ORANGE COUNTY
DEPARTMENT OF PUBLIC WORKS
DIVISION OF ENVIRONMENTAL FACILITIES & SERVICES

Erik Denega, P.E., P.M.P.
Commissioner

Robert J. Gray, P.E.
Deputy Commissioner

Steven M. Neuhaus
County Executive

P.O. Box 637, 2455-2459 Route 17M
Goshen, NY 10924-0637
www.orangecountygov.com/efs
Tel: (845) 291-2640 Fax: (845) 291-2665

April 18, 2022

Mr. Frank X. O'Brien
Frankie's Carwash, LLC
194 Route 17M
Harriman, NY 10926

Re: Frankie's Carwash, LLC - Industrial Wastewater Discharge Permit #011-2017
ADMINISTRATIVE ORDER OCSD No. 1 Case No.: OC-2022001

Sent via U.S. Postal Service Certified Mail - *Return Receipt for Merchandise* 7016 1370 0002 1792 4390

Dear Mr. O'Brien:

Please find enclosed Administrative Order OCSD No. 1 Case No.: OC-2022001 issued by Orange County Sewer District No. 1 against Frankie's Carwash, LLC pursuant to the authority vested in the Administrative Head of Orange County Sewer District No. 1 by Local Law 4 of 2008, enacted by the Legislature of the county of Orange, adopted on April 11, 2008, and duly recorded by the Clerk of Orange County on June 16, 2008.

Your immediate attention to this matter is appreciated.

Sincerely,

Orange County DPW – Division of Environmental Facilities and Services

Robert J. Gray, P.E.
Deputy Commissioner

Encl.: *Administrative Order OCSD No. 1 Case No.: OC-2002001*

ecc: Anthony R. Griffin, P.E., Principal Sanitary Engineer
Joseph Mahoney, Senior County Attorney
Jim Justvig, CAMO Pollution Control, Inc., Chief Plant Operator

ORANGE COUNTY DEPARTMENT OF PUBLIC WORKS,
DIVISION OF ENVIRONMENTAL FACILITIES & SERVICES

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In the Matter of the Violations of the
Orange County Sewer Use Law

by

Frankie's Carwash, LLC,

Respondent.

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ADMINISTRATIVE ORDER

OCSD No. 1 Case No.: OC-2022001

I. PRELIMINARY STATEMENT

This Administrative Order is issued pursuant to the authority vested in the Administrative Head of Orange County Sewer District No. 1 by Local Law No. 4 of 2008, enacted by the Legislature of the County of Orange, adopted on April 11, 2008, and duly recorded by the Clerk of Orange County on June 16, 2008 ("Local Law No. 4").

II. RECITALS

WHEREAS, the Administrative Head of Orange County Sewer District No. 1 ("Administrative Head") is authorized to administer, implement and enforce the provisions of Local Law No. 4; and

WHEREAS, the Orange County Department of Public Works, Division of Environmental Facilities and Services, acting through the Administrative Head, is authorized to administer, implement and enforce the provisions of Local Law No. 4; and

WHEREAS, Frankie's Carwash, LLC, 194 Route 17 M, Harriman, New York 10926, is a domestic limited liability corporation.

III. BACKGROUND FACTS

1. The Respondent facility is located at 194 Route 17M, Harriman, New York, which is within the geographic boundaries of Orange County Sewer District No. 1 ("OCSD No.1").
2. Wastewater generated at the Respondent facility is discharged into the sewer system of OCSD No.1 and is treated at the Harriman Wastewater Treatment Plant ("Harriman WWTP").
3. In January 2017 Respondent filed an Industrial Wastewater Survey with the Orange County Department of Public Works, Division of Environmental Facilities and Services ("Orange

County EF&S"), seeking the issuance of an Industrial Wastewater Discharge Permit in Respondent's name.

4. An Industrial Wastewater Discharge Permit was required as Respondent was (and continues to be) a Significant Industrial User.

5. Following evaluation of the information and documentation submitted by Respondent, the Orange County EF&S issued an Industrial Wastewater Discharge Permit (Permit Number 011-2017) for the Respondent facility. This permit was effective from January 20, 2017, through December 31, 2020 ("**2017-2020 Industrial Discharge Permit**"). This Industrial Wastewater Discharge Permit is hereby incorporated into this Administrative Order and a copy is annexed hereto as **Exhibit A**.

6. Orange County EF&S reissued Respondent the Industrial Wastewater Discharge Permit (Permit Number 011-2017). This reissued permit became effective on January 1, 2021, and expires on December 31, 2023 ("**2021-2023 Industrial Discharge Permit**"). This reissued Industrial Wastewater Discharge Permit is hereby incorporated into this Administrative Order and a copy is annexed hereto as **Exhibit B**.

7. The 2017-2020 Industrial Discharge Permit and the 2021-2023 Industrial Discharge Permit impose specific requirements on Respondent, which include:

    a. Daily monitoring of the wastewater flow meter;

    b. Quarterly sampling of the wastewater to identify the concentration of the contaminants identified in Section B, Table 2 of each permit (in compliance with the requirements identified in each permit);

    c. Analysis of the quarterly samples by an independent laboratory certified by the New York State Department of Health for each parameter identified in Section B, Table 2 of the permits;

    d. Semi-annual submission of a Periodic Compliance Report in compliance with the requirements of the above permits and Local Law 4;

    e. Submission of the official laboratory reports for the analysis of the wastewater samples, including chain of custody records, with each Periodic Compliance Report;

    f. Provide and maintain the necessary facilities for the pretreatment of the industrial wastewater generated at the Respondent facility;

    g. Prevention of any screenings, sludges, solids, waste oils or other materials removed or separated from the wastewater generated by Respondent facility from entering the sewer system of OCSD No.1;

h. In compliance with applicable federal, state and local regulations, disposal of any screenings, sludges, solids, waste oils and other materials removed or separated from the wastewater generated by Respondent facility;

i. Submission of the following as part of each Periodic Compliance Report:

   i. The sources of materials to be disposed of;

   ii. The approximate volume and weights of such material;

   iii. The method by which such material was removed and transported;

   iv. The company contracted to remove such materials; and

   v. The final disposal or recovery location.

j. Ensuring that all records relating to monitoring of the wastewater at the Respondent facility are maintained for a minimum period of three (3) years.

8. On November 30, 2020, a Notice of Violation and Notice of Significant Non-Compliance ("Notice of Violation") was issued by Orange County EF&S to Respondent (**Exhibit C** annexed hereto).

   a. The Notice of Violation was issued for the following violations of the 2017-2020 Industrial Discharge Permit:

      i. Failure to submit a Periodic Compliance Report for the second quarter of 2020;

      ii. Exceedance of the daily maximum limit within the 2017-2020 Industrial Discharge Permit for the following parameters:

         - Chromium (one (1) violation);
         - Copper (four (4) violations);
         - Iron (two (2) violations);
         - Lead (one (1) violation);
         - Manganese (one (1) violation);
         - Phenolics (one (1) violation); and
         - Zinc (four (4) violations).

   b. The Notice of Significant Noncompliance was issued for the following:

      i. The facility was in significant noncompliance with the permitted effluent limits and technical review criteria for copper, iron and zinc; and

      ii. The failure to provide Periodic Compliance Report for the second quarter of 2020.

9. The Notice of Violation required Respondent to retain the services of a New York State licensed professional engineer to perform the following tasks:

a. Perform an investigation to determine the source of the parameter exceedances shown in the historical data annexed to the Notice of Noncompliance and Notice of Significant Noncompliance for chromium, copper, iron, lead, manganese, nickel, zinc and phenolics;

b. Prepare a corrective action plan to ensure the facility complied with the parameter limits included in the 2017-2020 Industrial Discharge Permit;

c. Submit material safety data sheets for all chemicals used at the facility;

d. Submit water use records for 2019 and 2020;

e. Prepare a sampling plan for sample collection, which shall include the protocol for the means and method for collecting samples;

f. On three (3) representative, consecutive days during operation of the facility, resample for chromium, copper, iron, lead, manganese, nickel, zinc and phenolics, which was to be completed by February 1, 2021 (samples to be in compliance with the requirements within the Notice of Violation);

g. Prepare a certified engineer's report containing all information and sampling data required by the Notice of Violation; and

h. By March 1, 2020, submit the certified engineer's report to the Orange County EF&S.

IV. APPLICABLE LAW

10. Local Law No. 4 was enacted to provide for efficient, economic, environmentally sound, and legal operation of OCSD No.1 system and tributary sewers and the Harriman WWTP, setting forth uniform requirements for direct and indirect contributions into the wastewater collection and treatment systems for OCSD No.1.

11. Article XII of Local Law No. 4 provides for enforcement procedures and penalties and administrative remedies, and grants authority to the Administrative Head to investigate potential violations of the provisions of said law and to take appropriate actions to address violations.

12. Section 10.1 of Local Law No. 4 makes it unlawful for any Significant Industrial User to discharge industrial waste, sewage combined with industrial waste or other wastes to a public or private sewer, except pursuant to the terms and conditions in an Industrial Wastewater Discharge Permit.

13. Section 10.4 of Local Law No. 4 requires a Significant Industrial User that has been issued an Industrial Discharge Permit to fully comply with each of the terms and conditions contained within that permit and the provisions of Local Law 4.

14. Section 10.25 of Local Law No. 4 obligates a Significant Industrial User that has been issued an Industrial Wastewater Discharge Permit to treat, at its own expense, wastewater from its facility so that the effluent from its facility into the sewer system of OCSD No.1 complies with Local Law No. 4, the limits within its Industrial Wastewater Discharge Permit and all Federal Categorical Pretreatment Standards.

15. Section 10.15(C)(3) of Local Law 4 requires Significant Industrial Users to submit to the Administrative Head a Periodic Compliance Report that complies with the requirements of that section.

16. A User to that violates any provision of Local Law No. 4 or an Industrial Discharge Permit issued to that User is subject to the enforcement procedures and penalties contained in Article 12 of Local Law No. 4.

17. Section 10.4 of Local Law No. 4 provides that a violation of a term or condition of an Industrial Discharge Permit is a violation of Local Law No. 4.

18. Section 12.2 of Local Law No. 4 authorizes the Administrative Head to issue an Administrative Order if it is determined that a User has violated, or continues to violate, any provision of the Sewer Use Law or an Industrial Discharge Permit.

19. Pursuant to Section 12.2 of Local Law No. 4, the Administrative Order may direct such User to take steps to come into compliance with Local Law No. 4 or the Industrial Discharge Permit – and to do so within a specified time.

20. Pursuant to Section 12.2 of Local Law No. 4, the Administrative Order may also include requirements to address such User's noncompliance. This includes, but is not limited to, direction to install pretreatment equipment, perform additional self-monitoring and the inclusion of management practices to minimize the amount of pollutants discharged to the sewer system of OCSD No.1.

21. Pursuant to Section 12.2 of Local Law No. 4, the issuance of an Administrative Order does not bar the Administrative Head from taking additional action against a User that has violated, or continues to violate, any provision of the Sewer Use Law, a wastewater discharge permit, an order issued pursuant to a wastewater discharge permit, or any pretreatment standard or requirement.

22. Section 10.14 of Local Law No. 4 grants the Administrative Head the authority to revoke an Industrial Wastewater Discharge Permit for "good cause." Local Law No. 4 provides examples of "good cause," which includes when a User to whom an Industrial Wastewater Discharge Permit was issued:

    a. Fails to meet an effluent limit specified within the Industrial Wastewater Discharge Permit or Local Law No. 4;

b. Fails to meet compliance schedules within the Industrial Wastewater Discharge Permit or Local Law No. 4;

c. Violates any term of the Industrial Wastewater Discharge Permit;

d. Violates Local Law No. 4; and/or

e. Violates any pretreatment standard or requirement within the Industrial Wastewater Discharge Permit or Local Law No. 4.

23. Pursuant to Section 10.8 of Local Law No. 4, Respondent's signature on an Industrial Discharge Permit is not required. Compliance with the terms, conditions and requirements of an Industrial Discharge Permit is mandated by Local Law No. 4. Additionally, pursuant to Section 10.1 and 10.4 of Local Law No. 4, it is unlawful for any Significant Industrial User to discharge to the Harriman Sewage Treatment Plant, or any public or private sewer, without having a valid Wastewater Discharge Permit issued by the Administrative Head.

24. Pursuant to Section 12.4 of Local Law No. 4, any User that violates any provision of Local Law No. 4, a wastewater discharge permit or an administrative order issued pursuant to Local Law No. 4, shall be fined up to $1,000 per violation, per day.

25. Pursuant to Section 12.20 of Local Law No. 4, any person that willfully violates any provision of Local Law No. 4 is guilty of a Class A misdemeanor. Upon conviction, such person is subject to a fine of between $500 and $1,000 per day, or imprisonment not to exceed one (1) year. Each offense of Local Law No. 4 is a separate and distinct offense. For continuing violations of Local Law No. 4, each day the violation continues is a separate and distinct offense.

V. FINDINGS and FINDINGS OF VIOLATION

2017-2020 Industrial Discharge Permit

26. The Periodic Compliance Report submitted by Respondent for the first quarter of 2019 identified exceedances of effluent concentration limits within the 2017-2020 Industrial Discharge Permit for the following parameters:

a. Chromium (one (1) violation);

b. Copper (four (4) violations);

c. Iron (two (2) violations);

d. Lead (one (1) violation);

e. Manganese (one (1) violation);

f. Phenolics (one (1) violation); and

g. Zinc (four (4) violations).

27. Each exceedance of the Permitted effluent limits for Chromium, Copper, Iron, Lead, Manganese, Phenolics and Zine is a violation of the 2017-2020 Industrial Discharge Permit.

28. For each such violation of the 2017-2020 Industrial Discharge Permit, Respondent is subject to an administrative fine of up to $1,000.

29. Each exceedance of the Permitted effluent limits for Chromium, Copper, Iron, Lead, Manganese, Phenolics and Zinc is a violation of Local Law 4.

30. For each such violation of Local Law 4, Respondent is subject to additional administrative fine of up to $1,000.

31. Respondent has failed to demonstrate compliance with the following requirements of the 2017-2020 Industrial Discharge Permit:

    a. Daily monitoring of the Respondent facility's water meter;

    b. Quarterly sampling of the wastewater (performed in compliance with the requirements of the 2017-2020 Industrial Discharge Permit) for the second, third and fourth quarters of 2019, and for each quarter in 2020, for the purpose of identifying concentration of the contaminants identified in Section B, Table 2 of the 2017-2020 Industrial Discharge Permit;

    c. Analysis of such quarterly samples by an independent laboratory certified by the New York State Department of Health for each parameter identified in Section B, Table 2 of the 2017-2020 Industrial Discharge Permit; and

    d. Maintenance of the facilities utilized for the pretreatment of the industrial wastewater generated at the Respondent facility.

