

**New York State Department of Environmental Conservation
Notice of Complete Application**

Date: 12/22/2025

Applicant: BUFFALO SEWER AUTHORITY
1038 CITY HALL
BUFFALO, NY 14202-3310

Facility: BIRD ISLAND WASTEWATER TREATMENT FACILITY (WWTF)
90 W FERRY ST
BUFFALO, NY 14213

Application ID: 9-1402-00154/00002

Permits(s) Applied for: 1 - Article 17 Titles 7 & 8 Municipal SPDES - Surface Discharge

Project is located: in BUFFALO in ERIE COUNTY

Project Description:

Pursuant to 6 NYCRR Part 750-1.18 and 750-1.19, the Priority Ranking System known as New York State's Environmental Benefit Permit Strategy (EBPS), the Department has completed a full technical review, prepared a draft permit, and has made a tentative determination, subject to public comment or other information, to approve a renewal and modification of SPDES Permit #NY0028410. The facility discharges treated sanitary sewage to the Niagara River (Class/Standard: A-S/A-S) and combined sewer overflows to outfalls throughout the City of Buffalo. As a result of the EBPS full technical review, a new five year term is proposed.

DEC proposes to incorporate the following modifications into this permit: (1) updates to permit format, definitions and general conditions; (2) addition of "WWTP Special Conditions" for the operation of the WWTF; (3) addition of a schedule of compliance with interim effluent limits and schedule of additional submittals for several items; (4) updated WWTF flow diagram; (5) revisions to effluent limits, monitoring requirements, and reporting requirements for Outfall 002; and (6) revisions to effluent limits for Outfall 001/01A. The permit incorporates requirements contained within NYSDEC Consent Judgement R9-20060922-35.

The draft SPDES permit with fact sheet is available online at: <https://dec.ny.gov/fs/projects/draftpermits>.

The draft permit files are contained within regional folders and named by the SPDES number contained in this notice. Requests for a public comment hearing must be sent in writing to the DEC contact person below by the comment deadline. The Department assesses such requests pursuant to 6 NYCRR Section 621.8. Refer to this application by the application number listed above and SPDES Number NY0028410.

Availability of Application Documents:

Filed application documents, and Department draft permits where applicable, are available for inspection during normal business hours at the address of the contact person. To ensure timely service at the time of inspection, it is recommended that an appointment be made with the contact person.

State Environmental Quality Review (SEQR) Determination

Project is an Unlisted Action and will not have a significant impact on the environment. A Negative Declaration is on file. A coordinated review was not performed.

SEQR Lead Agency

None Designated

State Historic Preservation Act (SHPA) Determination

The proposed activity is not subject to review in accordance with SHPA. The application type is exempt and/or the project involves the continuation of an existing operational activity.

Coastal Management

This project is located in a Coastal Management area and is subject to the Waterfront Revitalization and Coastal Resources Act.

DEC Commissioner Policy 29, Environmental Justice and Permitting (CP-29)

The proposed action is subject to CP-29.

Availability For Public Comment

Comments on this project must be submitted in writing to the Contact Person no later than 01/23/2026 or 30 days after the publication date of this notice, whichever is later.

Contact Person

MICHELLE R WOZNICK
NYSDEC
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Buffalo, NY 14209
(716) 851-7165
