

STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

In the Matter of Violations of Article 17 of the
Environmental Conservation Law and Part 750
of Title 6 of the New York Codes, Rules and Regulations

ORDER ON CONSENT
AMENDMENT

By:

File No. 23-05
R9-20230411-13

Niagara Falls Water Board,

Respondent

I. Respondent acknowledges and agrees that this document amends Order on Consent R9-20230411-13, effective May 28, 2024 ("Order"). Upon execution by the Respondent, this amendment shall be incorporated into and become an enforceable part of the Order. By signing this document, Respondent consents to the issuing and entering of this amendment, waives its right to a hearing as provided by law, and agrees to be bound by the provisions, terms and conditions contained therein.

II. With the exception of the provisions below, all other terms and conditions of the Order remain in full force and effect.

III. Schedule B Interim Limits under the Order is replaced with the following:

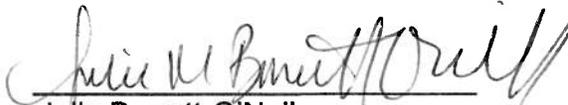
**Schedule B
Interim Limits**

INTERIM EFFLUENT LIMITS FOR PARAMETERS SUBJECT TO THIS SCHEDULE OF COMPLIANCE										
PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				Notes
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf	Eff	
BOD ₅	Monthly Average	Monitor	mg/L		lbs/d	1/day	24-hr Comp.	X	X	1
BOD ₅	7-day Average	Monitor	mg/L		lbs/d	1/day	24-hr Comp.		X	1
BOD ₅ Percent Removal	Daily Minimum	Monitor	Percent			1/day	Calculated		X	1,2

INTERIM EFFLUENT LIMITS FOR PARAMETERS SUBJECT TO THIS SCHEDULE OF COMPLIANCE										
PARAMETER	EFFLUENT LIMITATION					MONITORING REQUIREMENTS				Notes
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Location		
								Inf	Eff	
Phenolics, Total	Daily Maximum	Monitor	ug/L	61	lbs/day	2/month	24-hr Comp.		X	1
Dieldrin	Monthly Average	Monitor	ug/L			1/month	24-hr Comp.		X	1
Total Sulfide	Daily Maximum	Monitor	ug/L			1/month	24-hr Comp.		X	1
Total Residual Chlorine	Daily Maximum	3.0	mg/L			6/day	Grab		X	1,3
Total Suspended Solids (TSS), Percent Removal	Daily Minimum	Monitor	Percent			1/day	Calculated		X	1,2
Notes:	<p>1. Interim limitations expire at commencement of final operation plus 90 days.</p> <p>2. Effluent shall not exceed 15% of influent concentration values for BOD₅ and TSS. During periods of wet weather which causes plant flows over the permitted flow for a calendar day, the BOD₅ and TSS influent and effluent results for that day shall not be used to calculate 30-day arithmetic mean percent removal limitations. However, all concentrations shall be used in the calculation of the arithmetic mean value concentration limitations. All other effluent limitations remain in full effect.</p> <p>3. Effluent limitation for Total Residual Chlorine is only applicable if chlorine is used for disinfection or other treatment processes.</p>									

Dated: 2/11/2026
Buffalo, New York

Amanda Lefton, Commissioner
New York State Department of
Environmental Conservation

By 
Julie Barrett-O'Neil
Regional Director

CONSENT BY NIAGARA FALLS WATER BOARD

Respondent, Niagara Falls Water Board, hereby consents to the issuing and entering of the Order, waives its right to a hearing as provided by law, and agrees to be bound by the provisions, terms and conditions contained therein.

Niagara Falls Water Board
By: Richard Sirianni
Printed Name: Richard Sirianni
Title: Chairman
Date: January 26, 2026

Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF NIAGARA)

On the 26th day of January, in the year 2026, before me, the undersigned, personally appeared Richard Sirianni, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Sean W. Costello

Notary Public

SEAN W. COSTELLO
Notary Public, State of New York
Qualified in Erie County
No. 02C06226871
My Commission Expires Aug. 23, 2026