

SPDES Permit Fact Sheet

Village of Nyack

Village of Nyack WTP

NY0264351



Department of
Environmental
Conservation

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Summary of Permit Changes

A State Pollutant Discharge Elimination System (SPDES) permit has been drafted for the Village of Nyack WTP. The changes to the permit are summarized below:

- Updated permit format, definitions, and general conditions
- Changed flow sample type from Instantaneous to Meter
- Changed the Outfall 001 wastewater description from Discharge of Backwash Water to Water Treatment Plant Backwash
- Changed limit for flow from 0.140 MGD to 0.14 MGD
- Added Monitoring Locations schematic
- Added Emerging Contaminant Short-Term Monitoring to the Schedule of Additional Submittals
- Added Lagoon Operation and Maintenance Manual to the Schedule of Additional Submittals
- Added Notification of PFAS/PFOA Treatment Building Start Date ("Start-Up") to the Schedule of Additional Submittals
- Added Annual Effluent Data Summary to the Schedule of Additional Submittals
- Added Water Treatment Chemical (WTC) Annual Report Form to the Schedule of Additional Submittals
- Added Stormwater No Exposure Certification to the Schedule of Additional Submittals

This fact sheet summarizes the information used to determine the effluent limitations (limits) and other conditions contained in the permit. General background information including the regulatory basis for the effluent limitations and other conditions are in the [Appendix](#) linked throughout this fact sheet.

Administrative History

10/1/2000 The last full technical review was performed and the SPDES permit became effective with a new five-year term and expiration date of 10/1/2005. The 2000 permit, along with all subsequent modifications, has formed the basis of this permit.

The permit was administratively renewed in 2005, 2010, and again in 2015. The 2015 permit administrative renewal was effective until 9/30/2020.

9/30/2020 The SPDES permit expired.

6/30/2025 The Nyack Water Department Village of Nyack submitted a new NY-2C permit application to renew the expired permit.

10/21/2025 The New York State Department of Environmental Conservation (NYSDEC) issued a Notice of Incomplete Application (NOIA).

2/24/2026 The Village of Nyack submitted a revised NY-2C permit application.

The Notice of Complete Application, published in the [Environmental Notice Bulletin](#) and newspapers, contains information on the public notice process.

Facility Information

This is an industrial facility (SIC code 4941) that produces potable water.

The facility produces potable drinking water from raw water withdrawn from the Hackensack River that is dosed with the following water treatment chemicals (WTCs) as necessary: potassium permanganate, polyaluminum chloride, soda ash, sodium hypochlorite, and powdered activated carbon. The potable water treatment process consists of aeration, flocculation, sedimentation, and sand filtration. Raw water makes its way through this treatment process and ultimately goes through sand filtration after being dosed with all water treatment chemicals to remove remaining particulate matter.

Effluent consists of backwash from the potable water treatment process. Effluent is generated when the potable water filters get backwashed. Fully treated, finished drinking water is used for backwashing. The filter backwash water is pumped to a lagoon with an operating capacity of 1.5 MG, which discharges to the Hackensack River through an outfall structure. The outfall is a bank discharge that is an 18-inch diameter pipe that discharges to the Hackensack River 3 feet from the bank.

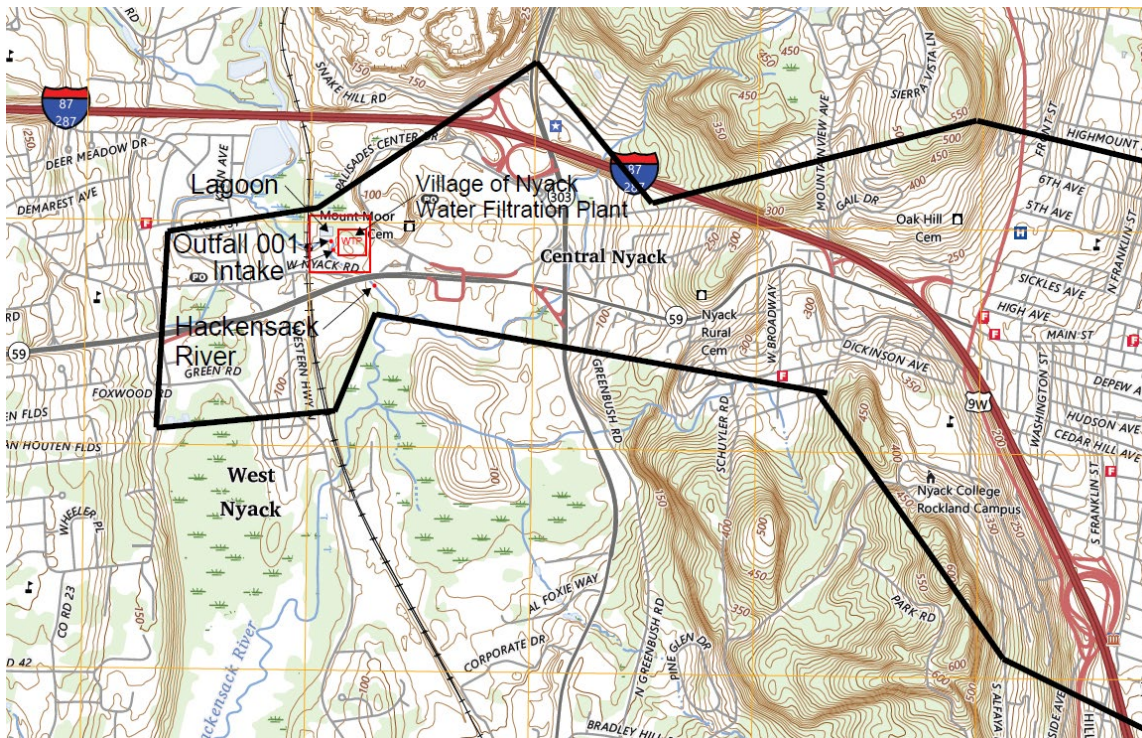
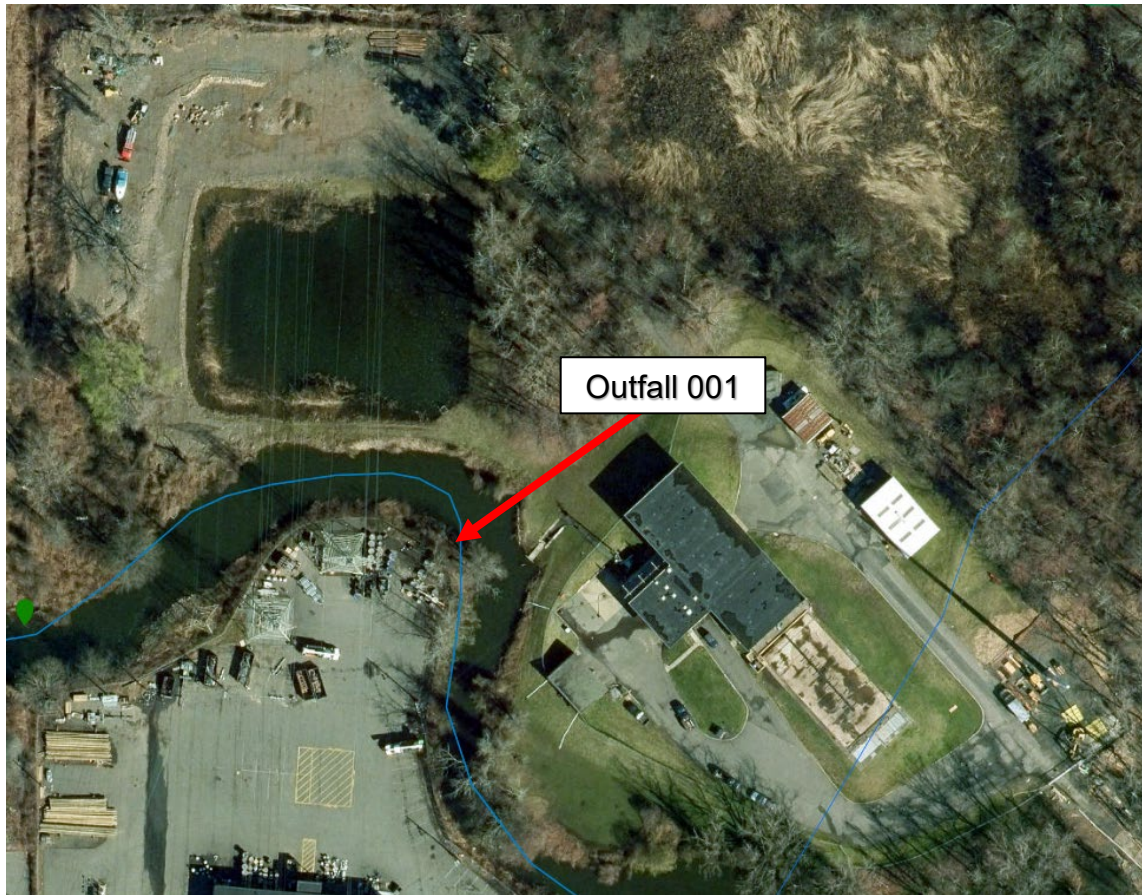
The facility is proposing to install a per- and polyfluoroalkyl substances (PFAS)/perfluorooctanoic acid (PFOA) treatment building within the potable water treatment process after the rapid sand filters. The initial startup of this PFAS treatment building will involve both backwash and forward rinse of each of the four granular activated carbon (GAC) vessels. Additionally, the GAC vessels will need to be periodically replaced as needed which will involve backwash and forward rinse of one vessel. The GAC vessel backwash and forward rinse wastewaters will be directed to the lagoon; however, the lagoon will be operated and maintained such that these flows will not lead to exceedances of the SPDES permit flow limitation.

