

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 4

1130 North Westcott Road, Schenectady, NY 12306-2014

P: (518) 357-2069 | F: (518) 357-2593

[www.dec.ny.gov](http://www.dec.ny.gov)

February 5, 2024

## **Letter Transmitted Electronically**

Robert J. Allen, Mayor  
Village of Hoosick Falls  
24 Main Street  
Hoosick Falls, New York 12090  
[mayor@hfvillage.org](mailto:mayor@hfvillage.org)

RE: **Article 15 Water Withdrawal Permit**  
DEC #4-3828-00178  
Facility: Village of Hoosick Falls WWP  
21260 State Route 22  
Town of Hoosick, Rensselaer County

Dear Mayor Allen:

The Article 15 Water Withdrawal permit that you applied for is enclosed. Please read it carefully and note the conditions that are included. It is valid for only those activities authorized and is **effective February 5, 2024 and will expire on February 4, 2034**. Work beyond the scope of the permit and the approved project plans may be considered a violation and subject to appropriate enforcement action.

Please be advised that the Uniform Procedures Regulations (6 NYCRR Part 621) provide that an applicant may request a public hearing if a permit is denied or contains conditions which are unacceptable to them. Any such request must be made in writing within 30 calendar days of the date of permit issuance and must be addressed to the Regional Permit Administrator at the letterhead address. A copy should also be sent to the Chief Administrative Law Judge at NYSDEC, 625 Broadway, 1st Floor, Albany, NY 12233 1550.

Also note that this permit does not eliminate the need to obtain any other federal, state or local permits or approvals that may be required for this project. If this water withdrawal system will be continue operation beyond the expiration date of the enclosed water withdrawal permit, the Village must apply for a renewal of the permit at least 180 days prior to its expiration.

Please feel free to contact me by telephone at (518) 357-2455 or by e-mail at [patrick.connally@dec.ny.gov](mailto:patrick.connally@dec.ny.gov) if you have any questions or concerns.

Sincerely,

*Patrick S. Connally*

Patrick S. Connally  
Environmental Analyst 1

Enclosures: Water Withdrawal Permit

cc (by email): S. Jazic, Honeywell  
C. Angier, Saint-Gobain  
D. Servetas, P.E., WSP  
C. Burns, CHA  
A. Labatore, USACOE  
J. Demming, NYSDOH  
R. Elder, Rensselaer County DOH  
T. Luisi, NYSDEC R4 Regional Director  
V. Ruglis, NYSDEC R4 Regional Attorney  
J. Hock, NYSDEC CO DOW  
I. Beilby, NYSDEC CO DER  
K. Pochini, NYSDEC CO BEH  
W. Buetow, NYSDEC R4 BEH  
T. Brady, NYSDEC R4 BEH





**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**Permittee and Facility Information**

**Permit Issued To:**  
VILLAGE OF HOOSICK FALLS  
24 MAIN ST  
HOOSICK FALLS, NY 12090-2004

**Facility:**  
Village of Hoosick Falls WWP  
21260 St Rte 22  
Hoosick, NY

**Facility Location:** in HOOSICK in RENSSELAER COUNTY

**Facility Principal Reference Point:** NYTM-E: 634.412 NYTM-N: 4748.669  
Latitude: 42°52'43.7" Longitude: 73°21'15.1"

**Authorized Activity:** This permit authorizes the withdrawal of up to 1,000,000 gallons per day (gpd) of groundwater for the purpose of municipal potable water supply from the sources listed in Condition No. 1 of this permit. No other sources of water supply shall be used without first obtaining approval of the Department.

This permit consolidates and supersedes all previous water supply permits (WSA Numbers 1289, 5714, 4871, & 7228) issued to the Village of Hoosick Falls.

Approved by this permit is the following new authorization:

The installation and operation of LaCroix Wells 1 and 2 with individual pump capacities of 800 gallons per minute (gpm) each for municipal water supply purposes. Wells may be operated simultaneously up to a combined rate of 800 gpm maximum, per Condition No. 1 of this permit.

