required monitoring of CBOD₅ for the period of September 29, 2015 to December 31, 2023 is a violation of 6 NYCRR Part 750-2.5(a)(1) and the Permit.

Fourth Violation

25. The Permit states that “[t]he permittee shall submit an Engineering Report to demonstrate the performance of the facility as constructed can comply with the [sic] all final permit limits” by May 1, 2020. Permit at Compliance Action, Evaluate Treatment Plant, page 8.
26. The May 1, 2020 deadline was extended by agreement until October 1, 2023.

27. Respondent failed to submit to the Department, by October 1, 2023, an Engineering Report to demonstrate the performance of the facility as constructed can comply with all final permit limits.
28. Respondent's failure to submit to the Department by October 1, 2023 an Engineering Report to demonstrate the performance of the facility as constructed can comply with all final permit limits is a violation of the Permit and 6 NYCRR Part 750-2.1(e).

Civil Penalty

29. The 2015 Order states "Respondent is assessed a civil penalty in the amount of Thirty-Five Thousand Eight Hundred Dollars (\$35,800) for the violations stated in this Consent Order, all of which is suspended, and shall not be payable provided that Respondent fully complies with the requirements of this Consent Order in a timely fashion. In the event that Respondent fails to fully comply with the requirements of this Consent Order in a timely fashion, all or some of the suspended portion of the penalty shall become due and payable upon written notice to Respondent by the Department (the amount becoming due and payable specified in the Department's notice) without prejudicing the Department from seeking further appropriate penalties from Respondent for violations of this Consent Order." 2015 Order at VI, page 8.
30. ECL Section 71-1929 states "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 thirty-seven thousand five hundred dollars per day for each violation, and, in addition thereto, such person may be enjoined from continuing such violation as hereinafter provided."
31. Respondent affirmatively waived its right to notice and hearing in the manner provided by law, consented to the issuing and entering of this Order, and agrees to be bound by the terms, provisions and conditions contained herein.

NOW THEREFORE, having considered this matter and having been duly advised, IT IS ORDERED THAT:

I. Civil Penalties.

- a. With respect to the violations identified in this Order, Respondent is hereby assessed a civil penalty in the amount of Sixty-Thousand Dollars (\$60,000). This civil penalty is suspended conditioned on Respondent's compliance with this Order, including the Schedule of Compliance. The \$60,000 suspended penalty is due within 30 days of Department's written notice of violation of this Order.
- b. With respect to the 2015 Order's suspended penalty in the amount of Thirty-Five Thousand Eight Hundred Dollars (\$35,800), this civil penalty is suspended

conditioned on Respondent's compliance with this Order, including the Schedule of Compliance. The \$35,800 suspended penalty is due within 30 days of Department's written notice of violation of this Order.

- c. Payment of the above penalties shall not in any way alter Respondent's obligation to complete performance under the terms of this Order. Payment of the suspended penalty shall not limit the Department's ability to seek further civil penalties or commence any other actions for violations of the Order.
- d. **Tax Information and Statewide Offset Program Notice.** Respondent agrees to the terms contained in Exhibit A in consideration of paying a civil penalty in installments. Exhibit A is incorporated into this Order on Consent and is enforceable thereunder.

Respondent shall return to the Department, with the signed and notarized Order on Consent, a completed copy of the attached **Exhibit A**, the Tax Information and Statewide Offset Program Notice.

- e. **Address to send signed and notarized order on consent.** The Order on Consent, along with any applicable submissions, and a copy of the payment check or proof of the electronic payment, shall be sent to:

New York State
Department of Environmental Conservation
Office of General Counsel – Region 8
6274 East Avon-Lima Road
Avon, New York 14414

- f. **Civil Penalty Payment Methods.** The civil penalty shall be paid by one of the two methods stated below at the time this Order on Consent is placed in the mail or delivered to the New York State Department of Environmental Conservation's Office of General Counsel – Region 8:

- i. by check sent to the following address, made payable to the "New York State Department of Environmental Conservation," with the enclosed invoice and the Case Number of this Order on Consent written in the memo section of the check:

New York State Department of Environmental Conservation
Division of Management and Budget Services
625 Broadway, 10th Floor
Albany, NY 12233-4900

- ii. by electronic payment at <http://www.dec.ny.gov/about/61016.html>. Please have your customer and invoice number available. If you have any questions regarding paying your invoice electronically, please contact the Revenue Fee Unit at 518-402-9343 or revenue@dec.ny.gov.

- II. **Effect of Payment of Penalty.** Assessment and payment of any civil penalty imposed under this Order shall not in any way alter Respondent's obligation to

satisfactorily perform any action required by this Order or by any approval issued by the Department under this Order.

III. **Schedule of Compliance.** Respondent shall comply with the terms and conditions of this Order, including the Schedule of Compliance. The attached Schedule of Compliance and any plans approved thereunder are incorporated into the Order and are enforceable thereunder. Any records submitted to the Department shall have the owner's name, facility name and address, and contact and phone number.

IV. **Summary Abatement.** This Order shall not be construed to prohibit the Commissioner or his duly authorized representatives from exercising any summary abatement powers, either at common law or as granted pursuant to statute or regulation.

V. **Scope.** Except as specifically provided in this Order, nothing contained in this Order shall be construed as barring, diminishing, adjudicating or in any way affecting:

A. Any legal or equitable rights or claims, actions, proceedings, suits, causes of action or demands whatsoever that the State or Department may have against Respondent for any violations not cited in this Order on Consent.

B. Any legal or equitable rights or claims, actions, proceedings, suits, causes of action or demands whatsoever that the State or Department may have against anyone other than Respondent, its officers, directors, agents, servants, employees, successors and assigns;

C. The Department's right to enforce this Order against Respondent, its officers, directors, servants, and employees in the event that Respondent shall fail to fulfill any of the terms or provisions hereof;

D. Whatever right the Department has to bring any action or proceeding against Respondent and/or any of Respondent's directors, officers, employees, servants, agents, successors, and assigns with respect to claims for natural resource damages; and

E. Respondent's right to assert all available defenses to any claims, actions, proceedings, suits, causes of actions or demands made or commenced by the State or the Department provided, however, that Respondent waives all legal or equitable rights claims, actions, proceedings, appeals, suits, causes of action, defenses or demands whatsoever that it may have to a judicial review of the validity and binding effect of this Order and whether or not this Order has been entered into voluntarily by Respondent.

VI. **Communications.**

A. This paragraph does not apply to payment of the penalty or submission of the Order on Consent, which are instead addressed at Paragraph I, "Civil Penalty", above.

B. All written communications required by this Order shall be transmitted by United States Postal Service, by private courier service, by hand delivery, or by electronic mail.

C. Communications shall be sent to:

For the Department:

Dusty Renee Tinsley
New York State
Department of Environmental Conservation – Region 8
6274 East Avon – Lima Road
Avon, NY 14414

For Respondent:

James W. Campbell, Jr.
Kruk & Campbell, P.C.
7312 East Main Street
P.O. Box 30-A
Lima, New York 14485

and

Deborah Babbitt-Henry, Supervisor
Town of Springwater
8022 South Main Street
Springwater, NY 14560

VII. **Standard Provisions.** Respondent must further comply with the Standard Provisions attached to this Order, which constitute material and integral terms and conditions of this Order and are hereby incorporated into this Order by reference.

DATED: _____, 2024
Avon, New York

Sean Mahar
Acting Commissioner
New York State Department of Environmental
Conservation

BY: _____
Timothy P. Walsh, MPA, PE
Regional Director - Region 8

CONSENT BY RESPONDENT

R8-20240108-1

Respondent, **Town of Springwater** hereby consents to the issuance of the foregoing order without further notice, waives its right to a hearing herein, and agrees to be bound by the terms, provisions, and conditions contained herein.

Town of Springwater

By [Signature]: _____

Name [Print]: _____

Title: _____

Date: _____

Email: _____

Acknowledgment

STATE OF NEW YORK)

) ss:

COUNTY OF)

On the _____ day of _____, in the year _____, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

If you are unable to secure notarization, you must sign the statement below.

In signing this document, I acknowledge under penalty of perjury that I understand the contents and purpose of this document; the signature above is my own and I signed willingly. I have also submitted state-issued identification verifying my identity. I am aware that any false statement made herein is punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law of the State of New York.

Signature

Printed name

Standard Provisions

Access. For the purpose of monitoring or determining compliance with this Order, employees and agents of the Department shall be provided access to any facility, site, or records owned, operated, controlled or maintained by Respondent, in order to inspect and/or perform such tests as the Department may deem appropriate, to copy such records, or to perform any other lawful duty or responsibility.

Binding Effect. The provisions, terms, and conditions of this Order shall be deemed to bind Respondent, its heirs, its employees, servants, agents, successors and assigns, and all persons, firms, and corporations acting subordinate thereto.

Communications. Except as otherwise specified in this Order, any reports, submissions, and notices herein required shall be made to the Regional Director of the Region 8 office of the Department, located at 6274 East Avon-Lima Road, Avon, New York 14414.

Default of Payment. The penalty assessed in the Order on Consent constitutes a debt owed to the State of New York. Failure to pay the assessed penalty, or any part thereof, in accordance with the schedule contained in the Order on Consent, may result in referral to the New York State Attorney General for collection of the entire amount owed (including the assessment of interest, and a charge to cover the cost of collecting the debt), or referral to the New York State Department of Taxation and Finance, which may offset by the penalty amount any tax refund or other monies that may be owed to you by the State of New York. Any suspended and/or stipulated penalty provided for in this Order on Consent will constitute a debt owed to the State of New York when and if such penalty becomes due.

Effective Period of this Order and Termination. This Order shall take effect when it is signed by the Commissioner of the Department or the Commissioner's designee and shall expire when all the requirements imposed by the Order are completed to the Department's satisfaction.

Entirety of Order. The provisions of this Order constitute the complete and entire Order issued to the Respondent, concerning resolution of the violations identified in this Order. Terms, conditions, understandings or agreements purporting to modify or vary any term hereof shall not be binding unless made in writing and subscribed by the party to be bound, pursuant to the "Modifications" provision. No informal oral or written advice, guidance, suggestion or comment by the Department regarding any report, proposal, plan, specification, schedule, comment or statement made or submitted by the Respondent shall be construed as relieving the Respondent of his/her obligations to obtain such formal approvals as may be required by this Order.

Failure, Default, and Violation of Order. The failure of Respondent to comply with any provision of this Order shall constitute a default and a failure to perform an obligation under this Order and shall be deemed to be a violation of both this Order and the ECL. In addition, Respondent's failure to comply fully and in timely fashion with any provision, term, or condition of this Order shall constitute a default and a failure to perform an obligation under this Order and under the ECL and shall constitute sufficient grounds for revocation of any permit, license, certification, or approval issued to the Respondent by the Department.

Force Majeure. If Respondent cannot comply with a deadline or requirement of this Order on Consent, because of natural disaster, federal or state declared national or state emergency based on an epidemic or pandemic, war, terrorist attack, strike, riot, judicial injunction, or other, similar unforeseeable event which was not caused by the negligence or willful misconduct of Respondent and which could not have been avoided by the Respondent through the exercise of due care, Respondent shall apply in writing to the Department within a reasonable time after obtaining knowledge of such fact and request an extension or modification of the deadline or requirement. Respondent shall include in such application the measures taken by Respondent to prevent and/or minimize any delays. Failure to give such notice constitutes a waiver of any claim that a delay is not subject to penalties. Respondent shall have the burden of proving that an event is a defense to a claim of non-compliance with this Order on Consent pursuant to this subparagraph.

Indemnification. Respondent shall indemnify and hold the Department, the State of New York, and their representatives, employees, agents and contractors harmless for all claims, suits, actions, damages and costs of every nature and description arising out of or resulting from the fulfillment or attempted fulfillment of this order by the Respondent, its employees, servants, agents, successors (including successors in title) and assigns.

Modifications. No change or modification to this Order will become effective except as specifically set forth in writing and approved by the Commissioner or a duly authorized representative. All modification requests shall be submitted in writing to the Commissioner, or his/her designee. All modification requests shall include the case number, the named Respondent, and an explanation for the request. Any requests to modify a milestone date must be submitted to the Department prior to the milestone date and include a justification for the requested extended timeframe.

Multiple Respondents. If more than one Respondent is a signatory to this Order, use of the term "Respondent" in these Standard Provisions shall be deemed to refer to each Respondent identified in the Order.