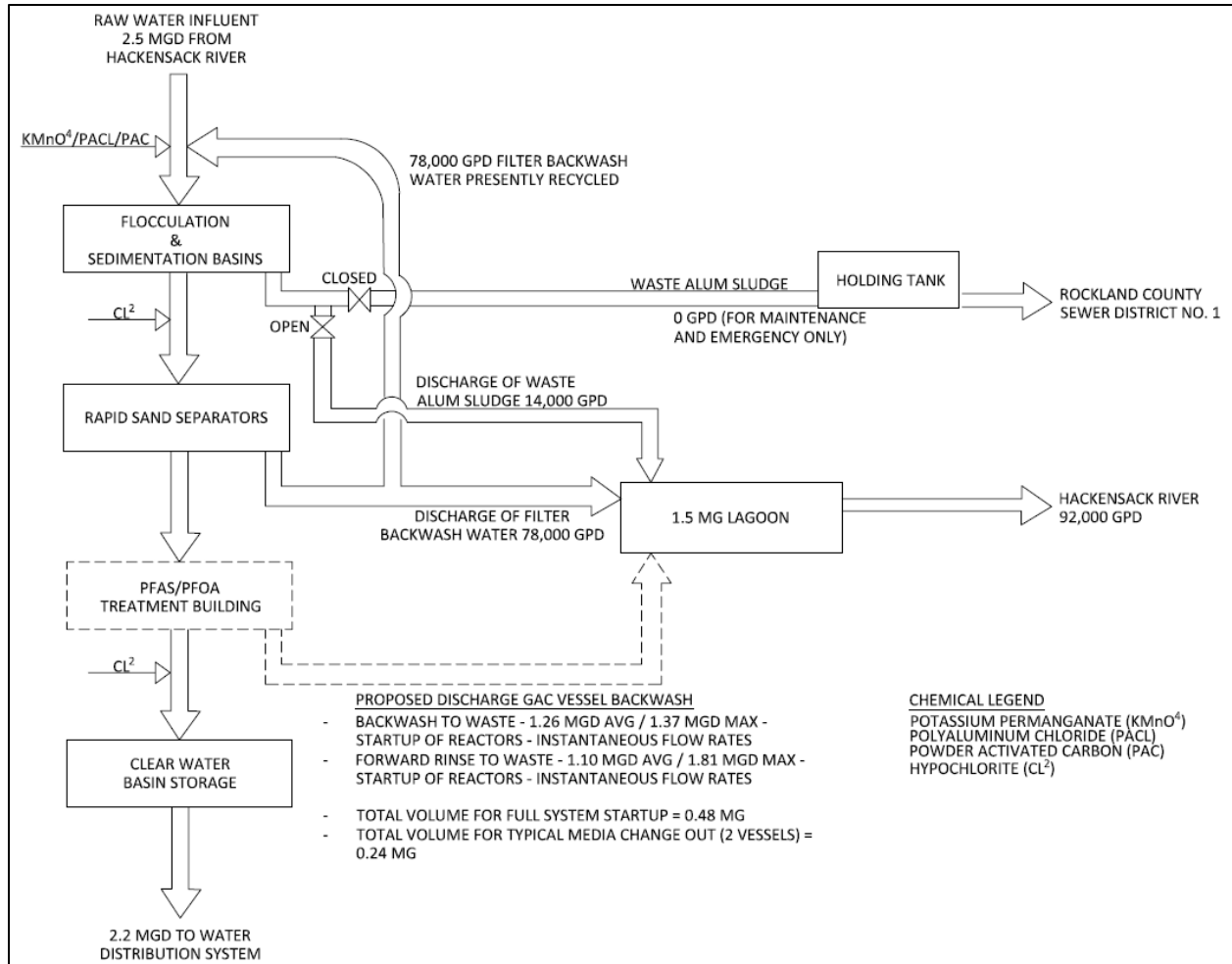
The current treatment system was constructed to provide settling and includes the following treatment units:

- Settling Lagoon

Sludge from the flocculation and sedimentation basins in the potable water treatment process is hauled offsite to Rockland Country Sewer District #1.

Site Overview





Enforcement History

Compliance and enforcement information can be found on the EPA's [Enforcement and Compliance History Online \(ECHO\)](#) website.

Existing Effluent Quality

The [Pollutant Summary Table](#) presents the existing effluent quality and effluent limitations. The existing effluent quality was determined from the application submitted by the permittee. [Appendix Link](#)

Interstate Water Pollution Control Agencies

Outfall 001 is located within the Interstate Environmental Commission (IEC) compact area. [Appendix Link](#)

Receiving Water Information

The facility discharges via the following outfalls:

Outfall No.	SIC Code	Wastewater Type	Receiving Water
001	4941	Water Treatment Plant Backwash	Hackensack River, Class A

See the [Outfall and Receiving Water Summary Table](#) and [Appendix](#) for additional information.

Impaired Waterbody Information

The Hackensack River segment (PWL No. 1501-0026) is not listed on the 2020/2022 [New York State Section 303\(d\) List](#) of Impaired/TMDL Waters. As such, a TMDL has not been developed and therefore, there are no applicable wasteload allocations (WLAs) for this facility.