32. Respondent failed to submit to Orange County EF&S a Periodic Compliance Report for the second quarter of 2019, as required by the 2017-2020 Industrial Discharge Permit.

33. Respondent was required to submit such Periodic Compliance Report to the Orange County EF&S by June 30, 2019.

34. Respondent's failure to submit a Periodic Compliance Report for the second quarter of 2019 is a violation of the 2017-2020 Industrial Discharge Permit.

35. For this violation of the 2017-2020 Industrial Discharge Permit, Respondent is subject to additional administrative fines of up to $1,000 for each such violation after June 30, 2019.

36. Respondent's failure to submit a Periodic Compliance Report for the second quarter of 2019 is a violation of Local Law 4.

37. For this violation of Local Law 4, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after June 30, 2019.

38. Respondent's failure to submit a Period Compliance Report for the second quarter of 2019 is a violation of the reporting requirements Section 10.15(C)(3) of Local Law 4.

39. For this violation of Local Law 4, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after June 30, 2019.

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40. Respondent failed to submit to Orange County EF&S the official laboratory reports for the analysis of the wastewater samples for the second quarter of 2019 (including the chain of custody records), as required by the 2017-2020 Industrial Discharge Permit.

41. Respondent was required to submit such official laboratory reports to Orange County EF&S by June 30, 2019.

42. Respondent's failure to submit the official laboratory reports for the analysis of the wastewater samples for the second quarter of 2019 (including the chain of custody records) is a violation of the 2017-2020 Industrial Discharge Permit.

43. For this violation of the 2017-2020 Industrial Discharge Permit, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after June 30, 2019.

44. Respondent's failure to submit the official laboratory reports for the analysis of the wastewater samples for the second quarter of 2019 (including the chain of custody records) is a violation of Local Law No. 4.

45. For this violation of the 2017-2020 Industrial Discharge Permit, Respondent is liable to OCSD No.1 for additional administrative fines – of up to $1,000 for each such violation after June 30, 2019.

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46. Respondent failed to submit to Orange County EF&S a Periodic Compliance Report for the third and fourth quarters of 2019, as required by the 2017-2020 Industrial Discharge Permit.

47. Respondent was required to submit such Periodic Compliance Report to Orange County EF&S by December 31, 2019.

48. Respondent's failure to submit a Periodic Compliance Report for the third and fourth quarters of 2019 is a violation of the 2017-2020 Industrial Discharge Permit.

49. For this violation of the 2017-2020 Industrial Discharge Permit, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after December 31, 2019.

50. Respondent's failure to submit a Periodic Compliance Report for the third and fourth quarters of 2019 is a violation of Local Law No. 4.

51. For this violation of Local Law 4, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after December 31, 2019.

52. Respondent's failure to submit a Period Compliance Report for the third and fourth quarters of 2019 is a violation of the reporting requirements Section 10.15(C)(3) of Local Law 4.

53. For this violation of Local Law 4, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after December 31, 2019.

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54. Respondent failed to submit to Orange County EF&S the official laboratory reports for the analysis of the wastewater samples for the third and fourth quarters of 2019 (including the chain of custody records), as required by the 2017-2020 Industrial Discharge Permit.

55. Respondent was required to submit such laboratory reports (and chain of custody records) to Orange County EF&S by December 31, 2019.

56. Respondent's failure to submit the official laboratory reports for the analysis of the wastewater samples for the third and fourth quarters of 2019 (including the chain of custody records) is a violation of the 2017-2020 Industrial Discharge Permit.

57. For this violation of the 2017-2020 Industrial Discharge Permit, Respondent is liable to OCSD No.1 for additional administrative fines – of up to $1,000 for each such violation after December 31, 2019.

58. Respondent's failure to submit the official laboratory reports for the analysis of the wastewater samples for the third and fourth quarters of 2019 (including the chain of custody records) is a violation of Local Law No. 4.

59. For this violation of the 2017-2020 Industrial Discharge Permit, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after December 31, 2019.

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60. Respondent failed to submit to Orange County EF&S a Periodic Compliance Report for the first and second quarters of 2020, as required by the 2017-2020 Industrial Discharge Permit.

61. Respondent was required to submit such Periodic Compliance Report to Orange County EF&S by June 30, 2020.

62. Respondent's failure to submit a Periodic Compliance Report for the first and second quarters of 2020 is a violation of the 2017-2020 Industrial Discharge Permit.

63. For this violation of the 2017-2020 Industrial Discharge Permit, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after June 30, 2020.

64. Respondent's failure to submit a Periodic Compliance Report for the first and second quarters of 2020 is a violation of Local Law No. 4.

65. For this violation of Local Law 4, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after June 30, 2020.

66. Respondent's failure to submit a Period Compliance Report for the first and second quarters of 2020 is a violation of the reporting requirements Section 10.15(C)(3) of Local Law 4.

67. For this violation of Local Law 4, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after June 30, 2020.

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68. Respondent failed to submit to Orange County EF&S the official laboratory reports for the analysis of the wastewater samples for the first and second quarters of 2020 (including the chain of custody records), as required by the 2017-2020 Industrial Discharge Permit.

69. Respondent was required to submit such Periodic Compliance Report to Orange County EF&S by June 30, 2020.

70. Respondent's failure to submit to Orange County EF&S the official laboratory reports for the analysis of the wastewater samples for the first and second quarters of 2020 (including the chain of custody records) is a violation of the 2017-2020 Industrial Discharge Permit.

71. For this violation of the 2017-2020 Industrial Discharge Permit, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after June 30, 2020.

72. Respondent's failure to submit to Orange County EF&S the official laboratory reports for the analysis of the wastewater samples for the first and second quarters of 2020 (including the chain of custody records) is a violation of Local Law No. 4.

73. For this violation of Local Law 4, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after June 30, 2020.

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74. Respondent failed to submit to Orange County EF&S a Periodic Compliance Report for the third and fourth quarters of 2020, as required by the 2017-2020 Industrial Discharge Permit.

75. Respondent was required to submit such Periodic Compliance Report to Orange County EF&S by December 31, 2020.

76. Respondent's failure to submit a Periodic Compliance Report for the third and fourth quarters of 2020 is a violation of the 2017-2020 Industrial Discharge Permit.

77. For this violation of the 2017-2020 Industrial Discharge Permit, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after December 31, 2020.

78. Respondent's failure to submit a Periodic Compliance Report for the third and fourth quarters of 2020 is a violation of Local Law No. 4.

79. For this violation of Local Law 4, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after December 31, 2020.

80. Respondent's failure to submit a Period Compliance Report for the third and fourth quarters of 2020 is a violation of the reporting requirements Section 10.15(C)(3) of Local Law 4.

81. For this violation of Local Law 4, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after December 31, 2020.

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82. Respondent failed to submit to Orange County EF&S the official laboratory reports for the analysis of the wastewater samples for the third and fourth quarters of 2020 (including the chain of custody records), as required by the 2017-2020 Industrial Discharge Permit.

83. Respondent was required to submit such official laboratory reports to Orange County EF&S by December 31, 2019.

84. Respondent's failure to submit the official laboratory reports for the analysis of the wastewater samples for the third and fourth quarters of 2020 (including the chain of custody records) is a violation of the 2017-2020 Industrial Discharge Permit.

85. For this violation of the 2017-2020 Industrial Discharge Permit, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after December 31, 2020.

86. Respondent's failure to submit the official laboratory reports for the analysis of the wastewater samples for the third and fourth quarters of 2020 (including the chain of custody records) is a violation of Local Law No. 4.

87. For this violation of the 2017-2020 Industrial Discharge Permit, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after December 31, 2020.

Notice of Violation

88. Respondent has failed to demonstrate to Orange County EF&S compliance with the following requirements of the Notice of Violation:

a. Retention of a New York State licensed professional engineer to prepare the required certified Engineer's Report;

b. Performance of an investigation in a timely manner to determine the source of parameter exceedances for chromium, copper, iron, lead, manganese, nickel, zinc and phenolics;

c. Preparation of a corrective action plan in a timely manner;

d. Preparation of a sampling plan in a timely manner;

e. Resampling for three (3) representative, consecutive days of operation for chromium, copper, iron, lead, manganese, nickel, zinc and phenolics prior to February 1, 2021; and

f. Preparation of a certified engineer's report prior to March 1, 2021.

89. Respondent is in violation of the Notice of Violation for failing to submit to Orange County EF&S the certified engineer's report.

90. Respondent is in violation of the Notice of Violation for failing to submit to Orange County EF&S the material safety data sheets for all chemicals used in the Respondent facility's carwash cleaning and maintenance system.

91. Respondent is in violation of the Notice of Violation for failing to submit to Orange County EF&S water use records for the Respondent facility for 2019 and 2020.

92. Respondent is in violation of the Notice of Violation for failing to submit to Orange County EF&S a Periodic Compliance Report with analytical lab report for the re-sampling events.

93. Respondent is in violation of the Notice of Violation for failing to submit hauling and disposal records of industrial wastewater trucked off-site for disposal.

2021-2023 Industrial Discharge Permit

94. Respondent failed to sign the final page of the 2021-2023 Industrial Discharge Permit, which is a signature for the statement that the Permittee agrees "to comply with the terms, conditions and requirements of this permit." (**Exhibit B**, pg. 13).

95. Pursuant to Section 10.8 of Local Law No. 4, Respondent's signature on an Industrial Discharge Permit is not required. It is unlawful for any Significant Industrial User to discharge to the Harriman Sewage Treatment Plant, or any public or private sewer, without having a valid Wastewater Discharge Permit issued by the Administrative Head.

96. Any Significant Industrial User that discharges to the Harriman WWTP, or any public or private sewer system, is subject to (a) fines of up to $1,000 per violation, per day, and (b) criminal prosecution, which could result in a fine of between $500 and $1,000 per day, or imprisonment not to exceed one (1) year for each separate and distinct offense.

97. Respondent has failed to demonstrate compliance with the following requirements of the 2021-2023 Industrial Discharge Permit:

    a. Daily monitoring of the water flow meter for the period January 1, 2021, to December 31, 2021;

    b. Quarterly sampling of the wastewater for the first, second, third and fourth quarters of 2021 to identify the concentration of the contaminants identified in Section B, Table 2 of the permit (in compliance with the requirements identified in each permit);

    c. Analysis of such quarterly samples by an independent laboratory certified by the New York State Department of Health for each parameter identified in Section B, Table 2 of the 2021-2023 Industrial Discharge Permit; and

    d. Maintenance of the facilities at the Respondent facility utilized for the pretreatment of the industrial wastewater generated at the Respondent facility.

98. Respondent failed to submit to Orange County EF&S a Periodic Compliance Report for the first and second quarters of 2021, as required by the 2021-2023 Industrial Discharge Permit.

99. Respondent was required to submit such Periodic Compliance Report to Orange County EF&S by June 30, 2021.

100. Respondent's failure to submit a Periodic Compliance Report for the first and second quarters of 2021 is a violation of the 2021-2023 Industrial Discharge Permit.

101. For this violation of the 2021-2023 Industrial Discharge Permit, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after June 30, 2021.

102. Respondent's failure to submit a Periodic Compliance Report for the first and second quarters of 2021 is a violation of Local Law No. 4.

103. For this violation of Local Law 4, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after June 30, 2021.

104. Respondent's failure to submit a Period Compliance Report for the first and second quarters of 2021 is a violation of the reporting requirements Section 10.15(C)(3) of Local Law 4.

105. For this violation of Local Law 4, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after June 30, 2021.

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106. Respondent failed to submit to Orange County EF&S the official laboratory reports for the analysis of the wastewater samples for the first and second quarters of 2021 (including the chain of custody records), as required by the 2021-2023 Industrial Discharge Permit.

107. Respondent was required to submit such official laboratory reports to Orange County EF&S by June 30, 2021.

108. Respondent's failure to submit the official laboratory reports for the analysis of the wastewater samples for the first and second quarters of 2021 (including the chain of custody records) is a violation of the 2021-2023 Industrial Discharge Permit.

109. For this violation of the 2021-2023 Industrial Discharge Permit, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after June 30, 2021.

110. Respondent's failure to submit the official laboratory reports for the analysis of the wastewater samples for the first and second quarters of 2021 (including the chain of custody records) is a violation of Local Law No. 4.

111. For this violation of Local Law 4, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after December 31, 2020

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112. Respondent failed to submit to Orange County EF&S a Periodic Compliance Report for the third and fourth quarters of 2021, as required by the 2021-2023 Industrial Discharge Permit.

113. Respondent was required to submit such Periodic Compliance Report to Orange County EF&S by December 31, 2021.

114. Respondent's failure to submit a Periodic Compliance Report for the third and fourth quarters of 2021 is a violation of the 2021-2023 Industrial Discharge Permit.

115. For this violation of the 2021-2023 Industrial Discharge Permit, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after December 31, 2021.

116. Respondent's failure to submit a Periodic Compliance Report for the third and fourth quarters of 2021 is a violation of Local Law No. 4.

117. For this violation of Local Law 4, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after December 31, 2021.

118. Respondent's failure to submit a Period Compliance Report for the third and fourth quarters of 2021 is a violation of the reporting requirements Section 10.15(C)(3) of Local Law 4.

119. For this violation of Local Law 4, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after December 31, 2021.

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120. Respondent failed to submit to Orange County EF&S the official laboratory reports for the analysis of the wastewater samples for the third and fourth quarters of 2021 (including the chain of custody records), as required by the 2021-2023 Industrial Discharge Permit.

121. Respondent was required to submit such official laboratory reports to Orange County EF&S by December 31, 2021.

122. Respondent's failure to submit the official laboratory reports for the analysis of the wastewater samples for the third and fourth quarters of 2021 (including the chain of custody records) is a violation of the 2021-2023 Industrial Discharge Permit.

123. For this violation of the 2021-2023 Industrial Discharge Permit, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after December 31, 2021.

124. Respondent's failure to submit the official laboratory reports for the analysis of the wastewater samples for the third and fourth quarters of 2021 (including the chain of custody records) is a violation of Local Law No. 4.

125. For this violation of Local Law 4, Respondent is liable to OCSD No.1 for additional administrative fines of up to $1,000 for each such violation after December 31, 2021.

Having Considered the Foregoing and Being Duly Advised, it is Hereby ORDERED:

126. Administrative Fines

    a. For the violations identified within this Order, Respondent is hereby assessed Administrative Fines in the amount of $60,000. Of this amount, $10,000 is payable to OCSD No.1 within thirty (30) calendar days of receipt of this Administrative Order. The remaining $50,000 of the Administrative Fines is suspended provided Respondent strictly complies with the terms and conditions of this Order.

    b. If Respondent violates any term and/or condition of this Administrative Order, Orange County EF&S shall provide Respondent written notice of such violation. The entire portion of the Administrative Fines that is suspended shall be due within thirty (30) calendar days of receipt of such notice from Orange County EF&S.