**Permit Authorizations**

**Water Withdrawal Public - Under Article 15, Title 15**

Permit ID 4-3828-00178/00003 (WWA No. 12,717)  
New Permit Effective Date: 2/5/2024 Expiration Date: 2/4/2034

**NYSDEC Approval**

**By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.**

Permit Administrator: KATE MALCOLM, Regional Permit Administrator  
Address: NYSDEC Region 4 Headquarters  
1130 N Westcott Rd  
Schenectady, NY 12306

Authorized Signature: \_\_\_\_\_ Date: 2 / 5 / 2024



### **Distribution List**

S. Jazic, Honeywell  
C. Angier, Saint-Gobain  
D. Servetas, P.E., WSP  
C. Burns, CHA  
A. Labatore, USACOE  
J. Demming, NYSDOH  
R. Elder, Rensselaer County DOH  
T. Luisi, NYSDEC R4 Regional Director  
V. Ruglis, NYSDEC R4 Regional Attorney  
J. Hock, NYSDEC CO DOW  
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K. Pochini, NYSDEC CO BEH  
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T. Brady, NYSDEC R4 BEH

### **Permit Components**

WATER WITHDRAWAL PUBLIC PERMIT CONDITIONS  
GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS  
NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

### **Permit Attachments**

Approved Service Area Map, "Existing Village Water Supply Layout", Sheet 2, dated Aug 2016



**WATER WITHDRAWAL PUBLIC PERMIT CONDITIONS**

**1. Source Approval Table**

This table summarizes all system source approvals				
Well Field or Source of Water Supply	Status	Past WWA Number	Individual Source Capacities (gpm)	Maximum Permitted Well Field or Supply of Water (gpd)
LaCroix Well 1 <sup>1</sup>	Active	-	800	1,000,000 GPD
LaCroix Well 2 <sup>1</sup>	Active	-	800	
Well 7	Emergency	-	1,000	
<b>Total Approved</b>				<b>1,000,000 GPD</b>
Note <sup>1</sup> – LaCroix Wells 1 and 2 may be operated simultaneously up to a combined rate of 800 GPM maximum.				

**2. Water Well Decommissioning** Former Wells 3 and 6 shall be decommissioned in accordance with the Department’s *Water Supply Well Decommissioning Recommendations*. Upon completion, a Water Well Abandonment and Decommissioning Report shall be submitted to:

NYS DEC Region 4  
 Division of Environmental Permits  
 1130 North Westcott Road, Schenectady, NY 12306  
[dep.r4@dec.ny.gov](mailto:dep.r4@dec.ny.gov)

**3. Map of Approved Water Supply Service Area** The approved water service area for the Village of Hoosick Falls is depicted on a map, submitted with this application entitled *Existing Village Water Supply Layout* provided by MRB Group and dated August 2016.

**4. No Distribution Beyond District Without Approval** Nothing contained herein shall authorize the permittee to distribute water to any water district extension or out of district user that has not already been approved by the Department or its predecessors without first obtaining a further permit from the Department.

**5. Agreements for Sale of Water** The permittee may not sell water to any other municipality or private entity without the execution of a proper agreement or contract that includes: the amounts of water to be sold, a requirement that individual customers are metered and that water conservation measures including water audits and leak detection and repair programs consistent with those practiced by the permittee will be implemented. Such agreements shall be made available to the Department upon request.



**6. Approval of Plans by NYS DOH** Contract plans and specifications, or changes thereto, for a public water supply system for which a permit has been issued by the Department are subject to review and approval by the Department of Health prior to the commencement of construction.

**7. Approval of Completed Works from NYSDOH** The water withdrawal permittee shall submit to the Department a copy of the Approval of Completed Works issued by the Department of Health before the commencement of final operation of the water withdrawal system.

**8. NYSDOH Approval of Potable Water Supplies** This permit does not authorize the permittee to supply, sell or distribute potable water from any source approved herein, without all necessary approvals from NYSDOH.