Critical Receiving Water Data

Reach Description: The Hackensack River (NJ-1) is a tributary of Lake Tappan which is a New Jersey water supply source. The segment of the Hackensack River at the point of discharge is classified as A (6NYCRR – Table I – Item 6). The Lake Deforest Filtration Plant (SPDES Number NY0037265) is a significant discharger approximately 1.11 miles upstream. The model also includes a confluence with a tributary ~0.34 miles downstream and a second confluence an additional ~0.33 miles downstream. The model ends with the confluence with Lake Tappan an additional ~2.84 miles downstream.

The low flow condition for the Hackensack River was obtained from a drainage basin ratio analysis with USGS gage station 01376800, Hackensack River at West Nyack NY located ~0.6 miles upstream. The 1Q10, 7Q10 and 30Q10 flows at the gage were found from the USGS Hydrologic Toolbox software and an analysis of data from 1959 to 2025.

The low flows at the facility location were found from a drainage basin ratio analysis and are shown below.

DRAINAGE BASIN RATIO	1Q10	7Q10	30Q10
Gage Name	Hackensack River at West Nyack NY		
Gage ID Number	01376800		
Low Flow at Gage (cfs)	4.4326	6.1626	8.3451
Drainage Area at Gage (mi ²)	30.7	30.7	30.7
Drainage Area at Facility (mi ²)	31	31	31
Drainage Basin Ratio (facility / gage)	1.0	1.0	1.0
Calculated Flow at Facility (cfs)	4.48	6.22	8.43

The 1Q10, 7Q10, and 30Q10 flows were used to calculate the acute, chronic, and human, aesthetic, wildlife (HEW) dilution ratios, respectively.

$$\text{Dilution Ratio} = (\text{Facility Flow} + \text{Low Flow}) / \text{Facility Flow}$$

Outfall No.	Acute Dilution Ratio A(A)	Chronic Dilution Ratio A(C)	Human, Aesthetic, Wildlife Dilution Ratio (HEW)	Basis
001	21.7:1	29.7:1	39.9 :1	TOGS 1.3.1

Critical receiving water data are listed in the [Pollutant Summary Table](#) at the end of this fact sheet. [Appendix Link](#)

Permit Requirements

The technology based effluent limitations ([TBELs](#)), water quality-based effluent limitations ([WQBELs](#)), [Existing Effluent Quality](#) and a discussion of the selected effluent limitation for each pollutant present in the discharge are provided in the [Pollutant Summary Table](#).

Whole Effluent Toxicity (WET) Testing

None of the seven criteria that are indicative of potential toxicity are applicable to this facility; therefore, WET testing has not been included in the permit. [Appendix Link](#)

Anti-backsliding

The limitations contained in the permit are at least as stringent as the previous permit limits and there are no instances of backsliding.

[Appendix Link](#)

Antidegradation

The permit contains effluent limitations which ensure that the best usages of the receiving waters will be maintained. The Notice of Complete Application published in the Environmental Notice Bulletin contains information on the State Environmental Quality Review (SEQR)¹ determination.

[Appendix Link](#)

Discharge Notification Act Requirements

In accordance with the Discharge Notification Act (ECL 17-0815-a), the permittee is required to post a sign at each point of wastewater discharge to surface waters, unless a waiver is obtained. This requirement has been updated from the previous permit.

Additionally, the permit contains a requirement to make the DMR sampling data available to the public upon request. This requirement is new.

Stormwater Pollution Prevention Requirements

On 2/12/2026, the permittee submitted a Conditional Exclusion for No Exposure Form, certifying that all industrial activities and materials are completely sheltered from exposure. This condition must be maintained for the exclusion to remain applicable. The [Schedule of Additional Submittals](#) also includes a due date for re-certification every five years as required by 40 CFR 122.26(g)(iii). This requirement is new.

Emerging Contaminant Monitoring

Pursuant to 6 NYCRR 750-1.13(b), the permit includes a short-term monitoring program listed in the Schedule of Additional Submittals to evaluate the raw water intake and effluent discharge levels of Per- and Polyfluoroalkyl Substances (PFAS). This monitoring program is consistent with guidance released in EPA guidance memos dated April 28, 2022, and December 5, 2022.

The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). Please see the [Pollutant Summary Table](#) below for more information. [Appendix Link](#)

¹ As prescribed by 6 NYCRR Part 617

Schedule of Additional Submittals

Emerging Contaminant Short-term Monitoring

Pursuant to 6 NYCRR 750-1.13(b), the permit includes a short-term monitoring program. On a monthly basis for at least three consecutive months, the permittee shall collect, under normal discharge conditions, grab samples of both the raw water intake and effluent for PFAS analysis using EPA Method 1633/1633A. Results must be reported through the "Emerging Contaminants Survey for POTWs" and on the provided monitoring template, which can be found at this link: [Emerging Contaminants In NY's Waters - NYSDEC](#). Please see [Emerging Contaminant Monitoring](#) above for more information.

Lagoon Operation and Maintenance Manual

The permittee shall submit an Operation and Maintenance Manual for the settling lagoon.

Notification of PFAS/PFOA Treatment Building Start Date ("Start-Up")

The permittee shall provide the Department with the proposed start date for the PFAS/PFOA treatment building for the potable water treatment process.

Annual Effluent Data Summary

Within 90 days following the end of each calendar year, the permittee shall submit an annual effluent data summary to the Regional Water Engineer and to the Bureau of Water Permits. The summary shall be submitted electronically in a spreadsheet format acceptable to the DEC showing all analytical results and flow monitoring results for samples collected the previous year.

WTC Annual Report

In accordance with 6 NYCRR 750-2.1(i), the permit requires submission of an annual report each year that the permittee uses and discharges WTCs. The permittee must summarize all WTC use for the prior calendar year, January 1 through December 31, and attach it either to the December DMR or annual monitoring report required by the permit. More information is located on the DEC's website under [SPDES Permitting of Water Treatment Chemicals](#).

Stormwater No Exposure Certification

In accordance with 40 CFR 122.26(g)(iii) and 6 NYCRR 750-1.25(c), the permittee must submit the [form](#), signed in accordance with 6 NYCRR 750-1.18, every five years certifying that the facility is eligible for the no exposure certification. Please see [Stormwater Pollution Prevention Requirements](#) above.