127. Documentation re: Compliance with the 2017-2020 Industrial Discharge Permit:

    Within twenty (20) calendar days of receipt of this Administrative Order, Respondent shall submit to the Orange County EF&S documentation evidencing compliance the 2017-2020 Industrial Discharge Permit for the period January 1, 2019, through December 31, 2020. This includes, but is not limited to, the following:

a. Documentary proof demonstrating, to the satisfaction of Orange County EF&S, that the water flow meter at the Respondent facility was monitored on a daily basis;

b. Documentary proof demonstrating, to the satisfaction of Orange County EF&S, that the quarterly sampling was performed in compliance with the requirements of the 2017-2020 Industrial Discharge Permit;

c. The official laboratory reports for the analysis of each of the wastewater samples (including the chain of custody records);

d. For the period from January 1, 2019, to June 30, 2019, the Periodic Compliance Report prepared in accordance with for the requirements of the 2017-2020 Industrial Discharge Permit;

e. For the period from July 1, 2019, to December 31, 2019, the Periodic Compliance Report prepared in accordance with the requirements of the 2017-2020 Industrial Discharge Permit;

f. For the period from January 1, 2020, to June 30, 2020, the Periodic Compliance Report prepared in accordance with the requirements of the 2017-2020 Industrial Discharge Permit; and

g. For the period from July 1, 2020, to December 31, 2020, the Periodic Compliance Report prepared in accordance with the requirements of the 2017-2020 Industrial Discharge Permit.

128. Within twenty (20) calendar days of receipt of this Administrative Order, Respondent shall provide written notice to the Orange County EF&S specifying all instances of non-compliance with any requirement of the 2017-2020 Industrial Discharge Permit.

129. <u>Documentation re: Compliance with the Notice of Violation:</u>

Within twenty (20) calendar days of receipt of this Administrative Order, Respondent shall submit to the Orange County EF&S sufficient documentary evidence demonstrating full and complete compliance with the requirements of the Notice of Violation. This shall include, but will not necessarily be limited to, the following:

a. Documentary proof demonstrating, to the satisfaction of Orange County EF&S, that Respondent retained the services of a New York State licensed professional engineer to prepare the certified Engineer's Report as required by the Notice of Violation;

b. Documentary proof demonstrating, to the satisfaction of Orange County EF&S, that the New York State licensed professional engineer retained by Respondent performed an investigation to determine the source of parameter exceedances shown in the historical data attached to the November 30, 2020, Notice of

Noncompliance and Notice of Significant Noncompliance for Chromium, Copper, Iron, Lead, Manganese, Nickel, Zinc and Phenolics;

c. The corrective action plan prepared by the New York State license professional engineer retained by Respondent;

d. The sampling plan prepared by the New York State licensed professional engineer retained by Respondent;

e. The official laboratory reports for the analysis of the resampling for three (3) representative, consecutive days of operation for chromium, copper, iron, lead, manganese, nickel, zinc and phenolics (including the chain of custody records);

f. The Periodic Compliance Reports for the resampling events; and

g. The certified engineer's report required by the November 30, 2020, Notice of Noncompliance.

130. Within twenty (20) calendar days of receipt of this Administrative Order, Respondent shall provide written notice to Orange County EF&S specifying all instances of non-compliance with any requirement of the Notice of Violation.

131. Documentation re: Compliance with the 2021-2023 Industrial Discharge Permit:

Within twenty (20) calendar days of receipt of this Administrative Order, Respondent shall submit to the Orange County EF&S documentation evidencing compliance the 2021-2023 Industrial Discharge Permit for the period January 1, 2021, through December 31, 2021. This includes, but is not limited to, the following:

a. Documentary proof demonstrating, to the satisfaction of Orange County EF&S, that the water flow meter at the Respondent facility was monitored on a daily basis;

b. Documentary proof demonstrating, to the satisfaction of Orange County EF&S, that the quarterly sampling required by the 2021-2023 Industrial Discharge Permit was performed in compliance with the requirements of the 2021-2023 Industrial Discharge Permit;

c. The official laboratory reports for the analysis of each of the wastewater samples taken pursuant to the 2021-2023 Industrial Discharge Permit (including the chain of custody records);

d. For the period from January 1, 2021, to June 30, 2021, the Periodic Compliance Report(s) prepared in accordance with for the requirements of the 2021-2023 Industrial Discharge Permit; and

e. For the period from July 1, 2021, to December 31, 2021, the Periodic Compliance Report(s) prepared in accordance with the requirements of the 2021-2023 Industrial Discharge Permit.

132. Within twenty (20) calendar days of receipt of this Administrative Order, Respondent shall provide written notice to Orange County EF&S specifying all instances of non-compliance with any requirement of the 2021-2023 Industrial Discharge Permit.

133. Verification of Compliance with Industrial Wastewater Discharge Permit:

Respondent shall retain the services of a New York State licensed Professional Engineer to:

a. Perform an investigation to determine the source of the parameter exceedances of Chromium, Copper, Iron, Lead, Manganese, Nickel, Zinc and Phenolics shown in the historical data annexed to the Notice of Violation;

b. Prepare a corrective action plan to achieve compliance with the parameter limits in the Respondent facility's Industrial Wastewater Discharge Permit;

c. Prepare a sampling plan that includes protocol relating to the means and methods for sample collection;

d. Sample for three (3) representative, consecutive days of operation for Chromium, Copper, Iron, Lead, Manganese, Nickel, Zinc and Phenolics by May 1, 2022. Samples must be 24-hour composite samples:

   i. The composite sample shall consist of grab samples at a minimum rate of one (1) sample aliquot of equal volume every thirty (30) minutes taken from the daily discharge over a typical operational day.

   ii. Submit a Periodic Compliance Report with analytical lab report for the sampling events within thirty (30) days of each sampling event performed.

e. Submit to Orange County EF&S material safety data sheets and manifests for all chemicals used in the facility's carwash cleaning and maintenance systems;

f. Submit to Orange County EF&S water use records for 2019, 2020 and 2021;

g. Submit to Orange County EF&S by May 1, 2022, a certified Engineer's Report that incorporates all information and sampling required herein.

134. Failure to Comply:

Respondent shall be in violation of this Administrative Order for any failure to fully comply, or any failure to timely comply, with any term, provision, covenant, condition, representation, requirement or obligation of this Administrative Order.

135. Submissions:

The Respondent shall be in violation of this Administrative Order if any submission is of such poor quality that it does not constitute a good faith effort to comply with the terms, conditions and requirements of this Administrative Order.

136. Modification of Administrative Order:

No change or modification to this Administrative Order shall be effective except as may be specifically set forth in writing by the Administrative Head. No informal advice, statement, suggestion or comment by OCSD No.1 shall be construed as relieving or modifying the Respondent's duties and obligations under this Administrative Order.

137. General Provisions:

Any information or documentation to be submitted by Respondent to Orange County EF&S as part of this Administrative Order shall be sent in hard copy form via certified mail or its equivalent, with duplicate in electronic format, to:

Robert J. Gray, P.E.
Deputy Commissioner
Orange County Department of Public Works,
Division of Environmental Facilities & Services
2455-2459 Route 17M
Goshen, New York 10924

RGray@orangecountygov.com

Dated: April 18, 2022
Goshen, New York

Orange County Sewer District No.1

Erik Denega, P.E., P.M.P
Administrative Head, Orange County Sewer District No. 1 and Commissioner, Orange County Department of Public Works

ORANGE COUNTY
DEPARTMENT OF PUBLIC WORKS
DIVISION OF ENVIRONMENTAL FACILITIES & SERVICES

Erik Denega, P.E., P.M.P.
Commissioner

Peter S. Hammond
Deputy Commissioner

Steven M. Neuhaus
County Executive

www.orangecountygov.com
2455-2459 Route 17M, P.O. Box 637
Goshen, New York 10924-0637
TEL: (845) 291-2640 • FAX: (845) 291-2665

INDUSTRIAL WASTEWATER DISCHARGE PERMIT
SIGNIFICANT INDUSTRIAL USER

PERMIT NUMBER: 011-2017 EFFECTIVE DATE: January 20, 2017

SIC CODE: 7542 REVISION DATE: -

EXPIRATION DATE: December 31, 2020

In compliance with Orange County Local Sewer Use Law of 2008, the Orange County Department of Public Works issues this permit to the following facility:

FRANKIE'S CARWASH, LLC
NAME OF COMPANY

194 ROUTE 17M

HARRIMAN, NEW YORK 10926
ADDRESS OF COMPANY FACILITY DISCHARGING WASTEWATER

A. EFFLUENT LIMITATIONS

The wastewater discharge of the Permittee shall be limited by the concentration limits defined in Section 9.4 of the Local Sewer Use Law and specified below:

TABLE 1
EFFLUENT CONCENTRATION LIMITS AT POINT OF DISCHARGE

Parameter(1)	Maximum Concentration(2) (mg/l)
Ammonia	230
Arsenic	0.16

TABLE 1 EFFLUENT CONCENTRATION LIMITS AT POINT OF DISCHARGE	
Parameter[1]	**Maximum Concentration[2] (mg/l)**
CBOD[3]	670
Cadmium	0.027
Chromium	0.40
Copper	0.27
Iron	6.9
Lead	0.041
Manganese	1.3
Molybdenum	0.83
Nickel	0.69
Silver	0.37
Sulfate	1,540
Total Phenolics	0.29
TSS[3]	4,800
UOD[3][4]	11,000
Oil & Grease	100
Zinc	0.68

(1) All concentrations listed for metallic substances shall be as "total metal", which shall be defined as the value measured in a sample acidified to a pH value of 2 or less, without prior filtration.

(2) As determined on a composite sample taken from the User's daily discharge over a typical operational and/or production day, except for cyanide, total phenolics, pH, oil and grease which shall be determined using grab samples. The limits for organic pollutants other than those listed in this section and higher than the minimum detection limits as established by 40 CFR Part 136 and/or the current edition of Standard Methods shall be set on a case-by-case basis.

(3) As determined by an average of composite samples taken from the User's daily discharge over an operational and/or production day, within a one month period.

(4) Ultimate Oxygen Demand (UOD) shall be computed as UOD = 1.5 x CBOD5 + 4.5 x TKN

The following wastes shall not be introduced into the public sewer system:

(a) Wastes which create a fire or explosion hazard in the sewer system or treatment works, including but not limited to wastestreams with a closed-cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21.

(b) Gasoline, benzene, naptha, fuel oil or other flammable or explosive liquid, solid, or gas.

(c) Waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, which injures or interferes with the integrity of the collection system, any sewage process, constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in the receiving waters of the sewage treatment plant.

(d) Wastes which have a pH lower than 5.5 S.U. or higher than 11.0 S.U., or has any corrosive property capable of causing damage or hazard to structures or equipment.

(e) Solid or viscous wastes in amounts which would cause obstruction to the flow in sewers, or other interference with the proper operation of the sewers or the sewage treatment plant.

(f) Wastes at a flow rate and/or pollutant discharge rate which is excessive over relatively short time periods so that there is a treatment process upset or subsequent loss of treatment efficiency at the sewage treatment plant.

(g) Wastes which are prohibited in Section 9.2 of the Orange County Local Sewer Use Law of 2008.

B. MONITORING AND RECORDING

The monitoring of each industrial discharge and the recording of quantitative values shall be performed by the Permittee according to schedules established by the Orange County Department of Public Works utilizing approved methodology. Composite samples shall be collected over the daily duration of discharge including clean-up periods. The composites shall consist of grab samples of 30 minutes during the operational period, including start-up and clean-up. The flow (in gallons per day) shall be measured during each sampling period. If flow measurement is not practicable, water use records may be substituted in place of flow measurement. The sampling schedule cited below shall become effective on the date of operational compliance specified in this permit.

TABLE 2 SAMPLING SCHEDULE			
SAMPLING LOCATION	**PARAMETERS**	**MONITORING FREQUENCY**	**TYPE OF SAMPLE (grab, composite, continuous)**
To be determined	Flow	Quarterly	Daily Flow
(Point of discharge	pH	Quarterly	Grab
after any	Ammonia	Quarterly	Composite
treatment processes)	Total Kjeldahl Nitrogen (TKN)	Quarterly	Composite
	Total Dissolved Solids (TDS)	Quarterly	Composite
	Chlorides	Quarterly	Composite
	Arsenic	Quarterly	Composite
	$CBOD_5$	Quarterly	Composite
	Cadmium	Quarterly	Composite
	Chromium	Quarterly	Composite
	Copper	Quarterly	Composite
	Iron	Quarterly	Composite
	Lead	Quarterly	Composite
	Manganese	Quarterly	Composite
	Molybdenum	Quarterly	Composite
	Nickel	Quarterly	Composite
	Silver	Quarterly	Composite
	Sulfate	Quarterly	Composite
	Phenolics	Quarterly	Grab
	TSS	Quarterly	Composite
	Zinc	Quarterly	Composite
	Oil & Grease	Quarterly	Grab
	UOD(1)	Quarterly	Composite
	Cyanide	Quarterly	Grab
	TTO(2)	Semi-Annually	Grab

(1) Ultimate Oxygen Demand (UOD) shall be computed as UOD = 1.5 x CBOD5 + 4.5 x TKN

(2) Total Toxic Organics (TTO) defined as the sum of the detectable parameters detected by USEPA Method 624 including Xylenes (Refer to 40 CFR Part 433.11)

Wastewater samples shall be collected and analyzed by an independent laboratory certified in the parameters being analyzed. Sampling and analysis must be performed in accordance with the techniques described in 40 C.F.R. Part 136 and amendments thereto.

C. REPORTING REQUIREMENTS

SELF MONITORING REPORT - The industrial user shall submit to the Orange County Department of Public Works a Periodic Compliance Report. Such reports shall be submitted Semi-Annually during the months of July and January and shall contain the results of the previous six months of monitoring required under this permit, as well as any other analytical results from monitoring performed at the sampling locations specified in Section B of this permit. Furthermore, such reports must be submitted consistent with the Signatory and Certification Statement requirements included in Section Q of this permit.

If the results of the permittee's wastewater analysis indicates that a violation of this permit has occurred, the permittee must:

(1) Inform the Orange County Department of Public Works of the violation within 24 hours; and
(2) repeat the sampling and pollutant analysis and submit, in writing, the results of this second analysis within 30 days of the first violation.

D. DILUTION

No industry shall increase the use of potable or process water in any way for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with any applicable Federal pretreatment standards or any other limitations set forth in this permit or the Local Sewer Use Law.

