



# County of Erie

DANIEL CASTLE, AICP  
Commissioner

DEPARTMENT OF ENVIRONMENT AND PLANNING  
Division of Sewerage Management

JOSEPH FIEGL, P.E., BCEE  
Deputy Commissioner

February 21, 2024

Mr. David Denk  
New York State Department of Environmental Conservation (NYSDEC)  
Regional Permit Administrator – Region 9  
700 Delaware Avenue  
Buffalo, New York 14209

Re: State Pollutant Discharge Elimination System (SPDES) Permit No. NY-0091731  
Erie County Sewer District (ECSD) No. 1 – Overflow Retention Facility (the “ORF”)  
Relinquishment of SPDES Permit

***Transmitted via e-mail to: david.denk@dec.ny.gov***

Dear Mr. Denk,

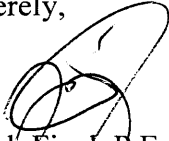
On February 20, 2024, the County of Erie received a fully executed copy of Order on Consent CO 9-20190630-97 (the “Order”) for the ECSD No. 1 ORF from the NYSDEC’s Office of General Counsel. The ORF is an essential facility and ECSD No. 1 presently operates the ORF under SPDES Permit No. NY-0091731 (the “SPDES Permit”). Pursuant to the Order, ECSD No. 1 may discharge and operate the ORF provided ECSD No. 1 is in compliance with the Order’s Schedule of Compliance. Accordingly, given entry into the Order, ECSD No. 1 may relinquish the SPDES Permit and continue its operations consistent with the Order.

After due consideration and pursuant to 6 NYCRR §621.11(d):

1. The County of Erie, on behalf of ECSD No. 1, hereby requests to relinquish SPDES Permit No. NY-0091731 after the effective date of Order on Consent CO 9-20190630-97.
2. The relinquishment of this SPDES Permit is in connection with this Order.
3. The Order includes provisions and conditions that satisfy requirements presently within the SPDES Permit, and future use of the ORF would be in accordance with the terms of the Order and its Schedule of Compliance. If the NYSDEC terminates the SPDES Permit, various effluent limitations and monitoring requirements established within the Order will be followed whenever the ECSD No. 1 ORF discharges.
4. The County of Erie has not received any notice that there are any outstanding actions ECSD No. 1 is required to perform prior to the NYSDEC terminating the SPDES Permit, outside of those outlined in the Order. We request your advice if you have any contrary information.

Thank you for your consideration. If you have any questions, please contact me at (716) 858-7537.

Sincerely,



Joseph Fiegl, P.E., BCEE  
Deputy Commissioner

Cc: ECSD No. 1 Board of Managers  
C. Conyers – NYSDEC (via e-mail)  
E. Hampston – NYSDEC (via e-mail)  
R. Locey – NYSDEC (via e-mail)  
C. Martorana – Barclay Damon (via e-mail)  
D. Skaros – NYSDEC (via e-mail)  
R. Waldron – NYSDEC (via e-mail)  
S. Wood – NYSDEC (via e-mail)  
D. Millar/M. Salah/1.2.3.Order on Consent

V:\DSM\Operations\Permits\SPDES Permit\D1\Final Order\Relinquishment of SPDES Permit - ECSD 1 ORF.docx