New York State Department of Environmental Conservation
Division of Water, Region 3
100 Hillside Avenue – Suite 1W, White Plains, New York 10603-2860
Phone: (914) 428-2505 • **Fax:** (914) 428-0323
Website: www.dec.ny.gov

Joseph Martens
Commissioner

May 16, 2013

Mayor and Village Trustees
Village of Kiryas Joel
P.O. Box 566
51 Forest Road
Monroe, NY 10950

Notice of Violation

Re: Annual Compliance Inspection
Kiryas Joel Wastewater Treatment Plant
SPDES No. NY-0250520

Dear Village Officials:

An inspection of the referenced facility was performed, on March 28, 2013, for the purpose of evaluating compliance with the State Pollutant Discharge Elimination System (SPDES) Permit and Article 17 of the Environmental Conservation Law. Please refer to the attached copy of the inspection report for more detailed information and note the marginal rating. It is expected that any deficiencies noted will be corrected by the time of our next inspection.

It was noted during the inspection that the mechanical bar screen is not working which is having negative impacts on downstream processes in the plant. Please be reminded that the Village must make the necessary improvements at the plant to prevent rags and other solids from entering the system. This was noted in previous inspections and was to be completed by March 1, 2008. However, it still has not been completed.

As per Order on Consent R320080229, R320080229-14-A15, and R320030930-124, an engineering report identifying and evaluating problems at the plant was due to the department on February 9, 2011, pursuant to item (g) of the Schedule of Compliance. This was received in May 2011 and you were sent comments on August 4, 2011. In the November 2011 addendum to the engineering report, the schedule stated that the Kiryas Joel Poultry Plant waste will no longer discharge to the wastewater treatment plant as of December, 2013. The report was to include a headworks analysis pursuant to item (g)(3) of the Schedule of Compliance, which was due on October 1, 2011, as also noted in the Notices of Non-compliance dated April 26, 2012 and May 7, 2012. If the poultry plant waste will continue to be discharged to the wastewater treatment plant, the engineering report and schedule must be revised and include a headworks analysis. Until the headworks analysis is received, the Village will continue to be in violation of the Order on Consent. This is a violation of Article 17 of the Environmental Conservation Law. Violations of Article 17 are subject to fines up to $37,500 per violation per day.

We have reviewed the March 15, 2013 Supplement to the August 2, 2012 Chlorides Report submitted by the Kiryas Joel Poultry Plant, which noted that the poultry plant intends to reduce salt use by 20%. Based upon the large amount of salt being used, the waste stream from the poultry plant would contain an excessive amount of salt even with the 20% reduction, and could thus continue to negatively impact the receiving waters. Additional measures to remove salt should be investigated and submitted for review. The Village of Kiryas Joel must implement a solution by December 31,

2013, the date by which the Village proposed to re-route the poultry plant waste elsewhere.

Your cooperation in complying with your SPDES Permit and the protection of New York's waters will be appreciated. If you have any questions, please call me at the above number, extension 354.

Sincerely,

Natalie Browne

Natalie Browne
Environmental Program Specialist

cc: Shohreh Karimipour, P.E., Regional Water Engineer, NYSDEC
Carol Krebs, Esq., Assistant Regional Attorney, NYSDEC