Permittee: Village of Nyack
 Facility: Village of Nyack WTP
 SPDES Number: NY0264351
 USEPA Non-Major/Class 04 Industrial

Date: July 9, 2026 v.1.40
 Permit Writer: Catherine Mackey
 Water Quality Reviewer: Catherine Mackey
 Full Technical Review

OUTFALL AND RECEIVING WATER SUMMARY TABLE

Outfall	Latitude	Longitude	Receiving Water Name	Water Class	Water Index No. / Priority Waterbody Listing (PWL) No.	Major / Sub Basin	Hardness (mg/L)	1Q10 (CFS)	7Q10 (CFS)	30Q10 (CFS)	Critical Effluent Flow (MGD)	Dilution Ratio		
												A(A)	A(C)	HEW
001	41° 5' 45" N	73° 57' 47" W	Hackensack River	A	NJ-1 PWL: 1501-0026	15/01	124 ²	4.48	6.22	8.43	0.14	21.7 :1	29.7 :1	39.9 :1

POLLUTANT SUMMARY TABLE

Outfall 001

Outfall #	001	Description of Wastewater: Water Treatment Plant Backwash													
		Type of Treatment: Settling Lagoon													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ³	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
General Notes: Existing discharge data was obtained from the application provided by the permittee. All applicable water quality standards were reviewed for development of the WQBELs. The standard and WQBEL shown below represent the most stringent. The technology based effluent limitations (TBELs) were developed from TOGS 1.2.1 Att.C, for category J (miscellaneous) treatment systems.															
Flow Rate	MGD	Monthly Avg	0.14	0.09 Actual Max	304/0	0.14	Design Flow	No alterations that will impair the waters for their best usages.				703.2	-	Design Flow	
The flow limit has been set at the design flow of the wastewater treatment facility. Consistent with 750-2.5(e)(2), effluent limitations have been rounded to two significant digits. The averaging period has been changed from daily average to monthly average.															
pH	SU	Minimum	6.0	7.1 Actual Min	304/0	6.0	Antibacksliding	8.0 ⁴	-	6.5 – 8.5	Range	-	703.3	-	TBEL
		Maximum	9.0	8.5 Actual Max	304/0	9.0									
Consistent with 750-1.10(c) and 750-1.10(d), TBELs reflect the existing permit effluent limitation. Given the available dilution, an effluent limitation equal to the TBEL is protective of the WQS.															

² Ambient hardness was calculated from RIBs station 15-HACK-2.8, located ~0.92 miles downstream, using 20 samples collected from 2008 - 2023.

³ Existing Effluent Quality: Unless otherwise stated, Daily Max = 99% lognormal; Monthly Avg = 95% lognormal (for datasets with ≤3 nondetects); Daily Max = 99% delta-lognormal; Monthly Avg = 95% delta-lognormal (for datasets with >3 nondetects)

⁴ Ambient pH calculated from RIBs station 15-HACK-2.8, located ~0.92 miles downstream, using 21 samples collected from 2002 - 2023.

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		Type of Treatment: Settling Lagoon													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs					ML	Basis for Permit Requirement	
			Permit Limit	Existing Effluent Quality ³	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL			Basis
Temperature	°F	Daily Max	Monitor	81 Actual Max	304/0	Monitor	750-1.13 Monitor	77	(Non-Trout): The water temperature at the surface of a stream shall not be raised to more than 90F at any point and... shall not be raised or lowered to more than 5F over the temperature that existed before the addition			704.2	-	Monitor	
Consistent with 6 NYCRR 750-1.13(a), monitoring is required to determine compliance with the water quality standard. This requirement has been continued from the previous permit. Ambient temperature was calculated from RIBs station 15-HACK-2.8, located ~0.92 miles downstream, using 21 samples collected from 2002 – 2023.															
Dissolved Oxygen (DO)	mg/L	Daily Min	-	-	-	-	-	-	5.83 Critical Point	(Non-Trout) 4.0 mg/L	-	703.3	-	No Limitation	
The downstream DO concentration was modeled using the Streeter-Phelps equations and the following assumptions: Effluent DO = 2 mg/l (assumed value consistent with TOGS 1.3.1D), Effluent UOD = 27.96 mg/L (calculation based on CBOD5 and NOD), Effluent CBOD ₅ = 4 mg/L (reporting limit for BOD5 on application), Effluent NOD = 18.3 mg/L (maximum effluent concentration reported for ammonia (as N) on application). Reach Description: The model included the Lake Deforest Filtration Plant (SPDES Number NY0037265) which is a significant discharger approximately 1.11 miles upstream. The model also includes a confluence with a tributary ~0.34 miles downstream and a second confluence an additional ~0.33 miles downstream. The model ends with the confluence with Lake Tappan an additional ~2.84 miles downstream. The model showed that DO standards are maintained and consequently WQBELs for DO, UOD, BOD/CBOD, and Ammonia are unnecessary and the TBELs are protective of water quality.															
Total Suspended Solids (TSS)	mg/L	Daily Avg	20	-	-	20	TOGS 1.2.1	-	None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages.			703.2	-	TBEL	
		Daily Max	40	<3.3	1/0	40	TOGS 1.2.1								
Consistent with TOGS 1.2.1 Attachment C, TBELs reflect the available treatment technology and are protective of the WQS.															
Settleable Solids	mL/L	Daily Max	0.1	-	-	0.1	TOGS 1.2.1	-	None from sewage, industrial wastes or other wastes that will cause deposition or impair the waters for their best usages			703.2	-	TBEL	
Consistent with TOGS 1.2.1 Attachment C, the TBEL is reflective of the treatment technology and is protective of the WQS.															

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		Type of Treatment: Settling Lagoon													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ³	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Nitrogen, Ammonia (as N)	mg/L	Monthly Avg	-	2.5	1/0	-	-	0.2*	0.56	0.76	A(C)	24	703.5	-	No Limitation
The projected instream concentration was calculated using the maximum measured effluent concentration of 2.5 mg/L, a multiplier of 6.2, the HEW dilution ratio, and an upstream ambient concentration*. The multiplier was selected from EPA's Technical Support Document Chapter 3.3 to account for the number of samples. A comparison of the projected instream concentration to the WQS indicates no reasonable potential to cause or contribute to a WQS violation. Therefore, no WQBEL has been specified.															
The WQS for Ammonia was determined from TOGS 1.1.1 from a pH of 8.0 and a summer temperature of 25.0 °C. The temperature of the receiving waterbody was an assumed value and consistent with TOGS 1.3.1E.															
*Ambient upstream concentration was calculated from RIBs station 15-HACK-2.8, located ~0.92 miles downstream, using 20 samples collected from 2008 – 2023.															
Total Mercury	ng/L	Daily Max	-	1.1	1/0	-	-	-	-	0.7	H(FC)	-	DOW 1.3.10	-	No Limitation
The DOW 1.3.10 Mercury – Multiple Discharge Variance (MDV), dated December 31, 2025, provides the framework for DEC to require mercury monitoring and mercury minimization programs (MMPs), through SPDES permitting. All of the following permit conditions are consistent with the MDV. Appendix Link															
The sample result is consistent with the MDV, so no limitation or monitoring is required.															
Total Residual Chlorine (TRC)	mg/L	Daily Max	0.1	0.075	1/0	-	-	-	0.021	0.005	A(C)	0.15	703.5	-	Antibacksliding
The WQBEL was calculated from the chronic water quality standard, dilution ratio, and an assumed negligible upstream ambient concentration. Consistent with TOGS 1.3.1E, the rapid decay of residual chlorine and a five-fold reduction is not assumed with dilution ratios less than 30:1. Therefore, the WQBEL was calculated by multiplying the WQS by the chronic dilution ratio. The existing permit limit is less than the calculated WQBEL and is protective of water quality and has been specified.															
Additional Pollutants Detected															
Total Cyanide	mg/L	Daily Max	-	0.017	1/0	-	-	-	0.0026	0.20	H(WS)	8.0	703.5	-	No Limitation
The projected instream concentration was calculated using the maximum measured effluent concentration of 0.017 mg/L, a multiplier of 6.2, the HEW dilution ratio, and an assumed negligible upstream ambient concentration. The multiplier was selected from EPA's Technical Support Document Chapter 3.3 to account for the number of samples. A comparison of the projected instream concentration to the WQS indicates no reasonable potential to cause or contribute to a WQS violation. Therefore, no WQBEL has been specified.															
Free Cyanide	mg/L	Daily Max	-	0.017	1/0	-	-	-	0.0036	0.0052	A(C)	0.15	703.5	-	No Limitation
The projected instream concentration was calculated using the maximum measured effluent concentration of 0.017 mg/L, a multiplier of 6.2, the chronic dilution ratio, and an assumed negligible upstream ambient concentration. The multiplier was selected from EPA's Technical Support Document Chapter 3.3 to account for the number of samples. A comparison of the projected instream concentration to the WQS indicates no reasonable potential to cause or contribute to a WQS violation. Therefore, no WQBEL has been specified.															

