

APPENDIX H

Town of Tonawanda Industrial Sewer Connection Permit

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TOWN OF TONAWANDA
INDUSTRIAL SEWER CONNECTION PERMIT

Company Name: Plexus Scientific Corp.

Division Name (if Applicable) _____

Mailing Address: 5510 Cherokee Ave, Suite 350
Street or P.O. Box
Alexandria, VA 22312
State and Zip Code

Facility Address: 795 East Park Drive
Street or P.O. Box
Tonawanda, New York 14150
City, State and Zip Code

The above Industrial User is authorized to discharge industrial wastewater to the Town of Tonawanda sewer system in compliance with the Town's Sewer Use Ordinance Number 2-2000, any applicable provisions of Federal or State law or regulation, and in accordance with discharge point(s), effluent limitations, monitoring requirements, and other conditions set forth herein.

This permit is granted in accordance with the application filed on May 13, 2019 in the office of the Pretreatment Administrator, and in conformity with plans, specifications, and other data submitted to the Town in support of the above application.

Effective Date: June 1, 2019

Expiration Date: September 30, 2019

Permit No. 712-S

Date: 5/17/19 Signed: _____

Town of Tonawanda
Pretreatment Coordinator

Permit No. 712-S

Modified Date: _____

PART 1 - WASTEWATER DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

A. LOCALLY DERIVED LIMITATIONS

The industrial user shall comply with the following locally derived effluent limitations effective as of June 1, 2019

MONITORING LOCATION: Discharge to Sanitary Sewer after Pretreatment

1. Radioactivity levels will meet all discharge requirements set forth in 6 NYCRR part 380 for discharges to Sanitary Sewer.
2. A Full Priority Pollutant Sample (less Dioxin and Asbestos) must be performed prior to the discharge of the first sample and every six months after that.
3. A 10 micron bag filter will be installed to filter the wastewater prior to discharge.
4. One sample of treated effluent will be collected and analyzed for Radiological Parameters listed on the next page for each approximately 20,000. tank discharged. This may be done prior or after filtration.
5. Discharge flows will be monitored and recorded and a charge of \$4.15* per thousand gallons discharged will be assessed monthly if total discharge during the project exceeds 40,000 gallons. Failure to pay the Town of Tonawanda on the due date will result in the termination of this permit.

*Fee for discharge may change each January as the Town Of Tonawanda Town Board sets the discharge rate.

Note: The complete list of discharge limitations for dischargers to the Town Treatment Plant is contained in the Town's Local Law 2-2000. On the basis of the application and previous monitoring, parameters deemed applicable to this discharge have been excerpted and their limitations included above. The discharger should be aware that all other limitations apply and should consider all such limitations when considering process changes or plant modifications.

MONITORING REQUIREMENTS

Monitoring for these locally derived limitations and for purposes of surcharge calculations shall be performed as follows:

MONITORING LOCATION #1 After Filtration

<u>PARAMETERS</u>	<u>SAMPLE</u>	<u>FREQUENCY</u>	SAMPLE TYPE	PURPOSE
Self Monitoring Reports				
Radioactivity	1/~20,000 gallons		Grab	6NYCRR380
Isotopic Uranium (Total & Soluble)				
Isotopic Thorium (Total & Soluble)				
Radium 226 (Tot & Sol)				
Priority Pollutant Analysis (less Asbesto and Dioxin)	Once every 6 months		Grab	Compliance

REPORTING

Self Monitoring Reports shall be submitted to Pretreatment Coordinator and found to be acceptable prior to the discharge of any frac tank.

PART II - SPECIAL CONDITIONS/COMPLIANCE SCHEDULE

1. *The Industrial User shall develop, within 6 months of the effective date of this permit, an accidental spill prevention/slugs control/SPCC plan(s) to eliminate or minimize the accidental or slug discharge of pollutants into the sewer system, which could have an effect on the Town's treatment plant, sludge, or cause the Town to violate its SPDES permit.*

PART III - REPORTING REQUIREMENTS

1. *All Industries requiring submittal of self-monitoring reports (SMR's) must submit all laboratory results on all discharged samples. If a lab analysis was performed using an EPA approved test method, then those results must be included in the SMR. Persons signing SMR's must be a responsible company official, ie; owner, corporate manager, or supervise more than two hundred fifty (250) employees. Any of the above may appoint a company representative to sign SMR's but written notice must be supplied to this office authorizing said employee to sign.*

The following statement will be required on all SMR's and baseline monitoring reports (BMR):

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who managed the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violation."

