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CHAPTER 14A

POLLUTANT DISCHARGE ELIMINATION SYSTEM

Authority

N.J.S.A. 58:10A-1 et seq., 58:11A-1 et seq., 58:11-49 et seq., 58:10-23.11 et seq., 58:11-64 et seq., 13:1D-1 et seq., 13:1E-1 et seq., 58:12A-1 et seq., 13:1B-3 et seq. and 26:2C-1 et seq.

Source and Effective Date

R.1997 d.107, effective February 5, 1997.  
See: 28 N.J.R. 380(a), 28 N.J.R. 2779(a), 28 N.J.R. 3494(a), 28 N.J.R. 3858(a), 28 N.J.R. 4697(a), 28 N.J.R. 5028(a), 29 N.J.R. 1704(a).

Executive Order No. 66(1978) Expiration Date

The expiration date for Chapter 14A, Pollutant Discharge Elimination System, was extended by gubernatorial directive from February 5, 2002 to February 5, 2004. See: 34 N.J.R. 1022(c).

Chapter Historical Note

Chapter 14A, Pollutant Discharge Elimination System, was adopted as R.1981 d.84, effective March 6, 1981. See: 12 N.J.R. 569(f), 13 N.J.R. 194(c). Subchapter 4, Additional Requirements for an Industrial Waste Management Facility, was adopted as R.1981 d.373, effective October 8, 1981. See: 12 N.J.R. 569(f), 13 N.J.R. 705(a).

Pursuant to Executive Order No. 66(1978), Chapter 14A was readopted as R.1983 d.260, effective June 8, 1983. See: 15 N.J.R. 606(a), 15 N.J.R. 1094(c). Subchapter 14, Oil and Grease Effluent Limitations, was adopted as R.1984 d.234, effective July 2, 1984. See: 15 N.J.R. 1313(b), 16 N.J.R. 1746(b). Subchapter 8, Public Comment and Notice Procedures, was amended by R.1988 d.59, effective February 1, 1988. See: 19 N.J.R. 1869(a), 20 N.J.R. 269(a).

Pursuant to Executive Order No. 66(1978), Chapter 14A was readopted as R.1989 d.339, effective June 2, 1989. See: 21 N.J.R. 707(a), 21 N.J.R. 1883(a). Petition for Rulemaking: Notice of Receipt of and Action on a Petition for Rulemaking. See: 23 N.J.R. 222(a), 23 N.J.R. 622(b). Public Notice: Opportunity for interested party review of rule amendments. See: 25 N.J.R. 411(a).

Appendix F, Values for Determination of NJPDES Permit Toxic Effluent Limitations, was repealed by R.1993 d.59, effective February 1, 1993. See: 24 N.J.R. 344(b), 25 N.J.R. 547(a). Public Notice: Revocation of NJPDES/SIU permits. See: 24 N.J.R. 491(a), 25 N.J.R. 600(a).

Subchapter 12, Requirements for a Treatment Works Approval, was repealed by R.1994 d.278, effective June 6, 1994. See: 25 N.J.R. 3282(a), 26 N.J.R. 2413(b). Prior to repeal, Subchapter 12 was amended by R.1987 d.445, effective November 2, 1987. See: 19 N.J.R. 2006(b); R.1987 d.458, effective November 16, 1987. See: 19 N.J.R. 2152(a); R.1989 d.339, effective July 3, 1989. See: 21 N.J.R. 707(a), 21 N.J.R. 1883(a); R.1989 d.436, effective August 21, 1989. See: 21 N.J.R. 819(a), 21 N.J.R. 2530(c); R.1990 d.444, effective September 4, 1990. See: 21 N.J.R. 2240(c), 22 N.J.R. 2754(a); Administrative Correction. See: 23 N.J.R. 3325(b); and R.1993 d.59, effective February 1, 1993. See: 24 N.J.R. 344(b), 25 N.J.R. 547(a). Subchapter 22, Treatment Works Approvals, Sewer Bans, Sewer Ban Exemptions; and Subchapter 23, Technical Requirements for Treatment Works Approval Applications, were adopted as R.1994 d.278, effective June 6, 1994. See: 25 N.J.R. 3282(a), 26 N.J.R. 2413(b).

The expiration date of Chapter 14A, Pollutant Discharge Elimination System, was extended by gubernatorial directive from June 2, 1994 to June 2, 1995; June 2, 1995 to June 2, 1996; June 2, 1996 to December 2, 1996; and December 2, 1996 to May 5, 1997. See: 26 N.J.R.