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		Type of Treatment: Settling Lagoon													
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ³	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Chloroform	ug/L	Daily Max	-	18.9	1/0	-	-	-	2.9	7	H(WS)	280	703.5	-	No Limitation
The projected instream concentration was calculated using the maximum measured effluent concentration of 18.9 ug/L, a multiplier of 6.2, the HEW dilution ratio, and an assumed negligible upstream ambient concentration. The multiplier was selected from EPA's Technical Support Document Chapter 3.3 to account for the number of samples. A comparison of the projected instream concentration to the WQS indicates no reasonable potential to cause or contribute to a WQS violation. Therefore, no WQBEL has been specified.															
Dichlorobromo-methane	ug/L	Daily Max	-	1.6	1/0	-	-	-	0.25	50	H(WS)	2000	TOGS 1.1.1	-	No Limitation
The projected instream concentration was calculated using the maximum measured effluent concentration of 1.6 ug/L, a multiplier of 6.2, the HEW dilution ratio, and an assumed negligible upstream ambient concentration. The multiplier was selected from EPA's Technical Support Document Chapter 3.3 to account for the number of samples. A comparison of the projected instream concentration to the WQS indicates no reasonable potential to cause or contribute to a WQS violation. Therefore, no WQBEL has been specified.															
Toluene	ug/L	Daily Max	-	1.9	1/0	-	-	-	0.30	5	H(WS)	200	703.5	-	No Limitation
The projected instream concentration was calculated using the maximum measured effluent concentration of 1.9 ug/L, a multiplier of 6.2, the HEW dilution ratio, and an assumed negligible upstream ambient concentration. The multiplier was selected from EPA's Technical Support Document Chapter 3.3 to account for the number of samples. A comparison of the projected instream concentration to the WQS indicates no reasonable potential to cause or contribute to a WQS violation. Therefore, no WQBEL has been specified.															
Sulfate (as SO ₄)	mg/L	Daily Max	-	12.6	1/0	-	-	11.4*	13.1	250	H(WS)	9500	703.5	-	No Limitation
The projected instream concentration was calculated using the maximum measured effluent concentration of 12.6 mg/L, a multiplier of 6.2, the HEW dilution ratio, and an upstream ambient concentration*. The multiplier was selected from EPA's Technical Support Document Chapter 3.3 to account for the number of samples. A comparison of the projected instream concentration to the WQS indicates no reasonable potential to cause or contribute to a WQS violation. Therefore, no WQBEL has been specified.															
*Ambient upstream concentration was calculated from RIBs station 15-HACK-2.8, located ~0.92 miles downstream, using 19 samples collected from 2008 – 2023.															

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Outfall 001 – EMERGING CONTAMINANTS

Emerging Contaminants: Outfall # 001															
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁵	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Notes: See Emerging Contaminant Monitoring section above. Effluent samples were analyzed for the 40 PFAS compounds.															
Perfluoro-butanoic Acid (PFBA)	ng/L	Daily Max	-	4.79 Estimate*	1/0	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
	Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.														
	*Result reported by laboratory with a J-qualifier indicating estimated value.														
Perfluoro-pentanoic Acid (PFPeA)	ng/L	Daily Max	-	4.98 Estimate*	1/0	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
	Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.														
	*Result reported by laboratory with a J-qualifier indicating estimated value.														
Perfluoro-hexanoic Acid (PFHxA)	ng/L	Daily Max	-	4.36 Estimate*	1/0	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
	Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.														
	*Result reported by laboratory with a J-qualifier indicating estimated value.														
Perfluoro-heptanoic Acid (PFHpA)	ng/L	Daily Max	-	2.99 Estimate*	1/0	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
	Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.														
	*Result reported by laboratory with a J-qualifier indicating estimated value.														

⁵ Existing Effluent Quality: Unless otherwise stated, Daily Max = 99% lognormal; Monthly Avg = 95% lognormal (for datasets with ≤3 nondetects); Daily Max = 99% delta-lognormal; Monthly Avg = 95% delta-lognormal (for datasets with >3 nondetects)

Permittee: Village of Nyack
 Facility: Village of Nyack WTP
 SPDES Number: NY0264351
 USEPA Non-Major/Class 04 Industrial

Date: July 9, 2026 v.1.40
 Permit Writer: Catherine Mackey
 Water Quality Reviewer: Catherine Mackey
 Full Technical Review

Emerging Contaminants: Outfall # 001															
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁵	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Perfluoro-octanoic Acid (PFOA)	ng/L	Daily Max	-	8.68 Actual Max	1/0	-	-	-	-	6.7	H(WS)	-	TOGS 1.1.1	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
Perfluoro-nonanoic Acid (PFNA)	ng/L	Daily Max	-	1.72	1/0	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
Perfluoro-decanoic Acid (PFDA)	ng/L	Daily Max	-	0.496	1/0	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
Perfluoro-undecanoic Acid (PFUnA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
Perfluoro-dodecanoic Acid (PFDoA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
Perfluoro-tridecanoic Acid (PFTriA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															

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Emerging Contaminants: Outfall # 001															
Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁵	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Perfluoro-tetradecanoic Acid (PFTeA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
Perfluoro-butanesulfonic Acid (PFBS)	ng/L	Daily Max	-	3.55 Estimate*	1/0	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
*Result reported by laboratory with a J-qualifier indicating estimated value.															
Perfluoro-pentanesulfonic Acid (PFPeS)	ng/L	Daily Max	-	0.589	1/0	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
Perfluoro-hexanesulfonic Acid (PFHxS)	ng/L	Daily Max	-	3.13 Estimate*	1/0	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
*Result reported by laboratory with a J-qualifier indicating estimated value.															
Perfluoro-heptanesulfonic Acid (PFHpS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
Perfluoro-octanesulfonic Acid (PFOS)	ng/L	Daily Max	-	5.5 Estimate*	1/0	-	-	-	-	2.7	H(WS)	-	TOGS 1.1.1	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
*Result reported by laboratory with a J-qualifier indicating estimated value.															