E. NOTICE OF NON-COMPLIANCE (Slug Discharges/Accidental Discharge/Emergency Operations)

In the event the Permittee does not comply with or will be unable to comply with any effluent limitation specified in this permit or discharges any slug loading to the sanitary sewer due to:

(1) Breakdown of Industrial Waste Pretreatment Equipment;
(2) Accidents caused by human error or negligence;
(3) Spills, releases, bypasses or process upsets; or
(4) Other causes, such as acts of nature,

the Permittee shall notify the Pretreatment Program Manager forthwith so that the necessary steps to prevent damage to the wastewater collection and treatment system can be taken.

Notification Procedures

(1) In the event of any slug or accidental discharge (as defined above), the permittee shall immediately notify **Orange County Department of Public Works** by telephoning the **Pretreatment Manager** at **(845) 291-2642** or the **Chief Plant Operator of the Harriman Sewage Treatment Plant** at **(845) 291-2033.**

(2) In addition to the notice provided above, the Permittee shall notify the Manager in writing within five (5) days of the date of occurrence, by a detailed statement including the following pertinent information:

(1) Cause of noncompliance.
(2) A description of the noncomplying discharge.
(3) Anticipated time the condition of noncompliance is expected to continue, or if such condition has been corrected, the duration of the period of noncompliance.
(4) Steps taken by the Permittee to reduce and eliminate the non-complying discharge; and
(5) Steps to be taken by the Permittee to prevent recurrence of the condition of noncompliance.

Nothing in this permit shall be construed to relieve the Permittee from the penalties for noncompliance with this permit for any reason subject to the Local Sewer Use Law.

F. CHANGE IN WASTEWATER DISCHARGE

All discharges authorized herein shall comply with the terms and conditions of this permit. Any industrial facility expansions, production increases or process modifications which result in new, different or increased discharges of pollutants must be reported by submission of revised Wastewater Survey Forms. This permit may be modified to specify and limit any pollutants not previously limited. The discharges of any pollutant more frequently than, or at a level in excess of, that specified and authorized by this permit shall constitute a violation of the terms and conditions of this permit.

G. MODIFICATION, SUSPENSION OR REVOCATION OF PERMITS

(a) Industrial Wastewater Discharge Permits may be modified, suspended or revoked whenever the Orange County Department of Public Works finds after a hearing held in conformance with the procedures set forth in Article XII of the Local Sewer Use Law:

1. that the user has violated any term of the permit; or

2. that the user obtained the permit by misrepresentation or failure to disclose fully all relevant facts.

(b) Permits may additionally be modified, suspended or revoked whenever the Orange County Department of Public Works determines that a change in conditions or the existence of a condition at the Harriman Sewage Treatment Plant requires either a temporary or permanent reduction or elimination of the authorized discharge. The Orange County Department of Public Works shall notify affected users of any proposed changes in their permit at least 30 days prior to the effective date of the change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance. Any user aggrieved by a proposed modification, suspension or revocation of the user's wastewater discharge permit may appeal to the County for relief in accordance with the provisions of Section 12.12 of the Local Sewer Use Law.

(c) If the Orange County Department of Public Works finds that the public health, safety or welfare requires emergency action, and incorporates a finding to that effect in his/her order, summary suspension or modification of a permit may be ordered pending proceedings for modification, suspension, revocation or other action. As soon as possible thereafter, but not to exceed fifteen (15) days, the Orange County Department of Public Works shall provide the affected user an opportunity to be heard in accordance with the hearing provisions of Section 12.12 of the Local Sewer Use Law.

H. RIGHT OF ENTRY

The Permittee shall allow duly authorized employees or representatives of the Orange County Department of Public Works to enter the Permittee's premises for the purpose of inspection, observation, measurement, sampling, and testing in accordance with Section 10.32 of the Local Sewer Use Law.

I. TRANSFER OF PERMIT

Industrial Waste Discharge Permits are issued to a specific User for a specific operation and are non-transferable. 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 Orange County Department of Public Works.

J. PRETREATMENT FACILITIES

The Permittee shall provide and maintain at his expense, all necessary facilities for the pretreatment of industrial wastewaters when required by the Orange County Department of Public Works pursuant to Section 10.25 of the Local Sewer Use Law. All reports, plans and/or specifications for new or modified pretreatment facilities must be submitted to the Orange County Department of Public Works.

K. WASTE MATERIAL DISPOSAL

Any screenings, sludges, solids, waste oils, or other waste materials removed or separated from the Permittee's authorized discharge shall be disposed of in accordance with applicable Federal, State and local regulations and prevented from entering the wastewater treatment system. The following data shall be reported to the Orange County Department of Public Works as part of the semi-annual reports.

(a) The sources of materials to be disposed of.
(b) The approximate volumes and weights.
(c) The method by which they were removed and transported.
(d) The company contracted to remove such materials.
(e) The final disposal or recovery location.

L. MONITORING FACILITY REQUIREMENTS

If, in the opinion of the Orange County Department of Public Works, there are not adequate facilities where representative samples can be obtained and accurate flow measurement taken, the Orange County Department of Public Works can require that monitoring facilities be installed by the Permittee at his expense in accordance with Section 10.18 of the Local Sewer Use Law.

M. SCHEDULE OF COMPLIANCE

(a) Periodic Compliance Report Schedule.

The permittee shall submit semiannual Periodic Compliance Reports (PCRs) in accordance with the timetable established below:

TABLE 3 – PCR SUBMITTALS		
Period Covered		
Beginning	Ending	Date PCR is due
January 1	March 31	
April 1	June 30	July 30
July 1	September 30	
October 1	December 31	January 30

The PCR shall be transmitted on the forms attached to this permit. Official laboratory and calibration reports (or copies thereof) must be included within the PCR.

(b) Periodic Compliance Report Requirements.

The Permittee must submit a PCR report that includes the following:

a. Laboratory Sample Results
   i. Each PCR shall contain the results of independent laboratory analyses of wastewater samples for the parameters listed in Section B, Table 2.
   ii. Sampling and analyses must be conducted in accordance with the methodologies detailed in 40 CFR 136 and amendments thereto.
   iii. Samples to be collected on more than one day per reporting must be collected on consecutive days typical of normal production.
   iv. Copies of official laboratory reports, including chain of custody records, must be included within each PCR.
   v. The contract laboratory must be certified by the New York State Department of Health (NYSDOH) for each parameter to be analyzed (refer to Table 2).
   vi. For the purpose of this permit, Total Toxic Organics (TTOs) is defined as the sum of the detectable concentrations of parameters detected by USEPA Method 624 including xylenes.
   vii. Each PCR must include a summary of sampling and analytical methodologies employed. Note that composite samples must be collected at a minimum rate of one sample aliquot every 30 minutes.
   viii. The concentration of any parameter listed in Table 2 shall not exceed the effluent limitations detailed in Section B, Table 2 of this permit.
   ix. The Manager must be notified in writing if any of the USEPA Priority Pollutants are to be discharged to the Harriman Sewage Treatment Plant. The Manager must be notified in order to evaluate the impact of any change in discharge pursuant to Section F of this permit.
   x. Additional sampling and flow measurement may be performed by the permittee. Any data collected using certified methods must be submitted to this office with the required self monitoring data for the corresponding period to evaluate compliance with permit effluent limitations and pretreatment standards. Additional data may be used for computations of the Industrial Wastewater Discharge Surcharge.
b. General Contact Information
c. Compliance Certification
   i. Each PCR requires a statement that compliance with all applicable effluent limitations has been maintained throughout the reporting period. If the permittee fails to maintain compliance the requirements listed in Section C – Reporting Requirements must be adhered to.
d. Parameters greater than pretreatment standards, if applicable.
e. Reasons for noncompliance, if applicable.
f. Steps taken to correct the cause of noncompliance, if applicable.
g. Any unusual operating conditions during the sampling period.
h. Description of method for determining flow.

i. Description of sampling methods used.
j. Waste Material Disposal, including:
   i. Screenings, sludges, solids, waste oils and other wastes generated as a result of the Permitte's pretreatment process must be reported to the Manager. Required information includes.
      1. Source of Material
      2. Approximate Volume
      3. Approximate Weight
      4. Name of Transporter
      5. Date of Removal from Facility
      6. Method of Removal
      7. Name and Address of Final Disposal Site

N. RECORD-KEEPING REQUIREMENTS

The Permittee shall maintain records of all information resulting from any monitoring activities for a minimum of three (3) years, whether or not such monitoring activities are required by the Orange County Department of Public Works. The period of retention shall be extended during the course of any unresolved litigation regarding the Industrial User. The records shall be made available for inspection and copying by the Orange County Department of Public Works. Records for all monitoring shall include:

(a) The date, exact place, method, and time of sampling and the names of the person or persons taking the samples.
(b) The dates and time analyses were performed.
(c) Who performed the analyses.
(d) The analytical methods used.
(e) The results of such analyses.

O. COMPUTATION AND PAYMENTS OF INDUSTRIAL WASTE SURCHARGE

The Permittee shall pay its proportionate share of the cost of operation and maintenance and local debt retirement of the treatment facility to which it discharges industrial wastewater.

As stated in Section 13.13 of the Local Sewer Use Law, the Industrial Wastewater Surcharge shall be accessed for industrial facilities that add a significant loading of conventional pollutants to the Harriman Sewerage Treatment Plant.

Payments shall be made to the Orange County Department of Public Works by the industrial users no less often than semi-annually. If there is a substantial change in the wastewater characteristics and flow rate introduced into the sewer system by an industrial user, such user's industrial surcharge shall be adjusted accordingly.

P. CIVIL AND CRIMINAL PENALTIES

Any person who violates any of the provisions of or who fails to perform any duty imposed by the Rules and Regulation or any order or determination of the Orange County Department of Public Works or the terms of any permit issued thereunder, shall be liable to Orange County for a civil penalty of at least five hundred dollars ($500) but not to exceed one thousand dollars ($1,000.00) per violation per day, to be assessed after a hearing held in conformance with the procedures set forth in Section 12.12 of the Local Sewer Use Law.

Each violation shall be a separate and distinct violation and in the case of a continuing violation, each day's continuance thereof shall be deemed a separate and distinct violation. Such penalty may be recovered in an action brought by the County's attorney in the name of Orange County in any court of competent jurisdiction. Such civil penalty may be released or compromised by the Orange County Department of Public Works before the matter has been referred to the County's attorney and where such matter has been referred to the County's attorney any such penalty may be released or compromised and any action commenced to recover the same may be settled and discontinued by the County's attorney only with the consent of Orange County. Any person who willfully violates any provision of the Local Sewer Use Law or any final determination or order of the Orange County Department of Public Works shall, in addition, be guilty of a misdemeanor and upon conviction thereof, shall be punished by imprisonment of not more than six months or by a fine of at least $1,000 per day. Each offense shall be a separate and distinct offense and in the case of a continuing offense, each day's continuance thereof shall be deemed a separate and distinct offense.

Q. OTHER REQUIREMENTS

SIGNATORY REQUIREMENTS

An authorized representative must sign all reports and correspondence submitted by the permittee in accordance with this permit. The authorized representative of the user shall be an individual who is:

(1) A principal executive officer of at least the level of Vice President;

(2) A general partner or proprietor if the Industrial user is a partnership or sole proprietorship.

(3) A duly authorized representative of the individual described in (1) or (2) of this section if such representative is responsible for the overall operation of the facility from which the indirect discharge originates.

CERTIFICATION STATEMENT REQUIREMENTS

All reports, including self monitoring reports, and correspondence submitted by the authorized representative of the permittee must include the following certification statement:

"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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage 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 fine and imprisonment for knowing violations."

TOTAL TOXIC ORGANIC MANAGEMENT PLAN REQUIREMENTS

Permittee's who utilize any toxic organic compounds at their facility must provide the Manager with a Toxic Organic Management Plan (TOMP) that specifies the following information:

(1) Any toxic organic compounds used at the facility;

(2) The method of disposal used instead of dumping such as reclamation, contract hauling, or incineration;

(3) Procedures for ensuring that toxic organics do not routinely spill or leak into the wastewater.

(4) Once the TTO Plan has been approved by the Manager, the permittee may sign and attach the following certification statement with their completed self monitoring reports, in lieu of monitoring for Total Toxic Organics (TTO).

"Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for total toxic organics (TTO), I certify that to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewater has occurred since filing of the last Periodic Compliance Report. I further certify that this facility is implementing the Total Toxic Organic Management Plan submitted to the Orange County Department of Public Works."

AUTHORIZATION AND AGREEMENT

This permit and the authorization to discharge industrial wastewater into the Harriman Sewage Treatment Plant shall be legally binding upon the Permittee. The Permittee shall not discharge after the date of expiration. In order to receive a new permit and continued authorization to discharge wastewater to the Harriman Sewage Treatment Plant beyond the date of expiration, the Permittee must submit an application for a new permit no earlier than 60 days and no later than 30 days prior to the expiration date of this permit. Also, all industrial waste surcharges owed to the Orange County Department of Public Works to date must be paid and any other information required by the County must be submitted.

1-17-17	
DATE	SIGNATURE

By the authority of the Orange County Department of Public Works – Division of Environmental Facilities and Services.

I hereby agree to comply with the terms, conditions and requirements of this permit.

	1/27/17
SIGNATURE OF PERMITTEE OR AUTHORIZED REPRESENTATIVE	DATE
FRANK X. O'BRIEN	OWNER
PRINTED NAME OF PERSON SIGNING	TITLE

ORANGE COUNTY SEWER DISTRICT NO. 1 – HARRIMAN SEWAGE TREATMENT PLANT INDUSTRIAL WASTEWATER PRETREATMENT PROGRAM PERIODIC COMPLIANCE REPORT

A. GENERAL INFORMATION

Company Name:_____

Site Address:_____

Permit Number:_____

Standard Industrial Classification Code (SIC):_____

Contact Person:_____

Title:_____

Email address:_____

Address:_____

Phone:_____

Process Modifications Since Last Reporting Period_____

B. MONITORING RESULTS:

Name of Laboratory:_____

Address of Laboratory:_____

Laboratory Contact Person:_____

Laboratory Phone Number:_____

Monitoring Location:_____

Please enclose copies of the laboratory analytical results and chain-of-custody sheets with your submittal.

C. CERTIFICATION

I certify under penalty of law that this document and its attachments were prepared under my direction. Based on my inquiry of the 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 a fine and imprisonment for knowing violations. I further certify that sampling and analytical methodologies employed during the collection of data required for this submission conform to accepted methods established by the United States Environmental Protection Agency (USEPA) and/or the New York State Department of Health.

