



DRAFT

1/23/13

PERMIT

Under the Environmental Conservation Law (ECL)

DEC PERMIT NUMBER 3-3340-00284/00001
FACILITY/PROGRAM NUMBER(s) WSA No. 11,609

EFFECTIVE DATE
EXPIRATION DATE None (Except see Condition "D" on page 2)

TYPE OF PERMIT (Check All Applicable Boxes)

New
 Renewal
 Modification
 Permit to Construct
 Permit to Operate

- | | | |
|---|--|---|
| <input type="checkbox"/> Article 15, Title 5: Protection of Water | <input type="checkbox"/> Article 17, Titles 7, 8: SPDES | <input type="checkbox"/> Article 27, Title 9; 6NYCRR 373: Hazardous Waste Management |
| <input checked="" type="checkbox"/> Article 15, Title 15: Water Supply | <input type="checkbox"/> Article 19: Air Pollution Control | <input type="checkbox"/> Article 34: Coastal Erosion Management |
| <input type="checkbox"/> Article 15, Title 15: Water Transport | <input type="checkbox"/> Article 23, Title 27: Mined Land Reclamation | <input type="checkbox"/> Article 36: Floodplain Management |
| <input type="checkbox"/> Article 15, Title 15: Long Island Wells | <input type="checkbox"/> Article 24: Freshwater Wetlands | <input type="checkbox"/> Articles 1, 3, 17, 19, 27, 37; 6NYCRR 380: Radiation Control |
| <input type="checkbox"/> Article 15, Title 27: Wild, Scenic & Recreational Rivers | <input type="checkbox"/> Article 25: Tidal Wetlands | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> 6NYCRR 608: Water Quality Certification | <input type="checkbox"/> Article 27, Title 7; 6NYCRR 360: Solid Waste Management | |

PERMIT ISSUED TO Village of Kiryas Joel – 9th Application		TELEPHONE NUMBER (845) 783-8300
ADDRESS OF PERMITTEE P.O Box 566, Monroe, NY 10949		
CONTACT PERSON FOR PERMITTED WORK Gedalye Szegedin – Village Administrator		TELEPHONE NUMBER (845) 783-8300
NAME AND ADDRESS OF PROJECT/FACILITY (New) Mountainville Well Field, Route 32, Cornwall, NY; (Existing) Village of Kiryas Joel, 51 Forest Road, Monroe, NY; (Existing) Brenner Property Well Field, Larkin Dr., Monroe, NY		
LOCATION OF PROJECT/FACILITY Route 32, Cornwall, Orange County NY. See also above locations.		
COUNTY Orange	TOWN Cornwall, Monroe	NYTM COORDINATES Mountainville Well No.1: E: 576.082 N: 4582.56
DESCRIPTION OF AUTHORIZED ACTIVITY This permit is a consolidation of all prior WSAs and the following new authorization: For Mountainville Well Field, Well No. 1: Take a supply of water with in an amount not exceed a maximum capacity of 425 gallons per minute (gpm) for use in the existing system. For Village Well No.13 A: Take a supply of water with in an amount not exceed a maximum capacity of 106 gpm for use in the existing system. For Village Well No. 6 and Well No.8A: Take increased supplies of water for use in existing Well No. 6 and Well No. 8A with maximum capacity of 250 gpm and 160 gpm respectively. Take a supply of water up to 1,928,800 gallons per day (gpd) from all wells in the Village system in accordance with Special Condition No. 1. The Village is authorized to temporarily take 2.54 MGD as per Special Condition No. 1.B.		

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified (See Page 2) and any Special Conditions included as part of this permit.

DEPUTY PERMIT ADMINISTRATOR	ADDRESS 21 South Putt Corners Rd., New Paltz NY 12561	
AUTHORIZED SIGNATURE	Date	Page 1 of 5

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

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Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee has accepted expressly, by the execution of the application, the full legal responsibility for all damages and costs, direct or indirect, of whatever nature and by whomever suffered, for liability it incurs resulting from activity conducted pursuant to this permit or in noncompliance with this permit and has agreed to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from such activity.

Item B: Permittee to Require it's Contractors to Comply with Permit

The permittee shall require its independent contractors, employees, agents and assigns to read, understand and comply with this permit, including all special conditions, and such persons shall be subject to the same sanctions for violations of this permit as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required for this project.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

GENERAL CONDITIONS

General Condition 1: Facility Inspection by the Department

- The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).
- The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when written or verbal notification is provided by the Department at least 24 hours prior to such inspection.
- A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

General Condition 2: Relationship of this Permit to Other Department Orders and Determinations

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

General Condition 3: Applications for Permit Renewals or Modifications

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

The permittee must submit a renewal application at least:

- a) 180 days before expiration of permits for State Pollutant Discharge Elimination System (SPDES), Hazardous Waste Management Facilities (HWMF), major Air Pollution Control (APC) and Solid Waste Management Facilities (SWMF); and
- b) 30 days before expiration of all other permit types.

