



Department of  
Environmental  
Conservation

# SPDES Compliance and Enforcement

## SFY 2021/2022 ANNUAL REPORT

OCTOBER 31, 2022

Kathy Hochul, Governor | Basil Seggos, Commissioner



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- This report details activities and accomplishments with corresponding data for the period April 1, 2021, through March 31, 2022 (State Fiscal Year 2021/22 or SFY 2021/22).
- For other recent SPDES Compliance and Enforcement annual reports, visit:[www.dec.ny.gov/chemical/62557.html](http://www.dec.ny.gov/chemical/62557.html)
- Information on other programs in the Division of Water can be found at: [www.dec.ny.gov/chemical/290.html](http://www.dec.ny.gov/chemical/290.html)
- For questions or other information, please email: [dowinfo@dec.ny.gov](mailto:dowinfo@dec.ny.gov)

### Cover photos:

- The cover photos show examples of Green Roofs on Broadway Stages in Brooklyn NY. The project was funded by NYS EFC's GIGP program. Photos are courtesy of NYS EFC.

## Executive Summary

The Division of Water's (DOW's) Bureau of Water Compliance (BWC) is pleased to provide our State Pollution Discharge Elimination System (SPDES) Compliance and Enforcement Annual Report, for State Fiscal Year (SFY) 2021/22 (April 1, 2021, through March 31, 2022). BWC has been producing this annual report for over a decade to inform the public and fulfill notification requirements. Previous versions of the report can be found on the New York State Department of Environmental Conservation's (Department's) website at: <https://www.dec.ny.gov/chemical/62557.html>.

This report summarizes several aspects of DOW's compliance and enforcement program relating to the SPDES program, including inspections, Discharge Monitoring Reporting (DMR), and formal enforcement actions. The report also provides basic background on the relationship of other SPDES programs, such as water quality monitoring and assessment to the compliance and enforcement program.

Reducing the amount of untreated and undertreated wastewater released to New York's waterways continues to be a priority of DOW. This report includes information on the Sewage Pollution Right to Know (SPRTK) Act and continues to serve as DOW's annual update on this program. To learn more about the SPRTK program, please access the Department's SPRTK webpage at: [www.dec.ny.gov/chemical/90315.html](http://www.dec.ny.gov/chemical/90315.html). The SPRTK webpage details data on releases of untreated and undertreated wastewater that local officials must report for their publicly owned treatment works (POTWs) and publicly owned sewer systems (POSS). The webpage also provides information on combined sewer overflow (CSO) releases and oversight activities. For more detail on the CSO program, visit: <https://www.dec.ny.gov/chemical/48595.html>.

Additionally, DOW encourages review of other resources, including facility specific DMR data, on the United States Environmental Protection Agency's Enforcement and Compliance History Online website, available at: <https://echo.epa.gov>. Through electronic reporting requirements, and direct entry of data by DOW, there is a variety of information available on SPDES permitted facilities.

DOW's Water Quality Improvement Project (WQIP) program is once again active for 2022. The WQIP is a competitive, statewide reimbursement grant program, that funds water quality improvement projects and protection of drinking watersources. Funding for WQIP projects comes from the Environmental Protection Fund and the Clean Water Infrastructure Act of 2017. More information on the WQIP program can be found on the Department's website at: <https://www.dec.ny.gov/pubs/4774.html>.

Note that this Annual Compliance Report is also compiled for the purpose of meeting the requirement of §17-0303(j) of the Environmental Conservation Law. This report demonstrates New York's commitment to both monitoring and assuring compliance within the state, and further demonstrates New York's commitment to being highly protective of the Waters of New York State.

## Regulatory Authority

Abundant surface and groundwater resources can be found in New York. Article 17 of the Environmental Conservation Law (ECL) entitled "Water Pollution Control" was enacted to protect and maintain these essential resources. Article 17, Title 8, authorized creation of the State Pollutant Discharge Elimination System (SPDES) program to maintain New York's waters with reasonable standards of purity.

Administered by DEC, the intent of the SPDES program is to eliminate the pollution of New York's waters while maintaining the highest quality of water possible, consistent with:

- Protection of public health and drinking water supplies
- Public enjoyment of the resource
- Protection and propagation of fish and wildlife
- Availability as a resource for industrial and commercial activities

In 1974, New York State's SPDES program was approved by the United States Environmental Protection Agency (USEPA) for the control of surface wastewater and stormwater discharges, consistent with the Clean Water Act (CWA). The SPDES program provides additional protection by regulating point source discharges to groundwater.

Using current water quality standards, SPDES permits establish stringent performance standards, effluent limitations, and operating conditions designed to protect the state's water resources. Regulations specific to the application for a SPDES permit, and proper operation of a SPDES-permitted facility, can be found in New York Codes, Rules, and Regulations (NYCRR) Part 750. The Part 750 regulations detail important requirements for the proper operation of a SPDES-permitted facility, including timely and complete reporting of:

- Operational issues
- Effluent quality and adherence to permit limits
- Discharge of untreated or partially treated wastewater

When conducting inspections at SPDES-permitted facilities, the Part 750 regulations guide inspectors on which processes of operations to focus upon. When occurrences of non-compliance are identified, these are addressed through both informal and formal enforcement action. Refer to the "SPDES Enforcement" section for details of DEC's water enforcement actions, and Appendix E for a full list of actions for SFY 2021/22.

For more serious non-compliance issues, DEC's DOW staff may coordinate enforcement actions with or through the Office of General Counsel (OGC) and/or the Division of Law Enforcement (DLE).



## Water Quality Management

Under Section 303(d) of the federal Clean Water Act, states are required every two years to identify waters within their respective boundaries where current pollution control technologies alone cannot meet established water quality standard for that waterbody. States must submit a list of waters impaired by pollutants, in addition to any that may soon become impaired, to the USEPA for approval.

For waters found on the Section 303(d) list, the state must determine the pollutant(s) that are impairing the waterbody and develop a pollutant reduction plan, or total maximum daily load (TMDL). One recent example of a TMDL is that for the Chesapeake Bay, which identified nutrients and sediment as the primary reasons for impairment of this waterbody.<sup>1</sup>

Placing waterbodies on the 303(d) list enhances opportunities for funding, scientific research, remedial actions, and public and political attention. It also holds identified polluters to account with deadlines for cleanup and restoration and prompts enactment of new laws and regulations.

Figure 1 illustrates the interaction of components for a water management cycle. This cycle is the basis for DOW's implementation of policies, helping to prioritize resources necessary to protect waters of the state.

This cycle consists of five basic activities, each dependent upon one another:

- **Monitoring**

DEC gathers information on the health of the state's waters from various monitoring efforts to examine important characteristics such as pH, dissolved oxygen, temperature, and numerous chemical and biological components in key locations. Additional data is acquired through aquatic organism sampling since the type and concentration of these organisms assist in determining the health of a waterbody. DEC staff generally perform much of the sampling necessary to acquire these data, although citizens, having DEC training and approval, also collect samples and provide data<sup>2</sup>. Collectively, these monitoring data become part of DEC's Waterbody Inventory.

- **Assessment**

A key element of assessment includes assigning a "best use" for a waterbody, such as swimming, fishing, or source of drinking water. Water quality standards establish criteria for defining the maximum level of pollutants allowable for a waterbody to still meet its best-use designation. DEC maintains a Priority Waterbodies List (PWL) of

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<sup>1</sup> New York state is a party to the Chesapeake Bay TMDL, developed with USEPA and other states within the Bay's watershed. For details, go to: <https://www.epa.gov/chesapeake-bay-tmdl>

<sup>2</sup> [www.dec.ny.gov/chemical/81576.html](http://www.dec.ny.gov/chemical/81576.html) and [www.dec.ny.gov/chemical/92229.html](http://www.dec.ny.gov/chemical/92229.html)

the waters that do not meet standards or are unable to support their designated best uses, and a CWA Section 303d list of those non-supporting waters that require the development of a TMDL.

## DEC Water Management Cycle



**Figure 1**

- **Planning and Management**

Waters listed on the PWL have impairments attributable to different sources of pollution, such as operational upsets at sewage treatment plants; urban runoff during storm events; or contaminated stormwater from industrial, farming, or construction activities. DEC uses the PWL to manage water resources and plan staff assignments by developing a water quality management plan. A recent example is the plan that applies to waters flowing into the Chesapeake Bay from one of the tributaries originating in New York state. This plan, in part, seeks to limit the amount of the nutrients phosphorus and nitrogen from entering the Chesapeake Bay. Excessive nutrients encourage undesirable plant growth and reduces oxygen available to aquatic life<sup>3</sup>.

- **Implementation and Permitting**

Monitoring, assessment, and management planning all contribute to implementation of the SPDES permit program. SPDES permits issued for discharges to waters of the state contain performance standards (i.e., numerical limits) that protect water

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<sup>3</sup> Additional information on TMDLs, including plans for specific waterbodies in New York state, can be found at: <http://www.dec.ny.gov/chemical/23835.html>

quality. They also may include schedules of activities that require the permittee to upgrade or install new treatment technology by a specific date to improve performance and achieve permit compliance. In addition, DEC works cooperatively with local governments and organizations to encourage control of non-point sources of pollution, such as runoff from commercial, industrial, or agriculture activities.

- **Compliance and Enforcement**

Compliance assurance and enforcement includes the evaluation of discharge monitoring reports that permittees submit as a condition of their SPDES permit. Facility inspections and other reports, such as monthly operating reports, also determine compliance status. Upon identifying a minor violation of a SPDES permit, DEC may initiate an informal enforcement action by sending a warning letter or a Notice of Violation (NOV) to prompt a return to compliance. When informal actions fail to achieve a return to compliance, or if conditions warrant, formal enforcement action is sought. Formal enforcement actions are a more compelling method to achieve compliance and may include a monetary penalty. These actions include Orders on Consent, Notices of Enforcement Hearing and Complaint, Cease and Desist Directives, Commissioner's Orders, or tickets issued by an Environmental Conservation Officer (ECO).

## **SPDES Program Overview**

The federal Water Pollution Control Act, also known as the Clean Water Act<sup>4</sup> authorized development of the National Pollutant Discharge Elimination System (NPDES) to regulate discharges to surface waters of the United States. The USEPA authorizes New York state's SPDES permit program to regulate discharge activities covered by the federal program, with additional protection for groundwater resources through the SPDES program.

Implementation of the SPDES program occurs through the issuance of wastewater discharge permits, which establish stringent standards and operating conditions designed to protect the state's waters. Currently there are two types of SPDES permits: individual and general.

- An **individual** SPDES permit applies to a single facility, in one location, possessing unique discharge characteristics, among other factors.
- A **general** SPDES permit applies to a category of dischargers with similar operations or pollutants. A general permit requires that each permit issued contains similar effluent limits, operating conditions, and the same or similar monitoring. Facilities qualifying for a general SPDES permit are likely to have less significant impact on the environment when in compliance with permit provisions than a facility issued an individual SPDES permit.

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<sup>4</sup><http://www.epa.gov/laws-regulations/summary-clean-water-act>

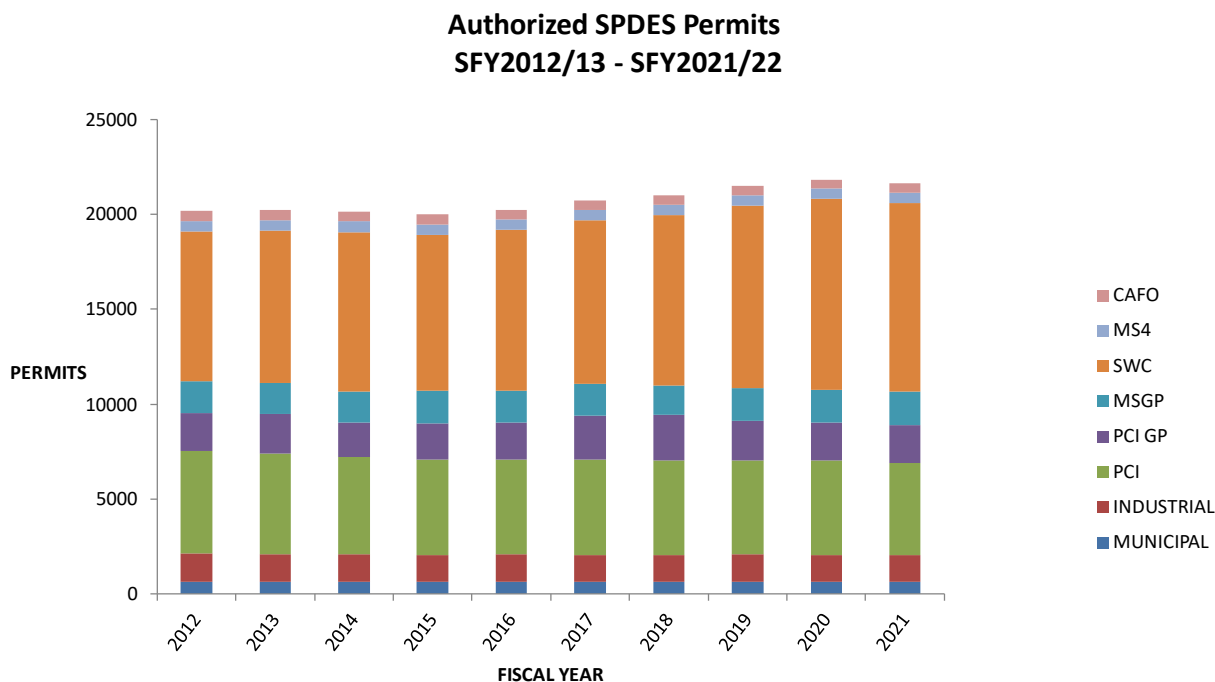


A SPDES permit requires the owner and operator to comply with specific conditions in the operation and reporting of facility performance. For more complex facilities, these typically include limits on physical, chemical and/or biological characteristics of the discharge. Facilities deemed 'significant' must submit discharge monitoring reports (DMRs) for DEC review. The facility may also be required to submit various additional reports for DEC review and approval. For smaller facilities, including those discharging to groundwater, the permit may specify that any required data and information be kept at the facility site for review by DEC during an inspection or submitted annually.

In addition to specific conditions found in the permit document itself, a SPDES permit also references 'general conditions' required by 6 NYCRR Part 750-2. Part 750 details requirements that each SPDES permittee must comply with. Examples include inspection access for DEC staff, records retention, proper operation, and maintenance of equipment, and notifying DEC of permit non-compliance or overflows.

## SPDES Program Permits in Effect

The number of authorized SPDES permits on March 31, 2022, was 22,192. Figure 2 presents the recent history of authorized SPDES permits at the end of each state fiscal year. See Appendix C for more detail of authorized permits.



**Figure 2**

## **SPDES Individual Permits**

DEC authorizes individual SPDES permits for three discharge categories:

- **Municipal**

A municipal discharge includes those from a publicly owned treatment works (POTW), as defined by Section 201 of the CWA. A POTW is classified by USEPA as either major or minor, based on the facility's design flow, population served, or potential for significant water quality impacts.

- In SFY 2021/22, there were 632 SPDES permitted POTWs

- **Industrial**

Industrial discharges are those resulting from industrial, manufacturing, trade or business processes. Industrial treatment facilities are classified as major, minor or non-significant, based on characteristics of the wastewater, complexity of treatment processes, and the facility's design flow.

- In SFY 2021/22, there were 1,398 SPDES permitted industrial facilities

- **Private, Commercial, or Institutional**

Private, commercial, or institutional (PCI) facilities discharge domestic sewage with no addition of an industrial waste flow. PCI discharges generally refer to wastewater from a single facility or building complex under single ownership and may or may not be under public ownership. Examples include restaurants, schools, apartment complexes, mobile home parks, and campgrounds. PCI facilities discharging less than 30,000 gallons per day of treated sanitary waste to groundwater may not require an individual SPDES permit and instead may obtain coverage under the PCI general permit. PCI facilities requiring individual SPDES permits are classified as either significant minor or non-significant based on waste stream flow characteristics.

- In SFY 2021/22, there were 4,959 SPDES permitted PCI facilities

## **SPDES General Permits**

DEC also issues general permits covering the following categories of dischargers:

- **Stormwater Discharges from Construction Activities (SWC)**

The SWC general permit covers stormwater discharges resulting from construction activities involving soil disturbances of one or more acres. The owner/operator must obtain coverage under this general permit prior to beginning construction activity.

- In SFY 2021/22, there were 9,949 sites covered under a SWC permit

- **Multi-Sector General Permit (MSGP)**

The MSGP general permit covers stormwater discharges associated with 31 different categories of industrial activities. Examples of activities designated under this permit include asphalt manufacturing, vehicle dismantling, scrap metal recycling, sand quarries, and sawmills.

- In SFY 2021/22, there were 1,745 sites covered under a MSGP permit.

- **Municipal Separate Storm Sewer System (MS4)**  
The MS4 general permit covers separate storm sewer systems that discharge to surface waters of the state and carry stormwater and runoff from a city, town, village, or other designated entity that is not part of a combined sewage system.
  - In SFY 2021/22, there were 552 sites with a MS4 permit.
- **Concentrated Animal Feeding Operation (CAFO)**  
The CAFO general permit covers discharges that originate from facilities where animals are raised and kept in confined situations and that meet threshold animal population criteria.
  - In SFY 2021/22, sites operating under a CAFO permit totaled 478.
- **Private, Commercial, and Institutional (PCI-GP)**  
The PCI-GP general permit is issued for a discharge to groundwater of 1,000 to 30,000 gallons per day of treated sanitary waste from on-site treatment works serving a PCI facility.
  - In SFY 2021/22, there were 2,002 sites covered under a PCI general permit

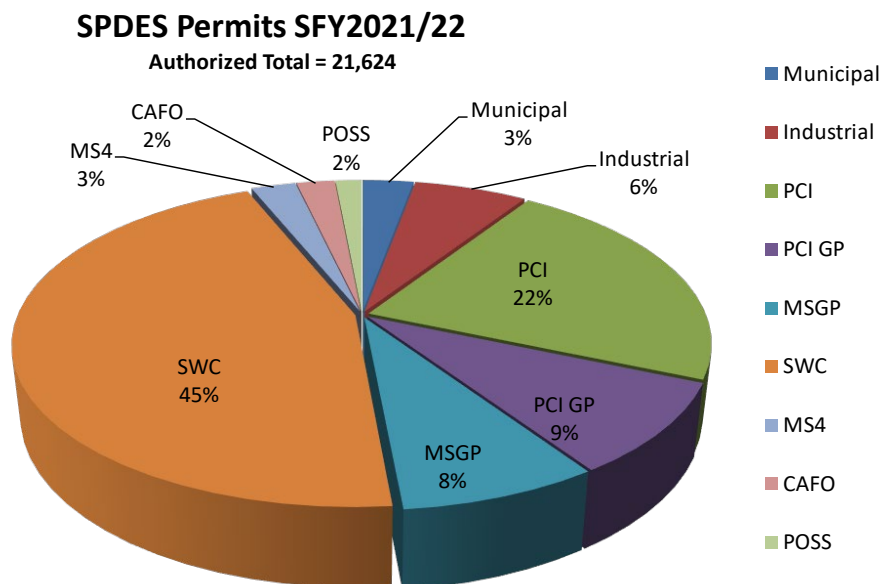
**Other classifications:**

- The USEPA issues the vessel general permit in New York state. This permit regulates incidental discharges from the normal operation of commercial vessels and implements Section 402 of the Clean Water Act.
- In 2019 DEC created a new discharge class to enable registration of publicly owned sewer systems (POSS). Registration of these systems is a requirement of the Sewage Pollution Right-to-Know Act and Part 750-1.22 and necessary for effective public reporting of sewage releases. While POSS are not issued SPDES permits, DEC monitors these systems and provides a summary of activities in the appendices.
- The Department also has a general permit for Aquatic Pesticide Applicators.