Not a Permit or Permit Modification. This Order on Consent is not a permit, or a modification of any permit, under any federal, State, or local laws or regulations. Unless otherwise allowed by statute or regulation, Respondent is responsible for achieving and maintaining complete compliance with all applicable federal, State, and local laws, regulations, and permits. Respondent's compliance with this Order on Consent shall be no defense to any action commenced pursuant to any laws, regulations, or permits, except as set forth herein.

Reservation of Rights. Nothing contained in this Order shall be construed as barring, diminishing, adjudicating or in any way affecting any right of the Department to seek natural resource damages from Respondent or others; or to directly perform, to engage others to perform on its behalf, or to direct others including Respondent to perform, any additional measures that are authorized by law to protect human health, safety or the environment, including the summary abatement powers of the Department, either at common law or as granted pursuant to statute or regulation.

Scope of Settlement and Violations Addressed. This Order shall be in full settlement of all claims for civil and administrative penalties that have been or could be asserted by the Department against Respondent, their trustees, officers, employees, successors and assigns for the above-referenced violations. This Order shall not be construed as being in settlement of events regarding which the Department lacks knowledge or which occur after the effective date of this Order.

Service. If Respondent is represented by an attorney with respect to the execution of this Order, service of a duly executed copy of this Order upon Respondent's attorney by ordinary mail or email shall be deemed good and sufficient service.

SCHEDULE OF COMPLIANCE

1. Within 30 days from the effective date of the Order, Respondent must submit to the Department an engineering report for the addition of the new heating and air circulation units for the Orenco system.
2. Within 60 days from the effective date of the Order, Respondent must submit to the Department, for the Department's review and approval, an engineering report that:
 - a. demonstrates that the performance of the facility as constructed can comply with all final Permit limits and/or, where it is unable to comply with final Permit limits, detail all corrective actions to be taken so that the facility will comply with all final Permit limits and requirements;
 - b. includes an implementation schedule of the corrective actions to be taken so that the facility will comply with all final Permit limits and requirements;
 - c. includes plans for the construction of an effluent sampling building at the manhole adjacent to Kellogg Road to allow for year-round effluent sampling at this location; and
 - d. includes an implementation schedule of the plans for the construction of an effluent sampling building at the manhole adjacent to Kellogg Road to allow for year-round effluent sampling at this location.
3. Within 60 days from the effective date of the Order, Respondent must submit to the Department:
 - a. documentation demonstrating that it has obtained all necessary easements between the Town and property owners that authorize Sanitary Collection System staff access to the Town owned grinder pumps, laterals, pump stations, and Town owned septic tanks; or
 - b. where Respondent is unable to secure a necessary easement, provide documentation to the Department, for the Department's review, demonstrating the efforts made by the Respondent to secure a necessary easement. The Department, at its sole discretion, will notify Respondent in writing as to what, if any, further actions must be taken in attempting to secure a necessary easement; and
 - c. where Respondent is unable to secure a necessary easement, a written plan as to the actions Respondent will take to obtain the necessary easement as the properties where easements have not been obtained are transferred to new owners.

EXHIBIT A

NYS Department of Environmental Conservation
Tax Information Form and Statewide Offset Program Notice

**** FORM TO BE DESTROYED AFTER PAYMENT IS MADE ****

In reference to the debt to the State of New York

- memorialized in document number _____
- signed by Respondent _____
- on this date _____
- in the amount of \$ _____

State agencies may refer past-due accounts to a private collection agency or the New York State Attorney General's Office. Further, Section 171-f of the State Tax Law authorizes State agencies to certify a past-due legally enforceable debt to the New York State Department of Taxation and Finance, for collection by offset of tax overpayments or other payments due from the State. In addition, State agencies are authorized to charge a collection fee, up to 22 percent of the outstanding debt; on accounts that are more than 90 days past due.

This form serves to notify you that the above referenced debt may be certified to the Department of Taxation and Finance for offset if not timely paid. The Department of Taxation and Finance is authorized, by law to collect your past-due debt through the offset of certain State and tax Refunds and other State payments.

You have the right to present written evidence, or to appear at a conference with a representative of this agency to present oral or written evidence in support of a defense to this certification. However, you may not challenge the underlying debt at that time, nor reargue any issue which was, or could have been previously heard.

Defenses that would be acceptable include (1) the debt has been paid, (2) you are not the person identified as the debtor in this notice, (3) the total amount owed is incorrect, (4) a deferred payment agreement is in effect and payments have been paid as agreed, (5) the debt has been discharged in bankruptcy, or (6) the debt is currently in bankruptcy.

Tax Identification Number

Social Security Number _____ -- _____ -- _____

Employer Identification Number _____ -- _____

One copy to be retained by New York State Department of Environmental Conservation.

One copy to be retained by the above referenced Respondent.

APPENDIX C
PLANT DATA

TOWN OF SPRINGWATER WWTP DATA

	Influent			EQ TANK			% Removal in Septic Tanks			Effluent						% Removal from EQ to Effl			% Removal from Infl to Effl		
	BOD	TSS	NH3	BOD	TSS	NH3	BOD	TSS	NH3	BOD	TSS	NH3	PHOS	FECAL	BOD	TSS	NH3	BOD	TSS	NH3	
1/3/2022	350	120	53							120	32	23		860,000				65.7%	73.3%	56.6%	
1/17/2022	280	280	43							21	25	17		52,000				92.5%	91.1%	60.5%	
2/1/2022	210	93	40							15	17	22		250,000				92.9%	81.7%	45.0%	
2/15/2022	190	140	35							12	38	26		570,000				93.7%	72.9%	25.7%	
3/1/2022	280	170	41							39	35	21		260,000				86.1%	79.4%	48.8%	
3/15/2022	470	240	46							77	9.8	14		59,000				83.6%	95.9%	69.6%	
4/4/2022	250	230	38							53	33	15		220,000				78.8%	85.7%	60.5%	
4/18/2022	320	170	41							36	46	20		650,000				88.8%	72.9%	51.2%	
5/2/2022	430	210	45							110	41	18		580,000				74.4%	80.5%	60.0%	
5/16/2022	190	190	33							61	26	18		620,000				67.9%	86.3%	45.5%	
6/1/2022	340	210	47							66	53	17		200,000				80.6%	74.8%	63.8%	
6/15/2022	220	140	25							18	23	1.8		580,000				91.8%	83.6%	92.8%	
7/5/2022	320	64	41							19	65	17		23,000				94.1%	-1.6%	58.5%	
7/19/2022	560	430	51							38	39	13		220,000				93.2%	90.9%	74.5%	
8/1/2022	230	180	43							11	6.7	6.6		330,000				95.2%	96.3%	84.7%	
8/15/2022	350	410	76							17	12	8.6	9.3	4,700				95.1%	97.1%	88.7%	
9/1/2022	310	230	58							22	12	11		4,500				92.9%	94.8%	81.0%	
9/14/2022	170	170	43	89	42	37	47.6%	75.3%	14.0%	17	13	14	8.6	100			80.9%	69.0%	62.2%		
10/3/2022	330	300	56							17	34	12	8.5	68,000				94.8%	88.7%	78.6%	
10/17/2022	400	150	54							30	11	14	8.4	9,000				92.5%	92.7%	74.1%	
11/1/2022	250	120	38	110	35	33	56.0%	70.8%	13.2%	26	5.7	35	8.6	100			76.4%	83.7%	-6.1%		
11/15/2022	640	190	53	130	29	37	79.7%	84.7%	30.2%	33	8.8	15	7.7	330			74.6%	69.7%	59.5%		
12/5/2022	370	130	51							34	13	21	7	320				90.8%	90.0%	58.8%	
12/19/2022	760	190	55	170	42	47	77.6%	77.9%	14.5%	27	24	25	7.4	1,560			84.1%	42.9%	46.8%		
MIN	170.0	64.0	25.0	89.0	29.0	33.0	47.6%	70.8%	13.2%	11.0	5.7	1.8	7.0	100			74.6%	42.9%	-6.1%		
AVG	342.5	198.2	46.1	124.8	37.0	38.5	65.2%	77.2%	18.0%	38.3	26.0	16.9	8.2	231775			79.0%	66.3%	40.6%		
MAX	760.0	430.0	76.0	170.0	42.0	47.0	79.7%	84.7%	30.2%	120.0	65.0	35.0	9.3	860000			84.1%	83.7%	62.2%		

TOWN OF SPRINGWATER WWTP DATA

	Influent		
	BOD	TSS	NH3
1/3/2023	340	180	50
1/17/2023	450	150	46
2/1/2023	280	230	41
2/15/2023	330	100	57
3/1/2023	190	180	44
3/15/2023	260	110	45
4/3/2023	170	200	31
4/17/2023	380	150	130
5/1/2023	370	130	43
5/16/2023	370	230	64
6/5/2023	290	230	57
6/19/2023	310	220	57
7/5/2023	450	270	79
7/19/2023	430	220	20
8/2/2023	310	99	51
8/16/2023	230	170	55
9/6/2023	320	230	47
9/20/2023	450	120	44
10/2/2023	550	260	57
MIN	170.0	99.0	20.0
AVG	341.1	183.1	53.6
MAX	550.0	270.0	130.0

	EQ TANK		
	BOD	TSS	NH3
120	20	54	54
170	53	47	47
150	53	26	26
170	51	43	43
130	39	31	31
150	45	45	45
120	39	30	30
x	31	43	43
270	120	45	45
210	57	49	49
270	55	56	56
220	44	51	51
x	x	x	x
170	41	39	39
210	52	44	44
200	49	51	51
190	49	39	39
120	36	38	38
270	45	52	52
120.0	20.0	26.0	26.0
184.7	48.8	43.5	43.5
270.0	120.0	56.0	56.0

	% Removal in Septic Tanks			Effluent		
	BOD	TSS	NH3	BOD	TSS	NH3
64.7%	88.9%	-8.0%	21	35	29	7
62.2%	64.7%	-2.2%	33	33	32	6.4
46.4%	77.0%	36.6%	30	16	17	5.5
48.5%	49.0%	24.6%	41	25	26	6
31.6%	78.3%	29.5%	23	14	21	7.3
42.3%	59.1%	0.0%	23	26	25	7.2
29.4%	80.5%	3.2%	31	34	39	4.9
79.3%	66.9%	66.9%	36	34	28	5.9
27.0%	7.7%	-4.7%	22	52	15	6.8
43.2%	75.2%	23.4%	24	25	30	7.1
6.9%	76.1%	1.8%	30	44	29	938
29.0%	80.0%	10.5%	38	27	23	11
210	18	20	27	540,000		
60.5%	81.4%	-95.0%	20	20	9	1.9
32.3%	47.5%	13.7%	47	18	16	8.1
13.0%	71.2%	7.3%	64	41	29	1.5
40.6%	78.7%	17.0%	40	32	18	8
73.3%	70.0%	13.6%	26	16	18	7.7
50.9%	82.7%	8.8%	54	31	26	8.7
6.9%	7.7%	-95.0%	20.0	14.0	9.0	
41.3%	69.3%	8.2%	42.8	28.5	23.7	
73.3%	88.9%	66.9%	210.0	52.0	39.0	
		18.4%				

	% Removal from EQ to Effl			% Removal from Infl to Effl		
	BOD	TSS	NH3	BOD	TSS	NH3
82.5%	-75.0%	46.3%	93.8%	80.6%	80.6%	42.0%
80.6%	37.7%	31.9%	92.7%	78.0%	78.0%	30.4%
80.0%	69.8%	34.6%	89.3%	93.0%	93.0%	58.5%
75.9%	51.0%	39.5%	87.6%	75.0%	75.0%	54.4%
82.3%	64.1%	32.3%	87.9%	92.2%	92.2%	52.3%
84.7%	42.2%	44.4%	91.2%	76.4%	76.4%	44.4%
74.2%	12.8%	-30.0%	81.8%	83.0%	83.0%	-25.8%
-9.7%	34.9%	78.5%	90.5%	77.3%	77.3%	78.5%
94.1%	66.7%	65.1%	94.1%	60.0%	60.0%	65.1%
88.6%	56.1%	38.8%	93.5%	89.1%	89.1%	53.1%
88.9%	20.0%	48.2%	89.7%	80.9%	80.9%	49.1%
82.7%	38.6%	54.9%	87.7%	87.7%	87.7%	59.6%
53.3%	93.3%	74.7%	53.3%	93.3%	93.3%	74.7%
88.2%	51.2%	76.9%	95.3%	90.9%	90.9%	55.0%
77.6%	65.4%	63.6%	84.8%	81.8%	81.8%	68.6%
68.0%	16.3%	43.1%	72.2%	75.9%	75.9%	47.3%
78.9%	34.7%	53.8%	87.5%	86.1%	86.1%	61.7%
78.3%	55.6%	52.6%	94.2%	86.7%	86.7%	59.1%
80.0%	31.1%	50.0%	90.2%	88.1%	88.1%	54.4%
68.0%	-75.0%	-30.0%	53.3%	60.0%	60.0%	-25.8%
81.4%	34.4%	43.5%	87.2%	82.9%	82.9%	51.7%
91.9%	69.8%	76.9%	95.3%	93.3%	93.3%	78.5%
	44.0%	47.8%				

Maintenance Tasks Explained

Visually Inspect Tank Levels - Check the open ends of tanks 3 & 4, observe liquid levels, and ensure that the water is in between the middle two floats and that all floats can move freely.