Submission of applications for permit renewal or modification are to be submitted to:

NYSDEC Regional Permit Administrator, Region 3
21 South Platt corners Road, New Paltz, NY 12651, Telephone: 845-256-3054

General Condition 4: Permit Modifications, Suspensions and Revocations by the Department

The Department reserves the right to modify, suspend or revoke this permit when:

- a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
- b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
- c) new material information is discovered; or
- d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.

ADDITIONAL GENERAL CONDITIONS FOR ARTICLE 15, TITLE 15 (Water Supply)

- A. The permittee must require that any contractor, project engineer, or other person responsible for the overall supervision of this project has read, understands and agrees to comply with this permit and associated plan(s).
- B. Prior to starting work on any construction authorized herein, detailed plans of the structures proposed to be built and specifications for such work shall have been submitted to and approved by the Department. Thereafter, such construction work shall be entirely completed in full accordance with the plans and specifications which have been submitted and approved.
NOTE: Approval by this Department of final plans and specifications, and of completed works, will not be issued until equivalent approvals have been issued by the NYS Dept of Health.
- C. Section 15-1529 of the Environmental Conservation Law forbids the operation of any of these works until, as constructed, they have been approved by the Department. Such final approval will be given only on written request. In general, such approval will not be given until all provisions affecting quality of the water and safety of the works have been complied with in full.
- D. The Department reserves the right to rescind this permit or to take whatever action it may deem suitable and proper if the works authorized to be constructed herein are not initiated by January 31, 2015.

**SPECIAL CONDITIONS**
For Article 15 Title 15 (Water Supply)

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1. The table below lists all current approved sources of water:

Village of Kiryas Joel Permitted Well Capacities				
Well No.	WSA	Permitted Capacity as per WSA 11,344 (GPM)	Well Field Capacity (GPD)	Comments
Village Well Field:				
1	10,000	76 ⁽¹⁾	1,612,800 instantaneous 1,000,000 monthly	(1) Combined taking from all wells within Village property is limited to a maximum of 1 MGD based on a calendar month average. (2) 13A & B cannot be pumped simultaneously therefore Well 13A is excluded from total. (3) Capacities shown for Wells 6, 8A, 13A are newly increased by this permit.
5	10,000	39 ⁽¹⁾		
6	11,344	250 ^(1,3)		
8A	11,344	160 ^(1,3)		
9B	10,000	109 ⁽¹⁾		
13A	11,344	106 ^(1,2,3)		
13B	10,000	96 ^(1,2)		
14A	10,000	50 ⁽¹⁾		
17	10,000	200 ⁽¹⁾		
22	10,000	140 ⁽¹⁾		
Brenner Well Field:				
		Well Capacity	Permitted Capacity at 18 hr/day (GPM)	
21B	10,611	25 ⁽⁴⁾	18.75	928,800 (4) Wells in the Brenner Wellfield are limited to a maximum 18-hour per day pumping cycle at the rates indicated; capacities shown in the second column are the actual permitted rates. (5) No. 28 is adjacent to the Ramapo River.
23	10,611	30 ⁽⁴⁾	41.25	
24	10,611	50 ⁽⁴⁾	37.5	
25	10,611	30 ⁽⁴⁾	41.25	
26	10,611	150 ⁽⁴⁾	112.5	
27	10,611	125 ⁽⁴⁾	93.75	
28	10,612	450 ^(4,5)	337.5	
Mountainville Well Field:				
1	11,344	425 ⁽⁶⁾	612,000	(6) Mountainville Well No. 1 is the largest well in the Village system, thus in order to meet redundancy requirements its contribution is not counted toward total system capacity. See Special Condition 2.
Village TOTAL			Total Permitted Withdrawal 1,928,800	Total Well Field Capacity is 2,540,000 gpd. Permitted withdrawal is 1,928,000 gpd which is based on Redundancy Requirement. See Special Condition 1A and 1B.



SPECIAL CONDITIONS
For Article 15 Title 15 (Water Supply)