For more information regarding the SPDES permitting program, visit <http://www.dec.ny.gov/permits/6054.html>

Figure 3 shows the distribution of authorized permits in effect on March 31, 2022.

**Figure 3**



## SPDES Program Monitoring and Compliance

DEC monitors SPDES-permitted facilities through various activities, including:

- Analyzing periodic discharge monitoring reports (DMR) from permitted facilities<sup>5 6</sup>
- Conducting periodic facility inspections
- Responding to citizen complaints
- Managing the wastewater treatment plant operator certification program
- Analyzing facility specific reports (i.e., monthly operating data, and those required as a condition of the SPDES permit or an Order on Consent)

### Discharge Monitoring Reports (DMRs)

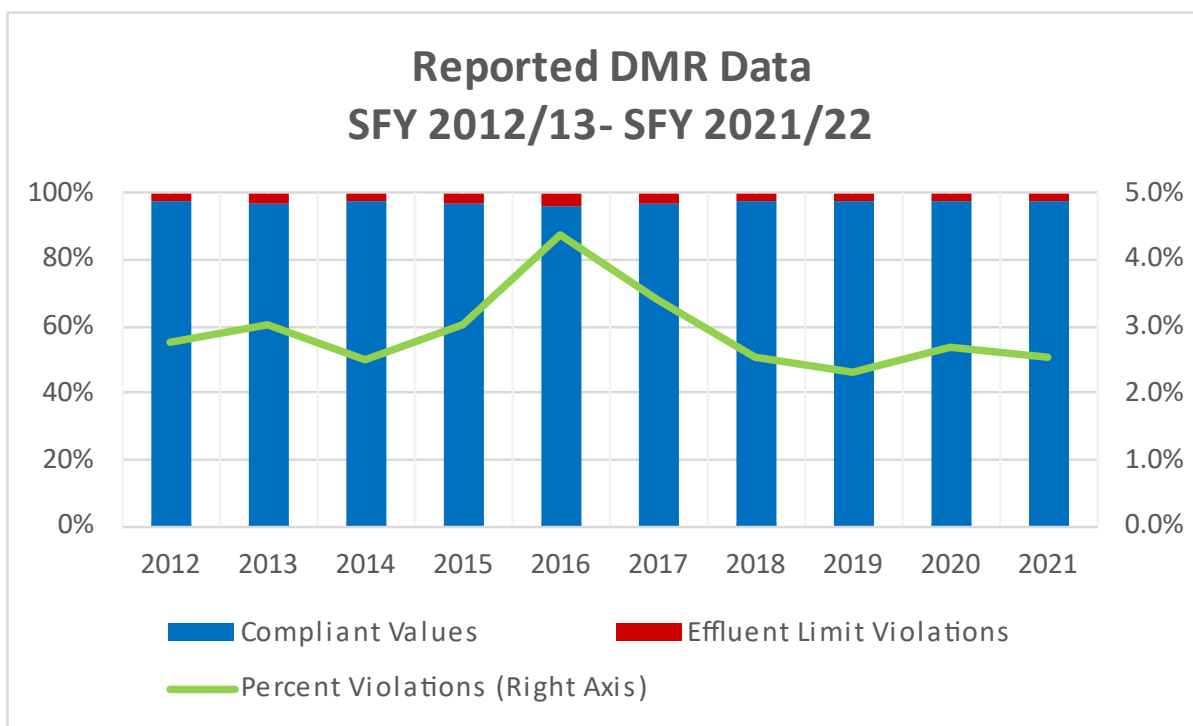
The cornerstone of DEC's oversight program involves receiving DMRs on a recurring basis. SPDES-permitted facilities designated as 'significant' are required to periodically

<sup>5 6</sup> NYCRR Part 750 requires that samples collected at SPDES-permitted facilities and reported to DEC be analyzed at a state-approved laboratory. Visit [www.wadsworth.org/labcert/elap/elap.html](http://www.wadsworth.org/labcert/elap/elap.html) for details on the NYSDOH laboratory program.

<sup>6</sup> Many SPDES-permitted facilities are required to submit periodic effluent quality data reports. Generally, larger, and more complex facilities report monthly, with many others required to report annually. All permittees are to maintain records and monitoring data for periodic DEC review.

submit analytical data that are representative of the discharge from that facility. Each month the Department receives over 1,600 DMRs. For SFY 2021/22 this resulted in more than 520,000 reported data points, which reflects the effluent quality discharged by SPDES permitted entities. As each reported data point could consist of multiple sampling events, the reported data points represent considerably more samples and monitoring instances of discharge. DMR data is also required to be submitted at least semi-annually for most facilities covered under the MSGP program.

Data provided by these DMRs enables the Department to determine the compliance status of a facility by comparing actual effluent sample results to SPDES permit limits. For several years permittees have been required to submit these data electronically, which is stored in the Integrated Compliance Information System (ICIS) that is owned and maintained by USEPA. The Department uses this data system to detect violations, identify trends, and support compliance and enforcement activities.



**Figure 4**

During SFY 2021/22 over 97% of data reported to the Department was compliant with the respective permit limit values. Data from DMR reporting for SPDES-permitted facilities are available to the public through USEPA's ECHO website<sup>7</sup>. Figure 4 presents the DMR-reported, including violations of either a permitted effluent limit or failure to submit a valid and complete DMR.

### Inspections

The Department maintains a field presence through nine regional and five sub-regional offices, with additional support from staff at its Albany headquarters. Each year, the



<sup>7</sup> <https://echo.epa.gov/>

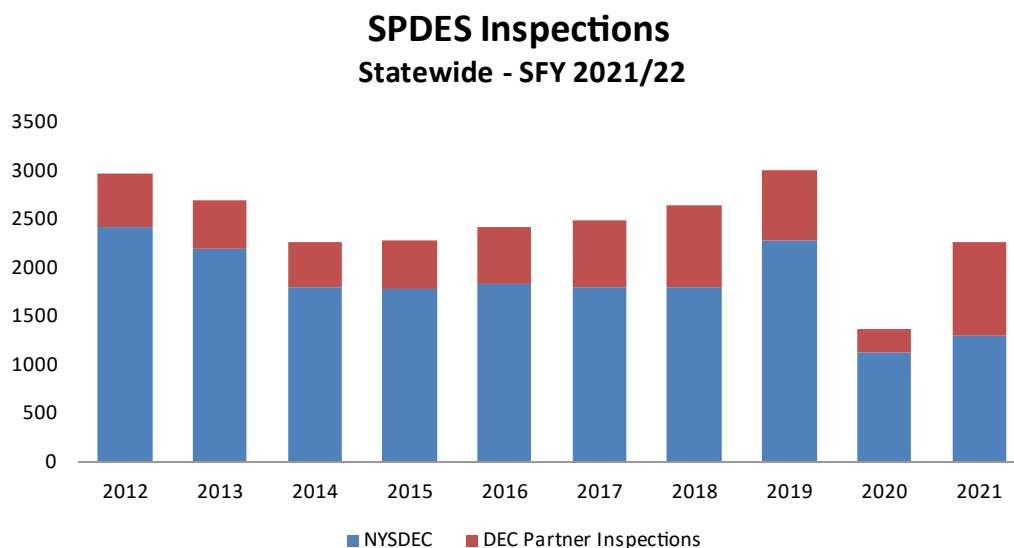
Department consider previous results and implements a SPDES oversight and inspection work plan that reflects current priorities, availability of staff and resources, and goals established with USEPA.

With staff and resource limitations, the Department utilizes a risk-based strategy. This approach targets unpermitted sites and SPDES-permitted facilities deemed to pose an elevated potential threat to the environment or public health. Determining factors include:

- Current or past wastewater treatment system performance
- Adherence to established effluent permit limits, deadlines, and commitments
- Date of last inspection

Given the diversity of SPDES-permitted facilities, managers in regional offices can further refine oversight activities to reflect local factors, such as ecologically sensitive waterbodies or a predominance of certain permitted activities.

Figure 5 presents SPDES permit inspection activities by the Department and its partners since 2011<sup>8</sup>. Refer to Appendices C and D for additional inspection activity details.



**Figure 5**

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<sup>8</sup> DEC partners include county departments of health, soil, and water conservation districts, and previously, the Interstate Environmental Commission (SFY 2012/13 and earlier).

## **Citizen Complaints**

Inquiries and complaints by citizens assist the Department's SPDES compliance efforts. The Department investigates these complaints to determine any impact upon the environment or public health. If staff determine there is a violation, the Department seeks corrective action to minimize negative impacts and, if necessary, pursues enforcement through the Office of General Counsel or Division of Law Enforcement.

## **Wastewater Operator Certification and Training<sup>9</sup>**

Competent and credentialed operators serve as frontline defenders of public health in their own communities. Since 1937, New York State has required certification of municipal wastewater treatment plant operators. Part 650 of Title 6 of NYCRR details requirements of the wastewater operator certification program. Prior to receiving this certificate, an individual must complete the Department-approved training, possess hands-on operational experience at a treatment facility, and pass a certification exam.

Each operator certificate is valid for a five-year period. During this period the operator must complete the Department-approved training that is necessary to renew the certificate. Training events typically focus on safety, operation & maintenance of mechanical equipment, and optimizing the treatment process. Over 2,600 individuals currently possess the Department-issued certificates to serve as wastewater treatment plant operators in New York state.

## **SFY 2021/22 Wastewater Operator Certification Program Summary**

| <b>Activity</b>                                               | <b>Number</b> |
|---------------------------------------------------------------|---------------|
| Applications approved to take the operator certification exam | 315           |
| Operators passing the certification exam                      | 189           |
| Operators failing one or more certification exams             | 222           |
| Applications approved for renewal of an operator certificate  | 286           |
| Certificates suspended or revoked                             | 0             |

**Figure 6**

During SFY 2021/22, 315 operators applied for certification, up from 260 from the prior year. Renewals however dropped from 346 to 286. A positive trend noted for a second consecutive year was the rise in the overall exam passing rate. One reason for this may be due to the Department involving members of the operator Governance Council to select exam questions rather than continued use of a standardized exam.

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<sup>9</sup> Beginning September 1, 2011, DEC transferred administration of operator certification and certificate renewal applications to the New York Water Environment Association (NYWEA). NYWEA now processes all applications while DEC approves qualifications. DEC continues to review all applications for training events utilized by certified operators to Part 650 renewal requirements.

This change will ensure operators are tested on instructional material presented during the required pre-certification training.

Exacerbating the national workforce trends in New York are the considerable numbers of POTWs of all size completing or continuing process upgrades. The POTW rating system the Department utilizes assigns points for each treatment process, unit, or permit requirement. With recent upgrades, numerous POTWs score higher, requiring a corresponding increase in the minimum level of certification for both the chief and assistant operator.

Separately, operators seeking to renew their existing certification rose. With impacts from COVID-19 still evolving, the Department expects web-based training to continue providing a valuable option in the absence of in-person events.

For more information on the core competencies required of a wastewater treatment operator, visit the Association of Boards of Certification website at: [www.abccert.org/testing\\_services/need\\_to\\_know\\_criteria.asp](http://www.abccert.org/testing_services/need_to_know_criteria.asp)

More information on the operator certification program is available at:

- NYWEA – Wastewater Treatment Plant Operator Certification Program
  - <https://www.nywea.org/sitepages/operator-certification/information/default.aspx>
- NYSDEC – Wastewater Treatment Plant Operation
  - [www.dec.ny.gov/chemical/8464.html](http://www.dec.ny.gov/chemical/8464.html)

## **SPDES Program Enforcement**

Upon discovery of a SPDES or water quality violation, the primary goals of DEC are to end the violation, restore compliance, and achieve measures to prevent recurrence of conditions that led to the violation. While the Department can pursue criminal and/or civil action, depending upon the violation, most formal enforcement actions taken are civil, primarily through use of a negotiated Order on Consent.

Using a graduated approach in most situations, the Department staff will first use informal strategies to restore compliance. These strategies include issuing a notice of violation (NOV), holding a compliance conference with permitted facility representatives, or requesting specific actions be taken to cease the non-compliance. Should informal actions by the Department prove unsuccessful, or if there is a public health threat or risk of environmental damage, formal enforcement is available to satisfactorily resolve the violation and restore compliance.

Various formal enforcement options are available to the Department. The most common options are the Order on Consent and environmental conservation officer (ECO) issued tickets. An Order on Consent is a legally binding document issued by the Department and agreed to by the SPDES permit holder, or responsible party if the discharge is unpermitted. The Department routinely uses Orders on Consent to restore compliance and enhance future compliance. An ECO-issued ticket may require payment of a penalty by the legally responsible party and may

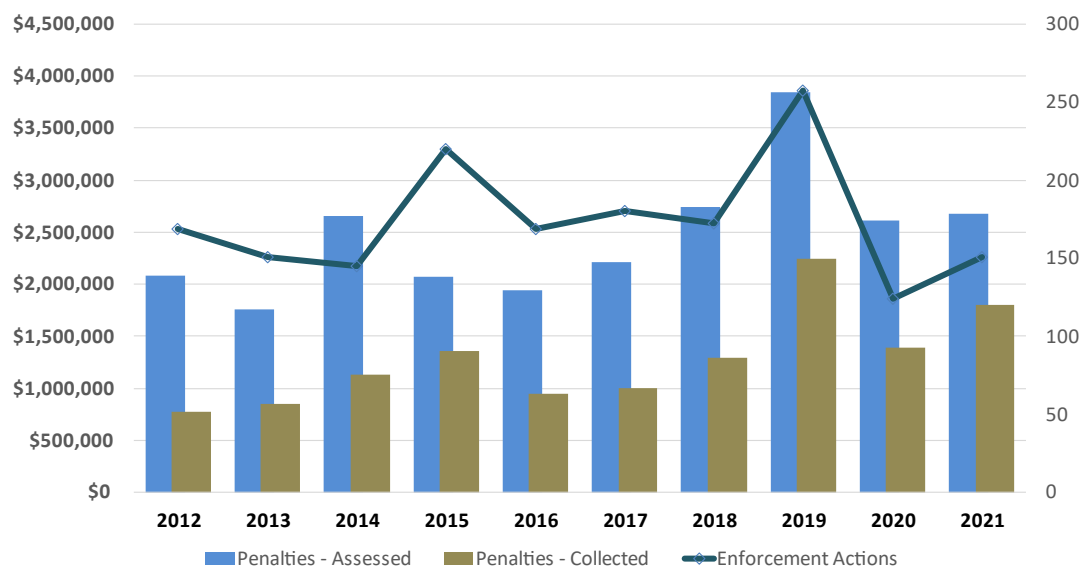
impose remedial actions.

Common requirements of an Order on Consent include:

- Payable penalty and suspended and/or stipulated penalties
- Compliance schedule for corrective action
- Progress reporting and/or meetings
- Environmental Benefit Project (EBP)<sup>10</sup>

Figure 7 presents a 10-year summary of formal enforcement actions (ECO tickets, Orders on Consent, and Consent Decrees), along with assessed and collected penalty amounts. Corresponding data is found in Appendix C, and a full list of SPDES-related formal enforcement actions for SFY 2021/22 is found in Appendix E.<sup>11</sup>

### ***Enforcement Actions SFY 2021/22***



**Figure 7**

<sup>10</sup> An EBP is an action that a respondent agrees to undertake in partial settlement of a wider enforcement action. Generally, an EBP must improve, restore, protect, and/or reduce risks to public health and/or the environment. For the Department policy regarding an EBP, visit [www.dec.ny.gov/regulations/64596.html](http://www.dec.ny.gov/regulations/64596.html)

<sup>11</sup> The lack of penalty shown in the table in Appendix E may reflect a simple order modification. The lack of a penalty also may mean that the enforcement action was ascribed to several facilities (even of a different discharge class) but only assigned to one facility.



## **Shared Oversight of the SPDES Program The Department's Relationship with USEPA**

In 1975, the Department was authorized by USEPA to manage water pollution control requirements of the 1972 CWA in New York state. A primary component of this authorization is implementation of the SPDES program, New York's equivalent to the federal NPDES program. While comparable, the Department's regulations provide additional protection for groundwater resources.

Today, USEPA and the Department continue their cooperative relationship by establishing priority watershed activities, implementing annually revised work plans, and seeking community-based solutions. An important part of this relationship is the 1987 USEPA/ NYSDEC Enforcement Agreement. This agreement outlines the Department's responsibilities to maintain compliance of facilities permitted under the SPDES program. The Department's responsibilities include:

- Monitoring permit compliance
- Identifying facilities meeting significant non-compliance (SNC) criteria
- Identifying facilities requiring enforcement action to restore compliance
- Timely and appropriate enforcement in response to SNC and priority violations
- Maintaining and sharing compliance data and information with USEPA

This agreement also establishes procedures for USEPA oversight and review of the Department's SPDES program, primarily through the state review framework process<sup>12 13</sup>. The SNC program, a key element of DEC's oversight activities, requires quarterly meetings with USEPA where causes of significant non-compliance at major-class SPDES permitted facilities are discussed and actions to restore compliance are identified. Persistent violation of a SPDES permit requires an enforcement action that assesses a financial penalty and/or the installation of new or replacement equipment or treatment systems.

A primary feature of the enforcement agreement is for USEPA and the Department to collectively seek to restore compliance at major-class facilities. Those identified as minor-class facilities or operating under a general permit are overseen primarily by DEC, with USEPA available to initiate action after consultation with the Department.

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<sup>12</sup> Although New York has an authorized program, USEPA reserves authority for oversight and enforcement actions under the CWA. Separately, USEPA has retained and not delegated both the pretreatment and biosolids programs in New York.

<sup>13</sup> The State Review Framework (SRF) assesses USEPA and state enforcement of the CWA, the Clean Air Act (CAA), and Resource Conservation and Recovery Act (RCRA). Designed by USEPA and the Environmental Council of the States, USEPA works in partnership with each state to create a periodic SRF report. SRF reports allow USEPA to identify recommendations for improvement to ensure fair and consistent enforcement and compliance programs across the nation.