Emerging Contaminants: Outfall # 001															
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			Permit Limit	Existing Effluent Quality ⁵	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
Perfluoro-nonanesulfonic Acid (PFNS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
Perfluoro-decanesulfonic Acid (PFDS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
Perfluoro-dodecane-sulfonic Acid (PFDOS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
Perfluoro-octane-sulfonamide (FOSA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
N-methyl Perfluoro-octanesulfon-amidoacetic Acid (NMeFOSAA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
N-ethyl Perfluoro-octanesulfon-amidoacetic Acid (NEtFOSAA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															

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Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁵	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
4:2 Fluorotelomer Sulfonic Acid (FTS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
6:2 Fluorotelomer Sulfonic Acid (FTS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
8:2 Fluorotelomer Sulfonic Acid (FTS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
N-ethyl Perfluoro-octanesulfonamide (NEtFOSA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
N-methyl Perfluoro-octanesulfonamide (NMeFOSA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
N-methyl Perfluoro-octanesulfonamidoethanol (NMeFOSE)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															

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Effluent Parameter	Units	Averaging Period	Existing Discharge Data			TBELs		Water Quality Data & WQBELs						ML	Basis for Permit Requirement
			Permit Limit	Existing Effluent Quality ⁵	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
N-ethyl Perfluoro-octanesulfon-amidoethanol (NetFOSE)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
9-Chlorohexadeca-fluoro-3-oxanonane-1-sulfonic Acid (9Cl-PF3ONS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
Hexafluoro-propylene Oxide Dimer Acid (HFPO-DA or GenX)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
11-Chloroeicosafluoro-3-oxaundecane-1-sulfonic Acid (11Cl-PF3OUdS)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
4,8-Dioxa-3H-perfluorononanoic Acid (ADONA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
3-Perfluoropropyl Propanoic Acid (3:3 FTCA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															

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			Permit Limit	Existing Effluent Quality ⁵	# of Data Points Detects / Non-Detects	Limit	Basis	Ambient Bkgd. Conc.	Projected Instream Conc.	WQ Std. or GV	WQ Type	Calc. WQBEL	Basis		
2H,2H,3H,3H-Perfluoro-octanoic Acid (5:3 FTCA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
3-Perfluoroheptyl Propanoic Acid (7:3 FTCA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
Nonafluoro-3,6-dioxaheptanoic Acid (NFDHA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
Perfluoro-4-methoxy-butanoic Acid (PFMBA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
Perfluoro-3-methoxy-propanoic Acid (PFMPA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															
Perfluoro(2-ethoxyethane)sulfonic Acid (PFEEA)	ng/L	Daily Max	-	ND	0/1	-	-	-	-	-	-	-	-	-	Short-Term Monitoring
Given the limited data currently available, additional PFAS monitoring of the raw water intake and facility effluent is being included in the Schedule of Additional Submittals. The DEC will review the monitoring results and pursuant to 6 NYCRR 750-2.1(i) may notify the permittee of the need for further monitoring to identify potential sources as specified in the Emerging Contaminants Investigation Checklist for Industrial Facilities to determine whether cause exists to modify the permit to incorporate a pollutant minimization program per 6 NYCRR 750-1.14(f). See the Emerging Contaminant Monitoring section for more information.															

Appendix: Regulatory and Technical Basis of Permit Authorizations

The Appendix is meant to supplement the fact sheet for multiple types of SPDES permits. Portions of this Appendix may not be applicable to this specific permit.

Regulatory References

The provisions of the permit are based largely upon 40 CFR 122 subpart C and 6 NYCRR Part 750 and include monitoring, recording, reporting, and compliance requirements, as well as general conditions applicable to all SPDES permits. Below are the most common citations for the requirements included in SPDES permits:

- Clean Water Act (CWA) 33 section USC 1251 to 1387
- Environmental Conservation Law (ECL) Articles 17 and 70
- Federal Regulations
 - 40 CFR, Chapter I, subchapters D, N, and O
- State environmental regulations
 - 6 NYCRR Part 621
 - 6 NYCRR Part 750
 - 6 NYCRR Parts 700 - 704 – Best use and other requirements applicable to water classes
 - 6 NYCRR Parts 800 – 941 - Classification of individual surface waters
- NYSDEC water program policy, referred to as Technical and Operational Guidance Series (TOGS)
- USEPA Office of Water Technical Support Document for Water Quality-based Toxics Control, March 1991, Appendix E

The following is a quick guide to the references used within the fact sheet:

SPDES Permit Requirements	Regulatory Reference
Anti-backsliding	6 NYCRR 750-1.10(c) and 750-1.10(d), CWA sections 402(o), 303(d)(4), ECL 17-0809, 40 CFR 122.44(l)
Best Management Practices (BMPs) for CSOs	6 NYCRR 750-2.8(a)(2)
Environmental Benefits Permit Strategy (EBPS)	6 NYCRR 750-1.18, NYS ECL 17-0817(4), TOGS 1.2.2 (revised January 25, 2012)
Exceptions for Type I SSO Outfalls (bypass)	6 NYCRR 750-2.8(b)(2), 40 CFR 122.41
Mercury Multiple Discharge Variance	Division of Water Program Policy 1.3.10 (DOW 1.3.10)
Mixing Zone and Critical Water Information	TOGS 1.3.1 & Amendments
PCB Minimization Program	40 CFR Part 132 Appendix F Procedure 8, 6 NYCRR 750-1.13(a) and 750-1.14(f), and TOGS 1.2.1
Pollutant Minimization Program (PMP)	6 NYCRR 750-1.13(a), 750-1.14(f), TOGS 1.2.1
Schedules of Compliance	6 NYCRR 750-1.14
Sewage Pollution Right to Know (SPRTK)	NYS ECL 17-0826-a, 6 NYCRR 750-2.7
State Administrative Procedure Act (SAPA)	State Administrative Procedure Act Section 401(2), 6 NYCRR 621.11(l)
State Environmental Quality Review (SEQR)	6 NYCRR Part 617
USEPA Effluent Limitation Guidelines (ELGs)	40 CFR Parts 405-471
USEPA National CSO Policy	33 USC Section 1342(q)
Whole Effluent Toxicity (WET) Testing	TOGS 1.3.2
General Provisions of a SPDES Permit Department Request for Additional Information	NYCRR 750-2.1(i)

Outfall and Receiving Water Information

Impaired Waters

The [NYS 303\(d\) List of Impaired/TMDL Waters](#) identifies waters where specific best usages are not fully supported. The state must consider the development of a Total Maximum Daily Load (TMDL) or other strategy to reduce the input of the specific pollutant(s) that restrict waterbody uses, in order to restore and protect such uses. SPDES permits must include effluent limitations necessary to implement a waste load allocation (WLA) of an EPA-approved TMDL (6 NYCRR 750-1.11(a)(5)(ii)), if applicable. In accordance with 6 NYCRR 750-1.13(a), permittees discharging to waters which are on the list but do not yet have a TMDL developed may be required to perform additional monitoring for the parameters causing the impairment. Accurate monitoring data is needed

to determine the existing capabilities of the wastewater treatment plants and to assure that WLAs are allocated equitably.

Interstate Water Pollution Control Agencies

Some POTWs may be subject to regulations of interstate basin/compact agencies including: Interstate Sanitation Commission (ISC), International Joint Commission (IJC), Delaware River Basin Commission (DRBC), Ohio River Valley Water Sanitation Commission (ORSANCO), and the Susquehanna River Basin Commission (SRBC). Generally, basin commission requirements focus principally on water quality and not treatment technology. However, interstate/compact agency regulations for the ISC, IJC, DRBC and NYC Watershed contain explicit effluent limits which must be addressed during permit drafting. 6 NYCRR 750-2.1(d) requires SPDES permits for discharges that originate within the jurisdiction of an interstate water pollution control agency, to include any applicable effluent standards or water quality standards (WQS) promulgated by that interstate agency.

Existing Effluent Quality

The existing effluent quality is determined from a statistical evaluation of effluent data in accordance with TOGS 1.2.1 and the USEPA Office of Water, Technical Support Document for Water Quality-based Toxics Control, March 1991, Appendix E (TSD). The existing effluent quality is equal to the 95th (monthly average) and 99th (daily maximum) percentiles of the lognormal distribution of existing effluent data. When there are greater than three non-detects, a delta-lognormal distribution is assumed, and delta-lognormal calculations are used to determine the monthly average and daily maximum pollutant concentrations. Statistical calculations are not performed for parameters where there are less than ten data points. If additional data is needed, a monitoring requirement may be specified either through routine monitoring or a short-term high intensity monitoring program. The [Pollutant Summary Table](#) identifies the number of sample data points available.