Check BioTube Effluent Filters; Clean as Required - Remove the biotube filters at the ends of the primary and secondary tanks, place in the biotube wash basin. Clean with a hose if needed and record any unusual build-up, adjust cleaning schedule as needed.

Record Elapsed Time Meters and Event Counters for All Pumps - In the control panel, forward all monthly timer and event counter data to email. Fill out the Monthly Field Maintenance Report.

Inspect Spin Nozzles; Clean as Required - Visually inspect each spin nozzle while in operation, spray with garden hose to remove any solid build-up. If needed, remove nozzles, disassemble and wash (we use an ultrasonic cleaner)

Sample Influent and Effluent Quality Parameters - Pull influent and effluent samples at SPDES designated locations and drop off at Lab.

Confirm and Record Pump Voltages and Amperages - Using a voltage/amperage meter, observe and record the operating voltage/amperage of all pumps.

Inspect Distribution of Effluent in AX-Max Units; Clean as Required - Inspect the filter media in the AxMaxx units. Confirm that the spinner nozzles are evenly distributing the water and note any unusual solid accumulation (i.e. grease, bridging between media). Clean with garden hose if necessary.

Record Scum and Sludge Accumulation in Tanks - Using a sludge judge, record solid accumulation levels in the AxMaxx units.

Flush Distribution Laterals in AX-Max Units - Turn off recirculation pumps, remove all spinners, disassemble the distribution laterals, and clean the interiors with a brush and garden hose. Reassemble, and jog the recirc pump to flush the lines.

Inspect Pumping System Components; Clean as Required - Ensure pumps are off. Remove pumps from their basin, inspect influent screen and clean with hose if needed. Record any unusual build up and adjust inspection schedule as needed.

Replace Lithium Battery in TCOM Control Panel

Inspect and Clean UV System - Turn UV lights to dirty weir off. Switch Effluent flow to a clean weir, isolate weir to be cleaned. Drain the basin, rinse with a hose, gently scrub and use cleaning chems if needed (we generally use CLR and dilute bleach). Rinse weir and drain 2x. Put back in operation according to schedule.

Cleaning of Filter Media in AX-MAX Units - If needed, using the Orenco provided cleaning wand, scrape/spray solids between media vertically from above. The solids will need to be removed by pumping. These solids will need to be removed.

Remove Accumulated Solids from AX-MAX Unit Floors - Remove a section of filter media from a Maxx unit (5-10 mats should be enough). Using a pump, pump solids from the floor of the units using the gap as an access way. This will need to be done in each section of the unit. Use a sludge judge to confirm that solids have been removed. This may take multiple pumps allowing time for solids to settle between passes.

Solids Removal/Pumping of Primary Tanks and EQ Tank - When solids accumulation is approaching the designed limit (we use a max of 50%), remove top scum and bottom sludge as needed. This will likely need to be hired out to a septic service.

Inspect Heater Units for Leaks - Visually inspect the heater units for hydraulic fluid leaks. Repair as needed.

Inspect Heat Distribution Fans; Clean if Necessary - With the fan off, remove the blower assembly and clean if needed.

Check Coolant Levels; Refill if Needed - Using a vacuum pump ensure the coolant level is full in the system.

Scheduled Maintenance Reference Chart	Recommended Activity Period						Current Activity Schedule					
	Monthly	Quarterly	Semi-Annually	Annually	Biennially	Daily	Weekly	Bi Weekly	Monthly	Quarterly	Semi Annually	
Activity												
Visually Inspect Tank and Liquid Levels	*1	*				*						
Check BioTube Effluent Filters; Clean as Required	*1	*		*				*				
Record Elapsed Time Meters and Event Counters for All Pumps	*								*			
Inspect Spin Nozzles; Clean as Required	*2		*			*						
Sample Influent and Effluent Quality Parameters		*1	*				*					
Confirm and Record Pump Voltages and Amperages		*1	*	*			*			*		
Inspect Distribution of Effluent in AX-Max Units; Clean as Required			*					*				
Record Scum and Sludge Accumulation in Tanks				*				*				
Flush Distribution Laterals in AX-Max Units				*						*		
Inspect Pumping System Components; Clean as Required				*						*		
Replace Lithium Battery in TCOM Control Panel				*								

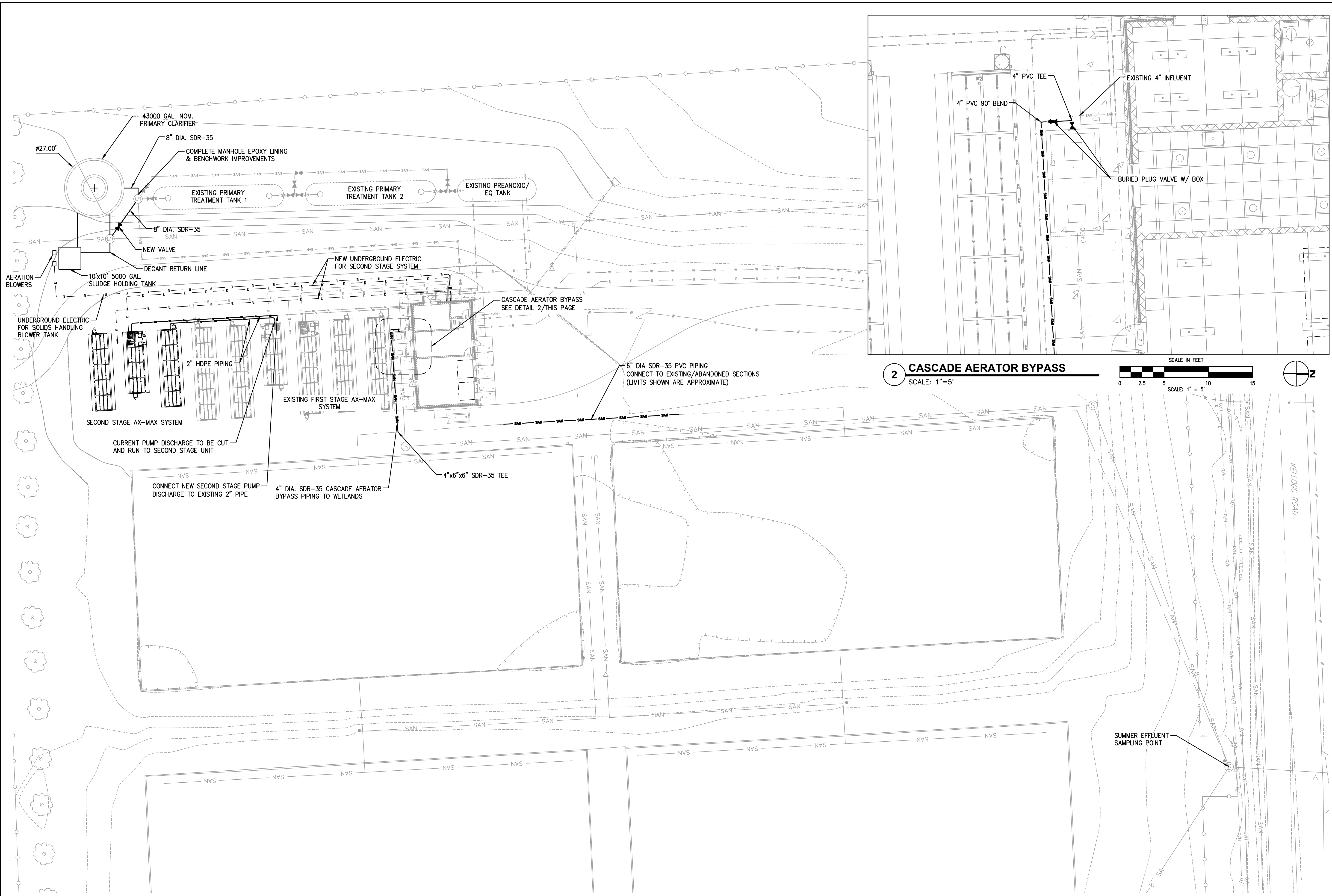
Additional Activities	Monthly	Quarterly	Semi-Annually	Annually	Biennially	Daily	Weekly	Bi Weekly	Monthly	Quarterly	Semi Annually
Inspect and Clean UV System	*						*				
Cleaning of Filter Media in AX-MAX Units	N/A	N/A	N/A	N/A	N/A				*		
Remove Accumulated Solids from AX-MAX Unit Floors	N/A	N/A	N/A	N/A	N/A						*
Solids Removal/Pumping of Primary Tanks and EQ Tank	N/A	N/A	N/A	N/A	N/A					*	

**New as of 11-15-2023

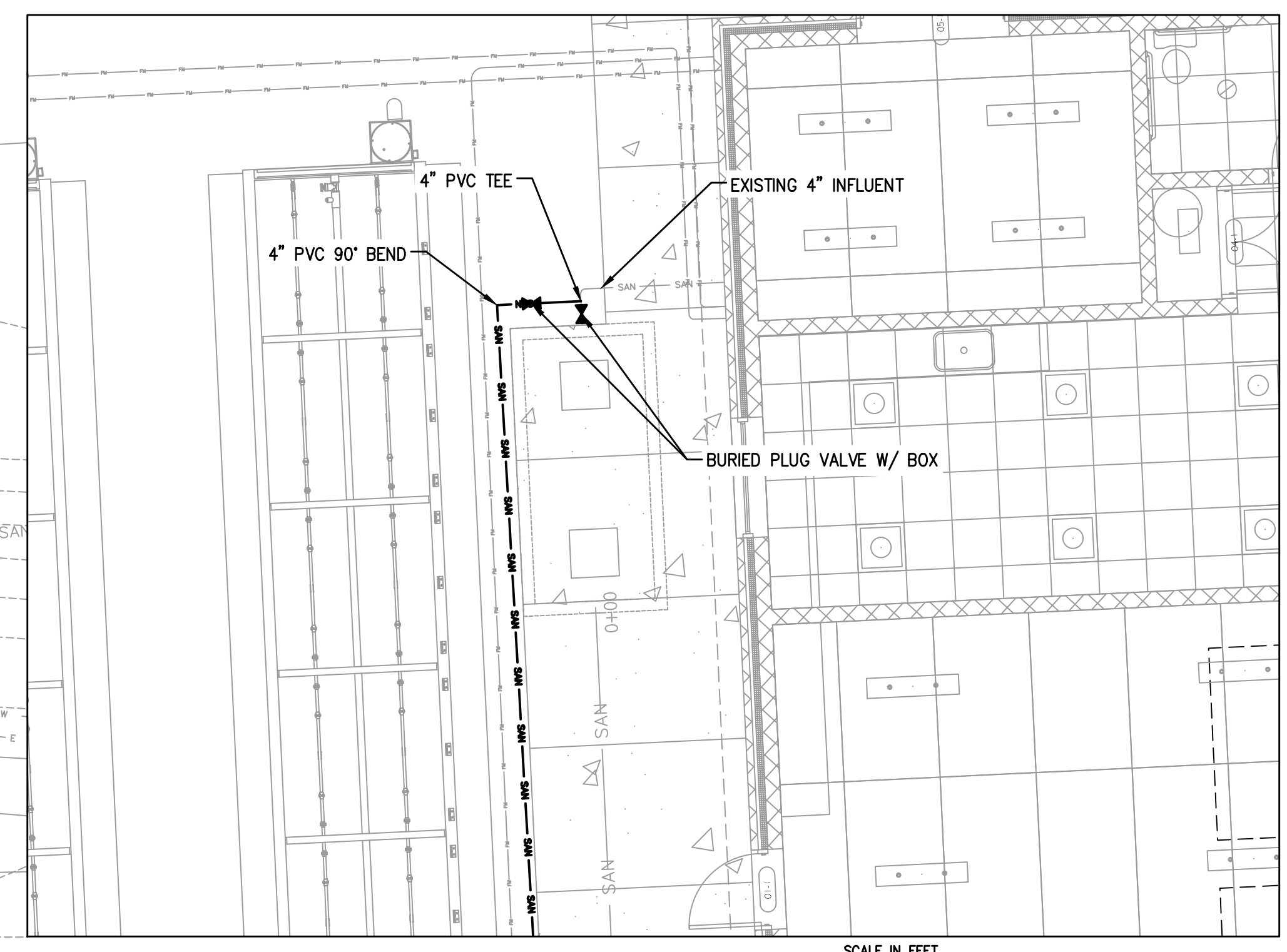
Heater Boxes Scheduled Maintenance	Weekly	Monthly	Quarterly	Yearly
Inspect Heater Units for Leaks	*1	*		
Inspect Heat Distribution Fans; Clean if Necessary			*	
Check Coolant Levels; Refill if Needed				*