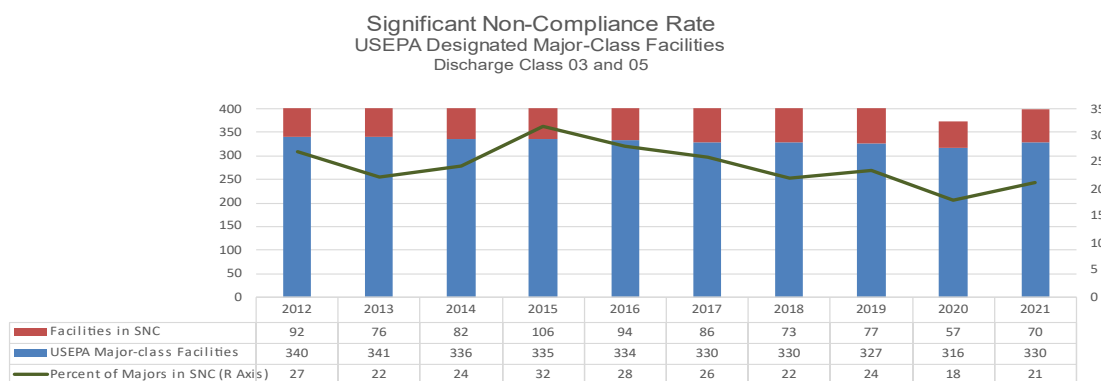
With priority given to major-class dischargers, USEPA and the Department apply criteria to identify those facilities with SNC violations. Examples of SNC violations include:

- DMR data exceeding a USEPA-defined threshold
- A facility's failure to provide a specific document or report required as a condition of a legally binding discharge permit, Order on Consent, or other enforcement action
- Completion of a major upgrade or meeting final effluent limits past an established deadline
- A discharge that threatens public health or the environment

Facilities meeting these criteria become the focus of quarterly meetings where the Department provides details on the cause, frequency, and severity of violations. The Department is then responsible to seek a return to compliance or, if violations continue, to pursue enforcement. Common enforcement actions include issuing a NOV or executing an Order on Consent with the Department.

The rate of SNC represents those USEPA designated and major-class permittees that met the SNC criteria *at least once* during a given period. For SFY 2021/22, the SNC rate for these 316 major-class facilities in New York State was 21% (see Figure 10). The facilities on this list change from quarter to quarter, as some return to compliance while others join the list.

### Rate of Significant Non-Compliance (SNC) for major-class SPDES permittees



**Figure 10**

### USEPA/DEC Work Sharing Agreement for Clean Water Act Inspections and Enforcement

To facilitate compliance monitoring across core programs of the Clean Water Act, USEPA and DEC annually develop an inspection work plan to identify USEPA inspections in New York State that address program priorities while recognizing available resources. The goal of this plan is to maximize the environmental benefit of the USEPA inspection program at facilities identified by USEPA and the Department as high priority.

For this plan, the Department provides information that is necessary for USEPA to prioritize and select facilities to inspect. Depending on the Department's requests and national priorities, USEPA will conduct inspections at facilities where they may or may not have program primacy. This plan also establishes protocol for the coordination of each inspection and any ensuing compliance and/or enforcement actions and identifies which agency will assume a lead role should an enforcement action be necessary.

Under this work planning approach, the Department can provide input into inspections for programs that USEPA administers, such as pretreatment and biosolids, while sharing resources to enable USEPA to focus on areas that the Department may devote fewer inspection resources to. This teamwork approach allows for an exchange of experience and institutional knowledge, while ensuring a consistent approach to an inspection regardless of which agency is participating or providing a leadership role.

### **USEPA National Compliance Initiative (NCI) for Significant Noncompliance (SNC)**

In addition to the Department's standard interaction with USEPA and the Shared Inspection Workplan, the Department has been participating in the USEPA NCI for SNC since 2017. Under this program, USEPA established a nationwide goal to achieve a 50 percent reduction in SNC rates over a five-year period. The initiative targeted a combination of data cleanup, early warning efforts to facilities anticipated to trigger SNC, and additional outreach to Minors facilities.

The Department started this program in 2017 with an SNC rate of 14.8%, well below the national average of 20.3%. Although the period extends beyond the normal end of this report, it constitutes a recent update measuring status to meet the program goal. As of Fall 2022, the Department had achieved a 45% reduction in our SNC rate to 7.8% and has remained below the national average of 10.1%.

# **Appendix A**

## **Definition of Terms**

**Agricultural Environment Management (AEM) certified planner** – A professional who provides services to CAFO-regulated farms in New York State, including development of a comprehensive nutrient management plan (CNMP).

**Animal Feeding Operation (AFO)** – A lot or facility (other than an aquatic animal production facility) where the following conditions exist:

- Animals (other than aquatic animals) have been, are, or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period.
- Crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility.

AFOs are agricultural operations where animals are kept and raised in a confined situation. In this space the animals may feed, generate manure and urine, and produce eggs, milk, or other desirable outputs. Feed is brought to the animals rather than the animals grazing or otherwise seeking feed in pastures, fields, or on rangeland.

**Annual Compliance Report** – Applicable to CAFO permitted sites, this report captures general information, type and number of confined animals, manure and wastewater production and transfer data, and other details relevant to the environmental management of the site.

**Annual Certification Report** – Applicable to MSGP permitted sites, this report is the primary mechanism for reporting compliance with permit conditions to the Department. Details the form captures include SWPPP implementation status and completion of compliance or benchmark monitoring.

**Best Management Practices (BMP)** – BMP consist of various technical or managerial strategies that intend to address a specific problem or guide an activity while being efficient and cost effective.

**CAFO Permit** – A SPDES permit that covers all applicable CAFOs statewide with generic requirements for wastewater discharges, including surface water and groundwater. A CNMP, required for all CAFO permitted sites, details site-specific requirements for each CAFO and becomes an enforceable condition of this permit.

**Clean Water Act (CWA)** – The primary federal law governing water pollution control. Passed in 1972, this act relies upon the Federal Water Pollution Control Act amendments of 1972 for much of its authority.

**Combined Sewer Overflow (CSO)** – A discharge of untreated wastewater from a combined sewer system at a point before the headworks of a publicly owned treatment works (POTW). CSOs generally occur during wet weather (rainfall or snowmelt) and combine a mixture of stormwater runoff and untreated sewage.



**Compliance Schedule** – A schedule of remedial measures included in a permit or legally enforceable action, with a sequence of interim requirements (e.g., actions, operations, or milestone events) leading to compliance with the CWA and regulations.

**Comprehensive Nutrient Management Plan (CNMP)** – A conservation plan, unique to animal feeding operations, designed to evaluate all aspects of farm production and offer conservation practices that help achieve production and natural resource conservation goals. The New York State Soil and Water Conservation Committee, with guidance from other partner agencies, established a comprehensive certification process to ensure certified planners from both the public and private sectors are available and qualified to meet the high standards for CNMP development and implementation.

**Concentrated Animal Feeding Operation (CAFO)** – An animal feeding operation (AFO) further defined as a large or medium CAFO meeting either one of the following conditions:

- Pollutants are discharged into waters of the United States through a human-made ditch, flushing system, or another similar human-made device.
- Pollutants originating outside of and passing over, across, or through the facility or that otherwise come into direct contact with the animals confined in the operation are discharged directly into waters of the United States.

**Construction Stormwater Permit** – Stormwater Discharges from Construction Activity General Permit (GP-0-10-001), issued pursuant to Article 17, Title 7, 8 and Article 70 of the Environmental Conservation Law, authorizes stormwater discharges from eligible construction activities under the terms and conditions of the permit.

**Demonstration Approach** – One of two (2) permissible strategies for CSO communities to consider when evaluating CSO control options. Under this approach, the CSO community would develop and implement a long-term control plan that meets applicable water quality standards.

**Discharge Monitoring Report (DMR)** – A self-monitoring report that permitted facilities submit to NYSDEC, typically monthly, which detail facility effluent data. The SPDES permit details which data are to be reported, specifying sample location, frequency, and collection method.

**Drainage Basin** – The land area from which all precipitation runs off into streams, rivers, lakes, and reservoirs.

**ECHO** – Enforcement and Compliance History Online. ECHO is the USEPA-owned website that provides details of the compliance and enforcement history of facilities permitted under the Clean Water Act.

**ECL** – Environmental Conservation Law. The body of law that established NYSDEC and authorizes its programs, often abbreviated as ECL. The full text of New York's ECL is found on the New York State Legislative Information System.

**ECO** – Environmental Conservation Officer. ECOs are members of the NYSDEC Division of Law Enforcement and enforce New York State's Environmental Conservation Law.

**Enforcement Action** – Specific to this report, an enforcement action includes those voluntary and legally enforceable documents that bind DEC and another person or legal entity (i.e., respondent) to resolve alleged violations of laws or regulations administered by DEC. Enforcement actions detailed in this report includes both Orders on Consent and Uniform Tickets, as defined in this appendix. An enforcement action may be executed by DEC or a designated partner.

**Environmental Benefit Project (EBP)** - A project that an administrative respondent or judicial defendant ("respondent") agrees to undertake as part of the settlement of an enforcement matter. NYSDEC may suspend the obligation to pay a portion of a penalty where a respondent agrees to undertake an EBP. Generally, an EBP must improve, restore, protect, or reduce risks to public health or the environment beyond that achieved by a respondent's full compliance with applicable laws and regulations. Examples of EBPs include those that do the following:

- Conserve, improve, and/or protect the state's natural resources and environment
- Prevent, control, or reduce water, land, and air pollution
- Enhance the health, safety, and welfare of the people of the state
- Enhance the overall economic and social well-being of the people of the state
- Achieve significantly early compliance with environmental laws and regulations or go significantly beyond minimum compliance in performance commitments
- Promote compliance with environmental requirements by providing practical and effective education to the public, regulated persons, stakeholders, and others as to the improvement, restoration, protection, or reduction of risks to public health, the environment, or natural resources

**Gray Infrastructure** – Most commonly refers to conventional infrastructure: pipes, tanks, sewage collection systems, and drinking water systems. While not always grey in color, these infrastructure assets typically provide underlying support to a modern and economically developed society.

**Green Infrastructure** – Represents an approach to wet weather management that is cost effective, sustainable, and environmentally friendly. This approach commonly involves the use of permeable pavement, rain barrels, or "green" roofs. Often these devices intend to divert stormwater runoff from a sanitary sewer, where it can cause an overflow and result in a public health or environmental situation.

**Infiltration** – Refers to seepage of groundwater into a sewer system, including service connections. Seepage frequently occurs through defective or cracked pipes, pipe joints, or manhole walls.

**Infiltration and Inflow (“I & I”)** – this is the total quantity of water from both infiltration and inflow.

**Inflow** – This water enters a sewer system from roof leaders, foundation drains, storm sewers, leaky manhole covers, and numerous other sources.

**Industrial Discharge Permit** – This permit applies to facilities that conduct industrial activities but are not municipal or private, commercial, and institutional (PCI) class facilities.

**Large CAFO** – An AFO that stables or confines as many as or more than the numbers of animals specified in any of the following categories:

- 700 mature dairy cows, whether milked or dry
- 1,000 veal calves
- 1,000 cattle, other than mature dairy cows or veal calves. Cattle include, but are not limited to, heifers, steers, bulls, and cow/calf pairs
- 2,500 swine, each weighing 55 pounds or more
- 10,000 swine, each weighing less than 55 pounds
- 500 horses
- 10,000 sheep or lambs
- 55,000 turkeys
- 30,000 laying hens or broilers, if the AFO uses a liquid manure handling system
- 125,000 chickens (other than laying hens), if the AFO uses other than a liquid manure handling system
- 82,000 laying hens, if the AFO uses other than a liquid manure handling system
- 30,000 ducks, if the AFO uses other than a liquid manure handling system
- 5,000 ducks, if the AFO uses a liquid manure handling system

**Long Term Control Plan (LTCP)** – A LTCP is a phased approach for control of combined sewer overflows that requires the permittee to develop and submit an approvable plan that will ultimately result in compliance with New York state water quality standards and Clean Water Act requirements.

**Major Industrial Facility** – An industrial facility with a discharge that is relatively large in volume, has “toxicity potential” as defined by the *USEPA NPDES Permit Writers’ Manual* and meets certain rating criteria developed by USEPA, in conjunction with NYSDEC.

**Major Municipal Facility** – A publicly owned treatment facility that treats wastewater flows of 1.0 million gallons per day (MGD) or greater and has an USEPA or state-approved industrial pre-treatment program. This may also include publicly owned

treatment facilities with a design flow of 0.5 to 1.0 million gallons per day that USEPA or NYSDEC designate as being a major-class facility.

**Medium CAFO** – An AFO that stables or confines animals falling within any of the following ranges:

- 200 to 699 mature dairy cows, whether milked or dry
- 300 to 999 veal calves
- 300 to 999 cattle, other than mature dairy cows or veal calves. Cattle include, but are not limited to, heifers, steers, bulls, and cow/calf pairs
- 750 to 2,499 swine, each weighing 55 pounds or more
- 3,000 to 9,999 swine, each weighing less than 55 pounds
- 150 to 499 horses
- 3,000 to 9,999 sheep or lambs
- 16,500 to 54,999 turkeys
- 9,000 to 29,999 laying hens or broilers, if the AFO uses a liquid manure handling system
- 37,500 to 124,999 chickens (other than laying hens), if the AFO uses other than a liquid manure handling system
- 25,000 to 81,999 laying hens, if the AFO uses other than a liquid manure handling system
- 10,000 to 29,999 ducks, if the AFO uses other than a liquid manure handling system
- 1,500 to 4,999 ducks, if the AFO uses a liquid manure handling system

**Minor Industrial Facility** – An industrial facility that is neither a major industrial facility nor a non-significant facility.

**Minor Municipal Facility** – A POTW that is neither a major municipal facility nor a non-significant facility.

**MS4 Permit** – This general permit, issued pursuant to Article 17, Title 7, 8 and Article 70 of the Environmental Conservation Law, authorizes operators of an MS4 in New York State to discharge to waters of the United States in accordance with the conditions and requirements set forth in the permit.

**Multi-Sector General Permit (MSGP)** – This permit covers facilities with stormwater discharges to waters of the state from a point source that conducts industrial activities within 40 CFR Part 122.26(b)(14)(i) through (ix) and (xi), as well as other miscellaneous industrial activities designated by NYSDEC on an individual basis.

**Municipal Discharge Permit** – This permit applies to publicly owned wastewater treatment plants discharging municipal sewage. Municipal sewage is wastewater composed of residential sewage, with or without the admixture of industrial wastewater.

**Municipal Separate Storm Sewer System (MS4)** – A conveyance, or system that is:

- Owned or operated by a state, county, or other public body created by state law, having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes
- Designed or used for collecting or conveying stormwater
- Not a combined sewer
- Not part of a publicly owned treatment works

**National Pollutant Discharge Elimination System (NPDES)** – The federal Clean Water Act authorized development of NPDES to regulate all discharges to surface waters of the United States (NPDES does not cover discharges to ground water). Under New York State Environmental Conservation Law, NYSDEC administers the state's program for meeting the requirements of NPDES (see "SPDES" below).

**Non-Significant Facility** – A facility that NYSDEC determines poses a minimal water quality risk and possesses a SPDES permit that does not contain limitations for the discharge of priority pollutants or other toxic constituents.

**Notice of Violation (NOV)** – A written notification of non-compliance from NYSDEC. This should be the minimum department response to all significant noncompliance (SNC) and is often the last informal enforcement activity prior to commencement of formal enforcement.

**Order on Consent** – A legally binding agreement negotiated by NYSDEC and a SPDES permittee, which addresses specific violations and includes provisions for a payable penalty. An Order on Consent may also include suspended and/or stipulated penalties, interim effluent limitations, and a compliance schedule for corrective action.

**Presumption Approach** – One of two (2) permissible strategies for CSO communities to consider when evaluating CSO control options. Under this approach, certain performance criteria (i.e., 4-6 untreated overflow events or 85 percent by volume capture) would be presumed to provide an adequate level of control to attain water quality standards.

**Priority Pollutants** – Chemical pollutants that USEPA regulates and for which it has published analytical test methods.

**Private, Commercial, and Institutional (PCI) Permit** – This class of permit regulates the discharge of wastewater from a facility meeting the criteria of a PCI facility.

**Publicly Owned Sewer System (POSS)** – A municipal sewage collection system owned by one or more municipalities. Generally, this includes interceptors, force mains, and pump stations, while excluding lateral piping that serves to connect the wider system to an individual residence, or commercial or industrial properties.

**Publicly Owned Treatment Works (POTW)** – A municipal wastewater treatment facility owned by a state or municipality.

**Sanitary Sewer Overflow (SSO)** – The occasional, unintentional discharge of raw sewage from municipal sanitary sewers. These discharges can occur at sewage pump stations or manholes, or in home basements.

**Secondary Treatment** – The technology-based requirement for direct discharging by a POTW. Secondary treatment consists of a combination of physical and biological processes typical for the treatment of pollutants in sewage.

**Sewage Pollution Right to Know Act** – This is a New York state law that went into effect May 1, 2013. This law requires the reporting of untreated or partially treated sewage discharges, also known as bypasses, from publicly owned treatment works (POTWs). The law imposes new reporting requirements for publicly owned sewer systems (POSSs) and combined sewer overflows (CSOs). The first phase of the SPRTKA provides a system for collecting reports of these discharges. The second phase, currently under development, will provide regulations to require POTWs and POSSs to directly notify the public of discharges of untreated or partially treated sewage.

**Short-form Order on Consent** – This is a formal enforcement document that is similar to the longer version of an order on consent. A short-form order on consent is appropriate in cases of non-compliance when:

- Remedial action is not necessary or complete
- Only minor compliance activity is required
- It is approved by NYSDEC's regional attorney and relevant program supervisors
- The assessed penalty amount is \$10,000 or less

**Significant Non-Compliance (SNC)** – The compliance status of a significant-class facility that has at least one unresolved, significant, non-compliance occurrence during the report period. Examples of such an occurrence include submitting a permit or compliance schedule milestone after the deadline, failure to submit a discharge monitoring report, or effluent discharge violations that exceed the threshold outlined in the NYSDEC/USEPA enforcement agreement.

**State Pollutant Discharge Elimination System (SPDES)** – The state program that administers the federally delegated program (see “NPDES” above) for the regulation of wastewater discharges to surface waters. In addition, state law regulates discharges to groundwater, which are not part of the federal delegation. The minimum threshold for a SPDES permit for groundwater discharges is 1,000 gallons per day for sanitary wastewater, while discharges including any industrial wastewater have no minimum threshold. The New York State Department of Health regulates discharges of less than 1,000 gallons per day, consisting of only sanitary wastewater.

**Stormwater Construction (SWC) Permit** – This permit covers all applicable stormwater discharges relating to eligible construction activities.