Permit Requirements

Basis for Effluent Limitations

Sections 101, 301, 304, 308, 401, 402, and 405 of the CWA and Titles 5, 7, and 8 of Article 17 ECL, as well as their implementing federal and state regulations, and related guidance, provide the basis for the effluent limitations and other conditions in the permit.

When conducting a full technical review of an existing permit, the previous effluent limitations form the basis for the next permit. Existing effluent quality is evaluated against the existing effluent limitations to determine if these should be continued, revised, or deleted. Generally, existing limitations are continued unless there are changed conditions at the facility, the facility demonstrates an ability to meet more stringent limitations, or in response to updated regulatory requirements. Pollutant monitoring data is also reviewed to determine the presence of additional contaminants that should be included in the permit based on a reasonable potential analysis to cause or contribute to a water quality standards violation.

Anti-backsliding

Anti-backsliding requirements are specified in the CWA sections 402(o) and 303(d)(4), ECL 17-0809, and regulations at 40 CFR 122.44(l) and 6 NYCRR 750-1.10(c) and (d). Generally, the relaxation of effluent limitations in permits is prohibited unless one of the specified exceptions applies, which will be cited on a case-by-case basis in this fact sheet. Consistent with current case law⁶ and USEPA interpretation⁷ anti-backsliding requirements do not apply should a revision to the final effluent limitation take effect before the scheduled date of compliance for that final effluent limitation.

⁶ American Iron and Steel Institute v. Environmental Protection Agency, 115 F.3d 979, 993 n.6 (D.C. Cir. 1997)

⁷ U.S. EPA, Water Quality Standards; Establishment of Numeric Criteria for Priority Toxic Pollutants for the State of California; 65 Fed. Reg. 31682, 31704 (May 18, 2000); Proposed Water Quality Guidance for the Great Lakes System, 58 Fed. Reg. 20802, 20837 & 20981 (April 16, 1993)

Antidegradation Policy

New York State implements the antidegradation portion of the CWA based upon two documents: (1) Organization and Delegation Memorandum #85-40, "Water Quality Antidegradation Policy" (September 9, 1985); and, (2) TOGS 1.3.9, "Implementation of the NYSDEC Antidegradation Policy – Great Lakes Basin (Supplement to Antidegradation Policy dated September 9, 1985) (undated)." The permit for the facility contains effluent limitations which ensure that the existing best usage of the receiving waters will be maintained. To further support the antidegradation policy, SPDES applications have been reviewed in accordance with the State Environmental Quality Review Act (SEQR) as prescribed by 6 NYCRR Part 617.

Effluent Limitations

In developing a permit, the DEC determines the technology-based effluent limitations (TBELs) and then evaluates the water quality expected to result from technology controls to determine if any exceedances of water quality criteria in the receiving water might result. If there is a reasonable potential for exceedances of water quality criteria to occur, water quality-based effluent limitations (WQBELs) are developed. A WQBEL is designed to ensure that the water quality standards of receiving waters are met. In general, the CWA requires that the effluent limitations for a particular pollutant are the more stringent of either the TBEL or WQBEL.

Water Quality-Based Effluent Limitations (WQBELs)

In addition to the TBELs, permits must include additional or more stringent effluent limitations and conditions, including those necessary to protect water quality. CWA sections 101 and 301(b)(1)(C), 40 CFR 122.44(d)(1), and 6 NYCRR 750-1.11 require that permits include limitations for all pollutants or parameters which are or may be discharged at a level which may cause or contribute to an exceedance of any State water quality standard adopted pursuant to NYS ECL 17-0301. Additionally, 6 NYCRR 701.1 prohibits the discharge of pollutants that will cause impairment of the best usages of the receiving water as specified by the water classifications at the location of discharge and at other locations that may be affected by such discharge. Water quality standards can be found under 6 NYCRR Parts 700-704. The limitations must be stringent enough to ensure that water quality standards are met at the point of discharge and in downstream waters and must be consistent with any applicable WLA which may be in effect through a TMDL for the receiving water. These and other requirements are summarized in TOGS 1.1.1, 1.3.1, 1.3.2, 1.3.5 and 1.3.6. The DEC considers a mixing zone analysis, critical flows, and reasonable potential analysis when developing a WQBEL.

Mixing Zone Analyses

In accordance with TOGS 1.3.1., the DEC may perform additional analysis of the mixing condition between the effluent and the receiving waterbody. Mixing zone analyses using plume dispersion modeling are conducted in accordance with the following:

"EPA Technical Support Document for Water Quality-Based Toxics Control" (March 1991); EPA Region VIII's "Mixing Zones and Dilution Policy" (December 1994); NYSDEC TOGS 1.3.1, "Total Maximum Daily Loads and Water Quality-Based Effluent Limitations" (July 1996); "CORMIX v11.0" (2019).

Critical Flows

In accordance with TOGS 1.2.1 and 1.3.1, WQBELs are developed using dilution ratios that relate the critical low flow condition of the receiving waterbody to the critical effluent flow. The critical low flow condition used in the dilution ratio will be different depending on whether the limitations are for aquatic or human health protection. For chronic aquatic protection, the critical low flow condition of the waterbody is typically represented by the 7Q10 flow and is calculated as the lowest average flow over a 7-day consecutive period within 10 years. For acute aquatic protection, the critical low flow condition is typically represented by the 1Q10 and is calculated as the lowest 1-day flow within 10 years. However, NYSDEC considers using 50% of the 7Q10 to be equivalent to the 1Q10 flow. For the protection of human health, the critical low flow condition is typically represented by the 30Q10 flow and is calculated as the lowest average flow over a 30-day consecutive period within 10 years. However, NYSDEC considers using 1.2 x 7Q10 to be equivalent to the 30Q10. The 7Q10 or 30Q10 flow is used with the critical effluent flow to calculate the dilution ratio. The critical effluent flow can be the maximum daily flow reported on the permit

application, the maximum of the monthly average flows from discharge monitoring reports for the past three years, or the facility design flow. When more than one applicable standard exists for aquatic or human health protection for a specific pollutant, a reasonable potential analysis is conducted for each applicable standard and corresponding critical flow to ensure effluent limitations are sufficiently stringent to ensure all applicable water quality standards are met as required by 40 CFR 122.44(d)(1)(i). For brevity, the pollutant summary table reports the results of the most conservative scenario.

Reasonable Potential Analysis (RPA)

The Reasonable Potential Analysis (RPA) is a statistical estimation process, outlined in the 1991 USEPA Technical Support Document for Water Quality-based Toxics Control (TSD), Appendix E. This process uses existing effluent quality data and statistical variation methodology to project the maximum amounts of pollutants that could be discharged by the facility. This projected instream concentration (PIC) is calculated using the appropriate ratio and compared to the water quality standard (WQS). When the RPA process determines the WQS may be exceeded, a WQBEL is required. The procedure for developing WQBELs includes the following steps:

- 1) identify the pollutants present in the discharge(s) based upon existing data, sampling data collected by the permittee as part of the permit application or a short-term high intensity monitoring program, or data gathered by the DEC;
- 2) identify water quality criteria applicable to these pollutants;
- 3) determine if WQBELs are necessary (i.e. reasonable potential analysis (RPA)). The RPA will utilize the procedure outlined in Chapter 3.3.2 of EPA's Technical Support Document (TSD). As outlined in the TSD, for parameters with limited effluent data the RPA may include multipliers to account for effluent variability; and,
- 4) calculate WQBELs (if necessary). Factors considered in calculating WQBELs include available dilution of effluent in the receiving water, receiving water chemistry, and other pollutant sources.