2. *If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Town, if possible at least ten days before the date of the bypass. An Industrial User shall submit oral notice of an unanticipated bypass or slug discharge that exceeds applicable Pretreatment Standards to the Town within 24 hours from the time the Industrial User becomes aware of the bypass or slug discharge. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass or slug discharge. The written submission shall contain a description of the bypass or slug discharge and its cause; the duration of the bypass/ slug discharge, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass/ slug discharge. The Town may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.*
3. *The Industrial User shall notify the Town 30 days prior to the introduction of new wastewater or pollutants or any substantial change in the volume or characteristics of the wastewater being introduced into the POTW from the User's industrial processes. The Industrial User is required to notify the Town immediately of any changes to its facility affecting its potential for slug discharge.*

4. *Any upset experienced by the Industrial User of its treatment that places it in a temporary state of non-compliance with wastewater discharge limitations contained in this permit or other limitations specified in the Town's Ordinance shall be reported to the Town within 24 hours of first awareness of the commencement of the upset. Immediate resampling for the non-compliance pollutant shall begin. A detailed report shall be filed within 5 days.*
5. *The Industrial User is required to submit to the Town reports on the results of its sampling of the pollutants specified in Part I of this Permit. This report shall also contain monthly flows.*
6. *Analytical procedures must be performed in accordance with 40 CFR Part 136. Additional pollutants not contained in Part 136 must be performed using validated analytical methods approved by EPA (40 CFR 403.12 [g] [4]).*
7. *All self-monitoring reports shall be submitted to the following address by the 25th day of the month following the reporting period:*
Paul Morrow, Pretreatment Coordinator
Wastewater Treatment Facility
Two Mile Creek Road
Tonawanda, New York 14150

PART IV - STANDARD CONDITIONS

1. *The Industrial User shall comply with all the general prohibitive discharge standards in Article IV of the Local Law 2-2000.*
 - a. *BOD 250 mg/l, SS 250 mg/l, P 6 mg/l are not to be construed as discharge limits of the above pollutants but as a baseline for generating abnormal sewer charges. Permittees that sample more frequently than required for surchargeable parameters and have a greater than 30% variation in flow per reportable day will have a flow averaged used for surcharge calculation.*

2. RIGHT OF ENTRY

The Industrial User shall, after reasonable notification by the Town, allow the Town or its representatives, exhibiting proper credentials and identification, to enter upon the premises of the User, at all reasonable hours, for the purposes of inspection, sampling, or records inspection. Reasonable hours in the context of inspection and sampling includes any time the Industrial User is operating any process which results in a process wastewater discharge to the Town's sewerage system.

3. RECORDS RETENTION

The Industrial User shall retain and preserve for no less than three (3) years, any records, books, documents, memoranda, reports, correspondence and all summaries thereof, relating to monitoring, sampling and chemical analysis made by or in behalf of the User in connection with its discharge.

- a) *All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the Town shall be retained and preserved by the Industrial User until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.*

4. CONFIDENTIAL INFORMATION

Except for data determined to be confidential under Article VII, Section 4 of the Town's Ordinance, all reports required by this permit shall be available for public inspection at the office of the Pretreatment Coordinator, Wastewater Treatment Facility, Two Mile Creek Road, Tonawanda, New York 14150.

5. RECORDING OF RESULTS

For each measurement or sample taken pursuant to the requirements of this permit, the user shall record the following information:

- a) *The exact place, date and time of sampling;*
- b) *The dates the analyses were performed;*
- c) *The person(s) who performed the analyses;*
- d) *The analytical techniques or methods used, and*
- e) *The results of all required analyses.*
- f) *Where sanitary sewer discharge is measured by a mechanical or electronic device, accuracy of device shall be certified correct every year by the manufacturer*
- g) *Where sanitary sewer discharge is measured as consumed water, the water meter must be certified as per the following schedule: meter size 5/8 to 1 inch every ten years, meter size 1 inch to 4 inch every five years, and meter size 4 inches and larger every year.*

6. DILUTION

No Industrial User shall increase the use of potable or process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit

7. PROPER DISPOSAL OF PRETREATMENT SLUDGES AND SPENT CHEMICALS

The disposal of sludges and spent chemicals generated shall be done in accordance with Section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act.

8. TOXIC SUBSTANCES

All waters shall be maintained free of toxic substances in concentrations that are toxic to or produce detrimental physiological responses in human, plant, animal, or aquatic life.

9. SIGNATORY REQUIREMENTS

All reports required by this permit shall be signed by a principal executive officer of the User, or his designee.

10. REVOCATION OF PERMIT

The permit issued to the Industrial User by the Town may be revoked when after inspection, monitoring or analysis it is determined that the discharge of wastewater to the sanitary sewer is in violation of Federal, State, or local laws, ordinances, or regulations. Additionally, falsification or intentional misrepresentation of data or statements pertaining to the permit application or any other required reporting form, shall be cause for permit revocation.