**Stormwater Pollution Prevention Plan (SWPPP)** – This document, based on sound engineering practices, details erosion and sediment controls during construction and post-construction stormwater control practices.

**Total Maximum Daily Load (TMDL)** – A calculation of the maximum amount of a pollutant or multiple pollutants that a waterbody can receive and still meet water quality standards.

**Total Suspended Solids (TSS)** – Listed as a conventional pollutant in the Clean Water Act of 1972, TSS is a measurement of solids that are visible and/or in suspension of a water sample. SPDES permits extensively require this analysis as an effective means to measure the quality of water discharged.

**Uniform Ticket (UT-50)** – A ticket issued by an ECO that initiates formal judicial proceedings of a civil, rather than criminal, nature. Conversely, ECO NOVs are administrative tickets issued and resolved by ECOs with assistance from DOW staff.

**Unpermitted Discharge** – A discharge not authorized by, or in violation of, a SPDES permit.

**Vegetated Treatment Area (VTA)** – A component of an agricultural waste management system consisting of a strip or area of herbaceous vegetation for the treatment of contaminated

**Water Quality Based Effluent Limit (WQBEL)** – This value is determined by selecting the most stringent of the effluent limits calculated using all applicable water quality criteria (e.g., aquatic life, human health, and wildlife) for a specific point source to a specific receiving water for a given pollutant

**Wet Weather Operating Plan** – A document used by wastewater collection and/or treatment staff to provide guidance on operational changes to make during wet weather conditions. These changes allow for the highest degree of treatment when flows exceed design standards.



## **Appendix B**

### **Sewage Pollution Right to Know Summary Report**



**N.Y.S. PERMITTED DISCHARGE POINT**  
**(wet weather discharge)**  
**SPDES PERMIT No.: NY \_\_\_\_\_**

**OUTFALL No. : \_\_\_\_\_**

For information about this permitted discharge contact:

Permittee Name: \_\_\_\_\_

Permittee Contact: \_\_\_\_\_

Permittee Phone: (    ) - ### - ####

OR:

NYSDEC Division of Water Regional Office Address : \_\_\_\_\_

NYSDEC Division of Water Regional Phone: (    ) - ### - ####

# Sewage Pollution Right to Know

## SFY 2020/21 Annual Summary

### Bureau of Water Compliance

## Appendix B

Examples of the signs required by 6 NYCRR Part 750-1.12 for permitted wastewater

## **Introduction**

The Sewage Pollution Right to Know (SPRTK) Act requires the reporting of sewage releases from Publicly Owned Treatment Works (POTWs) and Publicly Owned Sewer Systems (POSSs). The SPRTK Act enhances the reporting requirements of sewage discharges from those found in 6 NYCRR Part 750. Since November 2016, when fully implemented, SPRTK requires discharges to be reported immediately, but no later than two hours after discovery of a discharge. The POTW or POSS must then notify both the Department and the state or local Department of Health (DOH) office with the following information:

- Volume of discharge
- Discovery date and time of discharge
- Expected duration of discharge
- Location of discharge
- Reason for the discharge
- Steps taken to contain discharge

The Department requires that the New York Alert (NY-Alert) system be used for SPRTK notification reports. All reports, upon submittal, are sent to the Department and DOH staff. Others can receive these reports by updating their NY-Alert account personal preferences. SPRTK reports are available at <https://alert.ny.gov/> for approximately 18 months after notification. Historical sewage discharge data is at: <https://www.dec.ny.gov/chemical/101187.html>

The SPRTK Act also requires the Department to publish an annual summary of the reports submitted by the municipalities. This report summarizes the information on reports submitted from April 1, 2021 through March 31, 2022 (state fiscal year 2021/22, or SFY2021/22).

## **Status Update**

At the end of SFY 2021/22, 955 facilities, with over 1300 notifiers, have registered with DEC to use the NY-Alert system. Included in this count are 631 POTWs and 324 POSSs. This brings the total registered facilities to 99% of POTWs and 87% of all potential POSSs identified by the Department. The Department continues to work to ensure that all POTWs and POSSs become registered to use NY-Alert and have sufficient notifiers to meet SPRTK requirements.

## **Future Work**

The Department continues to work to automate and improve the process of storing the NY-Alert notifications in the Department's database. Once the database is available, a web-based search engine will be created for the public to access the alerts using certain criteria. As updates and fixes are applied to NY-Alert, the Department will inform notifiers and the public about the changes and upgrades.

## **Summary of NY-Alert Reports**

This summary is based on the reports received by the Department through NY-Alert. Data provided in these reports are the best estimates at the time the notifiers for the municipality created the alerts. Additionally, the Department

requires daily updates and termination notifications for non-CSO (Combined Sewer Overflows) discharges which creates multiple records for a single event. Reports that did not meet the statutory requirement to report, i.e., those determined to be privately owned systems or SPDES permit effluent limit violations, were removed from this report.

While SPRTK requires a report of the volume discharged, it is important to note that this volume is often estimated as overflows do not always occur at a location with flow monitoring. An event may not be discovered immediately which will require an estimate of when the event started and ended and for the flow at the time of the event. Variations in rainfall amounts and intensity for each rain event impact the volume of discharge, particularly at CSOs and for some sanitary sewer overflows (SSOs) caused by infiltration and inflow to a system or loss of power to a pump station during a significant storm. With many discharge points lacking flow monitoring, it is difficult to establish exact overflow volumes or compare discharge data, volume, or number of events, from year to year due to variations in precipitation.

During 2021/22, the Department received almost 7,000 NY-Alert overflow reports. This reflects both initial reports for each sewage discharge and any updates to these events. With the capabilities of the NY-Alert system, there have been extra reports submitted as many CSO dischargers enter alerts in anticipation of storm event discharges. Many of these anticipated discharge notifications may not result in a discharge. A closer review of these reports reveals that there were about 2622 unique overflow events, originating from 152 different POTWs. Approximately 2604 of the discharges had the potential to, or did, reach a waterbody. The Department will continue to work with POTWs and POSSs for proper reporting, to reduce overflow events, and to examine circumstances of overflow events.

The estimated volume of discharge from SFY 2021/22 is 9 billion gallons outside of New York City (NYC). This volume estimate summarizes the 96% of reports that included: a volume (estimated or actual), data to calculate the volume from the duration and the rate of discharge; or included the volume from the final report of a multi-day discharge. The remaining 4% of reports either entered zero for the volume/rate, entered the end time of the discharge incorrectly causing a negative volume, or had other errors with the data and were not included in the calculation. Data entry issues were reviewed, and corrections were made to the data when discrepancies were noted. The Department has instructed notifiers to provide the best estimate of volume that can be provided when reporting in the required two-hour timeframe. Notifiers are not required to enter in actual volumes or often may not be able to accurately establish this volume so the estimated volume discharged may be over or under reported.

For CSO communities, calculating an actual volume per event is difficult since most outfalls are not metered. While some municipalities do utilize metering of some or all overflows, most communities use site-specific methodologies to estimate overflow events and volumes that best work for their system. Some communities do have CSO computer models for their systems. However, these are not run at the time of each wet weather event to estimate the quantity of CSO volume, as this is costly and time-consuming. Instead, overflow events are verified in real-time by visual inspection, then modeled overflow volumes are provided in the community's CSO Best Management Practices (BMP) Annual Report. For more information on the CSO program, visit: [www.dec.ny.gov/chemical/48595.html](http://www.dec.ny.gov/chemical/48595.html)

The State's largest CSO community, New York City (NYC), discharged approximately 26.4 billion gallons. This NYC-specific data was obtained from the New York City Department of Environmental Protection (NYCDEP) CSO model, as detailed in their 2021 CSO BMP Annual Report. That report estimated 21 days where CSO discharges were actually occurring in NYC. NYCDEP staff provide preemptive notifications, approximately 125 each year, in anticipation of a potential discharge based on forecasted wet weather events and refer the reader to a NYC Waterbody Advisory page for more information.

As noted for CSO events, it is also difficult to estimate the volume of an SSO discharge from, for example, an overflowing manhole or a broken pipe. Considering the possibility of undiscovered discharges and known errors in reporting, it is likely that the estimated volume from NY-Alert reporting is somewhat lower than the actual discharge volume that enters the state's waters.

The primary cause of untreated sewage discharges across the state remains rain, and snow melt during winter months. Rainfall and the ensuing runoff often result in infiltration and inflow (I&I) to the sanitary sewer lines. High levels of I&I increase the flow to collection systems and treatment plants which cannot always transport or treat all the water coming in, leading to manhole surcharges and treatment plant bypasses. These types of overflow events are preventable and correctable by removing stormwater, roof, and sump drains, separating combined sewers, sealing defective manholes, and replacing or rehabilitating broken sewer pipes.

### **Public Notification for CSOs to the Great Lakes**

SPRTK and NY-Alert are also the primary method for New York State permittees to comply with the USEPA's Great Lakes Basin Combined Sewer Overflow Public Notification Rule. New York State's Great Lakes municipalities have been reporting their CSO and SSO discharges through NY-Alert since 2015 to meet public and health department notification requirements under this EPA rule. In addition, Great Lakes CSO permittees in New York are required by their SPDES permit to have outfall signage, submit a CSO annual report, and have a public participation plan.

## **Appendix C**

### **SPDES Oversight Data**

## Appendix C: SPDES Oversight Data

| Unpermitted                | 2012      | 2013      | 2014      | 2015      | 2016      | 2017      | 2018      | 2019      | 2020      | 2021      |
|----------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Enforcement Actions        | 35        | 17        | 16        | 30        | 28        | 38        | 34        | 24        | 20        | 20        |
| Enf. Penalties - Assessed  | \$329,050 | \$145,040 | \$124,100 | \$180,187 | \$633,900 | \$461,875 | \$914,347 | \$409,080 | \$208,811 | \$250,544 |
| Enf. Penalties - Collected | \$115,050 | \$85,040  | \$71,350  | \$125,187 | \$239,950 | \$319,175 | \$418,442 | \$246,096 | \$100,091 | \$157,669 |
| EBP Amount                 | \$0       | \$250,000 | \$55,000  | \$22,000  | \$242,250 | \$350,000 | \$120,228 | \$0       | \$0       | \$0       |

| 01 Individual - Industrial Significant Minor | 2012      | 2013      | 2014      | 2015      | 2016      | 2017      | 2018      | 2019      | 2020      | 2021      |
|----------------------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Permitted Facilities                         | 586       | 580       | 573       | 571       | 567       | 560       | 555       | 560       | 554       | 552       |
| Facilities Inspected                         | 232       | 248       | 264       | 227       | 251       | 288       | 232       | 197       | 123       | 151       |
| Unsatisfactory                               | 17        | 5         | 12        | 9         | 16        | 22        | 30        | 22        | 8         | 13        |
| Marginal                                     | 52        | 29        | 29        | 21        | 18        | 35        | 44        | 32        | 17        | 22        |
| Satisfactory                                 | 323       | 238       | 259       | 238       | 246       | 265       | 199       | 177       | 97        | 126       |
| Not Rated                                    | 24        | 10        | 9         | 5         | 0         | 14        | 4         | 4         | 5         | 5         |
| Total Inspections                            | 416       | 282       | 309       | 273       | 280       | 336       | 277       | 235       | 127       | 166       |
| No. in SNC for Year                          | 105       | 120       | 127       | 157       | 142       | 140       | 93        | 93        | 87        | 113       |
| DEC Enforcement Actions                      | 11        | 13        | 8         | 20        | 15        | 18        | 21        | 12        | 7         | 9         |
| Enf. Penalties - Assessed                    | \$127,750 | \$124,350 | \$104,250 | \$405,603 | \$101,137 | \$285,750 | \$240,835 | \$273,287 | \$106,846 | \$225,310 |
| Enf. Penalties - Collected                   | \$72,750  | \$69,625  | \$28,250  | \$306,569 | \$75,353  | \$122,350 | \$137,640 | \$97,675  | \$63,145  | \$120,244 |
| EBP Amount                                   | \$0       | \$0       | \$0       | \$0       | \$0       | \$60,000  | \$9,000   | \$0       | \$0       | \$0       |

| 02 Individual - PCI Non-Significant Minor | 2012     | 2013     | 2014     | 2015     | 2016      | 2017      | 2018      | 2019      | 2020     | 2021      |
|-------------------------------------------|----------|----------|----------|----------|-----------|-----------|-----------|-----------|----------|-----------|
| Permitted Facilities                      | 5105     | 5008     | 4846     | 4708     | 4700      | 4701      | 4691      | 4653      | 4651     | 4654      |
| Facilities Inspected                      | 109      | 154      | 67       | 81       | 80        | 72        | 50        | 54        | 33       | 70        |
| Unsatisfactory                            | 43       | 36       | 12       | 11       | 17        | 28        | 10        | 22        | 17       | 12        |
| Marginal                                  | 29       | 38       | 18       | 29       | 26        | 24        | 16        | 8         | 3        | 14        |
| Satisfactory                              | 74       | 93       | 48       | 49       | 41        | 31        | 23        | 29        | 19       | 47        |
| Not Rated                                 | 5        | 3        | 2        | 5        | 5         | 7         | 9         | 7         | 2        | 11        |
| Total Inspections                         | 151      | 170      | 80       | 94       | 89        | 90        | 58        | 66        | 41       | 84        |
| DEC Enforcement Actions                   | 7        | 7        | 3        | 9        | 3         | 24        | 16        | 10        | 2        | 8         |
| Enf. Penalties - Assessed                 | \$76,875 | \$54,113 | \$96,000 | \$72,550 | \$102,175 | \$210,830 | \$286,475 | \$325,190 | \$78,017 | \$354,973 |
| Enf. Penalties - Collected                | \$15,575 | \$13,863 | \$22,000 | \$22,050 | \$22,625  | \$89,930  | \$58,500  | \$273,190 | \$16,003 | \$68,160  |
| EBP Amount                                | \$0      | \$0      | \$0      | \$0      | \$0       | \$0       | \$0       | \$0       | \$0      | \$0       |

| 03 Individual - Industrial USEPA Major | 2012     | 2013     | 2014      | 2015      | 2016      | 2017     | 2018    | 2019      | 2020      | 2021 |
|----------------------------------------|----------|----------|-----------|-----------|-----------|----------|---------|-----------|-----------|------|
| Permitted Facilities                   | 110      | 109      | 107       | 106       | 105       | 104      | 103     | 100       | 102       | 104  |
| Facilities Inspected                   | 69       | 76       | 85        | 68        | 74        | 72       | 55      | 58        | 45        | 53   |
| Unsatisfactory                         | 1        | 4        | 5         | 1         | 2         | 3        | 8       | 1         | 0         | 4    |
| Marginal                               | 13       | 6        | 6         | 2         | 12        | 3        | 5       | 8         | 3         | 3    |
| Satisfactory                           | 163      | 88       | 97        | 88        | 84        | 83       | 74      | 72        | 44        | 49   |
| Not Rated                              | 9        | 3        | 3         | 1         | 3         | 5        | 1       | 3         | 0         | 1    |
| Total Inspections                      | 186      | 101      | 111       | 92        | 101       | 94       | 88      | 84        | 47        | 57   |
| No. in SNC for Year                    | 14       | 20       | 14        | 22        | 18        | 18       | 18      | 16        | 12        | 12   |
| DEC Enforcement Actions                | 5        | 2        | 4         | 4         | 5         | 2        | 8       | 6         | 3         | 0    |
| Enf. Penalties - Assessed              | \$35,625 | \$76,000 | \$121,000 | \$186,321 | \$127,125 | \$57,000 | \$5,420 | \$426,480 | \$402,900 | \$0  |
| Enf. Penalties - Collected             | \$31,125 | \$66,000 | \$106,000 | \$107,237 | \$110,625 | \$26,000 | \$5,420 | \$211,780 | \$165,000 | \$0  |
| EBP Amount                             | \$0      | \$0      | \$25,000  | \$60,000  | \$0       | \$0      | \$0     | \$0       | \$0       | \$0  |

| 04 Individual - Industrial Non-Significant Minor | 2012 | 2013    | 2014     | 2015     | 2016     | 2017     | 2018      | 2019      | 2020      | 2021 |
|--------------------------------------------------|------|---------|----------|----------|----------|----------|-----------|-----------|-----------|------|
| Permitted Facilities                             | 800  | 782     | 771      | 746      | 772      | 752      | 755       | 776       | 775       | 742  |
| Facilities Inspected                             | 80   | 150     | 70       | 60       | 69       | 79       | 130       | 110       | 81        | 49   |
| Unsatisfactory                                   | 12   | 19      | 11       | 24       | 20       | 30       | 77        | 68        | 56        | 16   |
| Marginal                                         | 13   | 28      | 11       | 8        | 11       | 7        | 12        | 11        | 10        | 6    |
| Satisfactory                                     | 59   | 49      | 37       | 28       | 34       | 21       | 22        | 23        | 14        | 19   |
| Not Rated                                        | 38   | 66      | 19       | 4        | 6        | 27       | 25        | 16        | 2         | 6    |
| Total Inspections                                | 122  | 162     | 78       | 64       | 71       | 85       | 136       | 118       | 82        | 47   |
| DEC Enforcement Actions                          | 0    | 1       | 3        | 7        | 1        | 4        | 16        | 11        | 7         | 0    |
| Enf. Penalties - Assessed                        | \$0  | \$4,000 | \$12,250 | \$38,700 | \$22,080 | \$14,500 | \$180,000 | \$202,800 | \$122,295 | \$0  |
| Enf. Penalties - Collected                       | \$0  | \$2,000 | \$12,250 | \$22,450 | \$10,000 | \$14,500 | \$71,250  | \$98,750  | \$62,517  | \$0  |
| EBP Amount                                       | \$0  | \$0     | \$0      | \$0      | \$0      | \$0      | \$0       | \$0       | \$0       | \$0  |