Signature:_____ **Date:**_____

Print Name:_____ **Title:**_____

D. ANALYTICAL RESULTS FOR EACH SAMPLING EVENT

_____ SAMPLING								
PARAMETER	**UNIT**	**DAILY MAXIMUM (mg/l)**	**SAMPLING FREQUENCY**	**SAMPLE DATE**	**SAMPLE DATE**	**SAMPLE DATE**	**SAMPLE DATE**	**SAMPLE DATE**
Date								
Volume[1]	Gal/day	Monitor	Daily Flow					
Chloride	mg/l	Monitor	Quarterly					
TDS	mg/l	Monitor	Quarterly					
Ammonia	mg/l	230	Quarterly					
TKN	mg/l	Monitor	Quarterly					
Arsenic	mg/l	0.16	Quarterly					
$CBOD_5$	mg/l	670	Quarterly					
Cadmium	mg/l	0.027	Quarterly					
Chromium	mg/l	0.40	Quarterly					
Copper	mg/l	0.27	Quarterly					
Iron	mg/l	6.9	Quarterly					
Lead	mg/l	0.041	Quarterly					
Manganese	mg/l	1.3	Quarterly					
Molybdenum	mg/l	0.83	Quarterly					
Nickel	mg/l	0.69	Quarterly					
Silver	mg/l	0.37	Quarterly					
Sulfate	mg/l	1,540	Quarterly					
Phenolics	mg/l	0.29	Quarterly					
Zinc	mg/l	0.68	Quarterly					
TSS	mg/l	4,800	Quarterly					
Oil & Grease	mg/l	100	Quarterly					
UOD[(3)]	mg/l	11,000	Quarterly					
TTO[(4)]	mg/l	Monitor	Semi-Annually					
Cyanide	mg/l	Monitor	Quarterly					
pH	S.U.	5.5-11	Quarterly					

1. Describe the method of determining Volume in Section E
2. All concentrations listed for metallic substances should be as "total metal"
3. Ultimate Oxygen Demand (UOD) shall be computed as UOD = 1.5 x CBOD5 + 4.5 x TKN
4. Total Toxic Organics (TTO) defined as the sum of the detectable parameters detected by USEPA Method 624 including Xylenes (Refer to 40 CFR Part 433.11)

E. EXPLANATION OF RESULTS

Parameters greater than pretreatment standards:

_____

_____

_____

Reasons for noncompliance, if applicable:

_____

_____

_____

Steps taken to correct the cause of noncompliance, if applicable:

_____

_____

_____

Any unusual operating conditions during the sampling period:

_____

_____

_____

Describe method for determining flow:

_____

_____

_____

Sampling Methods Used:

_____

_____

_____

F. WASTE MATERIAL DISPOSAL

To comply with Item K of your permit, any screenings, sludges, solids, waste oils, and other waste materials generated as a result of the Permittee's pretreatment process must be reported to the Orange County Department of Public Works. Please complete this form for all pretreatment waste materials generated during this sampling period.

Source of Materials:_____

Approximate Volume:_____

Approximate Weights:_____

Name of Transporter:_____

Date of Removal from facility:_____

Method of Removal:_____

Name and Address of Final Disposal Facility:

_____

_____

_____

ORANGE COUNTY
DEPARTMENT OF PUBLIC WORKS
DIVISION OF ENVIRONMENTAL FACILITIES & SERVICES

Erik Denega, P.E., P.M.P.
Commissioner

Robert J. Gray, P.E.
Deputy Commissioner

Steven M. Neuhaus
County Executive

www.orangecountygov.com
2455-2459 Route 17M, P.O. Box 637
Goshen, New York 10924-0637
TEL: (845) 291-2640 • FAX: (845) 291-2665

INDUSTRIAL WASTEWATER DISCHARGE PERMIT
SIGNIFICANT INDUSTRIAL USER

PERMIT NUMBER: 011-2017 EFFECTIVE DATE: January 1, 2021

SIC CODE: 7542 EXPIRATION DATE: December 31, 2023

In compliance with Orange County Local Sewer Use Law of 2008, the Orange County Department of Public Works issues this permit to the following facility:

FRANKIE'S CARWASH, LLC
NAME OF COMPANY

194 ROUTE 17M

HARRIMAN, NEW YORK 10926
ADDRESS OF COMPANY FACILITY DISCHARGING WASTEWATER

A. EFFLUENT LIMITATIONS

The wastewater discharge of the Permittee shall be limited by the concentration limits defined in Section 9.4 of the Local Sewer Use Law and specified below:

TABLE 1
EFFLUENT CONCENTRATION LIMITS AT POINT OF DISCHARGE

Parameter(1)	Maximum Concentration(2) (mg/l)
Ammonia	230
Arsenic	0.16

TABLE 1 EFFLUENT CONCENTRATION LIMITS AT POINT OF DISCHARGE	
Parameter[1]	**Maximum Concentration[2] (mg/l)**
CBOD[3]	670
Cadmium	0.027
Chromium	0.40
Copper	0.27
Iron	6.9
Lead	0.041
Manganese	1.3
Molybdenum	0.83
Nickel	0.69
Silver	0.37
Sulfate	1,540
Total Phenolics	0.29
TSS[3]	4,800
UOD[3][4]	11,000
Oil & Grease	100
Zinc	0.68

(1) All concentrations listed for metallic substances shall be as "total metal", which shall be defined as the value measured in a sample acidified to a pH value of 2 or less, without prior filtration.

(2) As determined on a composite sample taken from the User's daily discharge over a typical operational and/or production day, except for cyanide, total phenolics, pH, oil and grease which shall be determined using grab samples. The limits for organic pollutants other than those listed in this section and higher than the minimum detection limits as established by 40 CFR Part 136 and/or the current edition of Standard Methods shall be set on a case-by-case basis.

(3) As determined by an average of composite samples taken from the User's daily discharge over an operational and/or production day, within a one month period.

(4) Ultimate Oxygen Demand (UOD) shall be computed as UOD = 1.5 x CBOD5 + 4.5 x TKN

The following wastes shall not be introduced into the public sewer system:

(a) Wastes which create a fire or explosion hazard in the sewer system or treatment works, including but not limited to wastestreams with a closed-cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21.

(b) Gasoline, benzene, naptha, fuel oil or other flammable or explosive liquid, solid, or gas.

(c) Waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, which injures or interferes with the integrity of the collection system, any sewage process, constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in the receiving waters of the sewage treatment plant.

(d) Wastes which have a pH lower than 5.5 S.U. or higher than 11.0 S.U., or has any corrosive property capable of causing damage or hazard to structures or equipment.

(e) Solid or viscous wastes in amounts which would cause obstruction to the flow in sewers, or other interference with the proper operation of the sewers or the sewage treatment plant.

(f) Wastes at a flow rate and/or pollutant discharge rate which is excessive over relatively short time periods so that there is a treatment process upset or subsequent loss of treatment efficiency at the sewage treatment plant.

(g) Wastes which are prohibited in Section 9.2 of the Orange County Local Sewer Use Law of 2008.

B. MONITORING AND RECORDING

The monitoring of each industrial discharge and the recording of quantitative values shall be performed by the Permittee according to schedules established by the Orange County Department of Public Works utilizing approved methodology. Composite samples shall be collected over the daily duration of discharge including clean-up periods. The composites shall consist of grab samples of 30 minutes during the operational period, including start-up and clean-up. The flow (in gallons per day) shall be measured during each sampling period. If flow measurement is not practicable, water use records may be substituted in place of flow measurement. The sampling schedule cited below shall become effective on the date of operational compliance specified in this permit.

TABLE 2
SAMPLING SCHEDULE

SAMPLING LOCATION	PARAMETERS	MONITORING FREQUENCY	TYPE OF SAMPLE (grab, composite, continuous)
Facility Water Meter	Flow	Daily	Daily Flow Meter Reading
Sampling Manhole (all Parameters listed except "Flow"):	pH	Quarterly	Grab
	Total Dissolved Solids (TDS)	Quarterly	24 Hour Composite
	Chlorides	Quarterly	24 Hour Composite
	Cadmium	Quarterly	24 Hour Composite
	Chromium	Quarterly	24 Hour Composite
	Copper	Quarterly	24 Hour Composite
	Iron	Quarterly	24 Hour Composite
	Lead	Quarterly	24 Hour Composite
	Manganese	Quarterly	24 Hour Composite
	Molybdenum	Quarterly	24 Hour Composite
	Nickel	Quarterly	24 Hour Composite
	Silver	Quarterly	24 Hour Composite
	Phenolics	Quarterly	Grab
	Zinc	Quarterly	24 Hour Composite
	TSS	Quarterly	24 Hour Composite
	Oil & Grease	Quarterly	Grab

Wastewater samples shall be collected and analyzed by an independent laboratory certified in the parameters being analyzed. Sampling and analysis must be performed in accordance with the techniques described in 40 C.F.R. Part 136 and amendments thereto.

C. REPORTING REQUIREMENTS

SELF MONITORING REPORT - The industrial user shall submit to the Orange County Department of Public Works a Periodic Compliance Report. Such reports shall be submitted Semi-Annually during the months of July and January and shall contain the results of the previous six months of monitoring required under this permit, as well as any other analytical results from monitoring performed at the sampling locations specified in Section B of this permit. Furthermore, such reports must be submitted consistent with the Signatory and Certification Statement requirements included in Section Q of this permit.

If the results of the permittee's wastewater analysis indicates that a violation of this permit has occurred, the permittee must:

(1) Inform the Orange County Department of Public Works of the violation within 24 hours; and
(2) repeat the sampling and pollutant analysis and submit, in writing, the results of this second analysis within 30 days of the first violation.

D. DILUTION

No industry shall increase the use of potable or process water in any way for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with any applicable Federal pretreatment standards or any other limitations set forth in this permit or the Local Sewer Use Law.

E. NOTICE OF NON-COMPLIANCE (Slug Discharges/Accidental Discharge/Emergency Operations)

In the event the Permittee does not comply with or will be unable to comply with any effluent limitation specified in this permit or discharges any slug loading to the sanitary sewer due to:

(1) Breakdown of Industrial Waste Pretreatment Equipment;
(2) Accidents caused by human error or negligence;
(3) Spills, releases, bypasses or process upsets; or
(4) Other causes, such as acts of nature,

the Permittee shall notify the Pretreatment Program Manager forthwith so that the necessary steps to prevent damage to the wastewater collection and treatment system can be taken.

Notification Procedures

(1) In the event of any slug or accidental discharge (as defined above), the permittee shall immediately notify **Orange County Department of Public Works** by telephoning the **Pretreatment Manager** at **(845) 291-2642** or the **Chief Plant Operator of the Harriman Sewage Treatment Plant** at **(845) 291-2033.**

(2) In addition to the notice provided above, the Permittee shall notify the Manager in writing within five (5) days of the date of occurrence, by a detailed statement including the following pertinent information:

(1) Cause of noncompliance.
(2) A description of the noncomplying discharge.
(3) Anticipated time the condition of noncompliance is expected to continue, or if such condition has been corrected, the duration of the period of noncompliance.
(4) Steps taken by the Permittee to reduce and eliminate the non-complying discharge; and
(5) Steps to be taken by the Permittee to prevent recurrence of the condition of noncompliance.

Nothing in this permit shall be construed to relieve the Permittee from the penalties for noncompliance with this permit for any reason subject to the Local Sewer Use Law.

F. CHANGE IN WASTEWATER DISCHARGE

All discharges authorized herein shall comply with the terms and conditions of this permit. Any industrial facility expansions, production increases or process modifications which result in new, different or increased discharges of pollutants must be reported by submission of revised Wastewater Survey Forms. This permit may be modified to specify and limit any pollutants not previously limited. The discharges of any pollutant more frequently than, or at a level in excess of, that specified and authorized by this permit shall constitute a violation of the terms and conditions of this permit.

G. MODIFICATION, SUSPENSION OR REVOCATION OF PERMITS

(a) Industrial Wastewater Discharge Permits may be modified, suspended or revoked whenever the Orange County Department of Public Works finds after a hearing held in conformance with the procedures set forth in Article XII of the Local Sewer Use Law:

1. that the user has violated any term of the permit; or
2. that the user obtained the permit by misrepresentation or failure to disclose fully all relevant facts.

(b) Permits may additionally be modified, suspended or revoked whenever the Orange County Department of Public Works determines that a change in conditions or the existence of a condition at the Harriman Sewage Treatment Plant requires either a temporary or permanent reduction or elimination of the authorized discharge. The Orange County Department of Public Works shall notify affected users of any proposed changes in their permit at least 30 days prior to the effective date of the change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance. Any user aggrieved by a proposed modification, suspension or revocation of the user's wastewater discharge permit may appeal to the County for relief in accordance with the provisions of Section 12.12 of the Local Sewer Use Law.

(c) If the Orange County Department of Public Works finds that the public health, safety or welfare requires emergency action, and incorporates a finding to that effect in his/her order, summary suspension or modification of a permit may be ordered pending proceedings for modification, suspension, revocation or other action. As soon as possible thereafter, but not to exceed fifteen (15) days, the Orange County Department of Public Works shall provide the affected user an opportunity to be heard in accordance with the hearing provisions of Section 12.12 of the Local Sewer Use Law.

H. RIGHT OF ENTRY

The Permittee shall allow duly authorized employees or representatives of the Orange County Department of Public Works to enter the Permittee's premises for the purpose of inspection, observation, measurement, sampling, and testing in accordance with Section 10.32 of the Local Sewer Use Law.

I. TRANSFER OF PERMIT

Industrial Waste Discharge Permits are issued to a specific User for a specific operation and are non-transferable. 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 Orange County Department of Public Works.

J. PRETREATMENT FACILITIES

The Permittee shall provide and maintain at his expense, all necessary facilities for the pretreatment of industrial wastewaters when required by the Orange County Department of Public Works pursuant to Section 10.25 of the Local Sewer Use Law. All reports, plans

and/or specifications for new or modified pretreatment facilities must be submitted to the Orange County Department of Public Works.

K. WASTE MATERIAL DISPOSAL

Any screenings, sludges, solids, waste oils, or other waste materials removed or separated from the Permittee's authorized discharge shall be disposed of in accordance with applicable Federal, State and local regulations and prevented from entering the wastewater treatment system. The following data shall be reported to the Orange County Department of Public Works as part of the semi-annual reports.

(a) The sources of materials to be disposed of.
(b) The approximate volumes and weights.
(c) The method by which they were removed and transported.
(d) The company contracted to remove such materials.
(e) The final disposal or recovery location.

L. MONITORING FACILITY REQUIREMENTS

If, in the opinion of the Orange County Department of Public Works, there are not adequate facilities where representative samples can be obtained and accurate flow measurement taken, the Orange County Department of Public Works can require that monitoring facilities be installed by the Permittee at his expense in accordance with Section 10.18 of the Local Sewer Use Law.

M. SCHEDULE OF COMPLIANCE

(a) Periodic Compliance Report Schedule.