The DEC uses modeling tools to estimate the expected concentrations of the pollutant in the receiving water and develop WQBELs. These tools were developed in part using the methodology referenced above. If the estimated concentration of the pollutant in the receiving water is expected to exceed the ambient water quality standard or guidance value (i.e. numeric interpretation of a narrative water quality standard), then there is a reasonable potential that the discharge may cause or contribute to an exceedance of any State water quality standard adopted pursuant to NYS ECL 17-0301. If a TMDL is in place, the facility's WLA for that pollutant is applied as the WQBEL.

For carbonaceous and nitrogenous oxygen demanding pollutants, the DEC uses a model which incorporates the Streeter-Phelps equation. The equation relates the decomposition of inorganic and organic materials along with oxygen reaeration rates to compute the downstream dissolved oxygen concentration for comparison to water quality standards.

The Division of Water has been using the TMDL approach in permit limit development for the control of toxic substances. Since the early 1980's, the loading capacity for specific pollutants has been determined for each drainage basin. Water quality-limiting segments and pollutants have been identified, TMDLs, wasteload allocations and load allocations have been developed, and permits with water quality-based effluent limits have been issued. In accordance with TOGS 1.3.1, the Division of Water implements a Toxics Reduction Strategy which is committed to the application of the TMDL process using numeric, pollutant-specific water quality standards through the Watershed Approach. The Watershed Approach accounts for the cumulative effect of multiple discharges of conservative toxic pollutants to ensure water quality standards are met in downstream segments.

Whole Effluent Toxicity (WET) Testing:

WET tests use small vertebrate and invertebrate species to measure the aggregate toxicity of an effluent. There are two different durations of toxicity tests: acute and chronic. Acute toxicity tests measure survival over a 96-hour test exposure period. Chronic toxicity tests measure reductions in survival, growth, and reproduction over a 7-day exposure. TOGS 1.3.1 includes guidance for determining when aquatic toxicity testing should be included in SPDES permits. The authority to require toxicity testing is in 6 NYCRR 702.9. TOGS 1.3.2 describes the procedures which should be followed when determining whether to include toxicity testing in a SPDES permit and how to implement a toxicity testing program. Per TOGS 1.3.2, WET testing may be required when any one of the following seven criteria are applicable:

1. There is the presence of substances in the effluent for which ambient water quality criteria do not exist.
2. There are uncertainties in the development of TMDLs, WLAs, and WQBELs, caused by inadequate ambient and/or discharge data, high natural background concentrations of pollutants, available treatment technology, and other such factors.
3. There is the presence of substances for which WQBELs are below analytical detectability.
4. There is the possibility of complex synergistic or additive effects of chemicals, typically when the number of metals or organic compounds discharged by the permittee equals or exceeds five.
5. There are observed detrimental effects on the receiving water biota.
6. Previous WET testing indicated a problem.
7. POTWs which exceed a discharge of 1 MGD. Facilities of less than 1 MGD may be required to test, e.g., POTWs <1 MGD which are managing industrial pretreatment programs.

Minimum Level of Detection

Pursuant to 40 CFR 122.44(i)(1)(iv) and 6 NYCRR 750-2.5(d), SPDES permits must contain monitoring requirements using sufficiently sensitive test procedures approved under 40 CFR Part 136. A method is "sufficiently sensitive" when the method's minimum level (ML) is at or below the level of the effluent limitation established in the permit for the measured pollutant parameter; or the lowest ML of the analytical methods approved under 40 CFR Part 136. The ML represents the lowest level that can be measured within specified limitations of precision and accuracy during routine laboratory operations on most effluent matrices. When establishing effluent limitations for a specific parameter (based on technology or water quality requirements), it is possible that the calculated limitation will fall below the ML established by the approved analytical method(s). In these instances, the calculated limitation is included in the permit with a compliance level set equal to the ML of the most sensitive method.

Monitoring Requirements

CWA section 308, 40 CFR 122.44(i), 6 NYCRR 750-1.13, and 750-2.5 require that monitoring be included in permits to determine compliance with effluent limitations. Additional effluent monitoring may also be required to gather data to determine if effluent limitations may be required. The permittee is responsible for conducting the monitoring and reporting results on Discharge Monitoring Reports (DMRs). The permit contains the monitoring requirements for the facility. Monitoring frequency is based on the minimum sampling necessary to adequately monitor the facility's performance and characterize the nature of the discharge of the monitored flow or pollutant. Variable effluent flows and pollutant levels may be required to be monitored at more frequent intervals than relatively constant effluent flow and pollutant levels (6 NYCRR 750-1.13). For industrial facilities, sampling frequency is based on guidance provided in TOGS 1.2.1. For municipal facilities, sampling frequency is based on guidance provided in TOGS 1.3.3.

Other Conditions

Mercury

Mercury is widespread in New York State (NYS) waters at levels above the most stringent dissolved mercury water quality standard (WQS) of 0.7 ng/L. SPDES permittees cannot comply with a Water Quality-Based Effluent Limitation (WQBEL) for mercury. Therefore, an MDV is appropriate, in accordance with 6 NYCRR 702.17(h), "to address widespread standard or guidance value attainment issues including the presence of a ubiquitous pollutant or naturally high levels of a pollutant in a watershed."

Permittee: Village of Nyack
Facility: Village of Nyack WTP
SPDES Number: NY0264351
USEPA Non-Major/Class 04 Industrial

Date: July 9, 2026 v.1.40
Permit Writer: Catherine Mackey
Water Quality Reviewer: Catherine Mackey
Full Technical Review

The first MDV was issued in October 2010 and subsequently revised and reissued in 2015, 2020, and 2025. Each iteration of the MDV builds off the previous version supporting the State's effort to reduce mercury pollution and make reasonable progress toward achieving the WQBEL for mercury. This iteration of the MDV refines the content and application of the MDV for mercury.

The MDV does not change the WQS of 0.7 ng/L; it establishes a variance of the WQBEL which is based on the WQS. SPDES permits which include this variance comply with 40 CFR 122.44.

DOW 1.3.10 explains which surface water permittees are eligible for the MDV.

Emerging Contaminants

Emerging Contaminants, such as Perfluorooctanoic acid (PFOA), Perfluorooctanesulfonic acid (PFOS), and 1,4-Dioxane (1,4-D), have been used in a wide variety of consumer and industrial products as well as in manufacturing processes for decades. Based on available research, water quality assessments for 1,4-D will follow existing WQBEL development. PFOA and PFOS do not break down easily; therefore, their presence in wastewater can remain a concern for years following their discontinued use. As the science surrounding these contaminants is still evolving, additional monitoring is needed to better understand potential sources and background levels. For more information on emerging contaminants, please see the DEC Division of Water web page: [Emerging Contaminants In NY's Waters - NYSDEC](#).

Schedule(s) of Additional Submittals

Schedules of Additional Submittals are used to summarize the deliverables required by the permit not identified in a separate Schedule of Compliance.