11. LIMITATIONS ON PERMIT TRANSFER

Transfer of permit. Industrial waste permits are issued to a specific user for a specific operation. In the event of any change in ownership of the industrial facility, the permittee shall notify the new owner of the existence of the permit by letter, a copy of which shall be forwarded to the Pretreatment Administrator 30 days prior to change of ownership. A new industrial waste permit must be issued to the new owner.

12. FALSIFYING INFORMATION OR TAMPERING WITH MONITORING EQUIPMENT

Knowingly making any false statement on any report or other document required by this permit or knowingly rendered any monitoring device or method inaccurate, may result in punishment under the criminal law of the Town, as well as being subjected to civil penalties and relief.

13. MODIFICATION OR REVISION OF THE PERMIT

- a) *The terms and conditions of this permit may be subject to modification by the Town at any time as limitations or requirements as identified the Town's Ordinance, are modified or other just cause exists.*
- b) *This permit may also be modified to incorporate special conditions resulting from the issuance of a special order.*
- c) *The terms and conditions may be modified as a result of EPA promulgating a new federal Pretreatment standard.*
- d) *Any permit modifications which result in new conditions in the permit shall include a reasonable time schedule for compliance if necessary.*

14. DUTY TO REAPPLY

The Town shall notify a User sixty (60) days prior to the expiration of the User's Permit. Within thirty (30) days of the notification, the User shall reapply for re-issuance of the permit on a form provided by the Town.

15. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

16. LIMITATIONS

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any invasion of personal rights, nor any infringement of Federal, State or Local regulations.

17. ENFORCEMENT OF THE SEWER USE LAW AND PERMITS

The Town has developed and received USEPA approval of its Enforcement Response Plan which details the standard responses to be taken by the Town when it encounters various violations of the Sewer Use Law or the terms of this permit. Copies of this document are available at the office of the Pretreatment Administrator. Town of Tonawanda Sewer Use Ordinance 2-2000 Article VI 165-33 allows for punitive Administrative fines of up to \$5,000 per day. The Town of Tonawanda may also maintain an action or proceeding in the name of the Town of Tonawanda in a court of competent jurisdiction for injunctive relief of any violation Article 6 of the Town Sewer Use Ordinance 2-2000

Patrick Reilley

From: [REDACTED]
Sent: Wednesday, July 10, 2019 10:14 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Tonawanda Landfill Vicinity Property - Wastewater Sampling Data

Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED]

As per our conversation the Town of Tonawanda has decided to eliminate the requirement for soluble radiological analysis for your permit # 712.

If you have any questions regarding this please do not hesitate to contact me.

[REDACTED]

From: [REDACTED]
Sent: Friday, June 28, 2019 5:44 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Tonawanda Landfill Vicinity Property - Wastewater Sampling Data

[REDACTED]

We received the final report for the first batch of samples, which now includes CN results.

The CN results are ND at an LOD of 5 ppb, which is less than the limit of 1,100 ppb.

The full report for the first batch of samples is attached.

We also received the results for the third batch of samples.

The third batch represents two more 20,000 gallon tanks, so another 40,000 gallons total.

The same summary sheet and data report that were provided with the previous two batches are attached.

We now have on-site 120,000 gallons in 6 separate tanks that have been tested and await your approval to release.

Let me know if you have questions.

Thanks,

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Thursday, June 27, 2019 9:04 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Tonawanda Landfill Vicinity Property - Wastewater Sampling Data

[REDACTED]

Here are the results for the second batch of samples.

These data represent two more 20,000 gallon tanks, so another 40,000 gallons total.

I attached a radionuclide data summary table that we put together to help summarize and present the data for you.

I'll send you the CN data from the first batch when we get it, we've been told that will be tomorrow.

Thanks,

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Thursday, June 27, 2019 1:34 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Tonawanda Landfill Vicinity Property - Wastewater Sampling Data

[REDACTED]

These are the results of our first batch of wastewater.

We have two 20,000 gallon tanks that were sampled, so 40,000 gallons total.

The water in both tanks were pretreated with a 10-um filter.

We collected our once per 6 months priority pollutants analyses sample.

We collected from each tank total/dissolved Ra-226, Iso U, and Iso Th samples.

I've attached the preliminary data report, we still are waiting for CN results for the priority pollutants data set.

I've also attached a radionuclide data summary table that we put together to help summarize and present the data for you.

I don't see any issues, I'll call you today to discuss the results and releasing this batch of wastewater to the sewer, pending the town's approval, of course.

I'm actually on-site today.

Thanks,

[REDACTED]

[REDACTED]

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