The permittee shall submit semiannual Periodic Compliance Reports (PCRs) in accordance with the timetable established below:

	TABLE 3 – PCR SUBMITTALS		
	Period Covered		
Required Quarterly Sampling Periods	Beginning	Ending	Date PCR is due
Q1	January 1	March 31	July 30
Q2	April 1	June 30	July 30
Q3	July 1	September 30	January 30
Q4	October 1	December 31	January 30

The PCR shall be transmitted on the forms attached to this permit. Official laboratory and calibration reports (or copies thereof) must be included within the PCR.

(b) Periodic Compliance Report Requirements.

The Permittee must submit a PCR report that includes the following:

a. Laboratory Sample Results
   i. Each PCR shall contain the results of independent laboratory analyses of wastewater samples for the parameters listed in Section B, Table 2.
   ii. Sampling and analyses must be conducted in accordance with the methodologies detailed in 40 CFR 136 and amendments thereto.
   iii. Samples to be collected on more than one day per reporting must be collected on consecutive days typical of normal production.
   iv. Copies of official laboratory reports, including chain of custody records, must be included within each PCR.
   v. The contract laboratory must be certified by the New York State Department of Health (NYSDOH) for each parameter to be analyzed (refer to Table 2).
   vi. For the purpose of this permit, Total Toxic Organics (TTOs) is defined as the sum of the detectable concentrations of parameters detected by USEPA Method 624 including xylenes.
   vii. Each PCR must include a summary of sampling and analytical methodologies employed. Note that composite samples must be collected at a minimum rate of one sample aliquot every 30 minutes.
   viii. The concentration of any parameter listed in Table 2 shall not exceed the effluent limitations detailed in Section B, Table 2 of this permit.
   ix. The Manager must be notified in writing if any of the USEPA Priority Pollutants are to be discharged to the Harriman Sewage Treatment Plant. The Manager must be notified in order to evaluate the impact of any change in discharge pursuant to Section F of this permit.
   x. Additional sampling and flow measurement may be performed by the permittee. Any data collected using certified methods must be submitted to this office with the required self monitoring data for the corresponding period to evaluate compliance with permit effluent limitations and pretreatment standards. Additional data may be used for computations of the Industrial Wastewater Discharge Surcharge.
b. General Contact Information
c. Compliance Certification
   i. Each PCR requires a statement that compliance with all applicable effluent limitations has been maintained throughout the reporting period. If the permittee fails to maintain compliance the requirements listed in Section C – Reporting Requirements must be adhered to.
d. Parameters greater than pretreatment standards, if applicable.

e. Reasons for noncompliance, if applicable.
f. Steps taken to correct the cause of noncompliance, if applicable.
g. Any unusual operating conditions during the sampling period.
h. Description of method for determining flow.
i. Description of sampling methods used.
j. Waste Material Disposal, including:
    i. Screenings, sludges, solids, waste oils and other wastes generated as a result of the Permitte's pretreatment process must be reported to the Manager. Required information includes.
        1. Source of Material
        2. Approximate Volume
        3. Approximate Weight
        4. Name of Transporter
        5. Date of Removal from Facility
        6. Method of Removal
        7. Name and Address of Final Disposal Site

N. RECORD-KEEPING REQUIREMENTS

The Permittee shall maintain records of all information resulting from any monitoring activities for a minimum of three (3) years, whether or not such monitoring activities are required by the Orange County Department of Public Works. The period of retention shall be extended during the course of any unresolved litigation regarding the Industrial User. The records shall be made available for inspection and copying by the Orange County Department of Public Works. Records for all monitoring shall include:

(a) The date, exact place, method, and time of sampling and the names of the person or persons taking the samples.
(b) The dates and time analyses were performed.
(c) Who performed the analyses.
(d) The analytical methods used.
(e) The results of such analyses.

O. COMPUTATION AND PAYMENTS OF INDUSTRIAL WASTE SURCHARGE

The Permittee shall pay its proportionate share of the cost of operation and maintenance and local debt retirement of the treatment facility to which it discharges industrial wastewater.

As stated in Section 13.13 of the Local Sewer Use Law, the Industrial Wastewater Surcharge shall be accessed for industrial facilities that add a significant loading of conventional pollutants to the Harriman Sewerage Treatment Plant.

Payments shall be made to the Orange County Department of Public Works by the industrial users no less often than semi-annually. If there is a substantial change in the wastewater characteristics and flow rate introduced into the sewer system by an industrial user, such user's industrial surcharge shall be adjusted accordingly.

P. CIVIL AND CRIMINAL PENALTIES

Any person who violates any of the provisions of or who fails to perform any duty imposed by the Rules and Regulation or any order or determination of the Orange County Department of Public Works or the terms of any permit issued thereunder, shall be liable to Orange County for a civil penalty of at least five hundred dollars ($500) but not to exceed one thousand dollars ($1,000.00) per violation per day, to be assessed after a hearing held in conformance with the procedures set forth in Section 12.12 of the Local Sewer Use Law.

Each violation shall be a separate and distinct violation and in the case of a continuing violation, each day's continuance thereof shall be deemed a separate and distinct violation. Such penalty may be recovered in an action brought by the County's attorney in the name of Orange County in any court of competent jurisdiction. Such civil penalty may be released or compromised by the Orange County Department of Public Works before the matter has been referred to the County's attorney and where such matter has been referred to the County's attorney any such penalty may be released or compromised and any action commenced to recover the same may be settled and discontinued by the County's attorney only with the consent of Orange County. Any person who willfully violates any provision of the Local Sewer Use Law or any final determination or order of the Orange County Department of Public Works shall, in addition, be guilty of a misdemeanor and upon conviction thereof, shall be punished by imprisonment of not more than six months or by a fine of at least $1,000 per day. Each offense shall be a separate and distinct offense and in the case of a continuing offense, each day's continuance thereof shall be deemed a separate and distinct offense.

Q. OTHER REQUIREMENTS

SIGNATORY REQUIREMENTS

An authorized representative must sign all reports and correspondence submitted by the permittee in accordance with this permit. The authorized representative of the user shall be an individual who is:

(1) A principal executive officer of at least the level of Vice President;

(2) A general partner or proprietor if the Industrial user is a partnership or sole proprietorship.

(3) A duly authorized representative of the individual described in (1) or (2) of this section if such representative is responsible for the overall operation of the facility from which the indirect discharge originates.

CERTIFICATION STATEMENT REQUIREMENTS

All reports, including self-monitoring reports, and correspondence submitted by the authorized representative of the permittee must include the following certification statement:

"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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage 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 fine and imprisonment for knowing violations."

TOTAL TOXIC ORGANIC MANAGEMENT PLAN REQUIREMENTS

Permittee's who utilize any toxic organic compounds at their facility must provide the Manager with a Toxic Organic Management Plan (TOMP) that specifies the following information:

(1) Any toxic organic compounds used at the facility;

(2) The method of disposal used instead of dumping such as reclamation, contract hauling, or incineration;

(3) Procedures for ensuring that toxic organics do not routinely spill or leak into the wastewater.

(4) Once the TTO Plan has been approved by the Manager, the permittee may sign and attach the following certification statement with their completed self monitoring reports, in lieu of monitoring for Total Toxic Organics (TTO).

"Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for total toxic organics (TTO), I certify that to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewater has occurred since filing of the last Periodic Compliance Report. I further certify that this facility is implementing the Total Toxic Organic Management Plan submitted to the Orange County Department of Public Works."

AUTHORIZATION AND AGREEMENT

This permit and the authorization to discharge industrial wastewater into the Harriman Sewage Treatment Plant shall be legally binding upon the Permittee. The Permittee shall not discharge after the date of expiration. In order to receive a new permit and continued authorization to discharge wastewater to the Harriman Sewage Treatment Plant beyond the date of expiration, the Permittee must submit an application for a new permit no earlier than 60 days and no later than 30 days prior to the expiration date of this permit. Also, all industrial waste surcharges owed to the Orange County Department of Public Works to date must be paid and any other information required by the County must be submitted.

11/30/2020 _____
DATE SIGNATURE

By the authority of the Orange County Department of Public Works – Division of Environmental Facilities and Services.

I hereby agree to comply with the terms, conditions and requirements of this permit.

_____ _____
SIGNATURE OF PERMITTEE OR AUTHORIZED REPRESENTATIVE — DATE

_____ _____
PRINTED NAME OF PERSON SIGNING — TITLE

ORANGE COUNTY SEWER DISTRICT NO. 1 – HARRIMAN SEWAGE TREATMENT PLANT INDUSTRIAL WASTEWATER PRETREATMENT PROGRAM PERIODIC COMPLIANCE REPORT

A. GENERAL INFORMATION

Company Name:_____

Site Address:_____

Permit Number:_____

Standard Industrial Classification Code (SIC):_____

Contact Person:_____

Title:_____

Email address:_____

Address:_____

Phone:_____

Process Modifications Since Last Reporting Period_____

B. MONITORING RESULTS:

Name of Laboratory:_____

Address of Laboratory:_____

Laboratory Contact Person:_____

Laboratory Phone Number:_____

Monitoring Location:_____

Please enclose copies of the laboratory analytical results and chain-of-custody sheets with your submittal.

C. CERTIFICATION

I certify under penalty of law that this document and its attachments were prepared under my direction. Based on my inquiry of the 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 a fine and imprisonment for knowing violations. I further certify that sampling and analytical methodologies employed during the collection of data required for this submission conform to accepted methods established by the United States Environmental Protection Agency (USEPA) and/or the New York State Department of Health.

Signature:_____ **Date:**_____

Print Name:_____ **Title:**_____

D. ANALYTICAL RESULTS FOR EACH SAMPLING EVENT

_____ SAMPLING								
PARAMETER	**UNIT**	**DAILY MAXIMUM (mg/l)**	**SAMPLING FREQUENCY**	**SAMPLE DATE**	**SAMPLE DATE**	**SAMPLE DATE**	**SAMPLE DATE**	**SAMPLE DATE**
Date								
Volume[1]	Gal/day	Monitor	Daily Reading					
pH	S.U.	5.5-11	Quarterly					
Total Dissolved Solids (TDS)	mg/l	Monitor	Quarterly					
Chloride	mg/l	Monitor	Quarterly					
Cadmium	mg/l	0.027	Quarterly					
Chromium	mg/l	0.40	Quarterly					
Copper	mg/l	0.27	Quarterly					
Iron	mg/l	6.9	Quarterly					
Lead	mg/l	0.041	Quarterly					
Manganese	mg/l	1.3	Quarterly					
Molybdenum	mg/l	0.83	Quarterly					
Nickel	mg/l	0.69	Quarterly					
Silver	mg/l	0.37	Quarterly					
Phenolics	mg/l	0.29	Quarterly					
Zinc	mg/l	0.68	Quarterly					
TSS	mg/l	4,800	Quarterly					
Oil & Grease	mg/l	100	Quarterly					

1. Describe the method of determining Volume in Section E
2. All concentrations listed for metallic substances should be as "total metal"

E. EXPLANATION OF RESULTS

Parameters greater than pretreatment standards:

_____

_____

_____

Reasons for noncompliance, if applicable:

_____

_____

_____

Steps taken to correct the cause of noncompliance, if applicable:

_____

_____

_____

Any unusual operating conditions during the sampling period:

_____

_____

_____

Describe method for determining flow:

_____

_____

_____

Sampling Methods Used:

_____

_____

_____

F. WASTE MATERIAL DISPOSAL

To comply with Item K of your permit, any screenings, sludges, solids, waste oils, and other waste materials generated as a result of the Permittee's pretreatment process must be reported to the Orange County Department of Public Works. Please complete this form for all pretreatment waste materials generated during this sampling period.

Source of Materials:_____

Approximate Volume:_____

Approximate Weights:_____

Name of Transporter:_____

Date of Removal from facility:_____

Method of Removal:_____

Name and Address of Final Disposal Facility:

_____

_____

_____

ORANGE COUNTY
DEPARTMENT OF PUBLIC WORKS
DIVISION OF ENVIRONMENTAL FACILITIES & SERVICES

Erik Denega, P.E., P.M.P.
Commissioner

Robert J. Gray, P.E.
Deputy Commissioner

Steven M. Neuhaus
County Executive

P.O. Box 637, 2455-2459 Route 17M
Goshen, NY 10924-0637
www.orangecountygov.com/efs
Tel: (845) 291-2640 Fax: (845) 291-2665

November 30, 2020

Mr. Frank X. O'Brien
Frankie's Carwash, LLC
194 Route 17M
Harriman, NY 10926

Re: Frankie's Carwash, LLC - Industrial Wastewater Discharge Permit #011-2017
NOTICE OF VIOLATION and NOTICE OF SIGNIFICANT NONCOMPLIANCE

Sent via Email to Frankieob511@gmail.com and hard copy Certified Mail.

Dear Mr. O'Brien:

This letter is to update your status with the Orange County Sewer District No. 1 - Industrial Wastewater Pretreatment Program based on your Periodic Compliance Reports (PCR) submitted for sampling events on January 30, 2020 and March 9, 2020, the County's sampling event on November 4, 2020, the County's Annual Facility Inspection on November 19, 2020 and Significant Noncompliance calculations of sampling data from April 2019 through June 2020.

Based on review of these events, the following VIOLATIONS are hereby cited against Frankie's Carwash LLC:

NOTICE OF VIOLATION:

1. Failure to submit a PCR report for the second quarter of 2020. The permit for your facility requires a self-sampling frequency minimum of once per each quarter of the year. The four (4) quarters of the year are from January through March (Q1), April through June (Q2), July through September (Q3) and October through December Q4). Two (2) samples where submitted for Q1 (January 30, 2020 and March 9, 2020) and no samples were received for Q2.

2. Exceedance of Daily Maximum Limit from April 2019 through June 2020 as follows:

Date	Location	Parameter	Permit Limitation	Result
4/10/19	Effluent	Chromium	0.4 mg/l	0.642 mg/l
4/10/19	Effluent	Copper	0.27 mg/l	0.31 mg/l
6/4/19	Effluent	Copper	0.27 mg/l	2.21 mg/l
8/15/19	Effluent	Copper	0.27 mg/l	1.2 mg/l
10/1/19	Effluent	Copper	0.27 mg/l	0.29 mg/l
3/9/20	Effluent	Copper	0.27 mg/l	0.29 mg/l
6/4/19	Effluent	Iron	6.9 mg/l	45.7 mg/l
8/15/19	Effluent	Iron	6.9 mg/l	25.4 mg/l
6/4/19	Effluent	Lead	0.041 mg/l	0.0663 mg/l
8/15/20	Effluent	Manganese	1.3 mg/l	29.7 mg/l
3/9/20	Effluent	Phenolics	0.29 mg/l	0.34 mg/l
6/4/19	Effluent	Zinc	0.68 mg/l	20.0 mg/l
8/15/19	Effluent	Zinc	0.68 mg/l	9.8 mg/l

Historical data is attached (**Attachment 1**).