## Appendix C: SPDES Oversight Data

| 05 Individual - Municipal USEPA Major | 2012      | 2013      | 2014        | 2015      | 2016      | 2017      | 2018      | 2019      | 2020      | 2021        |
|---------------------------------------|-----------|-----------|-------------|-----------|-----------|-----------|-----------|-----------|-----------|-------------|
| Permitted Facilities                  | 230       | 232       | 229         | 229       | 229       | 226       | 227       | 227       | 214       | 226         |
| Facilities Inspected                  | 190       | 205       | 198         | 205       | 206       | 181       | 180       | 173       | 171       | 168         |
| Unsatisfactory                        | 15        | 18        | 27          | 24        | 24        | 25        | 23        | 19        | 12        | 25          |
| Marginal                              | 51        | 50        | 50          | 57        | 52        | 73        | 133       | 57        | 31        | 38          |
| Satisfactory                          | 313       | 279       | 268         | 255       | 238       | 213       | 206       | 191       | 165       | 210         |
| Not Rated                             | 110       | 68        | 39          | 48        | 77        | 33        | 55        | 21        | 6         | 6           |
| Total Inspections                     | 489       | 415       | 384         | 384       | 391       | 344       | 417       | 288       | 214       | 279         |
| No. in SNC for Year                   | 78        | 56        | 68          | 84        | 76        | 68        | 55        | 61        | 45        | 58          |
| DEC Enforcement Actions               | 21        | 11        | 19          | 24        | 18        | 17        | 5         | 22        | 20        | 13          |
| Enf. Penalties - Assessed             | \$846,350 | \$290,900 | \$1,796,420 | \$478,469 | \$437,460 | \$658,860 | \$294,250 | \$620,219 | \$706,730 | \$1,080,000 |
| Enf. Penalties - Collected            | \$235,600 | \$183,800 | \$643,600   | \$383,395 | \$253,000 | \$194,280 | \$128,350 | \$250,890 | \$307,630 | \$960,000   |
| EBP Amount                            | \$304,000 | \$41,000  | \$72,500    | \$459,000 | \$800,000 | \$35,000  | \$0       | \$34,500  | \$227,000 | \$0         |

| 07 Individual - Municipal Significant Minor | 2012      | 2013      | 2014     | 2015      | 2016      | 2017      | 2018     | 2019      | 2020      | 2021      |
|---------------------------------------------|-----------|-----------|----------|-----------|-----------|-----------|----------|-----------|-----------|-----------|
| Permitted Facilities                        | 408       | 406       | 407      | 409       | 404       | 407       | 406      | 408       | 417       | 406       |
| Facilities Inspected                        | 259       | 331       | 299      | 302       | 307       | 288       | 282      | 289       | 219       | 269       |
| Unsatisfactory                              | 26        | 23        | 28       | 34        | 36        | 40        | 35       | 36        | 20        | 37        |
| Marginal                                    | 98        | 95        | 109      | 79        | 59        | 57        | 96       | 91        | 21        | 91        |
| Satisfactory                                | 253       | 299       | 268      | 271       | 294       | 291       | 275      | 256       | 183       | 265       |
| Not Rated                                   | 12        | 16        | 3        | 5         | 5         | 7         | 8        | 6         | 2         | 6         |
| Total Inspections                           | 389       | 433       | 408      | 389       | 394       | 395       | 414      | 389       | 226       | 399       |
| No. in SNC for Year                         | 86        | 96        | 93       | 126       | 95        | 106       | 77       | 68        | 74        | 96        |
| DEC Enforcement Actions                     | 23        | 14        | 12       | 12        | 7         | 1         | 12       | 14        | 11        | 8         |
| Enf. Penalties - Assessed                   | \$268,800 | \$156,750 | \$42,950 | \$100,650 | \$145,680 | \$144,150 | \$88,256 | \$156,100 | \$259,989 | \$120,680 |
| Enf. Penalties - Collected                  | \$84,115  | \$41,150  | \$11,750 | \$31,000  | \$31,300  | \$26,750  | \$43,256 | \$43,700  | \$87,115  | \$16,155  |
| EBP Amount                                  | \$28,000  | \$0       | \$0      | \$0       | \$0       | \$10,000  | \$0      | \$0       | \$2,920   | \$0       |

| 09 Individual - PCI Significant Minor | 2012     | 2013      | 2014     | 2015      | 2016     | 2017     | 2018     | 2019      | 2020     | 2021     |
|---------------------------------------|----------|-----------|----------|-----------|----------|----------|----------|-----------|----------|----------|
| Permitted Facilities                  | 282      | 286       | 288      | 300       | 305      | 307      | 312      | 319       | 322      | 305      |
| Facilities Inspected                  | 209      | 217       | 213      | 161       | 212      | 217      | 212      | 217       | 73       | 215      |
| Unsatisfactory                        | 83       | 7         | 12       | 88        | 56       | 60       | 79       | 129       | 4        | 212      |
| Marginal                              | 157      | 248       | 218      | 217       | 178      | 257      | 329      | 312       | 10       | 280      |
| Satisfactory                          | 233      | 186       | 195      | 270       | 166      | 230      | 308      | 213       | 43       | 328      |
| Not Rated                             | 9        | 6         | 4        | 0         | 138      | 70       | 32       | 6         | 221      | 9        |
| Total Inspections                     | 482      | 447       | 429      | 575       | 538      | 617      | 748      | 660       | 278      | 829      |
| No. in SNC for Year                   | 92       | 97        | 97       | 123       | 72       | 73       | 67       | 65        | 77       | 84       |
| DEC Enforcement Actions               | 4        | 4         | 7        | 17        | 14       | 7        | 10       | 11        | 3        | 14       |
| Partner Enforcement Actions           | 0        | 6         | 17       | 12        | 25       | 9        | 7        | 12        | 3        | 0        |
| Enforcement Actions                   | 4        | 10        | 24       | 29        | 39       | 16       | 17       | 23        | 6        | 14       |
| Enf. Penalties - Assessed             | \$11,800 | \$277,750 | \$19,000 | \$108,750 | \$76,550 | \$62,250 | \$50,750 | \$137,095 | \$30,766 | \$35,160 |
| Enf. Penalties - Collected            | \$11,800 | \$71,750  | \$18,000 | \$70,750  | \$64,550 | \$33,750 | \$30,750 | \$113,095 | \$12,516 | \$9,160  |
| EBP Amount                            | \$0      | \$0       | \$0      | \$0       | \$0      | \$0      | \$0      | \$0       | \$0      | \$0      |

| 11 General - Construction Stormwater | 2012      | 2013      | 2014      | 2015      | 2016     | 2017     | 2018      | 2019      | 2020      | 2021     |
|--------------------------------------|-----------|-----------|-----------|-----------|----------|----------|-----------|-----------|-----------|----------|
| No. of Permits Authorized            | 7911      | 8007      | 8393      | 8207      | 8467     | 8601     | 8969      | 9605      | 10044     | 9949     |
| Sites Inspected                      | 248       | 219       | 167       | 141       | 165      | 186      | 155       | 153       | 147       | 120      |
| Unsatisfactory                       | 54        | 40        | 55        | 42        | 36       | 50       | 67        | 39        | 29        | 41       |
| Marginal                             | 180       | 133       | 69        | 61        | 67       | 55       | 43        | 60        | 43        | 41       |
| Satisfactory                         | 135       | 172       | 105       | 107       | 116      | 139      | 100       | 101       | 110       | 73       |
| Not Rated                            | 13        | 23        | 13        | 11        | 19       | 20       | 27        | 16        | 12        | 9        |
| Total Inspections                    | 382       | 368       | 242       | 221       | 238      | 264      | 237       | 216       | 194       | 164      |
| DEC Enforcement Actions              | 16        | 15        | 9         | 7         | 6        | 4        | 13        | 13        | 9         | 3        |
| Enf. Penalties - Assessed            | \$191,700 | \$199,000 | \$148,000 | \$106,200 | \$74,700 | \$84,000 | \$211,650 | \$590,840 | \$417,650 | \$35,800 |
| Enf. Penalties - Collected           | \$105,400 | \$140,000 | \$89,000  | \$80,000  | \$37,700 | \$46,000 | \$183,530 | \$444,900 | \$408,300 | \$32,000 |
| EBP Amount                           | \$0       | \$0       | \$0       | \$0       | \$0      | \$0      | \$0       | \$0       | \$50,000  | \$0      |



# Appendix C: SPDES Oversight Data

| 12 General - Industrial Stormwater | 2012      | 2013      | 2014     | 2015     | 2016      | 2017     | 2018     | 2019      | 2020      | 2021      |
|------------------------------------|-----------|-----------|----------|----------|-----------|----------|----------|-----------|-----------|-----------|
| No. of Permits Authorized          | 1647      | 1613      | 1657     | 1690     | 1695      | 1694     | 1542     | 1712      | 1742      | 1745      |
| Sites Inspected                    | 67        | 33        | 50       | 43       | 47        | 36       | 41       | 38        | 21        | 17        |
| Unsatisfactory                     | 30        | 10        | 9        | 13       | 13        | 19       | 13       | 11        | 2         | 2         |
| Marginal                           | 28        | 10        | 9        | 10       | 13        | 8        | 15       | 10        | 7         | 7         |
| Satisfactory                       | 35        | 10        | 29       | 20       | 22        | 11       | 16       | 15        | 15        | 8         |
| Not Rated                          | 4         | 3         | 4        | 0        | 3         | 1        | 5        | 6         | 0         | 1         |
| Total Inspections                  | 97        | 33        | 51       | 43       | 51        | 39       | 49       | 42        | 24        | 19        |
| DEC Enforcement Actions            | 38        | 43        | 39       | 26       | 31        | 29       | 9        | 88        | 25        | 53        |
| Enf. Penalties - Assessed          | \$118,250 | \$200,750 | \$70,575 | \$92,450 | \$103,223 | \$44,500 | \$87,750 | \$314,303 | \$111,020 | \$194,903 |
| Enf. Penalties - Collected         | \$66,750  | \$117,750 | \$65,575 | \$86,250 | \$63,350  | \$44,500 | \$54,500 | \$277,414 | \$72,520  | \$164,894 |
| EBP Amount                         | \$0       | \$0       | \$0      | \$0      | \$0       | \$0      | \$0      | \$0       | \$0       | \$0       |

| 14 General - CWACAFO Large | 2012     | 2013    | 2014     | 2015     | 2016     | 2017     | 2018      | 2019    | 2020 | 2021 |
|----------------------------|----------|---------|----------|----------|----------|----------|-----------|---------|------|------|
| No. of Permits Authorized  | 151      | 161     | 170      | 179      | 192      | 5        | 5         | 0       |      |      |
| No. Inspected              | 46       | 42      | 46       | 43       | 61       | 43       | 6         | 1       |      |      |
| Unsatisfactory             | 6        | 2       | 2        | 3        | 8        | 7        | 1         | 1       |      |      |
| Marginal                   | 14       | 8       | 11       | 16       | 16       | 7        | 3         | 0       |      |      |
| Satisfactory               | 27       | 32      | 30       | 24       | 37       | 29       | 3         | 0       |      |      |
| Not Rated                  | 8        | 4       | 9        | 4        | 10       | 9        | 1         | 0       |      |      |
| Total Inspections          | 55       | 46      | 52       | 47       | 71       | 52       | 8         | 1       |      |      |
| DEC Enforcement Actions    | 2        | 3       | 3        | 4        | 3        | 7        | 7         | 3       |      |      |
| Enf. Penalties - Assessed  | \$25,250 | \$6,000 | \$64,000 | \$20,000 | \$31,200 | \$41,000 | \$122,785 | \$6,000 |      |      |
| Enf. Penalties - Collected | \$17,000 | \$1,750 | \$44,000 | \$9,000  | \$12,800 | \$14,000 | \$41,180  | \$6,000 |      |      |
| EBP Amount                 | \$0      |         | \$0      | \$0      | \$0      | \$0      | \$0       | \$0     |      |      |

| 15 General - CWA CAFO Medium | 2012    | 2013      | 2014     | 2015     | 2016     | 2017     | 2018     | 2019     | 2020 | 2021 |
|------------------------------|---------|-----------|----------|----------|----------|----------|----------|----------|------|------|
| No. of Permits Authorized    | 109     | 81        | 74       | 72       | 56       | 17       | 16       | 0        |      |      |
| No. Inspected                | 43      | 22        | 23       | 29       | 44       | 35       | 8        | 9        |      |      |
| Unsatisfactory               | 3       | 2         | 5        | 2        | 8        | 1        | 8        | 2        |      |      |
| Marginal                     | 13      | 6         | 3        | 14       | 4        | 5        | 1        | 3        |      |      |
| Satisfactory                 | 30      | 14        | 11       | 15       | 31       | 28       | 0        | 3        |      |      |
| Not Rated                    | 2       | 2         | 6        | 1        | 5        | 1        | 2        | 1        |      |      |
| Total Inspections            | 48      | 24        | 25       | 32       | 48       | 35       | 11       | 9        |      |      |
| DEC Enforcement Actions      | 1       | 8         | 2        | 12       | 3        | 6        | 5        | 9        |      |      |
| Enf. Penalties - Assessed    | \$3,000 | \$106,200 | \$23,625 | \$72,750 | \$15,750 | \$48,000 | \$19,200 | \$90,653 |      |      |
| Enf. Penalties - Collected   | \$3,000 | \$20,950  | \$12,000 | \$31,450 | \$4,750  | \$13,000 | \$14,700 | \$42,600 |      |      |
| EBP Amount                   | \$0     | \$0       | \$0      | \$0      | \$8,000  | \$0      | \$0      | \$4,000  |      |      |

| 16 General - MS4 Stormwater | 2012     | 2013 | 2014     | 2015     | 2016     | 2017     | 2018     | 2019     | 2020     | 2021 |
|-----------------------------|----------|------|----------|----------|----------|----------|----------|----------|----------|------|
| No. of Permits Authorized   | 524      | 559  | 560      | 544      | 543      | 544      | 544      | 543      | 544      | 552  |
| No. Inspected               | 70       | 48   | 36       | 20       | 17       | 28       | 26       | 18       | 14       | 9    |
| Unsatisfactory              | 5        | 6    | 8        | 4        | 0        | 4        | 7        | 0        | 1        | 3    |
| Marginal                    | 30       | 28   | 8        | 6        | 8        | 11       | 7        | 4        | 2        | 3    |
| Satisfactory                | 38       | 14   | 14       | 10       | 9        | 14       | 10       | 7        | 4        | 5    |
| Not Rated                   | 3        | 2    | 9        | 0        | 0        | 0        | 3        | 8        | 7        | 2    |
| Total Inspections           | 76       | 50   | 39       | 20       | 17       | 29       | 27       | 19       | 14       | 13   |
| DEC Enforcement Actions     | 2        | 0    | 1        | 5        | 2        | 2        | 5        | 2        | 2        | 2    |
| Enf. Penalties - Assessed   | \$53,900 | \$0  | \$10,000 | \$18,500 | \$25,100 | \$19,800 | \$63,000 | \$63,000 | \$62,500 | \$0  |
| Enf. Penalties - Collected  | \$22,000 | \$0  | \$2,000  | \$14,500 | \$4,000  | \$19,800 | \$52,500 | \$37,125 | \$62,500 | \$0  |
| EBP Amount                  | \$0      | \$0  | \$0      | \$0      | \$0      | \$0      | \$0      | \$0      | \$0      | \$0  |

| 17 General - PCI Discharge to Groundwater | 2012 | 2013 | 2014    | 2015 | 2016 | 2017     | 2018      | 2019     | 2020 | 2021    |
|-------------------------------------------|------|------|---------|------|------|----------|-----------|----------|------|---------|
| No. of Permits Authorized                 | 2016 | 2092 | 1787    | 1934 | 1924 | 2338     | 2389      | 2081     | 1974 | 2002    |
| No. Inspected                             | 2    | 44   | 0       | 1    | 2    | 6        | 3         | 0        | 5    | 1       |
| Unsatisfactory                            | 0    | 0    | 0       | 2    | 0    | 1        | 0         | 0        | 2    | 1       |
| Marginal                                  | 0    | 10   | 0       | 0    | 1    | 6        | 0         | 0        | 0    | 0       |
| Satisfactory                              | 2    | 33   | 0       | 1    | 0    | 0        | 2         | 0        | 1    | 0       |
| Not Rated                                 | 0    | 0    | 0       | 1    | 1    | 0        | 1         | 2        | 2    | 0       |
| Total Inspections                         | 2    | 43   | 0       | 4    | 2    | 7        | 3         | 2        | 5    | 1       |
| DEC Enforcement Actions                   | 0    | 0    | 1       | 0    | 0    | 1        | 2         | 1        | 0    | 1       |
| Enf. Penalties - Assessed                 | \$0  | \$0  | \$3,500 | \$0  | \$0  | \$10,500 | \$157,753 | \$22,500 | \$0  | \$2,500 |
| Enf. Penalties - Collected                | \$0  | \$0  | \$500   | \$0  | \$0  | \$7,500  | \$52,000  | \$8,500  | \$0  | \$2,500 |
| EBP Amount                                | \$0  | \$0  | \$0     | \$0  | \$0  | \$0      | \$0       | \$0      | \$0  | \$0     |

## Appendix C: SPDES Oversight Data

| 18 General - ECL CAFO Large | 2012 | 2013 | 2014 | 2015    | 2016 | 2017     | 2018 | 2019     | 2020    | 2021      |
|-----------------------------|------|------|------|---------|------|----------|------|----------|---------|-----------|
| No. of Permits Authorized   | 18   | 21   | 23   | 24      | 24   | 232      | 230  | 238      | 237     | 242       |
| No. Inspected               | 3    | 1    | 2    | 2       | 2    | 20       | 77   | 66       | 45      | 62        |
| Unsatisfactory              | 0    | 0    | 0    | 0       | 0    | 0        | 12   | 8        | 5       | 5         |
| Marginal                    | 0    | 0    | 0    | 1       | 0    | 0        | 13   | 15       | 3       | 14        |
| Satisfactory                | 3    | 2    | 2    | 1       | 2    | 19       | 59   | 38       | 41      | 43        |
| Not Rated                   | 0    | 0    | 0    | 0       | 2    | 1        | 9    | 10       | 1       | 9         |
| Total Inspections           | 3    | 2    | 2    | 2       | 4    | 20       | 93   | 71       | 50      | 71        |
| DEC Enforcement Actions     | 1    | 0    | 0    | 1       | 0    | 1        | 0    | 5        | 2       | 11        |
| Enf. Penalties - Assessed   | \$0  | \$0  | \$0  | \$5,000 | \$0  | \$10,000 | \$0  | \$35,850 | \$3,000 | \$267,000 |
| Enf. Penalties - Collected  | \$0  | \$0  | \$0  | \$2,500 | \$0  | \$5,000  | \$0  | \$14,300 | \$3,000 | \$200,750 |
| EBP Amount                  | \$0  | \$0  | \$0  | \$0     | \$0  | \$0      | \$0  | \$0      | \$0     | \$0       |

| 19 General - ECL CAFO Medium | 2012    | 2013      | 2014     | 2015      | 2016     | 2017     | 2018     | 2019      | 2020     | 2021     |
|------------------------------|---------|-----------|----------|-----------|----------|----------|----------|-----------|----------|----------|
| No. of Permits Authorized    | 284     | 271       | 258      | 257       | 234      | 245      | 244      | 251       | 248      | 234      |
| No. Inspected                | 60      | 58        | 53       | 85        | 71       | 69       | 69       | 60        | 48       | 58       |
| Unsatisfactory               | 1       | 5         | 2        | 16        | 6        | 3        | 3        | 9         | 7        | 2        |
| Marginal                     | 14      | 13        | 12       | 24        | 17       | 11       | 17       | 9         | 4        | 11       |
| Satisfactory                 | 44      | 43        | 36       | 48        | 45       | 57       | 44       | 41        | 43       | 44       |
| Not Rated                    | 6       | 3         | 4        | 1         | 4        | 2        | 6        | 13        | 1        | 3        |
| Total Inspections            | 65      | 64        | 54       | 89        | 72       | 73       | 70       | 72        | 55       | 60       |
| DEC Enforcement Actions      | 3       | 7         | 1        | 30        | 8        | 9        | 2        | 13        | 9        | 7        |
| Enf. Penalties - Assessed    | \$7,000 | \$114,500 | \$16,000 | \$191,250 | \$44,250 | \$56,250 | \$13,900 | \$124,300 | \$39,800 | \$26,500 |
| Enf. Penalties - Collected   | \$4,000 | \$43,000  | \$6,000  | \$65,250  | \$14,000 | \$18,500 | \$4,900  | \$66,500  | \$19,500 | \$14,500 |
| EBP Amount                   | \$0     | \$0       | \$0      | \$0       | \$0      | \$0      | \$0      | \$0       | \$0      | \$0      |