- 1 - Only required the first Year of operation
- 2 - Only required the first Quarter of operation

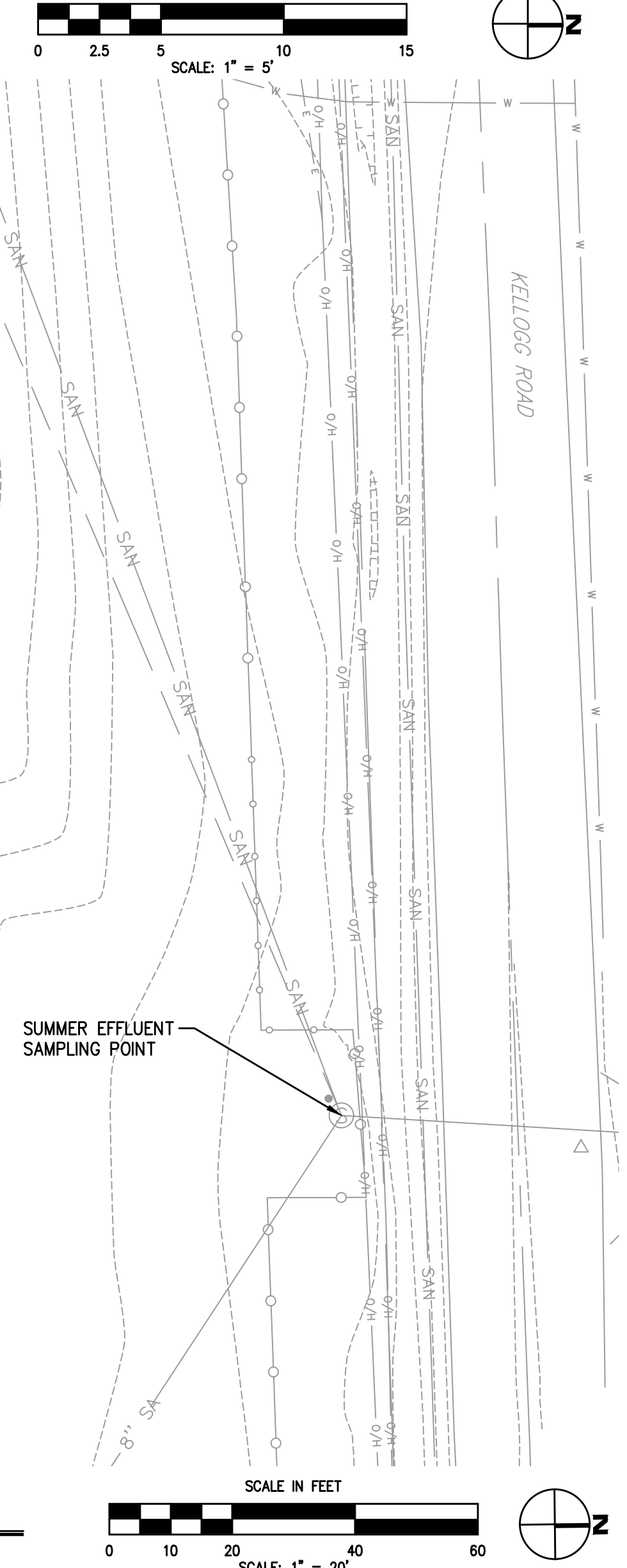
APPENDIX D
PROPOSED CONCEPTUAL FIGURES AND COSTING



1 PROPOSED CONCEPTUAL SITE PLAN
SCALE: 1"=20'



2 CASCADE AERATOR BYPASS
SCALE: 1"=5'



DRAWN BY: MCR
CHECKED BY: PFM
DATE: JULY 2018
SCALE: AS SHOWN

DATE	DESCRIPTION OF REVISION
9/15/18	NYSDEC COMMENTS
9/15/18	NYSDEC COMMENTS
11/11/19	ISSUED FOR RE-BID

BY: MCR
MCR
KAB

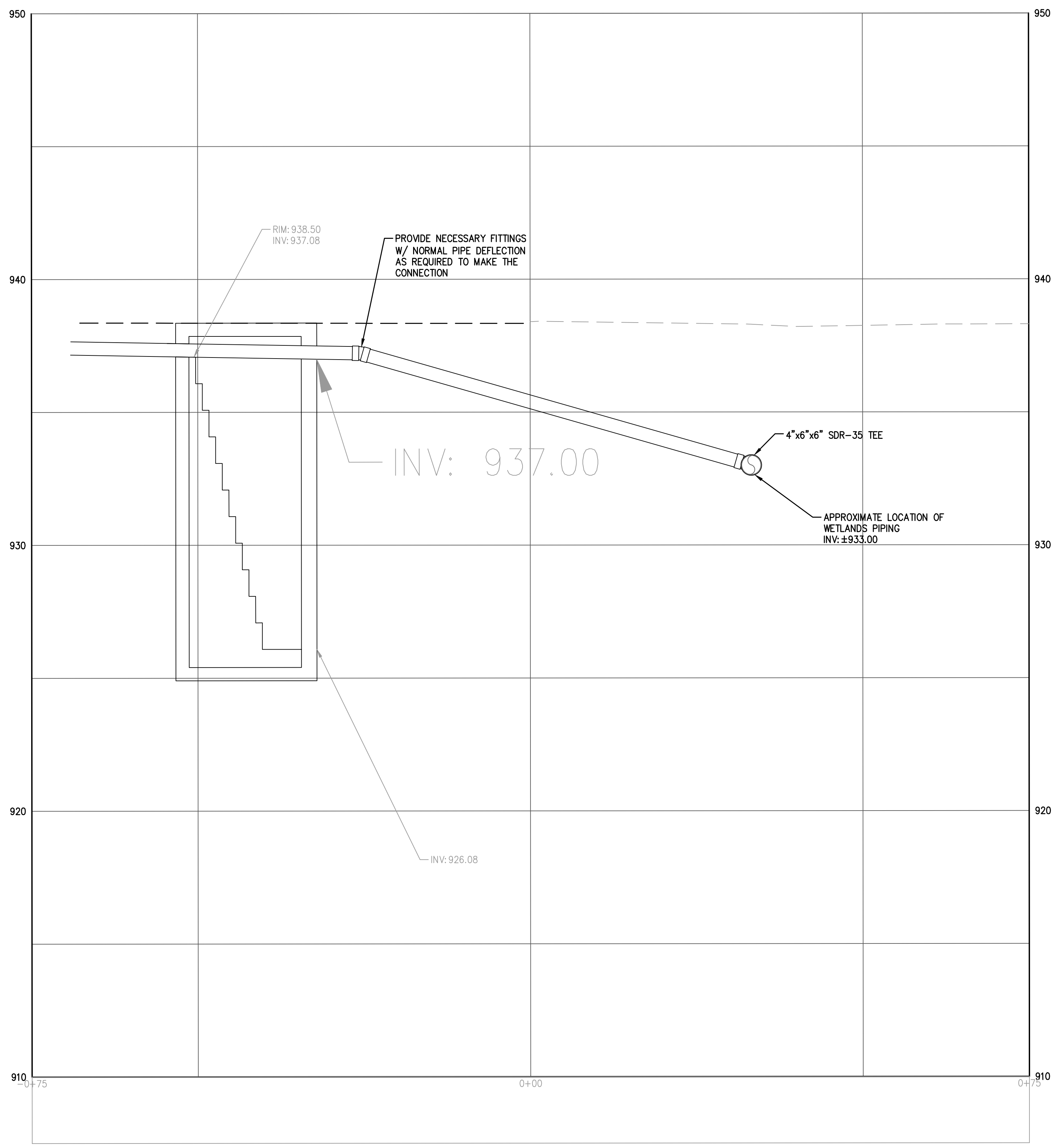
Unauthorized Alteration Or Addition To Plans Bearing A Licensed Engineer's Or Architects Seal, Is A Violation Of Section 7209 Of The New York State Education Law.

HUNT ENGINEERS | ARCHITECTS | SURVEYORS
100 Hunt Center, Homebush, New York, 14845 Ph: 607-358-1000 Fx: 607-358-1800
Office: Rochester | Homebush | Tonawanda

PROPOSED CONCEPTUAL SITE PLAN
WWTP CORRECTIVE MEASURES
REPORT
TOWN OF SPRINGWATER, LIVINGSTON COUNTY, NEW YORK

FIG-1

PROJECT NO: 2629.017



1 WETLAND BYPASS PROFILE
SCALE: N.T.S.

DRAWN BY: MCR
CHECKED BY: PFM
DATE: JULY 2018
SCALE: AS SHOWN

#	DATE	DESCRIPTION OF REVISION
1	9/15/18	NYSEEC COMMENTS
2	9/15/18	NYSEEC COMMENTS
3	11/11/19	ISSUED FOR RE-BID
4		
5		
6		
7		

BY: MCR
MCR
KAB

HUNT ENGINEERS | ARCHITECTS | SURVEYORS
100 Hunt Center, Horseheads, New York 14845 P: 607-358-1800 F: 607-358-1800
Offices: Rochester | Horseheads | Towanda

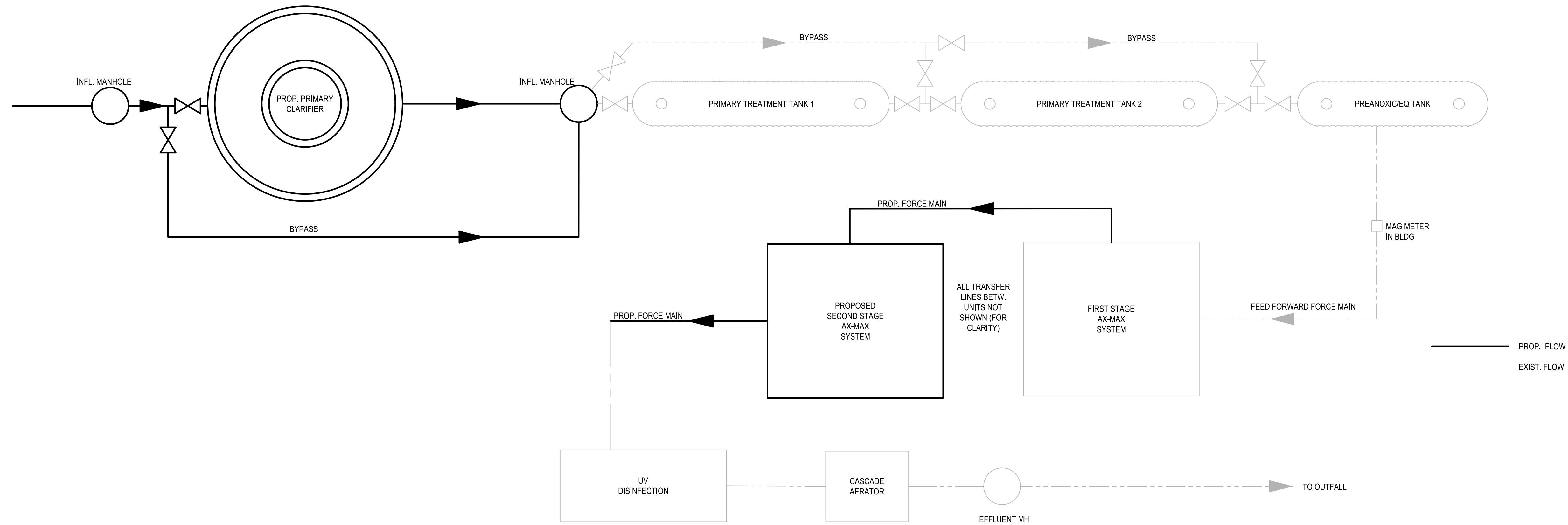
Unauthorized Alteration Or Addition To Plans Bearing A Licensed Engineer's Or Architect's Seal Is A Violation Of Section 7209 Of The New York State Education Law.