NOTICE OF SIGNIFICANT NONCOMPLIANCE

Significant Noncompliance Violations:

1. **Exceedance of Wastewater Discharge Limits:**

Part of determining the compliance status of a permitted industrial user is performing an evaluation whether the facility is in significant non-compliance (SNC) with the permitted effluent limits (Chronic Violations) and Technical Review Criteria (TRC). An evaluation of SNC with the permitted discharge limits is performed quarterly using six month rolling quarters as follows:

Period 1:	January 1st	through	June 30th
Period 2:	April 1st	through	September 30th
Period 3:	July 1st	through	December 31st
Period 4:	October 1st	through	March 31st

Analytical results of samples taken from Frankie's Carwash, LLC from April 1, 2019 through March June 30, 2020 indicate Significant Noncompliance Chronic and Technical Review Criteria Violations for **Copper and Iron** as shown on the attached SNC worksheets (**Attachment 3**).

2. Violation to provide self-monitoring reports for Q2 of 2020 (i.e. Periodic Compliance Reports due January 30 and July 30 of each year) within 30 days after the due dates.

In accordance with Federal Regulations, the County is required to list any industrial user in SNC in the Times Herald Record as having a Significant Non-Compliance violation. The publishing will be made in after the January 30, 2021 when the self-monitoring January PCR is due.

To verify Compliance with your industrial discharge permit, Frankie's Carwash, LLC is hereby directed to:

1. Hire a New York State licensed Professional Engineer to prepare a certified Engineer's Report for the Department's review and approval to include:

    a. an investigation to determine the source of parameter exceedances shown in the attached historical data for Chromium, Copper, Iron, Lead, Manganese, Nickel, Zinc and Phenolics,
    b. prepare a corrective action plan to comply with the parameter limits included in the facility's industrial wastewater discharge permit,
    c. provide material safety data sheets for all chemicals used in the facility's carwash cleaning and maintenance systems,
    d. provide water use records for 2019 and 2020,
    e. prepare a sampling plan to include protocol of means and methods for sample collection,
    f. re-sample for three (3) representative, consecutive days of operation for Chromium, Copper, Iron, Lead, Manganese, Nickel, Zinc and Phenolics by February 1, 2021. Samples taken must be 24-hour composite samples,
        i. Ensure that the composite sample consist of grab samples at a minimum rate of one sample aliquot of equal volume every 30 minutes taken from the daily discharge over a typical operational day.
        ii. Submit a completed PCR form with analytical lab report for the re-sampling events within thirty (30) days of each sampling event performed.
    g. Submit certified Engineer's Report, with all information and sampling data stated above by March 1, 2021.

2. For all future PCR submissions, include the following records:
    a. Daily water meter readings for respective quarter a PCR is submitted for (i.e., Required July PCR water meter readings for Q1 and Q2 and January PCR for Q3 and Q4).
    b. Hauling and disposal records of industrial wasterwater trucked off site for disposal.

If you have any questions, please contact Michael Yeomans at (518) 218-2033.

Sincerely,

Orange County DPW – Division of Environmental Facilities and Services

Anthony R. Griffin

Anthony R. Griffin, P.E.
Principal Sanitary Engineer

Attachment 1 - Historical Data
Attachment 2 - SNC Worksheets

ecc: Jim Justvig, CAMO Pollution Control, Inc., Chief Plant Operator
Robert J. Gray, P.E., Deputy Commissioner
Richard Straut, P.E., B&L
Michael Yeomans, B&L

cc: File

Orange County Sewer District No. 1 - Harriman Sewage Treatment Plant

SIGNIFICANT NONCOMPLIANCE (SNC) WORKSHEET

INDUSTRY NAME:	Frankie's Carwash, LLC	
IU PERMIT NUMBER:	011-2017	
PERIOD:	April 2019 - September 2019	*6 Month Period, Year*

A. Chronic Violations - 66% or more of the measurements exceed the same daily maxium limit or the average limit in a six-month period

Enter Parameter	Chromium	*{Parameter, i.e. cadmium, oil & grease, etc.}*
Daily Maximum Limit =	0.4	*{Permit Daily Maximum Limit}*

Concentration, mg/L	*Date*
0.11	4/10/2019
0.642	6/4/2019
0.13	7/10/2019
0.385	8/15/2019

Enter Number of Exceedances =	1
Percentage of Exceedences =	25%
SNC due to Chronic Violations (Y/N):	N

*** IF GREATER THAN 66%, Industry is in SNC.**

B. Technical Review Criteria (TRC) Violations - 33% or more of the measurements exceed the same daily maximum limit or the same average limit by more than the TRC in a six month period.

Group I (BOD, TSS, FATS, OILS, and Grease) =	**Limit x 1.4**
Group II (all other pollutants) =	**Limit x 1.2**

Enter Parameter	Chromium	*{Enter Parameter, i.e. cadmium, oil & grease, etc.}*
Daily Maximum Limit =	0.4	*{Enter Limit}*
Average Limit =		*{Enter Limit}*
TRC daily =	0.56	*Calculated*
TRC average =	0	*Calculated*

Concentrations, mg/L	*Date*
0.11	4/10/2019
0.642	6/4/2019
0.13	7/10/2019
0.385	8/15/2019

Number of Exceedances =	1
Percentage of Exceedences =	25%
SNC due to Chronic Violations (Y/N):	N

*** IF GREATER THAN 33%, Industry is in SNC.**

Note: Shading denotes exceedance

C. Any other violation of an effluent limit (average or daily maximum) that Orange County believes has caused, alone or in combination with other discharges, interfere (e.g. slug loads) or pass-through; or endangered the health of the sewage treatment personnel or the public.

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Orange County Sewer District No. 1 - Harriman Sewage Treatment Plant

SIGNIFICANT NONCOMPLIANCE (SNC) WORKSHEET

INDUSTRY NAME:	Frankie's Carwash, LLC	
IU PERMIT NUMBER:	011-2017	
PERIOD:	April 2019 - September 2019	*6 Month Period, Year*

A. Chronic Violations - 66% or more of the measurements exceed the same daily maxium limit or the average limit in a six-month period

Enter Parameter	Copper	*{Parameter, i.e. cadmium, oil & grease, etc.}*
Daily Maximum Limit =	0.27	*{Permit Daily Maximum Limit}*

Concentration, mg/L	*Date*
0.31	4/10/2019
2.21	6/4/2019
0.26	7/10/2019
1.2	8/15/2019

Enter Number of Exceedances =	3
Percentage of Exceedences =	75%
SNC due to Chronic Violations (Y/N):	Y

* IF GREATER THAN 66%, Industry is in SNC.

B. Technical Review Criteria (TRC) Violations - 33% or more of the measurements exceed the same daily maximum limit or the same average limit by more than the TRC in a six month period.

Group I (BOD, TSS, FATS, OILS, and Grease) =	**Limit x 1.4**
Group II (all other pollutants) =	**Limit x 1.2**

Enter Parameter	Copper	*{Enter Parameter, i.e. cadmium, oil & grease, etc.)*
Daily Maximum Limit =	0.27	*{Enter Limit}*
Average Limit =		*{Enter Limit}*
TRC daily =	0.378	*Calculated*
TRC average =	0	*Calculated*

Concentrations, mg/L	*Date*
0.31	4/10/2019
2.21	6/4/2019
0.26	7/10/2019
1.2	8/15/2019

Number of Exceedances =	2
Percentage of Exceedences =	50%
SNC due to Chronic Violations (Y/N):	Y

* IF GREATER THAN 33%, Industry is in SNC.

Note: Shading denotes exceedance

C. Any other violation of an effluent limit (average or daily maximum) that Orange County believes has caused, alone or in combination with other discharges, interfere (e.g. slug loads) or pass-through; or endangered the health of the sewage treatment personnel or the public.

Orange County Sewer District No. 1 - Harriman Sewage Treatment Plant

SIGNIFICANT NONCOMPLIANCE (SNC) WORKSHEET

INDUSTRY NAME:	Frankie's Carwash, LLC	
IU PERMIT NUMBER:	011-2017	
PERIOD:	July 2019 - December 2019	*6 Month Period, Year*

A. Chronic Violations - 66% or more of the measurements exceed the same daily maxium limit or the average limit in a six-month period

Enter Parameter	Copper	*{Parameter, i.e. cadmium, oil & grease, etc.}*
Daily Maximum Limit =	0.27	*{Permit Daily Maximum Limit}*

Concentration, mg/L	*Date*
0.26	7/10/2019
1.2	8/15/2019
0.29	10/1/2019
0.191	11/21/2019

Enter Number of Exceedances =	2
Percentage of Exceedences =	50%
SNC due to Chronic Violations (Y/N):	N

* IF GREATER THAN 66%, Industry is in SNC.

B. Technical Review Criteria (TRC) Violations - 33% or more of the measurements exceed the same daily maximum limit or the same average limit by more than the TRC in a six month period.

Group I (BOD, TSS, FATS, OILS, and Grease) =	**Limit x 1.4**
Group II (all other pollutants) =	**Limit x 1.2**

Enter Parameter	Copper	*{Enter Parameter, i.e. cadmium, oil & grease, etc.}*
Daily Maximum Limit =	0.27	*{Enter Limit}*
Average Limit =		*{Enter Limit}*
TRC daily =	0.378	*Calculated*
TRC average =	0	*Calculated*

Concentrations, mg/l	*Date*
0.26	7/10/2019
1.2	8/15/2019
0.29	10/1/2019
0.191	11/21/2019

Number of Exceedances =	1
Percentage of Exceedences =	25%
SNC due to Chronic Violations (Y/N):	N

* IF GREATER THAN 33%, Industry is in SNC.

Note: Shading denotes exceedance

C. Any other violation of an effluent limit (average or daily maximum) that Orange County believes has caused, alone or in combination with other discharges, interfere (e.g. slug loads) or pass-through; or endangered the health of the sewage treatment personnel or the public.

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Orange County Sewer District No. 1 - Harriman Sewage Treatment Plant

SIGNIFICANT NONCOMPLIANCE (SNC) WORKSHEET

INDUSTRY NAME:	Frankie's Carwash, LLC	
IU PERMIT NUMBER:	011-2017	
PERIOD:	October 2019 - March 2020	*6 Month Period, Year*

A. Chronic Violations - 66% or more of the measurements exceed the same daily maxium limit or the average limit in a six-month period

Enter Parameter	Copper	*(Parameter, i.e. cadmium, oil & grease, etc.)*
Daily Maximum Limit =	0.27	*(Permit Daily Maximum Limit)*

Concentration, mg/L	*Date*
0.29	10/1/2019
0.191	11/21/2019
0.18	1/30/2020
0.29	3/9/2020

Enter Number of Exceedances =	2
Percentage of Exceedences =	50%
SNC due to Chronic Violations (Y/N):	N

*** IF GREATER THAN 66%, Industry is in SNC.**

B. Technical Review Criteria (TRC) Violations - 33% or more of the measurements exceed the same daily maximum limit or the same average limit by more than the TRC in a six month period.

Group I (BOD, TSS, FATS, OILS, and Grease) =	**Limit x 1.4**
Group II (all other pollutants) =	**Limit x 1.2**

Enter Parameter	Copper	*(Enter Parameter, i.e. cadmium, oil & grease, etc.)*
Daily Maximum Limit =	0.27	*(Enter Limit)*
Average Limit =		*(Enter Limit)*
TRC daily =	0.378	*Calculated*
TRC average =	0	*Calculated*

Concentrations, mg/L	*Date*
0.29	10/1/2019
0.191	11/21/2019
0.18	1/30/2020
0.29	3/9/2020

Number of Exceedances =	0
Percentage of Exceedences =	0%
SNC due to Chronic Violations (Y/N):	N

*** IF GREATER THAN 33%, Industry is in SNC.**

Note: Shading denotes exceedance

C. Any other violation of an effluent limit (average or daily maximum) that Orange County believes has caused, alone or in combination with other discharges, interfere (e.g. slug loads) or pass-through; or endangered the health of the sewage treatment personnel or the public.

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Orange County Sewer District No. 1 - Harriman Sewage Treatment Plant

SIGNIFICANT NONCOMPLIANCE (SNC) WORKSHEET

INDUSTRY NAME:	Frankie's Carwash, LLC	
IU PERMIT NUMBER:	011-2017	
PERIOD:	April 2019 - September 2019	*6 Month Period, Year*

A. Chronic Violations - 66% or more of the measurements exceed the same daily maxium limit or the average limit in a six-month period

Enter Parameter	Iron	*{Parameter, i.e. cadmium, oil & grease, etc.}*
Daily Maximum Limit =	6.9	*{Permit Daily Maximum Limit}*

Concentration, mg/L	*Date*
4.2	4/10/2019
45.7	6/4/2019
3.4	7/10/2019
25.4	8/15/2019

Enter Number of Exceedances =	2
Percentage of Exceedences =	50%
SNC due to Chronic Violations (Y/N):	N

*** IF GREATER THAN 66%, Industry is in SNC.**

B. Technical Review Criteria (TRC) Violations - 33% or more of the measurements exceed the same daily maximum limit or the same average limit by more than the TRC in a six month period.

Group I (BOD, TSS, FATS, OILS, and Grease) =	**Limit x 1.4**
Group II (all other pollutants) =	**Limit x 1.2**

Enter Parameter	Iron	*{Enter Parameter, i.e. cadmium, oil & grease, etc.}*
Daily Maximum Limit =	6.9	*{Enter Limit}*
Average Limit =		*{Enter Limit}*
TRC daily =	9.66	*Calculated*
TRC average =	0	*Calculated*

Concentrations, mg/L	*Date*
4.2	4/10/2019
45.7	6/4/2019
3.4	7/10/2019
25.4	8/15/2019

Number of Exceedances =	2
Percentage of Exceedences =	50%
SNC due to Chronic Violations (Y/N):	Y

*** IF GREATER THAN 33%, Industry is in SNC.**

Note: Shading denotes exceedance

C. Any other violation of an effluent limit (average or daily maximum) that Orange County believes has caused, alone or in combination with other discharges, interfere (e.g. slug loads) or pass-through; or endangered the health of the sewage treatment personnel or the public.

Orange County Sewer District No. 1 - Harriman Sewage Treatment Plant

SIGNIFICANT NONCOMPLIANCE (SNC) WORKSHEET

INDUSTRY NAME:	Frankie's Carwash, LLC	
IU PERMIT NUMBER:	011-2017	
PERIOD:	July 2019 - December 2019	*6 Month Period, Year*

A. Chronic Violations - 66% or more of the measurements exceed the same daily maxium limit or the average limit in a six-month period

Enter Parameter	Iron	*{Parameter, i.e. cadmium, oil & grease, etc.}*
Daily Maximum Limit =	6.9	*{Permit Daily Maximum Limit}*

Concentration, mg/L	*Date*
3.4	7/10/2019
25.4	8/15/2019
4.1	10/1/2019
1.72	11/21/2019

Enter Number of Exceedances =	1
Percentage of Exceedences =	25%
SNC due to Chronic Violations (Y/N):	N

*** IF GREATER THAN 66%, Industry is in SNC.**

B. Technical Review Criteria (TRC) Violations - 33% or more of the measurements exceed the same daily maximum limit or the same average limit by more than the TRC in a six month period.