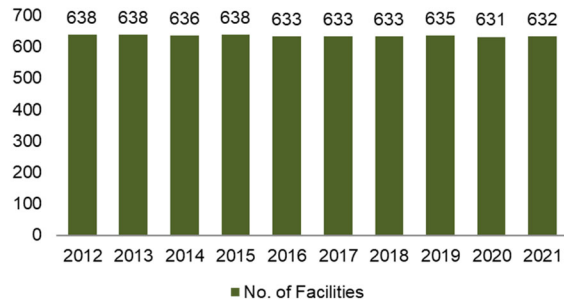
| 21 Publicly Owned Sewer Systems | 2012 | 2013 | 2014 | 2015 | 2016 | 2017    | 2018 | 2019     | 2020     | 2021     |
|---------------------------------|------|------|------|------|------|---------|------|----------|----------|----------|
| Registered Systems              |      |      |      |      |      | 273     | 283  | 284      | 318      | 324      |
| No. Inspected                   |      |      |      |      |      |         |      | 3        | 1        | 1        |
| Unsatisfactory                  |      |      |      |      |      |         |      | 0        | 0        | 0        |
| Marginal                        |      |      |      |      |      |         |      | 1        | 0        | 0        |
| Satisfactory                    |      |      |      |      |      |         |      | 1        | 0        | 1        |
| Not Rated                       |      |      |      |      |      |         |      | 1        | 1        | 0        |
| Total Inspections               |      |      |      |      |      |         |      | 3        | 1        | 1        |
| DEC Enforcement Actions         |      |      |      |      |      | 1       | 0    | 1        | 1        | 2        |
| Enf. Penalties - Assessed       |      |      |      |      |      | \$4,050 | \$0  | \$40,000 | \$63,500 | \$80,000 |
| Enf. Penalties - Collected      |      |      |      |      |      | \$4,050 | \$0  | \$15,000 | \$15,000 | \$50,000 |
| EBP Amount                      |      |      |      |      |      | \$0     | \$0  | \$0      | \$0      | \$0      |

| Statewide Summary              | 2012        | 2013        | 2014        | 2015        | 2016        | 2017        | 2018        | 2019        | 2020        | 2021        |
|--------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Total Permitted Facilities     | 20591       | 20692       | 20618       | 20504       | 20714       | 21161       | 21426       | 21933       | 22292       | 22190       |
| Number of Facilities Inspected | 1687        | 1848        | 1573        | 1468        | 1608        | 1620        | 1526        | 1443        | 1025        | 1243        |
| Unsatisfactory                 | 296         | 177         | 188         | 273         | 242         | 293         | 373         | 367         | 163         | 375         |
| Marginal                       | 692         | 702         | 553         | 545         | 482         | 559         | 734         | 620         | 154         | 530         |
| Satisfactory                   | 1732        | 1552        | 1399        | 1425        | 1365        | 1431        | 1341        | 1166        | 779         | 1217        |
| Not Rated                      | 243         | 209         | 124         | 86          | 278         | 197         | 188         | 119         | 261         | 68          |
| Total Inspections              | 2963        | 2640        | 2264        | 2329        | 2367        | 2480        | 2636        | 2272        | 1357        | 2190        |
| Total DEC Inspections          | 2413        | 2189        | 1798        | 1767        | 1828        | 1787        | 1789        | 2275        | 1128        | 1285        |
| Total Partner Inspections      | 552         | 501         | 466         | 510         | 584         | 693         | 847         | 726         | 227         | 975         |
| No. in SNC for Year            | 375         | 389         | 399         | 512         | 403         | 405         | 310         | 303         | 295         | 363         |
| Enforcement Actions            | 169         | 151         | 145         | 220         | 169         | 180         | 172         | 257         | 124         | 151         |
| Enf. Penalties - Assessed      | \$2,083,550 | \$1,755,353 | \$2,651,670 | \$2,077,380 | \$1,940,330 | \$2,213,315 | \$2,736,371 | \$3,837,697 | \$2,613,824 | \$2,674,370 |
| Enf. Penalties - Collected     | \$772,365   | \$856,678   | \$1,132,275 | \$1,357,588 | \$944,003   | \$999,085   | \$1,296,918 | \$2,247,515 | \$1,394,837 | \$1,797,032 |
| Env. Benefit Project Amount    | \$332,000   | \$291,000   | \$152,500   | \$541,000   | \$1,050,250 | \$455,000   | \$129,228   | \$352,803   | \$279,920   | \$0         |

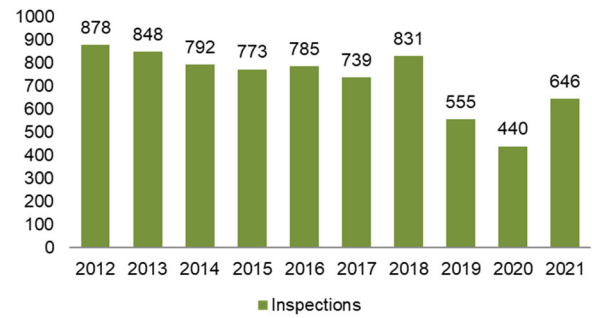
# **Appendix D**

## **SPDES Oversight Activities**

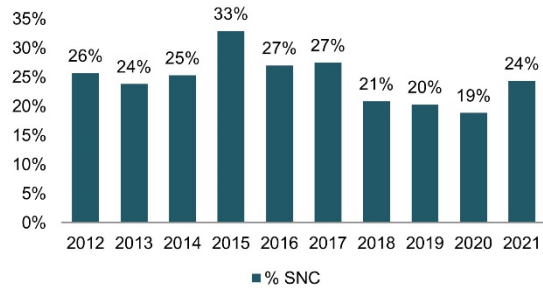
**Municipal Wastewater Treatment Facilities**



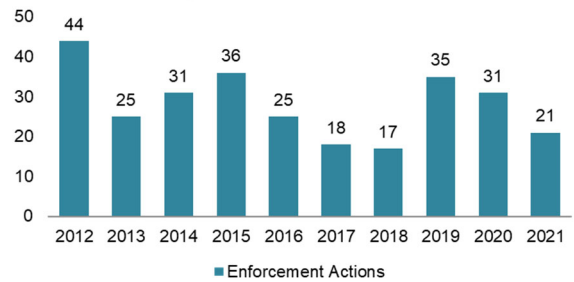
**Municipal Wastewater Treatment Facility Inspections**



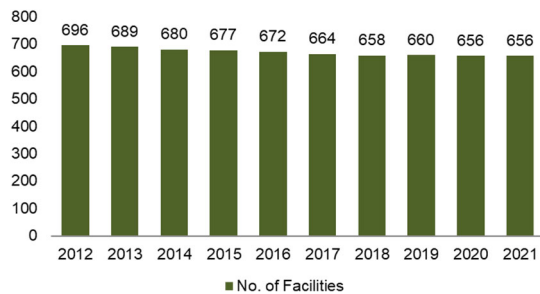
**% of Municipal Wastewater Treatment Facilities in SNC**



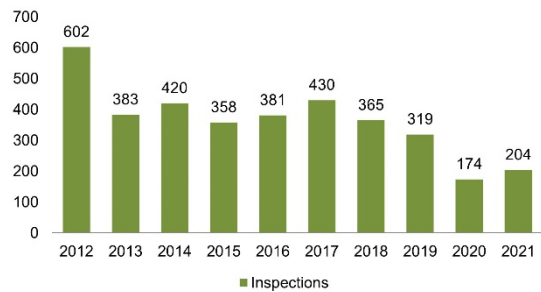
**Municipal Wastewater Treatment Facility Enforcement Actions**



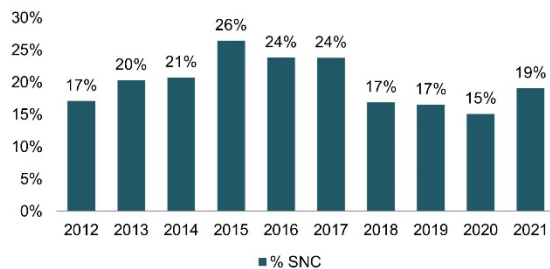
**Significant Industrial Facilities**



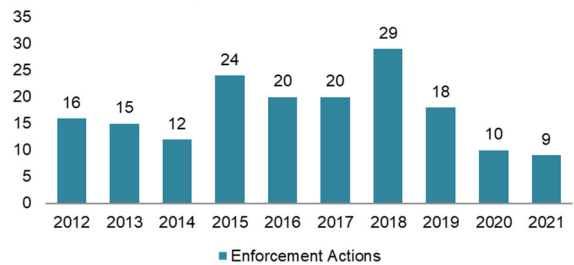
**Significant Industrial Facility Inspections**

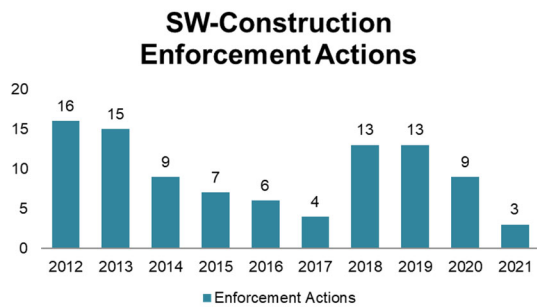
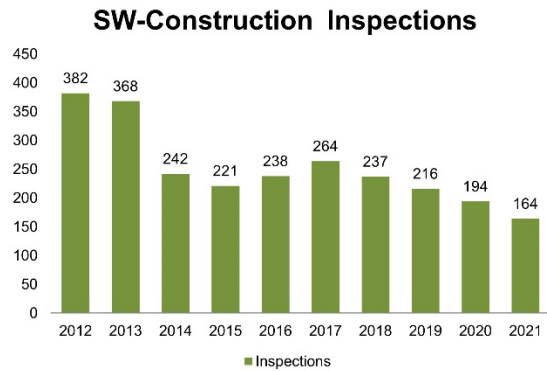
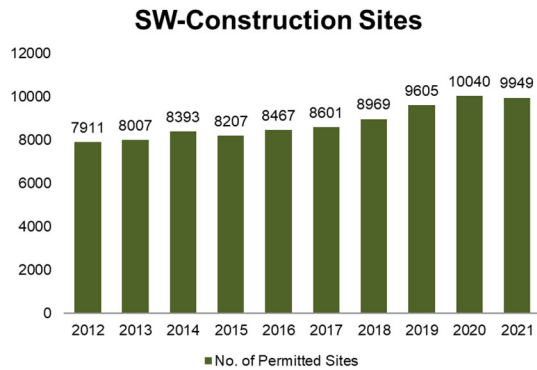
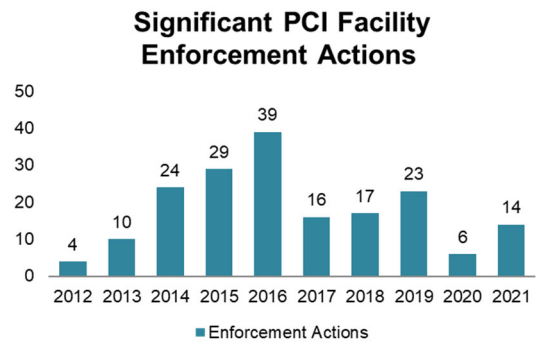
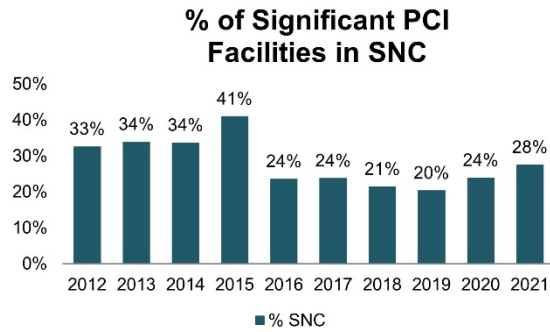
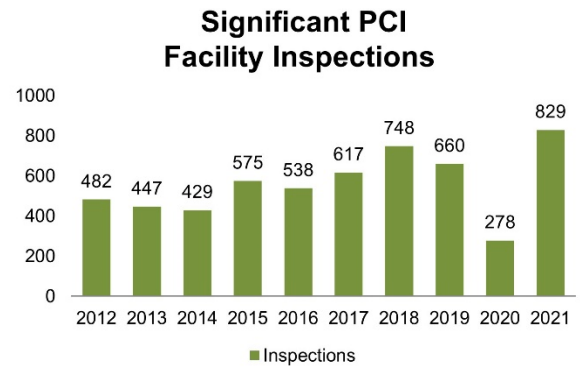
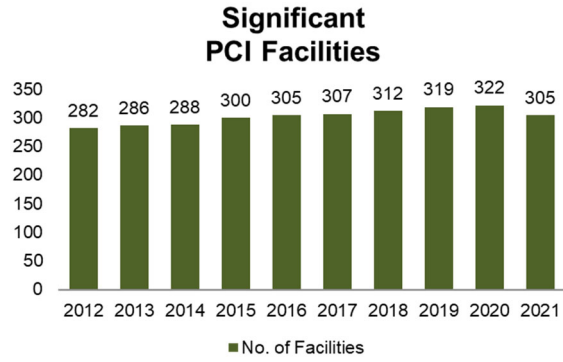


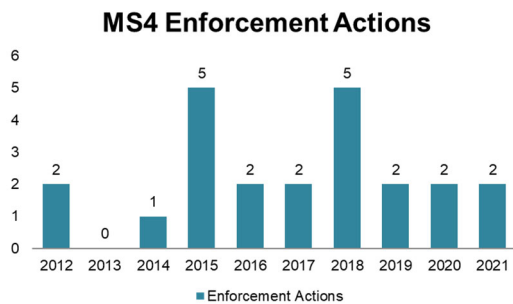
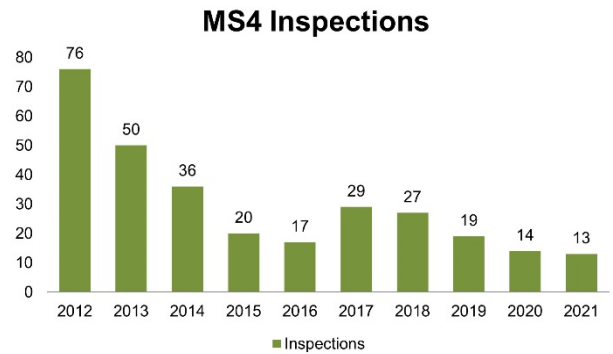
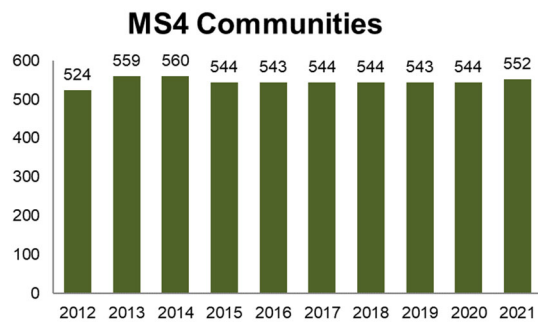
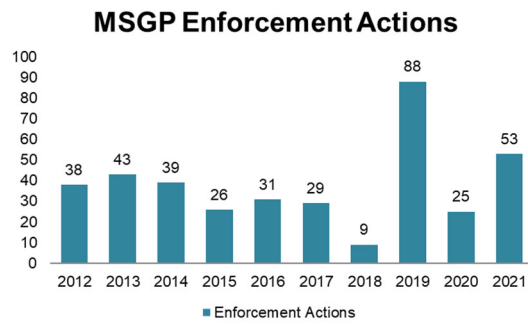
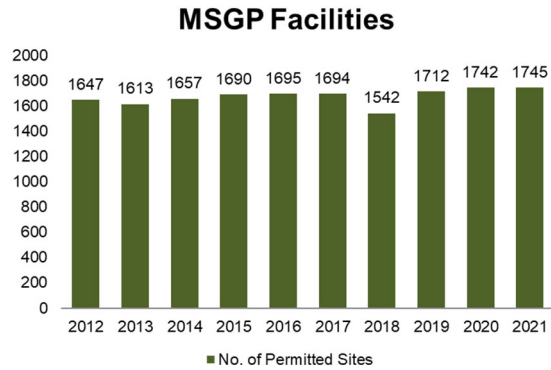
**% of Significant Industrial Facilities in SNC**

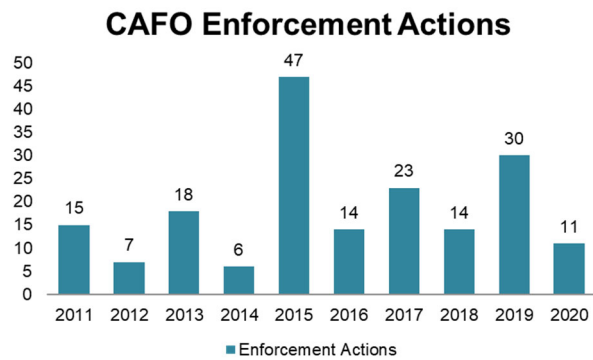
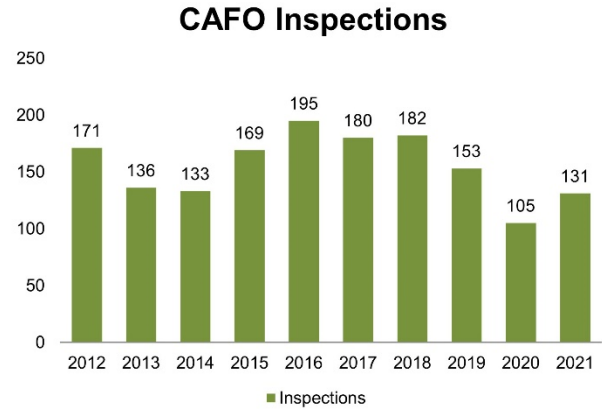
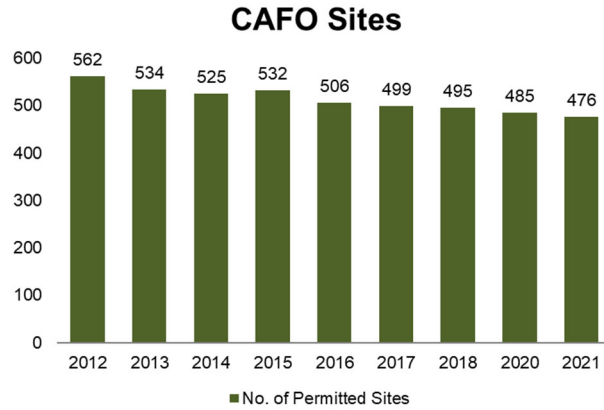


