

**Species:** Oysters, hard clams, trout, baitfish and salmon smelts.

**Production Methods:** Bottom culture, ponds, tanks, and raceways.

**Responsible Agency:** New York Department of Environmental Conservation (DEC), 50 Wolf Road, Albany, NY 12233-1750, *Telephone: 518-457-5430, Fax: 518-485-5827.* The Division of Water Resources has responsibility for regulating discharges to tidal and non-tidal surface waters, and groundwater. The Division of Solid Waste regulates solid waste disposal. The regulatory system in New York is decentralized, and the state is subdivided into 9 regions. The DEC, Division of Regulatory Affairs maintains regional offices with staff available to answer questions, review applications and issue required permits. A pre-application conference at the appropriate Regulatory Affairs regional office is recommended.

**Water Classification:** Fresh waters are classified into eight categories: Class N, Class AA-Special (AA-S), Class A-Special (A-S), Class AA, Class A, Class B, Class C, and Class D. Class N waters are suitable for enjoyment (in its natural condition), and as a source for drinking and culinary purposes, bathing, fishing, and recreation. Class AA-S, A-S and AA and A waters are suitable for drinking, culinary or food processing purposes, primary and secondary contact recreation, and fishing. Class A-S (International Boundary) and AA and A waters require pre-treatment of drinking water. Class B waters are suitable for primary and secondary contact recreation, and fishing. Class C waters are suitable for fishing, and limited use for primary and secondary contact recreation. Class D waters are suitable for fishing, and limited use for primary and secondary contact recreation.

Saline waters are segregated into five categories: Class SA, Class SB, Class SC, Class I and Class SD. Class SA waters are designated for shell fishing for market purposes, primary and secondary contact recreation, and fishing. Class SB waters are suitable for primary and secondary contact recreation, and fishing. Class SC waters are suitable for fishing, and limited use for primary and secondary contact recreation. Class I waters are designated for secondary contact recreation, and fishing. Class D waters are designated for fishing.

Groundwaters are divided into three classes: Class GA (fresh), Class GSA and Class GSB (saline).

**Copies of Current Standards:** New York Department of Environmental Conservation, Division of Division of Water Resources, 50 Wolf Road, Albany, NY 12233-1750 or any of the nine DEC regional offices located throughout the state. There is no charge for copies of the standards. The DEC also produces an applicant's guide

to the State Pollutant Discharge Elimination System (SPDES) permit program.

**Waste Classification:** *Effluent* — Industrial Waste. *Settleable Solids and Mortalities* — Agricultural Waste.

**Effluent Standards:** Based upon quality of the receiving waters.

**NPDES Permit:** All discharges are regulated by SPDES (pronounced "speedies"), the state discharge permit program (see below). *Criteria* — 40 CFR Part 122.24. *Permit Fee* — There is no separate NPDES permit. All fees are charged under the SPDES permit program. *Individual Permit Authority* — Yes, 10/75. *General Permit Authority* — Yes, 1987.

**State Discharge Permit:** Aquaculture discharges are covered under the SPDES permit which is mandatory for all facilities. All operations discharging to waters of the state, regardless of production level, are required to notify the DEC, Division of Regulatory Affairs at one of its 9 regional offices. The regional offices operate independently from one another and may use additional criteria other than state water quality standards to develop permits. The SPDES permit has both an application and annual fee and is valid for five years. Fees are based upon the discharge volume in gallons per day (GPD) and category of discharge. At current rates, an aquaculture facility (classified industrial) with a daily discharge volume between 10,001-100,000 GPD would be charged an application fee of \$75.00 and an annual fee of **\$200.00**.

**Mixing Zone:** Determined individually based upon characteristics of discharge and quality of receiving waters. No mixing zones for aquaculture have been requested.

**Land Application:** Solid wastes from aquaculture facilities are classified as having an agricultural beneficial use under Section 6, NYCRR, Part 360. Under Section 6, "disposal areas located within the property boundaries of a farm for crop residuals, animal and aquacultural manure, animal and aquacultural carcasses and parts generated from a farm and other similar solid waste generated by farm activities are exempt from regulations covering solid waste facilities."

**General Discharge Permit:** Because of a relatively low number of applicants, the Department of Environmental Conservation has no plans to develop a general permit at this time.

**Other Information:** Discharge permit applications may be subject to review by other state or local agencies under the State Environmental Quality Review Act (S EQR). Operations located within the jurisdiction of the Adirondack Park Agency (APA) may be subject to additional regulatory requirements and stricter water quality standards.