Group I (BOD, TSS, FATS, OILS, and Grease) =	**Limit x 1.4**
Group II (all other pollutants) =	**Limit x 1.2**

Enter Parameter	Iron	*{Enter Parameter, i.e. cadmium, oil & grease, etc.}*
Daily Maximum Limit =	6.9	*{Enter Limit}*
Average Limit =		*{Enter Limit}*
TRC daily =	9.66	*Calculated*
TRC average =	0	*Calculated*

Concentrations, mg/L	*Date*
3.4	7/10/2019
25.4	8/15/2019
4.1	10/1/2019
1.72	11/21/2019

Number of Exceedances =	1
Percentage of Exceedences =	25%
SNC due to Chronic Violations (Y/N):	N

*** IF GREATER THAN 33%, Industry is in SNC.**

Note: Shading denotes exceedance

C. Any other violation of an effluent limit (average or daily maximum) that Orange County believes has caused, alone or in combination with other discharges, interfere (e.g. slug loads) or pass-through; or endangered the health of the sewage treatment personnel or the public.

Orange County Sewer District No. 1 - Harriman Sewage Treatment Plant

SIGNIFICANT NONCOMPLIANCE (SNC) WORKSHEET

INDUSTRY NAME:	Frankie's Carwash, LLC	
IU PERMIT NUMBER:	011-2017	
PERIOD:	April 2019 - September 2019	*6 Month Period, Year*

A. Chronic Violations - 66% or more of the measurements exceed the same daily maxium limit or the average limit in a six-month period

Enter Parameter	Lead	*{Parameter, i.e. cadmium, oil & grease, etc.}*
Daily Maximum Limit =	0.041	*{Permit Daily Maximum Limit}*

Concentration, mg/L	*Date*
0.013	4/10/2019
0.0863	6/4/2019
0.013	7/10/2019
0.023	8/15/2019

Enter Number of Exceedances =	1
Percentage of Exceedences =	25%
SNC due to Chronic Violations (Y/N):	N

*** IF GREATER THAN 66%, Industry is in SNC.**

B. Technical Review Criteria (TRC) Violations - 33% or more of the measurements exceed the same daily maximum limit or the same average limit by more than the TRC in a six month period.

Group I (BOD, TSS, FATS, OILS, and Grease) =	Limit x 1.4
Group II (all other pollutants) =	Limit x 1.2

Enter Parameter	Lead	*{Enter Parameter, i.e. cadmium, oil & grease, etc.}*
Daily Maximum Limit =	0.041	*{Enter Limit}*
Average Limit =		*{Enter Limit}*
TRC daily =	0.0574	*Calculated*
TRC average =	0	*Calculated*

Concentrations, mg/L	*Date*
0.013	4/10/2019
0.0663	6/4/2019
0.013	7/10/2020
0.023	8/15/2020

Number of Exceedances =	1
Percentage of Exceedences =	25%
SNC due to Chronic Violations (Y/N):	N

*** IF GREATER THAN 33%, Industry is in SNC.**

Note: Shading denotes exceedance

C. Any other violation of an effluent limit (average or daily maximum) that Orange County believes has caused, alone or in combination with other discharges, interfere (e.g. slug loads) or pass-through; or endangered the health of the sewage treatment personnel or the public.

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Orange County Sewer District No. 1 - Harriman Sewage Treatment Plant

SIGNIFICANT NONCOMPLIANCE (SNC) WORKSHEET

INDUSTRY NAME:	Frankie's Carwash, LLC	
IU PERMIT NUMBER:	011-2017	
PERIOD:	April 2019 - September 2019	*6 Month Period, Year*

A. Chronic Violations - 66% or more of the measurements exceed the same daily maxium limit or the average limit in a six-month period

Enter Parameter	Manganese	*(Parameter, i.e. cadmium, oil & grease, etc.)*
Daily Maximum Limit =	1.3	*(Permit Daily Maximum Limit)*

Concentration, mg/L	*Date*
0.11	4/10/2019
0.552	6/4/2019
0.11	7/10/2019
29.7	8/15/2019

Enter Number of Exceedances =	1
Percentage of Exceedences =	25%
SNC due to Chronic Violations (Y/N):	N

*** IF GREATER THAN 66%, Industry is in SNC.**

B. Technical Review Criteria (TRC) Violations - 33% or more of the measurements exceed the same daily maximum limit or the same average limit by more than the TRC in a six month period.

Group I (BOD, TSS, FATS, OILS, and Grease) =	**Limit x 1.4**
Group II (all other pollutants) =	**Limit x 1.2**

Enter Parameter	Manganese	*(Enter Parameter, i.e. cadmium, oil & grease, etc.)*
Daily Maximum Limit =	1.3	*(Enter Limit)*
Average Limit =		*(Enter Limit)*
TRC daily =	1.82	*Calculated*
TRC average =	0	*Calculated*

Concentration, mg/L	*Date*
0.11	4/10/2019
0.552	6/4/2019
0.11	7/10/2019
29.7	8/15/2019

Number of Exceedances =	1
Percentage of Exceedences =	25%
SNC due to Chronic Violations (Y/N):	N

*** IF GREATER THAN 33%, Industry is in SNC.**

Note: Shading denotes exceedance

C. Any other violation of an effluent limit (average or daily maximum) that Orange County believes has caused, alone or in combination with other discharges, interfere (e.g. slug loads) or pass-through; or endangered the health of the sewage treatment personnel or the public.

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Orange County Sewer District No. 1 - Harriman Sewage Treatment Plant

SIGNIFICANT NONCOMPLIANCE (SNC) WORKSHEET

INDUSTRY NAME:	Frankie's Carwash, LLC	
IU PERMIT NUMBER:	011-2017	
PERIOD:	July 2019 - December 2019	*6 Month Period, Year*

A. Chronic Violations - 66% or more of the measurements exceed the same daily maxium limit or the average limit in a six-month period

Enter Parameter	Manganese	*(Parameter, i.e. cadmium, oil & grease, etc.)*
Daily Maximum Limit =	1.3	*(Permit Daily Maximum Limit)*

Concentration, mg/L	*Date*
0.11	7/10/2019
29.7	8/15/2019
0.13	10/1/2019
0.102	11/21/2019

Enter Number of Exceedances =	1
Percentage of Exceedences =	25%
SNC due to Chronic Violations (Y/N):	N

*** IF GREATER THAN 66%, Industry is in SNC.**

B. Technical Review Criteria (TRC) Violations - 33% or more of the measurements exceed the same daily maximum limit or the same average limit by more than the TRC in a six month period.

Group I (BOD, TSS, FATS, OILS, and Grease) =	**Limit x 1.4**
Group II (all other pollutants) =	**Limit x 1.2**

Enter Parameter	Manganese	*(Enter Parameter, i.e. cadmium, oil & grease, etc.)*
Daily Maximum Limit =	1.3	*(Enter Limit)*
Average Limit =		*(Enter Limit)*
TRC daily =	1.82	*Calculated*
TRC average =	0	*Calculated*

Concentrations, mg/L	*Date*
0.11	7/10/2019
29.7	8/15/2019
0.13	10/1/2019
0.102	11/21/2019

Number of Exceedances =	1
Percentage of Exceedences =	25%
SNC due to Chronic Violations (Y/N):	N

*** IF GREATER THAN 33%, Industry is in SNC.**

Note: Shading denotes exceedance

C. Any other violation of an effluent limit (average or daily maximum) that Orange County believes has caused, alone or in combination with other discharges, interfere (e.g. slug loads) or pass-through; or endangered the health of the sewage treatment personnel or the public.

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Orange County Sewer District No. 1 - Harriman Sewage Treatment Plant

SIGNIFICANT NONCOMPLIANCE (SNC) WORKSHEET

INDUSTRY NAME:	Frankie's Carwash, LLC	
IU PERMIT NUMBER:	011-2017	
PERIOD:	January 2020 - June 2020	*6 Month Period, Year*

A. Chronic Violations - 66% or more of the measurements exceed the same daily maxium limit or the average limit in a six-month period

Enter Parameter	Phenolics	*{Parameter, i.e. cadmium, oil & grease, etc.}*
Daily Maximum Limit =	0.29	*{Permit Daily Maximum Limit}*

Concentration, mg/L	*Date*
0.1	1/30/2020
0.34	3/9/2020

Enter Number of Exceedances =	1
Percentage of Exceedences =	50%
SNC due to Chronic Violations (Y/N):	N

*** IF GREATER THAN 66%, Industry is in SNC.**

B. Technical Review Criteria (TRC) Violations - 33% or more of the measurements exceed the same daily maximum limit or the same average limit by more than the TRC in a six month period.

Group I (BOD, TSS, FATS, OILS, and Grease) =	**Limit x 1.4**
Group II (all other pollutants) =	**Limit x 1.2**

Enter Parameter	Phenolics	*{Enter Parameter, i.e. cadmium, oil & grease, etc.}*
Daily Maximum Limit =	0.29	*{Enter Limit}*
Average Limit =		*{Enter Limit}*
TRC daily =	0.406	*Calculated*
TRC average =	0	*Calculated*

Concentrations, mg/L	*Date*
0.1	1/30/2020
0.34	3/9/2020

Number of Exceedances =	0
Percentage of Exceedences =	0%
SNC due to Chronic Violations (Y/N):	N

*** IF GREATER THAN 33%, Industry is in SNC.**

Note: Shading denotes exceedance

C. Any other violation of an effluent limit (average or daily maximum) that Orange County believes has caused, alone or in combination with other discharges, interfere (e.g. slug loads) or pass-through; or endangered the health of the sewage treatment personnel or the public.

Industry: Frances Catfish, LLC - 194 Route 17M, LLC
Facility Type: Catfish
SIC Code: 7542
Classification: Non-Significant IU

NOTE 1. TTO = The Sum of all Toxic Organics substances with a Value Greater Than 0.01 mg/l (or G.T. 10 ug/L).

Historical Analytical Data

2x EPA 624

Parameter	Flow	Chloride	TDS	Ammonia	TKN	Arsenic	CBOD	Cadmium	Chromium	Copper	Iron	Lead	Manganese	Molybdenum	Nickel	Silver	Sulfate	Phenolics	Zinc	TSS	O&G	UOD	TTO	Cyanide	pH	Calcium	Magnesium	Potassium	Sodium	NOTES
Units	gpd	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	ug/l	mg/l	SU	mg/l	mg/l	mg/l	mg/l	
Limit		610	monitor	220	-	0.16	670	0.037	6.4	6.27	6.9	0.041	1.3	0.83	0.69	0.37	1,540	0.29	0.68	4,800	100	11,000	Sum = 1ttoc	-	5.5 - 11.0					
Date Sampled																														
12/6/2016		170	532	0.669	4.08	0.001	53.8	0.005	0.0193	0.0855	4.34	0.00583	0.24	0.05	0.04	0.01	31	0.118	0.147	88	74.3	89.05	n/d	0.01	7.9	58.1	15.3		107	County Sampling
10/27/2017		138	730	3.62	7.33	0.01	151	0.005	0.0293	0.126	2.18	0.005	0.299	0.05	0.04	0.01	29	0.0955	0.249	48	49	259	n/d	0.01	7.7					County Sampling
11/10/2017																														PCR - Missing Lab Rpt
2/15/2018	446	200	1,400	4.3	16	0.09	220	0.017	3.1	21	460	0.64	6.2	0.05	0.76	0.02	17	0.11	20	530	99	190		1.4	7.73					PCR
2/28/2019																														PCR - Missing Lab Rpt
5/11/2018	2,400	280	880	4.5	37	0.079	250	0.01	1.9	8.5	260	0.43	2.8	0.076	0.38	0.02	21	0.72	9.8	12,000	330	520		0.17	7.69					PCR
7/11/2018	2,600	200	800	1.7	9.9	0.01	150	0.005	0.41	0.97	29	0.045	0.35	0.05	0.058	0.01	36	0.15	1.5	68	83	270		0.01	8.63					PCR
11/29/2018		353	678	3.58	25.8	0.0308	104	0.005	1.86	8.23	184	0.261	1.55	0.0032	0.253	0.0202	41		6.91	4,640	74.9	272		0.01	7.8					County Sampling
11/30/2018																		0.267												County Sampling
1/11/2019	3,666	338	817	0.5	1.8	0.01	84	0.005	0.043	0.18	1.7	0.0087	0.13	0.05	0.04	0.01	28	0.07	0.37	91	49			0.01	8.12					PCR
4/10/2019	10,000	169	556	4.37	6.1	0.01	210	0.005	0.11	0.31	4.2	0.013	0.11	0.05	0.04	0.01	26	0.2	0.49	56	30			0.01	7.94					PCR
6/4/2019						0.01		0.005	0.642	0.21	45.7	0.0663	0.552	0.05	0.0581	0.01			1.98											County Sampling
7/10/2019	3,666	151	632	5.88	6.4	0.01	197	0.005	0.13	0.26	3.4	0.013	0.11	0.05	0.04	0.01	20	0.27	0.4	42	8.4		10	0.01	7.22					PCR
8/15/2019			806			0.01		0.005	0.385	1.2	25.4	0.023	29.7	0.05	0.04	0.01			1.14						7.3					County Sampling
10/1/2019	28,000	108	497	1.68	5.2	0.01	278	0.005	0.14	0.29	4.1	0.0061	0.13	0.05	0.04	0.01	23	0.15	0.39	49	18		-	0.01	6.99					PCR
11/21/2019		220	772	1.36	7.07	0.01	220	0.005	0.0579	0.191	1.72	0.00847	0.102	0.05	0.04	0.01	33		0.269	40		362			8					County Sampling
11/22/2019																		0.12			40.3			0.01						County Sampling
1/30/2020	3,452	287	814	1.4	6.2	0.01	138	0.005	0.077	0.18	3.6	0.0059	0.13	0.05	0.04	0.01	27	0.1	0.43	84	29		50	0.01	7.49					July PCR
3/9/2020	3,000	159	589	2.5	4.2	0.01	217	0.005	0.12	0.28	4.1	0.0055	0.11	0.05	0.04	0.1	26	0.34	0.45	49	14		50	0.01	8.09					July PCR
11/4/2020		225	658	0.578	8.45	0.01	337	0.005	0.066	0.146	3.66	0.00832	0.0884	0.05	0.04	0.01	36	0.0247	0.268	200	18.3	544		0.01	8.2					2020 County Sampling

Shading denotes analytical results that were above permit limit.