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- 1.A. The permit limits approved in Special Condition No. 1 above are authorized only for operation of the well fields approved in this permit, specifically the Village Well Field, Brenner Well Field, and Mountainville Well Field. The permittee shall submit an annual report to the Department that verifies the amounts of water withdrawal and amounts of water consumed from the individual sources in the previous calendar year by February 1st of each year this permit remains in effect. The report shall provide monthly totals and include annual average and maximum day amounts.
- 1.B. The approved water supply sources cannot be shown to meet the Village of Kiryas Joel's current maximum day demand with the greatest capacity well (Mountainville Well No. 1) out of service. An application for an alternate water supply source to meet the maximum day demand and to meet the redundancy requirement must be filed with the Department no later than December 31, 2013. Prior to starting work on any construction, NYS Department of Health approvals must be in place and filed with the NYSDEC Regional office. The Village is hereby authorized to take up to 2.54 mgd until March 31, 2015.
2. By April 30, 2013, the permittee must submit to NYS Department of Health detailed engineering designs and specifications of the structures proposed to be built, including the transmission main that will connect the Mountainville well field to the Village's water supply system. Prior to starting work on any construction, the required NYSDOH approvals must be in place and filed with the NYSDEC for record. This connection shall be completed no later than December 31, 2014.
3. The permittee is hereby prohibited from developing new sources of water supply, replacement of existing water supply sources, or increasing the pumping rate from existing sources above the levels approved, without first obtaining Water Supply Permit from this Department.
4. The permittee shall continue to conduct a well monitoring program at the Brenner Property Well Field. The permittee shall continue to prepare and submit to the NYSDEC Regional Water Engineer and Division of Water Senior Engineering Geologist in Albany a monthly report describing the conditions at the Brenner Property Well Field and provide semi-annual reports detailing potential offsite impacts. By no later than July 31, 2013, the permittee must submit a mitigation plan to the Department to address offsite wells which have been adversely impacted by pumping on the Brenner Property. The Department reserves the right to reduce water taking from the Brenner Well Field if significant water level interference is observed.
5. The permittee must submit annual reports of actual water usage to the Department in accordance with ECL 15-1533: Water Withdrawal Reporting. These reports shall be made on the forms and within the time frames specified on the Department's webpage located at: <http://www.dec.ny.gov/lands/55509.html>
6. All land within 200 feet of any well approved herein shall be protected and controlled, in order to prevent pollution of the ground or groundwater, by direct ownership of the land, by the acquisition of protective easements, or by other appropriate measures. This area shall further be protected from pollution by surface waters originating outside thereof by the construction of suitable diversion ditches or embankments, and the development of the wells shall so be carried out that there shall be no opportunity for pollution to enter the wells.
7. The physical pumping facilities and controls at any well site approved herein shall be protected against damage or tampering either by a fence or other suitable enclosure or by their manner of construction and installation.
8. Before any water from the sources approved herein may be used for any purpose, the permittee shall collect and analyze a sample of the water from each source and shall submit the results of such



SPECIAL CONDITIONS
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analyses to the NYS Department of Health (NYSDOH). NYSDOH will notify the Department of any specific treatment required for that source to attain satisfactory sanitary quality. The permittee shall use water from such source only after certifying to the Department that it has achieved full compliance with NYSDOH's treatment requirements.

9. Nothing contained in this permit shall authorize the permittee to supply, sell or distribute, for any purpose, water from any source approved herein unless all such water is first treated in a manner satisfactory to the NYS Department of Health (NYSDOH).
10. The Department reserves the right to require the taking of further sanitary precautions or the further treatment of the water from any source approved herein should future conditions cause the NYS Department of Health (NYSDOH) to specify such action.
11. Nothing contained herein shall be held to authorize the permittee to distribute water to any other district or service area that has not already been approved by the Department or its predecessors without first obtaining a further permit from the Department.
12. During any construction directly or indirectly associated with the activities authorized herein, the permittee shall make provisions to minimize erosion on the construction site and to prevent increased sedimentation in any water body on or adjacent to the site.
13. The permittee shall ensure that water used for disinfecting water mains, if discharged to area streams, has free chlorine residual not exceeding 0.05 milligrams-per-liter (mg/l) at the point of discharge.
14. The permittee shall make provisions to provide an adequate supply of water to those residents whose private well-water systems are diminished or rendered non-productive by the permittee's use of the sources of water supply approved by this permit.

WATER CONSERVATION CONDITIONS:

15. The permittee must maintain meters on all sources of supply used in the system and on all customer service connections supplied by the system.
16. At least once every fifteen years, the permittee must have all of its small service connection meters (less than 1-inch in diameter) calibrated for accuracy according to standards of the American Water Works Association (AWWA). Larger service meters and all source meters must be calibrated more frequently, based upon the AWWA standards for the size of the meter used.
17. The permittee must maintain records of annual metered water production and consumption. The permittee must also, at least once annually, conduct a system water audit that utilizes metered production and consumption data to determine unaccounted-for water.
18. The permittee must develop and implement a leak detection and repair program that uses sonic detection equipment to inspect its entire distribution system in a systematic fashion. At a minimum, this program must cover the entire system in a three-year cycle by inspecting at least one-third of the system each year. Whenever two consecutive annual water audits show that unaccounted-for water is 15% or less of system production, the leak detection and repair program may be modified to cover the entire system in a longer cycle.
19. The permittee must retain records of production and consumption, reports of audit results, and



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summaries of leaks detected and repaired for at least ten years. The permittee must provide copies of such of these records, reports, and summaries as might be requested in writing by the Department within one month of receiving such a request.

Distribution:

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