**Significant Industrial Facility Enforcement Actions**









## **Appendix E**

### **SPDES Enforcement Actions**



# Appendix E: SPDES Enforcement Actions

| Facility Name                                   | DEC Region | Discharge Class | SPDES ID  | Penalty Collected | Penalty Assessed | Enforcement Action Identifier | Date       | EBP Amount | Environmental Benefit Project (EBP) Description |
|-------------------------------------------------|------------|-----------------|-----------|-------------------|------------------|-------------------------------|------------|------------|-------------------------------------------------|
| CASTELLANO PROPERTY                             | 01         | Unpermitted     | NYU100048 | \$1,000           | \$1,000          | NY-R12020062698               | 5/13/2021  |            |                                                 |
| ULTRA SONIC PLAINVIEW INC                       | 01         | Unpermitted     | NYU100049 | \$2,000           | \$8,000          | NY-R12021060181               | 6/7/2021   |            |                                                 |
| 57-00 47TH STREET                               | 02         | Unpermitted     | NYU200023 |                   |                  | NY-R22021041653               | 4/29/2021  |            |                                                 |
| BOARD OF MANAGERS OF FOXWOOD SQUARE CONDOMINIUM | 02         | Unpermitted     | NYU200959 | \$5,000           | \$5,000          | NY-R220160317120              | 9/29/2021  |            |                                                 |
| NEW YORK CITY HEALTH AND HOSPITALS CORPORATION  | 02         | Unpermitted     | NYU200960 | \$66,000          | \$66,000         | NY-R220200929210              | 9/14/2021  |            |                                                 |
| PEC EAST COMPANY                                | 02         | Unpermitted     | NYU201907 | \$2,500           | \$2,500          | NY-R220170804294              | 12/16/2021 |            |                                                 |
| GD CITRUS INC                                   | 02         | Unpermitted     | NYU201908 | \$5,000           | \$5,000          | NY-R220170815308              | 12/16/2021 |            |                                                 |
| BLOOMINGDALE WOODS HOMEOWNERS ASSOCIATION INC   | 02         | Unpermitted     | NYU201909 | \$2,800           | \$2,800          | NY-R220200626164              | 10/13/2021 |            |                                                 |
| EARTH CONSTRUCTION SERVICES                     | 02         | Unpermitted     | NYU201910 | \$12,000          | \$12,000         | NY-R220211208228              | 3/25/2022  |            |                                                 |
| BARRA PROPERTY                                  | 04         | Unpermitted     | NYU400167 | \$2,750           | \$2,750          | NY-R42021052856               | 7/19/2021  |            |                                                 |
| MONTCALM APARTMENTS                             | 05         | Unpermitted     | NY0093670 | \$25,000          | \$75,000         | NY-R5202103122346             | 8/30/2021  |            |                                                 |
| TOP NOTCH TAVERN                                | 05         | Unpermitted     | NY0265918 | \$2,500           | \$2,500          | NY-R5201611102226             | 6/21/2021  |            |                                                 |
| PRIVATE RESIDENCE TRINITY ROCK RD               | 05         | Unpermitted     | NYU500610 | \$2,000           | \$2,000          | NY-LER520050139               | 5/21/2021  |            |                                                 |
| ALAIN CHOINIERE - UNPERMITTED DAIRY FARM        | 05         | Unpermitted     | NYU500611 | \$2,500           | \$15,000         | NY-R5202105142353             | 9/13/2021  |            |                                                 |
| COLLIER PROPERTY                                | 05         | Unpermitted     | NYU500612 |                   |                  | NY-R5202105142355             | 10/26/2021 |            |                                                 |
| PRIBBLE - UNKNOWN ADDRESS                       | 05         | Unpermitted     | NYU500614 | \$1,500           | \$1,500          | NY-LER521026526B              | 3/7/2022   |            |                                                 |
| GUANG HUAN - UNKNOWN ADDRESS                    | 05         | Unpermitted     | NYU500615 | \$5,000           | \$5,000          | NY-LER521014942               | 2/17/2022  |            |                                                 |
| ARNO'S SCRAP METAL INC - UNKNOWN ADDRESS        | 05         | Unpermitted     | NYU500616 | \$8,119           | \$8,119          | NY-LER521020462               | 1/21/2022  |            |                                                 |
| PINE HOLLOW FARM                                | 07         | Unpermitted     | NYU700583 | \$6,000           | \$14,375         | NY-R7202103087                | 5/24/2021  |            |                                                 |
| CIRCLE T ENTERPRISE LLC                         | 07         | Unpermitted     | NYU710689 | \$6,000           | \$12,000         | NY-R72021041910               | 5/24/2021  |            |                                                 |
| <b>Unpermitted Discharge</b>                    |            |                 |           | <b>\$157,669</b>  | <b>\$240,544</b> |                               |            |            |                                                 |

| Facility Name                                           | DEC Region | Discharge Class | SPDES ID  | Penalty Collected | Penalty Assessed | Enforcement Action Identifier | Date       | EBP Amount | Environmental Benefit Project (EBP) Description |
|---------------------------------------------------------|------------|-----------------|-----------|-------------------|------------------|-------------------------------|------------|------------|-------------------------------------------------|
| RED APPLE LAUNDROMAT                                    | 01         | 01              | NY0222127 | \$16,000          | \$80,000         | NY-R12021030435               | 5/11/2021  |            |                                                 |
| KEYSPAN - EAST HAMPTON ICF                              | 01         | 01              | NY0226017 | \$1,160           | \$1,160          | NY-CO120211210191             | 2/8/2022   |            |                                                 |
| J F KENNEDY INTERNL AIRPORT                             | 02         | 01              | NY0008109 | \$80,000          | \$80,000         | NY-R220191007325              | 11/10/2021 |            |                                                 |
| YONKERS VEHICLE MAINTENANCE FACILITY                    | 03         | 01              | NY0105571 | \$1,740           | \$1,740          | NY-CO3-20210129               | 11/2/2021  |            |                                                 |
| STEWART AIRPORT                                         | 03         | 01              | NY0234915 | \$500             | \$500            | NY-CO3202101299               | 5/4/2021   |            |                                                 |
| JOHN P BUCKLEY WATER FILTRATION PLANT                   | 04         | 01              | NY0205401 | \$4,220           | \$21,100         | NY-R420181010186              | 6/3/2021   |            |                                                 |
| GREAT LAKES CHEESE OF NY, INC                           | 06         | 01              | NY0215775 | \$16,124          | \$40,310         | NY-R62019122336               | 5/20/2021  |            |                                                 |
| GREAT LAKES CHEESE OF NY, INC                           | 06         | 01              | NY0215775 |                   |                  | NY-R62019122336               | 1/25/2022  |            |                                                 |
| ITT GOULDS PUMPS                                        | 08         | 01              | NY0001694 | \$500             | \$500            | NY-CO82021012918              | 4/9/2021   |            |                                                 |
| <b>Discharge Class 01: Industrial Significant Minor</b> |            |                 |           | <b>\$120,244</b>  | <b>\$225,310</b> |                               |            |            |                                                 |

| Facility Name                                        | DEC Region | Discharge Class | SPDES ID  | Penalty Collected | Penalty Assessed | Enforcement Action Identifier | Date       | EBP Amount | Environmental Benefit Project (EBP) Description |
|------------------------------------------------------|------------|-----------------|-----------|-------------------|------------------|-------------------------------|------------|------------|-------------------------------------------------|
| CASTLE HIGH TRAILER PARK                             | 03         | 02              | NY0062294 | \$5,500           | \$40,000         | NY-R32020022157               | 6/25/2021  |            |                                                 |
| HUDSON VALLEY RESORT AND SPA                         | 03         | 02              | NY0102903 | \$20,000          | \$46,400         | NY-R32021041522               | 6/10/2021  |            |                                                 |
| PILOT TRAVEL CENTER #146                             | 04         | 02              | NY0268747 | \$20,000          | \$24,000         | NY-R420211222100              | 2/4/2022   |            |                                                 |
| MONTY'S BAY CAMPSITES                                | 05         | 02              | NY0239801 | \$15,000          | \$225,465        | NY-R5201809122291             | 5/5/2021   |            |                                                 |
| NORTHLAND ESTATES MHP                                | 06         | 02              | NY0071170 | \$5,000           | \$16,448         | NY-R62019062018               | 6/23/2021  |            |                                                 |
| NORTHLAND ESTATES MHP                                | 06         | 02              | NY0071170 |                   |                  | NY-R62019062018               | 11/29/2021 |            |                                                 |
| ASSOCIATION ISLAND                                   | 06         | 02              | NY0257583 | \$1,500           | \$1,500          | NY-R62022020308               | 3/25/2022  |            |                                                 |
| HILLCREST MOBILE HOME PARK                           | 07         | 02              | NY0157660 | \$1,160           | \$1,160          | NY-CO72021121043              | 3/2/2022   |            |                                                 |
| <b>Discharge Class 02: PCI Non-Significant Minor</b> |            |                 |           | <b>\$68,160</b>   | <b>\$354,973</b> |                               |            |            |                                                 |

Appendix F: SPDES Enforcement Actions

| Facility Name                                  | DEC Region | Discharge Class | SPDES ID  | Penalty Collected | Penalty Assessed   | Enforcement Action Identifier | Date       | EBP Amount | Environmental Benefit Project (EBP) Description |
|------------------------------------------------|------------|-----------------|-----------|-------------------|--------------------|-------------------------------|------------|------------|-------------------------------------------------|
| NYCDEP - WARD'S ISLAND WPCP                    | 02         | 05              | NY0026131 | \$300,000         | \$300,000          | NY-CO220190107303             | 6/8/2021   |            |                                                 |
| NYCDEP - BOWERY BAY WPCP                       | 02         | 05              | NY0026158 | \$300,000         | \$300,000          | NY-CO220190107303             | 6/8/2021   |            |                                                 |
| NYCDEP - NEWTOWN CREEK WPCP                    | 02         | 05              | NY0026204 | \$300,000         | \$300,000          | NY-CO220190107303             | 6/8/2021   |            |                                                 |
| NYCDEP - ROCKAWAY WPCP                         | 02         | 05              | NY0026221 |                   |                    | NY-N00002802                  | 5/26/2021  |            |                                                 |
| NYCDEP - NORTH RIVER WPCP                      | 02         | 05              | NY0026247 |                   |                    | NY-CO220150727439             | 4/19/2021  |            |                                                 |
| NEWBURGH (C) WWTP                              | 03         | 05              | NY0026310 |                   |                    | NY-R32011010717               | 9/10/2021  |            |                                                 |
| NEWBURGH (C) WWTP                              | 03         | 05              | NY0026310 |                   |                    | NY-R32015052154               | 9/15/2021  |            |                                                 |
| AMSTERDAM (C) WWTP                             | 04         | 05              | NY0020290 |                   |                    | NY-R42019052231               | 6/28/2021  |            |                                                 |
| SCHENECTADY (C) STP                            | 04         | 05              | NY0020516 |                   |                    | NY-R420121218117              | 8/31/2021  |            |                                                 |
| MONTGOMERY CO SD#1 STP                         | 04         | 05              | NY0107565 |                   |                    | NY-R420160627122              | 11/8/2021  |            |                                                 |
| ONEIDA COUNTY WPCP                             | 06         | 05              | NY0025780 |                   |                    | NY-R62006082367               | 11/24/2021 |            |                                                 |
| ONEIDA (C) STP                                 | 07         | 05              | NY0026956 | \$10,000          | \$110,000          | NY-R72020110551               | 6/17/2021  |            |                                                 |
| FARMINGTON (T) STP                             | 08         | 05              | NY0023531 | \$50,000          | \$70,000           | NY-R820191015124              | 1/18/2022  |            |                                                 |
| <b>Discharge Class 05: Municipal EPA Major</b> |            |                 |           | <b>\$960,000</b>  | <b>\$1,080,000</b> |                               |            |            |                                                 |

| Facility Name                                          | DEC Region | Discharge Class | SPDES ID  | Penalty Collected | Penalty Assessed | Enforcement Action Identifier | Date       | EBP Amount | Environmental Benefit Project (EBP) Description |
|--------------------------------------------------------|------------|-----------------|-----------|-------------------|------------------|-------------------------------|------------|------------|-------------------------------------------------|
| CARMEL HILLSDALE ESTATES STP                           | 03         | 07              | NY0030678 |                   |                  | NY-R320151120112              | 1/13/2022  |            |                                                 |
| VALLEY DALE STP                                        | 03         | 07              | NY0077593 | \$5,000           | \$15,600         | NY-R320201019112              | 8/30/2021  |            |                                                 |
| ST. ARMAND S.D. WWTP                                   | 05         | 07              | NY0020991 | \$500             | \$15,734         | NY-R5202103122347             | 7/26/2021  |            |                                                 |
| ST REGIS FALLS WWTP                                    | 05         | 07              | NY0255858 | \$5,000           | \$47,371         | NY-R5202012092337             | 11/23/2021 |            |                                                 |
| PORT LEYDEN (V) STP                                    | 06         | 07              | NY0030341 | \$2,320           | \$2,320          | NY-CO62021121042              | 2/2/2022   |            |                                                 |
| RENSSELAER FALLS WWTP                                  | 06         | 07              | NY0257613 | \$1,160           | \$1,160          | NY-CO62021012910              | 4/21/2021  |            |                                                 |
| PULASKI (V) STP                                        | 07         | 07              | NY0020257 | \$1,000           | \$6,000          | NY-R72021110437               | 12/14/2021 |            |                                                 |
| PORTVILLE (V) WWTP                                     | 09         | 07              | NY0020966 | \$1,175           | \$32,495         | NY-R9202103057                | 5/13/2021  |            |                                                 |
| <b>Discharge Class 07: Municipal Significant Minor</b> |            |                 |           | <b>\$16,155</b>   | <b>\$120,680</b> |                               |            |            |                                                 |

| Facility Name                                    | DEC Region | Discharge Class | SPDES ID  | Penalty Collected | Penalty Assessed | Enforcement Action Identifier | Date       | EBP Amount | Environmental Benefit Project (EBP) Description |
|--------------------------------------------------|------------|-----------------|-----------|-------------------|------------------|-------------------------------|------------|------------|-------------------------------------------------|
| APEX REHABILITATION & CARE CTR                   | 01         | 09              | NY0070297 | \$2,000           | \$2,000          | NY-UPG20003                   | 5/10/2021  |            |                                                 |
| WINDBROOKE HOMES CONDOMINIUMS                    | 01         | 09              | NY0077411 |                   |                  | NY-STP2021018                 | 2/4/2022   |            |                                                 |
| HOMESTEAD VILLAGE APTS                           | 01         | 09              | NY0079383 |                   |                  | NY-STP2021011                 | 10/20/2021 |            |                                                 |
| BIRCHWOOD @ SPRING LAKE                          | 01         | 09              | NY0196762 | \$1,160           | \$1,160          | NY-CO120211210190             | 3/2/2022   |            |                                                 |
| BIRCHWOOD @ SPRING LAKE                          | 01         | 09              | NY0196762 | \$2,000           | \$2,000          | NY-UPG21003                   | 5/10/2021  |            |                                                 |
| LAKES @ SETAUKET                                 | 01         | 09              | NY0198323 |                   |                  | NY-STP2021006                 | 10/21/2021 |            |                                                 |
| WATERWAYS @ BAY POINTE                           | 01         | 09              | NY0198480 |                   |                  | NY-STP2021015                 | 12/20/2021 |            |                                                 |
| CROWNE PLAZA LONG ISLAND                         | 01         | 09              | NY0209597 |                   |                  | NY-STP2021001                 | 8/9/2021   |            |                                                 |
| WESTHAMPTON NURSING HOME                         | 01         | 09              | NY0210901 |                   |                  | NY-STP2021004                 | 6/30/2021  |            |                                                 |
| VICTORIAN HOMES @ MEDFORD STP                    | 01         | 09              | NY0226858 |                   |                  | NY-UPG2021002                 | 8/9/2021   |            |                                                 |
| STRATHMORE ON THE GREEN                          | 01         | 09              | NY0253065 |                   |                  | NY-STP2021010                 | 10/20/2021 |            |                                                 |
| MEDFORD MULTICARE CENTER                         | 01         | 09              | NY0253383 | \$0               | \$10,000         | NY-STP2021014                 | 11/15/2021 |            |                                                 |
| LAKE GROVE (V)                                   | 01         | 09              | NY0254720 | \$4,000           | \$4,000          | NY-STP2021007                 | 8/9/2021   |            |                                                 |
| DEERFIELD ESTATE MOBILE HOME PARK                | 05         | 09              | NY0130630 | \$0               | \$16,000         | NY-R5201901102300             | 3/18/2022  |            |                                                 |
| <b>Discharge Class 09: PCI Significant Minor</b> |            |                 |           | <b>\$9,160</b>    | <b>\$35,160</b>  |                               |            |            |                                                 |

| Facility Name                                      | DEC Region | Discharge Class | SPDES ID  | Penalty Collected | Penalty Assessed | Enforcement Action Identifier | Date      | EBP Amount | Environmental Benefit Project (EBP) Description |
|----------------------------------------------------|------------|-----------------|-----------|-------------------|------------------|-------------------------------|-----------|------------|-------------------------------------------------|
| MILL CREEK RENEWABLES LLC                          | 07         | 11              | NYR11H717 | \$7,000           | \$7,000          | NY-R72021090725               | 1/10/2022 |            |                                                 |
| NOB HILL COUNTRY CLUB                              | 03         | 11              | NYR11E296 | \$10,000          | \$13,800         | NY-R32021080336               | 3/29/2022 |            |                                                 |
| PUCKETT SOLAR PHOTOVOLTAIC                         | 07         | 11              | NYR11G757 | \$15,000          | \$15,000         | NY-R72021110336               | 12/6/2021 |            |                                                 |
| <b>Discharge Class 11: Construction Stormwater</b> |            |                 |           | <b>\$32,000</b>   | <b>\$35,800</b>  |                               |           |            |                                                 |