PROPOSED WETLAND BYPASS PROFILE
WWTP CORRECTIVE MEASURES
REPORT
TOWN OF SPRINGWATER, LIVINGSTON COUNTY, NEW YORK

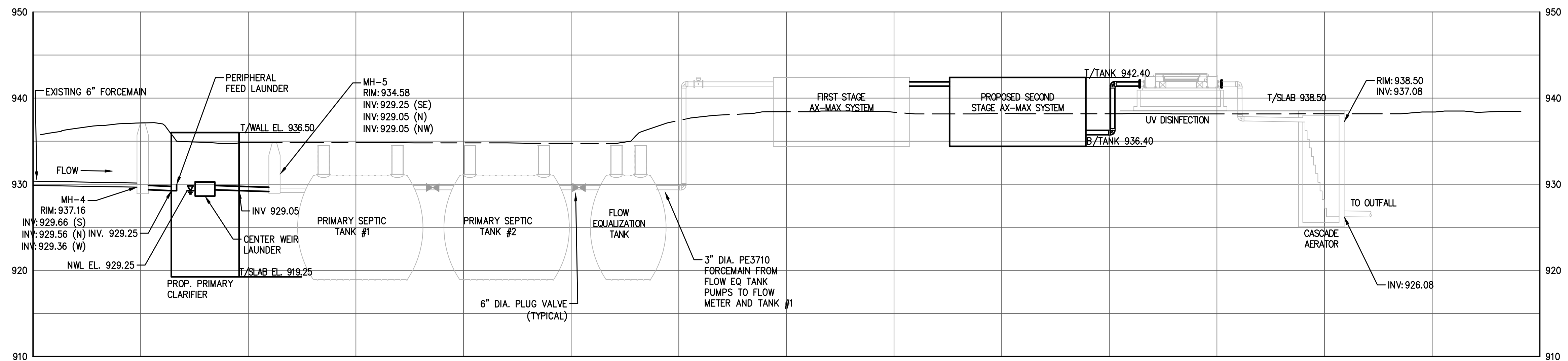
FIG-2

PROJECT NO: 2629.017

Copyright: 2018



2 PROPOSED PROCESS FLOW DIAGRAM
SCALE: N.T.S.



1 PROPOSED HYDRAULIC PROFILE
SCALE: N.T.S.

DRAWN BY:	ZS
CHECKED BY:	MAC
DATE:	JANUARY 2024
PHASE:	
#	
DATE:	
DESCRIPTION OF REVISION:	

IT IS A VIOLATION OF THE LAW FOR ANY PERSON TO MAKE UNAUTHORIZED ALTERATIONS OR ADDITIONS TO PLANS BEARING A LICENSED ENGINEER'S ARCHITECT'S OR SURVEYOR'S SEAL.

HUNT ENGINEERS | ARCHITECTS | SURVEYORS
 HORSEHEADS, NY 607-369-1000 ROCHESTER, NY 585-327-7050
 TOWANDA, PA 570-265-4868 BINGHAMTON, NY 607-798-8081
 ALBANY, NY 607-788-8081 WWW.HUNT-EAS.COM
 NY CERTIFICATE NO. 0018220 PA CERTIFICATE NO. TSC2203131464-1

PROPOSED PFD AND HYDRAULIC PROFILE
 WWTP CORRECTIVE MEASURES
 REPORT
 TOWN OF SPRINGWATER, LIVINGSTON COUNTY, NEW YORK

ESTIMATE OF PROBABLE CONSTRUCTION COSTS



Project: **Town of Springwater WWTP - Proposed Plant Modifications**
 Title: **Preliminary Treatment/FOG Holding Tanks and 2nd Stage Orenco System**

Job no: 2629.017

Made by: MARK CHIOVARELLI, PE

Date: 12/11/23 2/8/24

Checked:

Date: 12/13/23 2/14/24

ITEM NO.	ITEM DESCRIPTION	EST. QNTY.	UNIT of MEAS.	UNIT PRICE	ITEM PRICE
A	Preliminary Clarifier	-	-	-	-
1	Preliminary Clarifier Tank (27' Diam x 14' H) inclds dewatering	61	CY	\$1,700	\$103,921
2	Preliminary Clarifier Equipment Complete	1	LS	\$260,750	\$260,750
3	Sludge Pump & Electric	2	EA	\$5,000	\$10,000
4	Aluminum Railing	85	LF	\$100	\$8,482
5	Plug Valve & Box	1	EA	\$3,500	\$3,500
6	5,000 GAL Sludge/Scum Aerated Storage Tank (10' W x 10' L x 9' H)	1	LS	\$15,000	\$15,000
7	Aeration System, Blowers & Elect Service	2	EA	\$17,000	\$34,000
B	Second Stage Orenco Biological System	-	-	-	-
8	Second Stage Orenco System, Piping & Electric	1	LS	\$584,339	\$584,339
9	Site Piping	60	LF	\$85	\$5,100
C	Connect Existing Wetlands	-	-	-	-
10	4"/6" SDR35 PVC Piping & Fittings	130	LF	\$85	\$11,050
11	Plug Valve & Box	2	EA	\$3,500	\$7,000
D	Misc. Plant Items	-	-	-	-
12	Miscellaneous Site Work/Restoration	1	LS	\$15,000	\$15,000
13	Composite Sampler (Infl/Effl)	2	EA	\$10,000	\$20,000
14	UV Room HVAC Improvements	1	LS	\$7,500	\$7,500
15	Influent Manhole Rehabilitation	1	EA	\$6,500	\$6,500
16	Remove Accumulated FOG in First Tank @ \$400/1000 gals	16,500	GAL	\$0.40	\$6,600
17	Remove Accumulated Sludge @ \$400/1000 gals	171,400	GAL	\$0.40	\$68,560
18	Cleaning the Media (2 staff @ \$50/hr, 10 days)	160	HRs	\$50	\$8,000
19	Bypass Pumping	5	days	\$1,500	\$7,500
20	Lighting	2	EA	\$7,000	\$14,000
21	Instrumentation modification & start-up	1	LS	\$25,000	\$25,000
E	Collection System Improvements	-	-	-	-
22	Sanitary Force Main DR 13.5 HDPE (Sections 34, 39, & 46)	3,110	LF	\$68	\$212,724
23	Mobilization (3%)	1	LS	\$43,036	\$43,036
24	Bonds, Permits, Insurance (2.5%)	1	LS	\$35,863	\$35,863
25	Soft Costs (20%)	1	LS	\$286,905	\$286,905
				CONSTRUCTION SUBSUMMARY	\$1,800,331
				GENERAL CONTINGENCY (30%)	\$540,099
				TOTAL PROJECT COST	\$2,340,430

This Estimate of Probable Project Cost is based on available information and the Engineer's experience and qualifications and represents the Engineer's best judgement as an experienced and qualified professional engineer. Since the Engineer has no control over the cost of labor, materials, equipment, or services furnished by others, or over competitive bidding or market conditions, the Engineer can not and does not guarantee that the actual total project cost will not exceed the above Estimate of Probable Project Costs.



Environment One Corporation

**Pressure Sewer Preliminary
Cost and Design Analysis
For
Springwater, NY**

**Prepared For:
Hunt Engineering**

NY

US

**Tel:
Fax:
Prepared By: N. Shafarzek
March 28, 2018**

Springwater, NY

Prepared by : N. Shafarzek

On: March 28, 2018

Notes :

Station recommendations preliminary.

Analysis based on drawings and data provided.

GPD values effect retention times only, not line sizing or hydraulics.

Analysis intended to show operation of existing LPS system in Springwater, NY.

SDR17PE should not be used for EOne LPS systems as its pressure rating does not meet the 150 psi we specify. SDR17PE sizes were used in this analysis as we understand it has already been installed and is in operation.

With as-built pipe sizing, velocity is very low in some sections. As a consequence, some sections of forcemain may require regular flushing. Retention times are also quite high in some sections, (up to 17-18 hours) which may necessitate some form of odor control.

<<<< END OF NOTES >>>>

PRELIMINARY PRESSURE SEWER -- PIPE SIZING AND BRANCH ANALYSIS

Springwater, NY EOne LPS Analysis.xls

Date : Apr-02-18

Springwater, NY

Prepared By:
Nicholas Shtafzsek

recreation of previous analysis

Zone Number	Number Of Cores Connected This Zone	Accumulated Total Of Cores This Zone	Maximum Number Of Simultaneous Operations	Maximum Flow In GPM	Pipe Size (Inch)	Actual Pipe Inside Diameter	Maximum Velocity (FPS)	Length Of Main This Zone (FT/100 FT)	Friction Loss Factor (FT/100 FT)	Friction Loss This Zone	Accumulated Friction Loss (Feet)	Maximum Main Elevation	Minimum Pump Elevation	Static Head (Feet)	Total Dynamic Head (Ft)
Pipe diameters used for : SDR17 PE (PE3408)															
1.00	3	3	2	22	2.00	2.08	2.08	1514	0.86	12.98	60.40	1058	1039	19	79.40
2.00	6	9	3	33	2.00	2.08	3.12	647	1.82	11.76	47.41	1030	1013	17	64.41
3.00	1	10	4	44	2.00	2.08	4.16	113	3.10	3.50	35.66	1015	1015	0	35.66
4.00	3	3	2	22	2.00	2.08	2.08	965	0.86	8.27	89.83	1230	1192	38	127.83
5.00	3	6	3	33	2.00	2.08	3.12	158	1.82	2.87	81.55	1130	1120	10	91.55
6.00	1	1	1	11	1.50	1.35	2.47	871	1.94	16.93	95.61	1096	1048	48	143.61
7.00	2	9	3	33	2.00	2.08	3.12	466	1.82	8.47	78.68	1096	1090	6	84.68
8.00	3	12	4	44	2.00	2.08	4.16	848	3.10	26.25	70.21	1030	1024	6	76.21
9.00	3	3	2	22	2.00	2.08	2.08	264	0.86	2.26	62.21	1000	1000	0	62.21
10.00	3	3	2	22	2.00	2.08	2.08	181	0.86	1.55	61.50	1000	990	10	71.50
11.00	3	9	3	33	2.00	2.08	3.12	215	1.82	3.91	59.94	999	999	0	59.94
12.00	6	15	4	44	2.00	2.08	4.16	390	3.10	12.07	56.04	999	999	0	56.04
13.00	3	30	5	55	3.00	3.06	2.39	1460	0.71	10.34	43.96	1008	992	16	59.96
14.00	2	32	6	66	3.00	3.06	2.87	147	0.99	1.46	33.62	1008	1008	0	33.62
15.00	3	3	2	22	2.00	2.08	2.08	389	0.86	3.34	55.72	1065	1065	0	55.72
16.00	6	9	3	33	2.00	2.08	3.12	1113	1.82	20.22	52.38	1016	1016	0	52.38
17.00	17	68	7	77	3.00	3.06	3.35	1690	1.32	22.33	32.16	980	979	1	33.16
18.00	3	3	2	22	2.00	2.08	2.08	532	0.86	4.56	31.33	988	988	0	31.33
19.00	6	9	3	33	2.00	2.08	3.12	317	1.82	5.76	26.76	985	985	0	26.76
20.00	6	15	4	44	2.00	2.08	4.16	361	3.10	11.17	21.00	981	981	0	21.00
21.00	18	101	8	88	4.00	3.94	2.32	1204	0.50	6.00	9.83	964	964	0	9.83
22.00	3	3	2	22	2.00	2.08	2.08	244	0.86	2.09	28.70	982	982	0	28.70
23.00	6	9	3	33	2.00	2.08	3.12	350	1.82	6.36	26.61	979	979	0	26.61
24.00	9	18	4	44	2.00	2.08	4.16	371	3.10	11.48	20.25	978	978	0	20.25
25.00	2	20	5	55	3.00	3.06	2.39	288	0.71	2.04	8.77	972	972	0	8.77
26.00	3	3	2	22	2.00	2.08	2.08	339	0.86	2.91	40.65	1209	1209	0	40.65
27.00	6	9	3	33	2.00	2.08	3.12	1339	1.82	24.33	37.74	1019	1019	0	37.74
28.00	3	12	4	44	2.00	2.08	4.16	216	3.10	6.69	13.41	993	993	0	13.41
29.00	3	3	2	22	2.00	2.08	2.08	251	0.86	2.15	32.24	970	970	0	32.24
30.00	6	9	3	33	2.00	2.08	3.12	264	1.82	4.80	30.09	970	968	2	32.09
31.00	9	18	4	44	2.00	2.08	4.16	528	3.10	16.34	25.30	970	965	5	30.30
32.00	7	25	5	55	3.00	3.06	2.39	314	0.71	2.22	8.95	970	965	5	13.95
33.00	12	69	7	77	4.00	3.94	2.03	744	0.39	2.89	6.73	970	956	14	20.73
34.00	3	173	10	110	6.00	5.80	1.94	667	0.11	0.76	3.83	961	958	3	6.83
35.00	3	3	2	22	2.00	2.08	2.08	528	0.86	4.53	19.40	1023	1004	19	38.40
36.00	5	8	3	33	2.00	2.08	3.12	650	1.82	11.81	14.88	984	972	12	26.88
37.00	3	3	2	22	2.00	2.08	2.08	657	0.86	5.63	11.73	965	962	3	14.73
38.00	1	4	3	33	2.00	2.08	3.12	167	1.82	3.03	6.10	965	958	7	13.10
39.00	0	185	11	121	6.00	5.80	1.47	2141	0.14	2.93	3.07	957	957	0	3.07
40.00	3	3	2	22	2.00	2.08	2.08	1307	0.86	11.21	37.59	990	990	0	37.59
41.00	4	7	3	33	2.00	2.08	3.12	1439	1.82	26.15	26.38	935	935	0	26.38
42.00	3	3	2	22	2.00	2.08	2.08	327	0.86	2.80	61.22	970	970	0	61.22

Note: This analysis valid only with the use of E|One positive displacement pumps.