**9. Water Sampled and Approved by NYSDOH** Before any water from the source(s) 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 analyses to the NYS Department of Health (NYSDOH).

**10. Treatment Before Distribution** 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).

**11. Protect Land Around Well** 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. Any lesser distances must be acceptable to the NYS Department of Health. 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 construction of the wells shall so be carried out that there shall be no opportunity for pollution to enter the wells.

**12. Enclose and Protect Pumping Facilities** 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.

**13. Meter All Sources and Customers** The permittee must install and maintain meters on all sources of supply used in the system and on all customer service connections supplied by the system. Source master meters are to be read, and records kept of those readings on a weekly basis. At a minimum, customer service meters are to be read, and records kept of those readings, at least once per year. The permittee must maintain records of production (master meter readings) and consumption (service meter readings) for each calendar year.

**14. Meter Calibration for Publicly Owned Systems** 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.

**15. Diminished Private Drinking Water Wells** The permittee shall make provisions to provide an adequate supply of water to those residents whose private drinking water wells are significantly diminished or rendered non-productive by the permittee's use of the sources of water supply approved by this permit.



**16. Permittee Must Maintain Records** The permittee must retain records of production and consumption, reports of audit results, and 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.

**17. Conduct Water Audits** At least once annually, the permittee must conduct a system-wide water audit that utilizes metered water production and consumption data to determine unaccounted-for water.

**18. Leak Detection and Repair Program** 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. Annual Water Withdrawal Reports** The permittee must submit a Water Withdrawal Reporting Form to the Department's Division of Water, Albany, NY by March 31st of each year. The form is available on the Department's website and includes information regarding approved sources of water supply, source capacities, average and maximum day water use data and water conservation and efficiencies employed during the past calendar year.

**20. Permit Expiration and Renewal** Any permittee who intends to continue to operate a water withdrawal system beyond the period of time covered in the applicable water withdrawal permit must apply for a renewal of the permit at least 180 days prior to its expiration.

**21. Transfer of Ownership of Water Withdrawal Systems** Unless otherwise specified in this permit, a new water withdrawal permit application is required for the acquisition or condemnation of the approved water withdrawal system.

### **GENERAL CONDITIONS - Apply to ALL Authorized Permits:**

**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 requested by the Department.

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 or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**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.

**3. Applications For Permit Renewals, Modifications or Transfers** The permittee must submit a separate written application to the Department for permit 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. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator  
NYSDEC Region 4 Headquarters  
1130 N Westcott Rd  
Schenectady, NY12306

**4. Permit Modifications, Suspensions and Revocations by the Department** The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

**5. Permit Transfer** Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

## NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

### **Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision





under federal or state laws.