# Appendix E: SPDES Enforcement Actions

| Facility Name                                    | DEC Region | Discharge Class | SPDES ID  | Penalty Collected | Penalty Assessed | Enforcement Action Identifier | Date       | EBP Amount | Environmental Benefit Project (EBP) Description |
|--------------------------------------------------|------------|-----------------|-----------|-------------------|------------------|-------------------------------|------------|------------|-------------------------------------------------|
| XPO LOGISTICS FREIGHT INC - XY                   | 01         | 12              | NYR00D160 | \$0               | \$6,840          | NY-CO120201120177             | 2/9/2022   |            |                                                 |
| MAGELLAN AEROSPACE BOHEMIA                       | 01         | 12              | NYR00F019 | \$4,000           | \$4,000          | NY-CO12020011522              | 10/30/2021 |            |                                                 |
| DEJANA INDUSTRIES                                | 01         | 12              | NYR00G495 | \$10,000          | \$30,000         | NY-R12021031839               | 6/9/2021   |            |                                                 |
| PRATT PAPER NY INC                               | 02         | 12              | NYR00C124 | \$50,000          | \$50,000         | NY-R220200716175              | 10/22/2021 |            |                                                 |
| BROOKLYN YACHT CLUB                              | 02         | 12              | NYR00E883 | \$1,710           | \$1,710          | NY-CO22020011543              | 11/1/2021  |            |                                                 |
| MAGELLAN AEROSPACE NY CORONA                     | 02         | 12              | NYR00F018 | \$4,000           | \$4,000          | NY-CO220201120256             | 10/25/2021 |            |                                                 |
| WILLETS POINT ASPHALT CORP                       | 02         | 12              | NYR00F167 | \$500             | \$500            | NY-CO22020011545              | 10/27/2021 |            |                                                 |
| CROPSEY SCRAP IRON & METAL CORP                  | 02         | 12              | NYR00F326 | \$6,290           | \$6,290          | NY-CO22020011582              | 12/9/2021  |            |                                                 |
| BENSON METAL CORP                                | 02         | 12              | NYR00F330 | \$6,290           | \$6,290          | NY-CO22020011583              | 12/9/2021  |            |                                                 |
| ATLANTIC MARINA LLC                              | 02         | 12              | NYR00F414 | \$1,140           | \$1,140          | NY-CO220201120254             | 1/3/2022   |            |                                                 |
| STOKES WASTE PAPER COMPANY INC                   | 02         | 12              | NYR00F886 | \$1,000           | \$1,000          | NY-CO22020011551              | 12/7/2021  |            |                                                 |
| AMAZON.COM.DEDC, LLC - JFK8                      | 02         | 12              | NYR00G114 | \$750             | \$750            | NY-CO220201120268             | 12/9/2021  |            |                                                 |
| JK CONCETE READY MIX INC                         | 02         | 12              | NYR00G125 | \$4,030           | \$4,030          | NY-CO220201120253             | 10/29/2021 |            |                                                 |
| C & H SALVAGE CORP                               | 03         | 12              | NYR00B098 | \$2,320           | \$2,320          | NY-CO3202020118               | 3/28/2022  |            |                                                 |
| NJ TRANSIT SUFFERN RAIL YARD                     | 03         | 12              | NYR00B182 | \$1,710           | \$1,710          | NY-CO32020011541              | 12/9/2021  |            |                                                 |
| CHEMPRENE LLC                                    | 03         | 12              | NYR00B761 | \$1,500           | \$1,500          | NY-CO3202020121               | 3/24/2022  |            |                                                 |
| GREENS AUTO REPAIR INC                           | 03         | 12              | NYR00C237 | \$2,320           | \$2,320          | NY-CO320190904187             | 10/25/2021 |            |                                                 |
| RALPH'S MOTOR REPAIR                             | 03         | 12              | NYR00C350 | \$500             | \$500            | NY-CO32020011538              | 12/9/2021  |            |                                                 |
| JOHN HUGHES USED AUTO PARTS INC                  | 03         | 12              | NYR00E049 | \$1,160           | \$1,160          | NY-CO3202020126               | 3/24/2022  |            |                                                 |
| NATIONAL FREIGHT, INC                            | 03         | 12              | NYR00E202 | \$750             | \$750            | NY-CO320201120131             | 10/6/2021  |            |                                                 |
| VIKING BOAT YARDS INC                            | 03         | 12              | NYR00E834 | \$1,160           | \$1,160          | NY-CO3202020130               | 3/24/2022  |            |                                                 |
| WEST KINGSTON RECYCLING CORP                     | 03         | 12              | NYR00F097 | \$2,320           | \$2,320          | NY-CO320190904190             | 10/28/2021 |            |                                                 |
| CM & SON TRUCKING                                | 03         | 12              | NYR00F491 | \$750             | \$750            | NY-CO32020011526              | 11/1/2021  |            |                                                 |
| READYREFRESH NEWBURGH                            | 03         | 12              | NYR00F936 | \$1,710           | \$1,710          | NY-CO32020011520              | 10/28/2021 |            |                                                 |
| READYREFRESH NEWBURGH                            | 03         | 12              | NYR00F936 | \$750             | \$750            | NY-CO3202020137               | 3/24/2022  |            |                                                 |
| CALLANAN INDUSTRIES WATERLIET FACILITY           | 04         | 12              | NYR00B551 | \$2,320           | \$2,320          | NY-CO420202018                | 3/28/2022  |            |                                                 |
| CARGILL FEED AND NUTRITION ALBANY                | 04         | 12              | NYR00C208 | \$580             | \$580            | NY-CO42019090463              | 1/3/2022   |            |                                                 |
| CARGILL FEED AND NUTRITION ALBANY                | 04         | 12              | NYR00C208 | \$2,320           | \$2,320          | NY-CO4202020111               | 3/28/2022  |            |                                                 |
| TEAL'S EXPRESS INC                               | 04         | 12              | NYR00D125 | \$6,350           | \$6,350          | NY-CO42020011521              | 12/7/2021  |            |                                                 |
| CASELLA WASTE SERVICE/ONEONTA                    | 04         | 12              | NYR00D503 | \$1,710           | \$1,710          | NY-CO42020011520              | 10/25/2021 |            |                                                 |
| ARDENT MILLS LLC                                 | 04         | 12              | NYR00D756 | \$2,870           | \$2,870          | NY-CO42020011518              | 10/28/2021 |            |                                                 |
| CHESTERTOWN PLANT #35                            | 05         | 12              | NYR00B422 | \$2,784           | \$5,953          | NY-R5202102022342             | 5/5/2021   |            |                                                 |
| RAY'S AUTO PARTS SALES & SERVICES INC            | 05         | 12              | NYR00C520 | \$1,710           | \$1,710          | NY-CO52020011511              | 12/9/2021  |            |                                                 |
| CARGILL FEED AND NUTRITION GOUVERNEUR            | 06         | 12              | NYR00C212 | \$1,160           | \$1,160          | NY-CO620202019                | 3/24/2022  |            |                                                 |
| SEAVEY ROAD QUARRY                               | 06         | 12              | NYR00G470 | \$1,160           | \$1,160          | NY-CO6202020112               | 3/16/2022  |            |                                                 |
| FRED'S USED AUTO PARTS                           | 07         | 12              | NYR00B724 | \$1,160           | \$1,160          | NY-CO720202015                | 3/24/2022  |            |                                                 |
| TEAL'S EXPRESS INC                               | 07         | 12              | NYR00B928 | \$6,350           | \$6,350          | NY-CO72020011515              | 12/7/2021  |            |                                                 |
| BAILLIE LUMBER YARD                              | 07         | 12              | NYR00D152 | \$1,160           | \$1,160          | NY-CO720202017                | 3/28/2022  |            |                                                 |
| HORNER'S AUTOMOTIVE NEW/USED PARTS & REPAIR      | 07         | 12              | NYR00D577 | \$1,500           | \$1,500          | NY-CO72020112060              | 1/3/2022   |            |                                                 |
| CASELLA WASTE SERVICES / NEWFIELD                | 07         | 12              | NYR00D615 | \$1,000           | \$1,000          | NY-CO72020011513              | 10/25/2021 |            |                                                 |
| SMR METALS                                       | 07         | 12              | NYR00E184 | \$1,160           | \$1,160          | NY-CO7202020112               | 3/24/2022  |            |                                                 |
| VESTAL ASPHALT, INC                              | 07         | 12              | NYR00F364 | \$750             | \$750            | NY-CO72020112059              | 11/1/2021  |            |                                                 |
| ECONOMY PAVING CO INC                            | 07         | 12              | NYR00G047 | \$1,710           | \$1,710          | NY-CO7202001157               | 1/13/2022  |            |                                                 |
| EDWARD ARNOLD SCRAP PROCESSORS INC               | 08         | 12              | NYR00B052 | \$1,160           | \$1,160          | NY-CO820202016                | 3/16/2022  |            |                                                 |
| WILBERT FUNERAL SERVICES INC                     | 08         | 12              | NYR00B382 | \$1,710           | \$1,710          | NY-CO820201120133             | 3/8/2022   |            |                                                 |
| JAYNE'S USED AUTO PARTS                          | 08         | 12              | NYR00D871 | \$2,320           | \$2,320          | NY-CO8202020110               | 3/28/2022  |            |                                                 |
| TROUTS AUTO RECYCLING                            | 08         | 12              | NYR00E157 | \$2,320           | \$2,320          | NY-CO8202020111               | 3/16/2022  |            |                                                 |
| TRIDENT MARINE                                   | 08         | 12              | NYR00F068 | \$1,000           | \$1,000          | NY-CO82020011511              | 11/1/2021  |            |                                                 |
| FORE RECYCLING CENTER                            | 08         | 12              | NYR00G044 | \$1,160           | \$1,160          | NY-CO8202020115               | 3/16/2022  |            |                                                 |
| TEAL'S EXPRESS INC                               | 09         | 12              | NYR00B984 | \$6,350           | \$6,350          | NY-CO92020011511              | 12/7/2021  |            |                                                 |
| API AIRTECH                                      | 09         | 12              | NYR00D039 | \$1,000           | \$1,000          | NY-CO920201120162             | 11/2/2021  |            |                                                 |
| 1304 LKQ BUFFALO                                 | 09         | 12              | NYR00E305 | \$2,320           | \$2,320          | NY-CO920190904118             | 10/28/2021 |            |                                                 |
| MAID OF THE MIST WINTER STORAGE FACILITY         | 09         | 12              | NYR00F399 | \$1,140           | \$1,140          | NY-CO920201120159             | 12/9/2021  |            |                                                 |
| <b>Discharge Class 12: Industrial Stormwater</b> |            |                 |           | <b>\$164,894</b>  | <b>\$194,903</b> |                               |            |            |                                                 |

# Appendix E: SPDES Enforcement Actions

| Facility Name                             | DEC Region | Discharge Class | SPDES ID  | Penalty Collected | Penalty Assessed | Enforcement Action Identifier | Date     | EBP Amount | Environmental Benefit Project (EBP) Description |
|-------------------------------------------|------------|-----------------|-----------|-------------------|------------------|-------------------------------|----------|------------|-------------------------------------------------|
| BIRCH CREEK FARM LLC                      | 06         | 14              | NYA000589 |                   |                  | NY-R62018020105               | 9/9/2021 |            |                                                 |
| <b>Discharge Class 14: CWA CAFO Large</b> |            |                 |           | <b>\$0</b>        | <b>\$0</b>       |                               |          |            |                                                 |

| Facility Name                              | DEC Region | Discharge Class | SPDES ID  | Penalty Collected | Penalty Assessed | Enforcement Action Identifier | Date      | EBP Amount | Environmental Benefit Project (EBP) Description |
|--------------------------------------------|------------|-----------------|-----------|-------------------|------------------|-------------------------------|-----------|------------|-------------------------------------------------|
| COON BROTHERS FARM                         | 03         | 15              | NYA000005 | \$1,000           | \$1,000          | NY-R320181113198              | 4/21/2021 |            |                                                 |
| RED TOP FARM                               | 05         | 15              | NYA00C008 |                   |                  | NY-CO5-2019061844             | 6/29/2021 |            |                                                 |
| <b>Discharge Class 15: CWA CAFO Medium</b> |            |                 |           | <b>\$1,000</b>    | <b>\$1,000</b>   |                               |           |            |                                                 |

| Facility Name                             | DEC Region | Discharge Class | SPDES ID  | Penalty Collected | Penalty Assessed | Enforcement Action Identifier | Date      | EBP Amount | Environmental Benefit Project (EBP) Description |
|-------------------------------------------|------------|-----------------|-----------|-------------------|------------------|-------------------------------|-----------|------------|-------------------------------------------------|
| NEWBURGH MS4 STORM SEWERS                 | 03         | 16              | NYR20A240 |                   |                  | NY-R32015052154               | 9/15/2021 |            |                                                 |
| MOUNT VERNON MS4 STORM SEWERS             | 03         | 16              | NYR20A383 |                   |                  | NY-18CV05845CS                | 6/22/2021 |            |                                                 |
| <b>Discharge Class 16: MS4 Stormwater</b> |            |                 |           | <b>\$0</b>        | <b>\$0</b>       |                               |           |            |                                                 |

| Facility Name                              | DEC Region | Discharge Class | SPDES ID  | Penalty Collected | Penalty Assessed | Enforcement Action Identifier | Date      | EBP Amount | Environmental Benefit Project (EBP) Description |
|--------------------------------------------|------------|-----------------|-----------|-------------------|------------------|-------------------------------|-----------|------------|-------------------------------------------------|
| STANLEY ESTATES                            | 05         | 17              | NYG003430 | \$2,500           | \$2,500          | NY-R5201801162272             | 4/26/2021 |            |                                                 |
| <b>Discharge Class 17: PCI Groundwater</b> |            |                 |           | <b>\$2,500</b>    | <b>\$2,500</b>   |                               |           |            |                                                 |

| Facility Name                             | DEC Region | Discharge Class | SPDES ID  | Penalty Collected | Penalty Assessed | Enforcement Action Identifier | Date       | EBP Amount | Environmental Benefit Project (EBP) Description |
|-------------------------------------------|------------|-----------------|-----------|-------------------|------------------|-------------------------------|------------|------------|-------------------------------------------------|
| WILLET DAIRY LLC                          | 07         | 18              | NYA00E038 | \$10,000          | \$20,000         | NY-R72021100131               | 1/19/2022  |            |                                                 |
| VANS RIDGE FARM                           | 07         | 18              | NYA00E042 | \$20,000          | \$35,000         | NY-R72021120140               | 1/24/2022  |            |                                                 |
| ASHLAND FARM                              | 07         | 18              | NYA00E263 | \$1,500           | \$3,000          | NY-R72020072841               | 5/10/2021  |            |                                                 |
| ASHLAND FARM                              | 07         | 18              | NYA00E263 | \$111,250         | \$111,250        | NY-R72021042611               | 7/20/2021  |            |                                                 |
| TWIN BIRCH DAIRY                          | 07         | 18              | NYA00E308 | \$1,500           | \$3,000          | NY-R72022021715               | 3/31/2022  |            |                                                 |
| ELMER RICHARDS & SONS                     | 07         | 18              | NYA00E309 | \$1,500           | \$2,750          | NY-R7202201181                | 2/14/2022  |            |                                                 |
| MILLBROOK FARM                            | 07         | 18              | NYA00E416 | \$3,500           | \$6,500          | NY-R72021122147               | 1/3/2022   |            |                                                 |
| RIDGECREST DAIRY, LLC                     | 07         | 18              | NYA00E420 | \$30,000          | \$60,000         | NY-R72021051212               | 7/26/2021  |            |                                                 |
| DONNAN FARMS                              | 08         | 18              | NYA00E341 | \$8,500           | \$8,500          | NY-R82021110491               | 1/18/2022  |            |                                                 |
| BREEZYHILL DAIRY                          | 09         | 18              | NYA00E204 | \$3,000           | \$3,000          | NY-R92021052119               | 11/12/2021 |            |                                                 |
| HIGHBANKS DAIRY                           | 09         | 18              | NYA00E377 | \$10,000          | \$14,000         | NY-R92021041613               | 6/11/2021  |            |                                                 |
| <b>Discharge Class 18: ECL CAFO Large</b> |            |                 |           | <b>\$200,750</b>  | <b>\$267,000</b> |                               |            |            |                                                 |

| Facility Name                              | DEC Region | Discharge Class | SPDES ID  | Penalty Collected | Penalty Assessed | Enforcement Action Identifier | Date       | EBP Amount | Environmental Benefit Project (EBP) Description |
|--------------------------------------------|------------|-----------------|-----------|-------------------|------------------|-------------------------------|------------|------------|-------------------------------------------------|
| SKELLKILL FARMS                            | 05         | 19              | NYAE01305 | \$3,500           | \$3,500          | NY-CO52018010303              | 4/15/2021  |            |                                                 |
| TWIN MILL FARMS                            | 06         | 19              | NYA00E024 |                   |                  | NY-R62017060126               | 10/18/2021 |            |                                                 |
| SPRINGWATER FARMS                          | 07         | 19              | NYA00E279 | \$2,500           | \$8,500          | NY-R7202102235                | 5/2/2021   |            |                                                 |
| DAIRYLAND, LLC.                            | 07         | 19              | NYA00E465 | \$500             | \$500            | NY-R7202001216                | 4/14/2021  |            |                                                 |
| PASTURELAND DAIRY                          | 07         | 19              | NYAE01577 | \$1,500           | \$1,500          | NY-CO72017072651              | 2/2/2022   |            |                                                 |
| ROLA FARMS                                 | 08         | 19              | NYA00E319 | \$6,000           | \$12,000         | NY-R82021110490               | 1/31/2022  |            |                                                 |
| BARNIAK FARMS                              | 08         | 19              | NYAE01421 | \$500             | \$500            | NY-CO82016021001              | 4/2/2021   |            |                                                 |
| <b>Discharge Class 19: ECL CAFO Medium</b> |            |                 |           | <b>\$14,500</b>   | <b>\$26,500</b>  |                               |            |            |                                                 |

# Appendix E: SPDES Enforcement Actions

| Facility Name                                          | DEC Region | Discharge Class | SPDES ID  | Penalty Collected | Penalty Assessed | Enforcement Action Identifier | Date      | EBP Amount | Environmental Benefit Project (EBP) Description |
|--------------------------------------------------------|------------|-----------------|-----------|-------------------|------------------|-------------------------------|-----------|------------|-------------------------------------------------|
| VICTOR (T) POSS TO FARMINGTON                          | 08         | 21              | NYS800064 | \$50,000          | \$70,000         | NY-R820191015124              | 1/18/2022 |            |                                                 |
| MOUNT VERNON SEWER DISTRICT - HAMBURG (T)              | 09         | 21              | NYS900030 | \$0               | \$10,000         | NY-R92021081995               | 1/18/2022 |            |                                                 |
| <b>Discharge Class NA: Publicly Owned Sewer System</b> |            |                 |           | <b>\$50,000</b>   | <b>\$80,000</b>  |                               |           |            |                                                 |

|                        |  |  |  | Penalty Collected  | Penalty Assessed   |            |  | EBP Amount |  |
|------------------------|--|--|--|--------------------|--------------------|------------|--|------------|--|
| <b>Statewide Total</b> |  |  |  | <b>\$1,797,032</b> | <b>\$2,664,370</b> | <b>\$0</b> |  |            |  |