PRELIMINARY PRESSURE SEWER -- PIPE SIZING AND BRANCH ANALYSIS

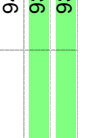
Springwater, NY EOne LPS Analysis.xls

Date : Apr-02-18

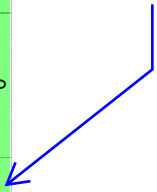
Springwater, NY
recreation of previous analysis

Prepared By:
Nicholas Shafarzek

Zone Number	Number Of Cores Connected This Zone	Accumulated Total Of Cores This Zone	Maximum Number Of Simultaneous Operations	Maximum Flow In GPM	Pipe Size (Inch)	Actual Pipe Inside Diameter	Maximum Velocity (FPS)	Length Of Main This Zone	Friction Loss Factor (FT/100 FT)	Friction Loss This Zone	Accumulated Friction Loss (Feet)	Maximum Main Elevation	Minimum Pump Elevation	Static Head (Feet)	Total Dynamic Head (Ft)
Pipe diameters used for : SDR17 PE (PE3408)															
43.00	6	9	3	33	2.00	2.08	3.12	575	1.82	10.45	58.41	962	962	0	58.41
44.00	3	3	2	22	2.00	2.08	2.08	765	0.86	6.56	54.53	959	959	0	54.53
45.00	5	17	4	44	2.00	2.08	4.16	1542	3.10	47.73	47.97	940	940	0	47.97
46.00	0	24	5	55	6.00	5.80	0.67	301	0.03	0.10	0.23	938	938	0	0.23
47.00	0	209	11	121	6.00	5.80	1.47	100	0.14	0.14	0.14	938	938	0	0.14



NOT IN EXIST.



Date : Apr-02-18

Springwater, NY
recreation of previous analysis

Prepared By:
Nicholas Shafarzek

Zone Number	Accumulated Total Of Cores This Zone	Existing Pipe Size	Gal Per 100 Lineal Feet	Length Of Zone	Capacity Of Zone	Average Daily Flow	Average Fluid Changes Per Day	Average Retention Time (Hr)	Accumulated Retention Time (Hr)
Pipe diameters used for : SDR 17 PVC Pipe (US)									
1.00	3	2.00	17.62	1514.00	266.71	600.00	2.25	10.67	17.09
2.00	9	2.00	17.62	647.00	113.98	1800.00	15.79	1.52	6.42
3.00	10	2.00	17.62	113.00	19.91	2000.00	100.47	0.24	4.90
4.00	3	2.00	17.62	965.00	170.00	600.00	3.53	6.80	17.06
5.00	6	2.00	17.62	158.00	27.83	1200.00	43.11	0.56	10.26
6.00	1	1.50	7.42	871.00	64.67	200.00	3.09	7.76	17.46
7.00	9	2.00	17.62	466.00	82.09	1800.00	21.93	1.09	9.70
8.00	12	2.00	17.62	848.00	149.39	2400.00	16.07	1.49	8.60
9.00	3	2.00	17.62	264.00	46.51	600.00	12.90	1.86	10.03
10.00	3	2.00	17.62	181.00	31.89	600.00	18.82	1.28	9.44
11.00	9	2.00	17.62	215.00	37.88	1800.00	47.52	0.51	8.17
12.00	15	2.00	17.62	390.00	68.70	3000.00	43.67	0.55	7.66
13.00	30	3.00	38.28	1460.00	558.83	6000.00	10.74	2.24	7.11
14.00	32	3.00	38.28	147.00	56.27	6400.00	113.75	0.21	4.88
15.00	3	2.00	17.62	389.00	68.53	600.00	8.76	2.74	10.02
16.00	9	2.00	17.62	1113.00	196.07	1800.00	9.18	2.61	7.28
17.00	68	3.00	38.28	1690.00	646.86	13600.00	21.02	1.14	4.66
18.00	3	2.00	17.62	532.00	93.72	600.00	6.40	3.75	8.53
19.00	9	2.00	17.62	317.00	55.84	1800.00	32.23	0.74	4.78
20.00	15	2.00	17.62	361.00	63.60	3000.00	47.17	0.51	4.03
21.00	101	4.00	63.27	1204.00	761.74	20200.00	26.52	0.91	3.52
22.00	3	2.00	17.62	244.00	42.98	600.00	13.96	1.72	7.08
23.00	9	2.00	17.62	350.00	61.66	1800.00	29.19	0.82	5.36
24.00	18	2.00	17.62	371.00	65.36	3600.00	55.08	0.44	4.53
25.00	20	3.00	38.28	288.00	110.23	4000.00	36.29	0.66	4.10
26.00	3	2.00	17.62	339.00	59.72	600.00	10.05	2.39	9.35
27.00	9	2.00	17.62	1339.00	235.89	1800.00	7.63	3.15	6.96
28.00	12	2.00	17.62	216.00	38.05	2400.00	63.07	0.38	3.82
29.00	3	2.00	17.62	251.00	44.22	600.00	13.57	1.77	7.02
30.00	9	2.00	17.62	264.00	46.51	1800.00	38.70	0.62	5.25

PRELIMINARY PRESSURE SEWER -- PIPE SIZING AND BRABCH ANALYSIS Springwater, NY EOne LPS Analysis.xls

Date : Apr-02-18

Springwater, NY
recreation of previous analysis

Prepared By:
Nicholas Shafarzek

Zone Number	Accumulated Total Of Cores This Zone	Existing Pipe Size	Gal Per 100 Lineal Feet	Length Of Zone	Capacity Of Zone	Average Daily Flow	Average Fluid Changes Per Day	Average Retention Time (Hr)	Accumulated Retention Time (Hr)
Pipe diameters used for : SDR 17 PVC Pipe (US)									
31.00	18	2.00	17.62	528.00	93.02	3600.00	38.70	0.62	4.63
32.00	25	3.00	38.28	314.00	120.19	5000.00	41.60	0.58	4.01
33.00	69	4.00	63.27	744.00	470.71	13800.00	29.32	0.82	3.44
34.00	173	6.00	137.15	667.00	914.77	34600.00	37.82	0.63	2.62
35.00	3	2.00	17.62	528.00	93.02	600.00	6.45	3.72	7.42
36.00	8	2.00	17.62	650.00	114.51	1600.00	13.97	1.72	3.70
37.00	3	2.00	17.62	657.00	115.74	600.00	5.18	4.63	7.50
38.00	4	2.00	17.62	167.00	29.42	800.00	27.19	0.88	2.87
39.00	185	4.00	137.15	2141.00	2936.31	37000.00	12.60	1.90	1.98
40.00	3	2.00	17.62	1307.00	230.25	600.00	2.61	9.21	15.70
41.00	7	2.00	17.62	1439.00	253.50	1400.00	5.52	4.35	6.49
42.00	3	2.00	17.62	327.00	57.61	600.00	10.42	2.30	7.72
43.00	9	2.00	17.62	575.00	101.29	1800.00	17.77	1.35	5.41
44.00	3	2.00	17.62	765.00	134.77	600.00	4.45	5.39	9.45
45.00	17	2.00	17.62	1542.00	271.65	3400.00	12.52	1.92	4.06
46.00	24	6.00	137.15	301.00	412.81	4800.00	11.63	2.06	2.14
47.00	209	6.00	137.15	100.00	137.15	41800.00	304.78	0.08	0.08

Constructed Wetland Wastewater Treatment Cell Sizing For Continuous Flow System

Design Guidelines used are as outlined in EPA's Manual for "Constructed Wetlands Treatment of Municipal Wastewaters"

1. Determination of Surface Area (As) for both pollutants

$$A_s = (Q) (C_o) / ALR$$

Q = Maximum Design Monthly Flow = 40,000 gallons/day

$$Q = 40,000 \text{ gallons/day} = 151.42 \text{ m}^3/\text{day}$$

Area Loading Rates (ALR)

BOD 6 g/m² - d to attain 30 mg/L effluent
TSS 20 g/m² - d to attain 30 mg/L effluent

Maximum monthly Influent (Co) *BOD = 167 mg/L = 167 g/m³
Maximum monthly Influent (Co) TSS = 100 mg/L = 100 g/m³

$$A_s = (Q) \times (C_o) / ALR$$

For BOD, $A_s = (151.42 \text{ m}^3/\text{day}) (167 \text{ g/m}^3) / 6 \text{ g/m}^2 - \text{d} = 4,214.52 \text{ m}^2$
For TSS, $A_s = (151.42 \text{ m}^3/\text{day}) (100 \text{ g/m}^3) / 20 \text{ g/m}^2 - \text{d} = 757.1 \text{ m}^2$

Using the larger area requirement

Surface area for the initial treatment zone

$$(A_{sf}) = (30\%) (4,214.52 \text{ m}^2) = 1,264.36 = 13,609.52 \text{ ft}^2$$

Surface area for the final treatment zone

$$(A_{sf}) = (70\%) (4,214.52 \text{ m}^2) = 2,950.17 = 31,755.36 \text{ ft}^2$$

Total area of a cell = 45364.88 ft²

* BOD quality based on data collected from seven septic tank effluent systems. 167 mg/L is the highest quality output data gathered from these systems within the region. Data provided by the NYDEC.

APPENDIX E
ORENCO STAGE II CALCULATIONS



AdvanTex® Treatment Design Calculations

Project Name: Town of Springwater

Project Location: Springwater, NY

Application: Community

DESIGN

NOTE: The enclosed design uses concentrations averages from DMRs between the dates of February 2022 and July 2023 at which time the plant experienced ventilation, hydraulic and organic loading. Orenco expects the recent upgrades to the ventilation and heating completed late this fall will continue to improve those numbers.

WASTEWATER FLOW RATES

Hydraulic Design Parameters

Design Average Day Flow (DADF)	40,000 gal/day
Number of EDUs	213 EDUs
Design Peak Hourly Flow	122 gal/min

WASTEWATER STRENGTHS

The waste strengths into a second stage Advantex system were based on average concentrations from the facilities DMRs between the dates of February 2022 – July 2023. For TKN, TN, and NH₃-N restrictive permit limits, the treated effluent should have a minimum temperature of 15°C, with pH ranging from 7.2 to 8, and a residual alkalinity of greater than 100 mg/L maintained throughout the process. This will typically require an alkalinity feed system.

Mass Loading

Equation:
$$\text{Mass Load (lbs/day)} = (Q)(\text{mg/L})(10 \times 8.34^{-6})$$

Where: Q = Design Average Day Flow
mg/L = Wastewater Concentration

Constituent Loading Assumptions	DADF, gpd	Concentration (mg/L)	Primary Treated Load (lbs/day)
Biochemical Oxygen Demand (BOD5), mg/L:	40,000	38	12.7
Total Suspended Solids (TSS), mg/L:	40,000	27	9.0
Ammonia (NH ₃ -N), mg/L:	40,000	20	6.6

TECHNOLOGY SIZING – STAGE TWO

A second stage of AdvanTex treatment can be used cost-effectively for enhanced nitrification. Stage two AdvanTex

systems have the same operation as stage one. With the organic loads reduced, stage two AdvanTex systems provide ideal conditions for nitrifying organicism's to thrive.