**Item B: Permittee's Contractors to Comply with Permit**

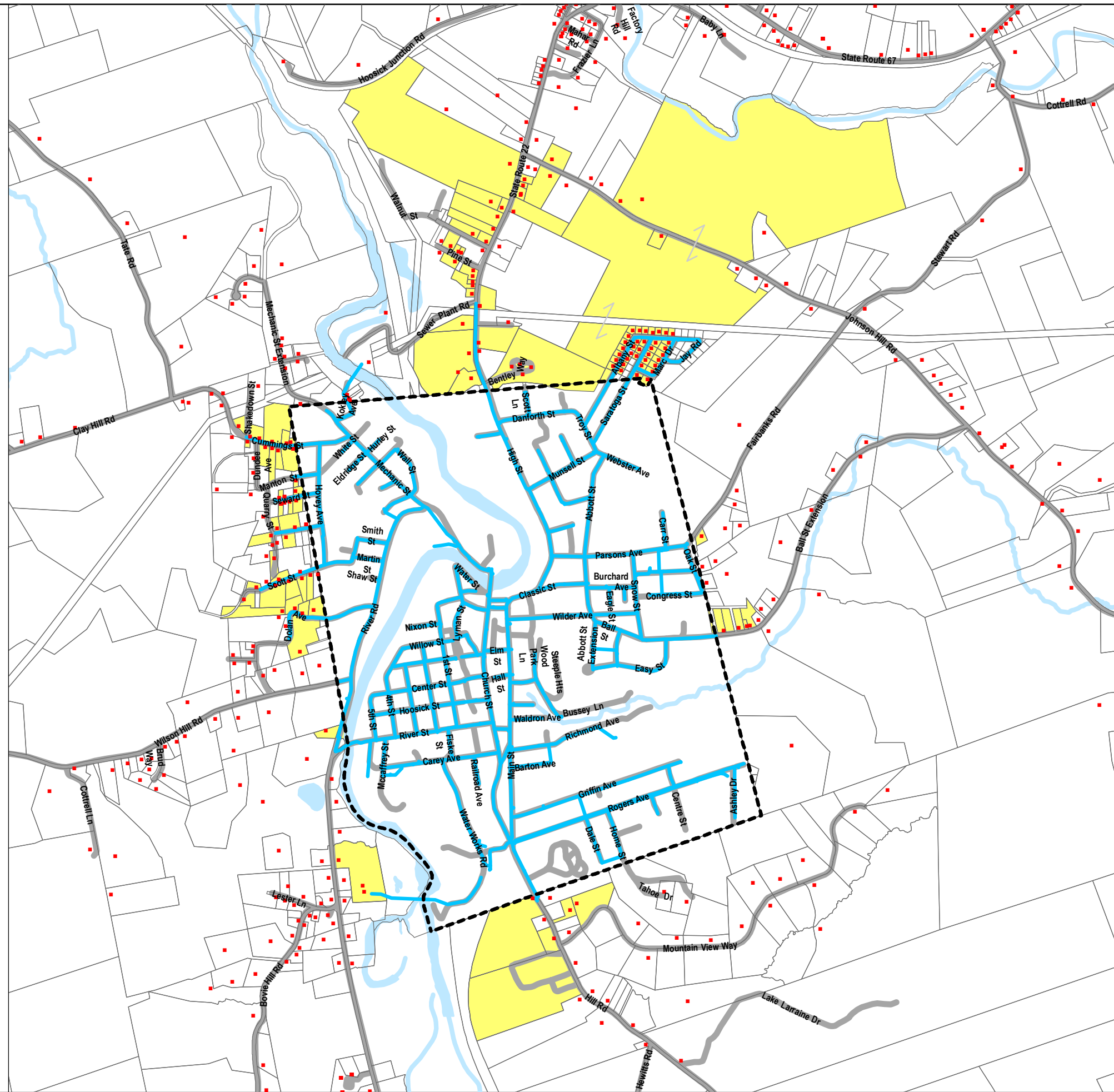
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law 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 to carry out the activities that are authorized by this permit.

**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.



### Legend

- Village Boundary
- Town Rooftop Address Points
- Village Water Distribution
- Town Tax Parcels
- Town Water Customers
- Railroad
- Streets
- Stream

<b>VILLAGE OF HOOSICK FALLS &amp; TOWN OF HOOSICK</b>	
<b>RENSSELAER COUNTY, NEW YORK</b>	
<b>EXISTING VILLAGE WATER SYSTEM LAYOUT</b>	
Drawn By:	DSA
Scale:	1" = 1,600'
Date:	AUG 2016
<small>Engineering, Architecture, Surveying, P.C. 145 Culver Road, Suite 160, Rochester, New York 14620 585-381-9250 FAX 585-381-1008 www.mrbgroup.com</small>	
<b>NOTE:</b> WATER SYSTEM MAPPING WAS CREATED BASED ON BEST AVAILABLE INFORMATION.  THE LOCATION OF FEATURES SHOWN ARE APPROXIMATE, AND MAY NOT HAVE BEEN VERIFIED IN THE FIELD.  TOWN WATER CUSTOMER LIST PROVIDED BY THE VILLAGE OF HOOSICK FALLS.	
PROJECT NO.	
0825.16003	
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