Hydraulic Loading Rate

Equation: $AX \text{ sqft} = (DADF) / (HLR)$

Where: $AX \text{ sqft} = \text{Required Textile}$
 $DADF = \text{Design Average Daily Flow (gpd)}$
 $HLR = \text{Hydraulic Loading Rate (gpd/sqft)}$

Calculation: $AX \text{ sqft} = (40,000 \text{ gpd}) / (75\text{gpd/sqft/d})$
 $AX \text{ sqft} = 533 \text{ sqft}$

Organic Loading Rate

Equation: $AX \text{ sqft} = (OL) / (OLR)$

Where: $AX \text{ sqft} = \text{Required Textile}$
 $OL = \text{Organic Load (lbs/day)}$
 $OLR = \text{Organic Loading Rate (lbs/sqft} \cdot \text{d)}$

Calculation: $AX \text{ sqft} = (12.7 \text{ lbs/day}) / (0.02 \text{ lbs/sqft} \cdot \text{d})$
 $AX \text{ sqft} = 635 \text{ sqft}$

Ammonia Loading Rate

Equation: $AX \text{ sqft} = (AL) / (ALR \text{ lbs/sqft} \cdot \text{d})$

Where: $AX \text{ sqft} = \text{Required Textile}$
 $AL = \text{Ammonia Load (lbs/day)}$
 $ALR = \text{Ammonia Loading Rate (lbs/sqft} \cdot \text{d)}$

Calculation: $AX \text{ sqft} = (6.6 \text{ lbs/day}) / (0.008 \text{ lbs/sqft} \cdot \text{d})$
 $AX \text{ sqft} = 825 \text{ sqft}$

Summary

Permit Constituent or Parameter	Load Value (DADF, gpd)	Treated Load (lbs/day)	AdvanTex Loading Rate	Required Treatment Area
Hydraulic	40,000		75 gpd/sqft•d	533 sqft
Biochemical Oxygen Demand (BOD ₅), mg/L:	40,000	12.7	0.04 lbs/sqft •d	318 sqft
Ammonia (NH ₃ -N), mg/L: (Winter)	40,000	6.6	0.01 lbs /sqft •d	825 sqft

ANTICIPATED TREATMENT PERFORMANCE – STAGE TWO

Biochemical Oxygen Demand (BOD₅)

Equation: $BOD_{5e} = BOD_{5i} \times (1 - C_{BR})$

Where: $BOD_{5e} = \text{Effluent } BOD_5$

$BOD_{5i} = \text{Influent } BOD_5$

$C_{BR} = 0.75$ BOD reduction coefficient

Calculation: $BOD_{5e} = 38 \text{ mg/L} \times (1 - 0.75)$

$BOD_{5e} = 10 \text{ mg/L}$

Ammonia (NH₃-N)

Equation: $NH_3-N_e = NH_3-N_i \times (1 - C_{NR})$

Where: $NH_3-N_e = \text{Effluent } NH_3-N$

$NH_3-N_i = \text{Influent } NH_3-N$

$C_{NR} = 0.75$ NH₃-N reduction coefficient

Calculation: $NH_3-N_e = 20 \text{ mg/L} \times (1 - 0.75)$

$NH_3-N_e = 5 \text{ mg/L}$

PERMIT LIMITATIONS

The following table provides the discharge limitations as provided by Hunt Engineers on January 22, 2016.

Limitations	Permit Concentration mg/L	Anticipated WWTP Final Concentration mg/L

Biochemical Oxygen Demand (BOD ₅)	25	10
Total Suspended Solids (TSS)	30	10
Ammonia (NH ₃ -N), mg/L(Summer):	5	5
Ammonia (NH ₃ -N), mg/L(Winter):	8	5

APPENDIX L

COST ESTIMATES

Town of Springwater
Engineer's Opinion of Probable Cost
Conventional Activated Sludge WWTP w/ Concrete Tankage

By: RCJ
Date: 7/30/2025
Proj: 101769

	Quantity	Unit Cost	Unit	Extension (rounded to nearest \$1,000)
Site Work				
Sanitary Manhole (4' Dia.)	3	\$ 5,000	EA	\$ 15,000
8" SDR 35 PVC Gravity Sewer	300	\$ 350	LF	\$ 105,000
Clearing and Erosion Control	1	\$ 10,000	LS	\$ 10,000
Granular Subbase	891	\$ 65	CY	\$ 58,000
Paving	391	\$ 200	TON	\$ 78,000
Geotextile Fabric	16,040	\$ 2	SY	\$ 32,000
Turf Restoration	10,000	\$ 1	SF	\$ 10,000
Excavation	1,188	\$ 12	CY	\$ 14,000
Backfill	238	\$ 25	CY	\$ 6,000
Electrical including New Utility Service and Standby Power	1	\$ 170,000	LS	\$ 170,000
Site Work Total				\$ 498,000
Influent Screening				
Excavation	11	\$ 12	CY	\$ 100
Backfill	6	\$ 25	CY	\$ 200
Granular Subbase	5	\$ 65	CY	\$ 300
Slab on Grade	4	\$ 350	CY	\$ 1,000
Wall Concrete	3	\$ 525	CY	\$ 1,000
Building Superstructure	144	\$ 100	SF	\$ 14,000
Screen Machine	1	\$ 255,600	EA	\$ 256,000
Plumbing and Heating	1	\$ 10,000	LS	\$ 10,000
#6, #8 and #10 AWG Wire	300	\$ 1.75	LF	\$ 1,000
#14, #12 AWG Wire and #16 T&S Pairs	1,000	\$ 1.00	LF	\$ 1,000
3/4" Conduit	250	\$ 10.00	LF	\$ 3,000
Ductbank	100	\$ 50	LF	\$ 5,000
Grounding	150	\$ 11.25	LF	\$ 2,000
Influent Screening Total				\$ 294,600
Aerated Bioreactors and Final Clarifiers				
Internals - Clarifier Bridges, Sludge and Scum Collectors	1	\$ 480,000	LS	\$ 480,000
Excavation	354	\$ 12	CY	\$ 4,000
Backfill	33	\$ 25	CY	\$ 1,000
Granular Subbase	93	\$ 65	CY	\$ 6,000
Slab on Grade Concrete	47	\$ 350	CY	\$ 16,000
Wall Concrete	184	\$ 525	CY	\$ 97,000
Metal Stairs	9	\$ 420	EA	\$ 4,000
Handrails	214	\$ 160	LF	\$ 34,000
Blowers	3	\$ 35,000	EA	\$ 105,000
Blower Control Panels	3	\$ 48,000	EA	\$ 144,000
Stainless Steel Air Piping	200	\$ 280	LF	\$ 56,000
Fine Bubble Diffusers	85	\$ 150	EA	\$ 13,000
#6, #8 and #10 AWG Wire	300	\$ 1.75	LF	\$ 1,000
#14, #12 AWG Wire and #16 T&S Pairs	1,000	\$ 1.00	LF	\$ 1,000
3/4" Conduit	250	\$ 10.00	LF	\$ 3,000
Ductbank	100	\$ 50	LF	\$ 5,000
Grounding	150	\$ 11.25	LF	\$ 2,000
pH Chemical Adjustment System	1	\$ 20,000.00	LS	\$ 20,000
Aerated Bioreactors and Final Clarifiers Total				\$ 992,000
Influent and RAS /WAS Pump Stations				
Precast Conc Pump Station (8' Dia.)	2	\$ 40,000	EA	\$ 80,000

**Town of Springwater
Engineer's Opinion of Probable Cost
Conventional Activated Sludge WWTP w/ Concrete Tankage**

By: RCJ
Date: 7/30/2025
Proj: 101769

Submersible Pumps	4	\$ 50,000	EA	\$ 200,000
Valve Chamber	2	\$ 5,000	EA	\$ 10,000
Control Panel	2	\$ 35,000	EA	\$ 70,000
Piping and Valves	2	\$ 45,000	LS	\$ 90,000
#6, #8 and #10 AWG Wire	600	\$ 1.75	LF	\$ 1,000
#14, #12 AWG Wire and #16 T&S Pairs	4,000	\$ 1.00	LF	\$ 4,000
3/4" Conduit	1,000	\$ 10.00	LF	\$ 10,000
Ductbank	200	\$ 70	LF	\$ 14,000
Grounding	600	\$ 15.75	LF	\$ 9,000
NEMA 4X Safety Switch	4	\$ 6,300	EA	\$ 25,000
Influent and RAS / WAS Pump Stations Total				\$ 513,000
Waste Sludge Holding Tank				
Slab on Grade Concrete	12	\$ 350	CY	\$ 4,000
Wall Concrete	62	\$ 525	CY	\$ 33,000
Metal Stairs	8	\$ 420	EA	\$ 3,000
Blowers	2	\$ 17,500	EA	\$ 35,000
Blower Control Panels	2	\$ 24,000	EA	\$ 48,000
Stainless Steel Air Piping	100	\$ 280	LF	\$ 28,000
Fine Bubble Diffusers	28	\$ 150	EA	\$ 4,000
#6, #8 and #10 AWG Wire	300	\$ 1.75	LF	\$ 1,000
#14, #12 AWG Wire and #16 T&S Pairs	2,000	\$ 1.00	LF	\$ 2,000
3/4" Conduit	500	\$ 10.00	LF	\$ 5,000
Ductbank	100	\$ 70	LF	\$ 7,000
Grounding	300	\$ 15.75	LF	\$ 5,000
NEMA 4X Safety Switch	2	\$ 6,300	EA	\$ 13,000
Waste Sludge Holding Tank Total				\$ 188,000
Sludge Dewatering Beds				
Demolition of Existing Sand and Piping	1	\$ 37,500	LS	\$ 38,000
HDPE Liner	8,530	\$ 2.25	SF	\$ 19,000
Filter Effluent Piping	500	\$ 70	LF	\$ 35,000
Distribution Structures	34	\$ 4,000	EA	\$ 135,000
Filter Sand Media	800	\$ 60	CY	\$ 48,000
Geotextile Underlayment (2 Layers)	1,896	\$ 2.10	SY	\$ 4,000
Underdrain Piping	1,350	\$ 15	LF	\$ 20,000
Liner Subbase Stone	316	\$ 30	CY	\$ 9,000
Skid Steer Loader	1	\$ 75,000	LS	\$ 75,000
Sludge Dewatering Beds Total				\$ 383,000
Miscellaneous Items				
Low Pressure Pump Station Electrical Additions	192	\$ 500	EA	\$ 96,000
Existing Forcemain Repairs	1	\$ 20,000	LS	\$ 20,000
SCADA Control Panel, Programming and Hardwire of Ethernet Service Provider	1	\$ 100,000	LS	\$ 100,000
Miscellaneous Items Total				\$ 216,000
Subtotal				
				\$ 3,085,000
Contractors General Conditions, Overhead and Profit		40%		\$ 1,234,000
Contingency		35%		\$ 1,512,000
WWTP Total				
				\$ 5,831,000
Escalation to Midpoint of Construction		4.0%		\$ 6,064,000
Professional Service for Design, Construction Administration and Construction Observation				
				\$ 365,000
Project Total				\$ 6,429,000

Town of Springwater
Engineer's Opinion of Probable Cost
Sequencing Batch Reactor WWTP w/ Concrete Tankage

By: RCJ
Date: 7/30/2025
Proj: 101769

	Quantity	Unit Cost	Unit	Extension (rounded to nearest \$1,000)
Site Work				
Sanitary Manhole (4' Dia.)	3	\$ 5,000	EA	\$ 15,000
8" SDR 35 PVC Gravity Sewer	300	\$ 350	LF	\$ 105,000
Clearing and Erosion Control	1	\$ 10,000	LS	\$ 10,000
Granular Subbase	811	\$ 65	CY	\$ 53,000
Paving	356	\$ 200	TON	\$ 71,000
Geotextile Fabric	14,600	\$ 2	SY	\$ 29,000
Turf Restoration	10,000	\$ 1	SF	\$ 10,000
Excavation	1,081	\$ 12	CY	\$ 13,000
Backfill	216	\$ 25	CY	\$ 5,000
Electrical including New Utility Service and Standby Power	1	\$ 170,000	LS	\$ 170,000
Site Work Total				\$ 481,000
Influent Screening				
Excavation	11	\$ 12	CY	\$ 100
Backfill	6	\$ 25	CY	\$ 200
Granular Subbase	5	\$ 65	CY	\$ 300
Slab on Grade	4	\$ 350	CY	\$ 1,000
Wall Concrete	3	\$ 525	CY	\$ 1,000
Building Superstructure	144	\$ 100	SF	\$ 14,000
Screen Machine	1	\$ 255,600	EA	\$ 256,000
Plumbing and Heating	1	\$ 10,000	LS	\$ 10,000
#6, #8 and #10 AWG Wire	300	\$ 1.75	LF	\$ 1,000
#14, #12 AWG Wire and #16 T&S Pairs	1,000	\$ 1.00	LF	\$ 1,000
3/4" Conduit	250	\$ 10.00	LF	\$ 3,000
Ductbank	100	\$ 50	LF	\$ 5,000
Grounding	150	\$ 11.25	LF	\$ 2,000
Influent Screening Total				\$ 294,600
Sequencing Biological Reactors				
Internals - SBR Decanters, Diffusers, WAS Pumps and Influent Dist Piping	1	\$ 608,400	LS	\$ 608,000
Excavation	329	\$ 12	CY	\$ 4,000
Backfill	22	\$ 25	CY	\$ 1,000
Granular Subbase	89	\$ 65	CY	\$ 6,000
Slab on Grade Concrete	50	\$ 350	CY	\$ 18,000
Wall Concrete	154	\$ 525	CY	\$ 81,000
Metal Stairs	9	\$ 420	EA	\$ 4,000
Handrails	140	\$ 160	LF	\$ 22,000
Blowers	3	\$ 35,000	EA	\$ 105,000
Blower Control Panels	3	\$ 48,000	EA	\$ 144,000
Stainless Steel Air Piping	200	\$ 280	LF	\$ 56,000
#6, #8 and #10 AWG Wire	300	\$ 1.75	LF	\$ 1,000
#14, #12 AWG Wire and #16 T&S Pairs	1,000	\$ 1.00	LF	\$ 1,000
3/4" Conduit	250	\$ 10.00	LF	\$ 3,000
Ductbank	100	\$ 50	LF	\$ 5,000
Grounding	150	\$ 11.25	LF	\$ 2,000
pH Chemical Adjustment System	1	\$ 20,000.00	LS	\$ 20,000
Sequencing Biological Reactors Total				\$ 1,081,000
Influent Pump Station				
Precast Conc Pump Station (8' Dia.)	1	\$ 40,000	EA	\$ 40,000
Submersible Pumps	2	\$ 50,000	EA	\$ 100,000

Town of Springwater
Engineer's Opinion of Probable Cost
Sequencing Batch Reactor WWTP w/ Concrete Tankage

By: RCJ
Date: 7/30/2025
Proj: 101769

Valve Chamber	1	\$ 5,000	EA	\$ 5,000
Control Panel	1	\$ 35,000	EA	\$ 35,000
Piping and Valves	1	\$ 45,000	LS	\$ 45,000
#6, #8 and #10 AWG Wire	300	\$ 1.75	LF	\$ 1,000
#14, #12 AWG Wire and #16 T&S Pairs	2,000	\$ 1.00	LF	\$ 2,000
3/4" Conduit	500	\$ 10.00	LF	\$ 5,000
Ductbank	100	\$ 70	LF	\$ 7,000
Grounding	300	\$ 15.75	LF	\$ 5,000
NEMA 4X Safety Switch	3	\$ 6,300	EA	\$ 19,000
Influent Pump Station Total				\$ 264,000
Waste Sludge Holding Tank				
Slab on Grade Concrete	12	\$ 350	CY	\$ 4,000
Wall Concrete	62	\$ 525	CY	\$ 33,000
Metal Stairs	8	\$ 420	EA	\$ 3,000
Handrails	38	\$ 160	LF	\$ 6,000
Blowers	2	\$ 17,500	EA	\$ 35,000
Blower Control Panels	2	\$ 24,000	EA	\$ 48,000
Stainless Steel Air Piping	100	\$ 280	LF	\$ 28,000
Fine Bubble Diffusers	28	\$ 150	EA	\$ 4,000
#6, #8 and #10 AWG Wire	300	\$ 1.75	LF	\$ 1,000
#14, #12 AWG Wire and #16 T&S Pairs	2,000	\$ 1.00	LF	\$ 2,000
3/4" Conduit	500	\$ 10.00	LF	\$ 5,000
Ductbank	100	\$ 70	LF	\$ 7,000
Grounding	300	\$ 15.75	LF	\$ 5,000
NEMA 4X Safety Switch	2	\$ 6,300	EA	\$ 13,000
Waste Sludge Holding Tank Total				\$ 194,000
Sludge Dewatering Beds				
Demolition of Existing Sand and Piping	1	\$ 10,000	LS	\$ 10,000
HDPE Liner	8,530	\$ 2.25	SF	\$ 19,000
Filter Effluent Piping	500	\$ 25	LF	\$ 13,000
Distribution Structures	34	\$ 4,000	EA	\$ 135,000
Filter Sand Media	800	\$ 60	CY	\$ 48,000
Geotextile Underlayment (2 Layers)	1,896	\$ 2.10	SY	\$ 4,000
Underdrain Piping	1,350	\$ 15	LF	\$ 20,000
Liner Subbase Stone	316	\$ 30	CY	\$ 9,000
Skid Steer Loader	1	\$ 75,000	LS	\$ 75,000
Sludge Dewatering Beds Total				\$ 333,000
Miscellaneous Items				
Low Pressure Pump Station Electrical Additions	192	\$ 500	EA	\$ 96,000
Existing Forcemain Repairs	1	\$ 20,000	LS	\$ 20,000
SCADA Control Panel, Programming and Hardwire of Ethernet Service Provide	1	\$ 100,000	LS	\$ 100,000
Miscellaneous Items Total				\$ 216,000
Subtotal				
				\$ 2,864,000
Contractors General Conditions, Overhead and Profit		40%		\$ 1,146,000
Contingency		35%		\$ 1,404,000
WWTP Total				\$ 5,414,000
Escalation to Midpoint of Construction		4.0%		\$ 5,631,000
Professional Service for Design, Costruction Administration and Construction Observation				\$ 365,000
Project Total				\$ 5,996,000

APPENDIX M

SMART GROWTH ASSESSMENT FORM

SMART GROWTH QUESTIONS

The following questions will assist the Department in determining the proposed projects' compliance with the State Smart Growth Public Infrastructure Policy Act. Projects must demonstrate consistency with the relevant criteria included in the Act to be considered for funding.

1. Is the applicant for this DEC grant a public entity?

(Examples include: other state agency; State or local public authority; Federal agency; local sewer, water, or waste management district; public school or school district; SUNY or CUNY; public commission; county; or other entity that can reasonably be described as public and eligible to apply under the grant opportunity.)

Yes/No If yes, provide a brief explanation in the space below

Yes: Town of Springwater.

2. Does the proposed project support the construction or reconstruction of infrastructure?

(Examples include: construction or reconstruction of physical and permanent structures such as roads; water and sewer systems; permanent waste transfer, treatment or disposal facilities; schools and other buildings; and pipelines, transmission lines and other utility infrastructure).

Yes/No;

Explain briefly:

This project includes construction of new permanent structures and removal of existing permanent structures at an existing wastewater treatment plant (WWTP). The existing structures to be removed include four bio-media treatment tanks. New proposed site elements include an influent pump station, headworks screen, two sequencing batch reactor tanks with integral waste sludge holding tanks, and sludge drying beds. The project will utilize an existing operation buildings, UV disinfection system, cascade aerator, and plant outfall.

IF THE ANSWER TO THE PREVIOUS TWO QUESTIONS IS NO, IT IS NOT NECESSARY TO COMPLETE THIS FORM.

3. Have any other State infrastructure agencies issued a Smart Growth Impact Statement with regard to the proposed project?

Yes/No **No**

If yes, please upload a copy in the appropriate section of SFS.

Smart Growth Criteria (ECL § 6-0107(2))

4. Does the proposed project advance or otherwise involve the use of, maintain, or improve existing infrastructure?

Yes/No/ N/A;

Explain:

Yes. The existing WWTP has a history of chronic non-compliance with SPDES effluent permit limits and is under two NYSDEC Orders of Consent. The proposed improvements will allow the plant to achieve the level of treatment necessary to comply with it's discharge limits. The project will utilize existing infrastructure to the extent possible, including reuse of existing settling/septic tanks and associated pump station as emergency equalization/holding tanks.

5. Is the proposed project located in a municipal center, characterized by any of the following:

- *A city or a village*
- *Area of concentrated and mixed land use that serves as a center for various activities including, but not limited to:*
 - *Central business district*
 - *Main Street*
 - *Brownfield Opportunity Areas*
(<https://www.dos.ny.gov/opd/programs/brownFieldOpp/BOAdesignations.html>)
 - *Downtown areas of Local Waterfront Revitalization Plan areas*
 - *Locations of transit-oriented development (such as projects serving areas that have access to mass or public transit for residents)*
 - *Environmental Justice areas* (<http://www.dec.ny.gov/public/899.html>)
 - *Hardship areas*
 - *Area adjacent to municipal center in an area with clearly defined borders that is designated for concentrated future development in a municipal or regional comprehensive plan, and exhibits strong land use, transportation, infrastructure and economic connections to a municipal center; or*

o *Area that is included in a municipal or comprehensive plan and appropriately zoned in a municipal zoning ordinance as a future municipal center.*

Yes/No;

Explain:

Yes. The project will have a direct impact on the water quality of several EJ and DAC areas as the received waterbody of the WWTP discharges to Hemlock Lake, which is one of the water supplies for the City of Rochester.

In addition, a recent income survey indicates the Median Household Income (MHI) for the project's service area is \$43,000, which is considerably lower than the 2023 American Community Survey (ACS) Census data and should be considered to be an EJ or DAC area.

6. Is the proposed project located in a developed area or an area designated for concentrated infill development in accordance with a municipally-approved comprehensive land use plan, a local waterfront revitalization plan, or a brownfield opportunity area plan?

Yes/No;

Explain:

Not applicable.

7. Does the proposed project protect, preserve or enhance the State's resources, including agricultural land, forests, surface or groundwater, air quality, recreation and open space, scenic areas, and/or significant historic and archeological resources?

Yes/No;

Explain:

Yes. Implementation of the proposed improvements will provide protection of a critical water supply for the City of Rochester.

8. Does the proposed project foster mixed land uses and compact development; downtown revitalization; brownfield redevelopment; the enhancement of beauty in public spaces; the diversity and affordability of housing in proximity to places of employment, recreation and commercial development; and/or the integration of all income and age groups?

Yes/No;

Explain:

Not applicable.

9. Does the proposed project provide mobility through transportation choices, including improved public transportation and reduced automobile dependency?

Yes/No;

Explain:

Not applicable.

10. Does the proposed project demonstrate or support coordination among state and local government, or inter-municipal planning, or regional planning?

Yes/No;

Explain:

Yes. The Town of Springwater has recently entered into a 40-year lease agreement whereas the Livingston County Water and Sewer Authority (LCWSA) will assume responsibility of the Town's municipal water and sewer systems. The primary object of the intermunicipal cooperation is to achieve compliance with SPDES effluent discharge limits.

11. Does the proposed project involve community-based planning and collaboration?

Yes/No;

Explain:

Yes, the project will include Town Board approvals.

12. Does the proposed project support predictability in building and land use codes?

Yes/No;

Explain:

Yes. The project supports predictability because it does not seek to make any changes to existing building and land use codes.

13. Does the proposed project promote sustainability, reduce greenhouse gas emissions, and not compromise the needs of future generations?

Yes/No;

Explain:

Yes. The persistent SPDES violations and resulting Consent Orders carry serious consequences that span across environmental, human, health, legal, and economic sectors. This proposed project is required to bring the Springwater WWTP into working order, and implementation of these essential improvements will help safeguard a vital regional water source, enhance recreational opportunities, support tourism-driven economic gains, and improve overall quality of life for the community.

14. Does the proposed project encourage broad based public involvement in developing and implementing a community plan or ensure that there is a governance structure that is adequate to sustain a project's implementation?

Yes/No;

Explain:

Yes. The project will include Town Board approvals. Under the existing lease agreement, the LCWSA will be supporting the Town with development and implementation of the proposed project.

15. Does the proposed project mitigate future physical climate risk due to sea-level rise, and/or storm surges and/or flooding, based on available data predicting the likelihood of future extreme weather events, including hazard risk analysis data, if applicable?

Yes/No;

Explain:

Yes. The project includes the mitigation of flooding by reusing existing settling/septic tanks as equalization/holding tanks due high-flow events.