2462(a), 27 N.J.R. 2390(a), 28 N.J.R. 3330(b), and 29 N.J.R. 126(b), respectively.

Pursuant to Executive Order No. 66(1978), Subchapter 22, Treatment Works Approvals, Sewer Bans, Sewer Ban Exemptions; and Subchapter 23, Technical Requirements for Treatment Works Approval Applications, of Chapter 14A were readopted as R.1997 d.107, effective February 5, 1997. See: Source and Effective Date. As a part of R.1997 d.107, effective May 5, 1997, Subchapter 1, General Information, was repealed and a new Subchapter 1, Abbreviations, Acronyms, and Definitions, was adopted; Subchapter 2, General Requirements for the NJPDES Permit, was repealed and a new Subchapter 2, General Program Requirements, was adopted; Subchapter 3, Additional Requirements Applicable to Discharges to Surface Water (DSW), was repealed and a new Subchapter 3, Determination of Permit Fees, was adopted; Subchapter 4, Additional Requirements for an Industrial Waste Management Facility, was repealed and a new Subchapter 4, Permit Application Requirements, was adopted; Subchapter 5, Additional Requirements for Underground Injection Control Program (UIC), was repealed; Subchapter 6, Additional Requirements for Discharges to Groundwater (DGW), was repealed and a new Subchapter 6, Conditions Applicable to All NJPDES Permits, was adopted; Subchapter 7, Procedures for Decision Making, was repealed and a new Subchapter 7, Requirements for Discharges to Ground Water (DGW), was adopted; Subchapter 8, Public Comment and Notice Procedures, was repealed and a new Subchapter 8, Additional Requirements for Underground Injection Control (UIC) Program, was adopted; Subchapter 9, Specific Procedures Applicable to Discharges to Surface Water (DSW), was repealed and a new Subchapter 9, Ground Water Monitoring Requirements for Sanitary Landfills, was adopted; Subchapter 10, Filing Requirements For NJPDES Permits, was repealed and a new Subchapter 10, Ground Water Monitoring Requirements for Hazardous Waste Facilities, was adopted; Subchapter 11, Public Access to Information and Requirements for Department Determination of Confidentiality, was repealed and a new Subchapter 11, Procedures and Conditions Applicable to NJPDES-DSW Permits, was adopted; Subchapter 12, Effluent Standards Applicable to Direct Discharges to Surface Water and Indirect Discharges to Domestic Treatment Works was adopted; Subchapter 13, Additional Requirements For DTWS, Local Agencies and Their Users, was repealed and a new Subchapter 13, Effluent Limitations for DSW Permits, was adopted; Subchapter 14, Oil and Grease Effluent Limitations, was repealed and a new Subchapter 14, Monitoring Frequency Requirements Applicable to DSW and SIU Permits, was adopted; Subchapter 15, Procedures for Decision Making—NJPDES Permit Processing Requirements; Subchapter 16, Transfer, Modification, Revocation and Reissuance, Renewal, Suspension, and Revocation of Existing Permits; Subchapter 17, Procedures for Decision Making—Adjudicatory Hearings and Stays of Permit Conditions; Subchapter 18, Public Access to Information and Requirements for Determination of Confidentiality; Subchapter 19, Pretreatment Program Requirements for Local Agencies; Subchapter 20, Standards for the Use or Disposal of Residual; and Subchapter 21, Requirements for Indirect Users, were adopted; and Appendix A, Average Ambient Water Temperature; Appendix B, Permit Application Testing Requirements; Appendix C, Criteria for Determining a Concentrated Animal Feeding Operation; Appendix D, Criteria for Determining a Concentrated Aquatic Animal Production Facility; Appendix E, Primary Industry Categories; Appendix G, Modified Equation for Determining "Area of Review"; and Appendix H, Schedule of Monitoring, were repealed.

Administrative change. See: 34 N.J.R. 1902(a).

RESEARCH NOTE

The Water Quality Regulations of the Interstate Environmental Commission appear as Appendix A to Title 7.

Law Review and Journal Commentaries

Discharge Permit Rules Encourage Prevention. Robert J. Curley, Francis X. Journick, Jr., 135 N.J.L.J. No. 8, S14 (1993).

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**SUBCHAPTER 1. ABBREVIATIONS, ACRONYMS, AND DEFINITIONS**

**7:14A-1.1 Abbreviations and acronyms**

(a) As used in this chapter, the following abbreviations and acronyms shall have the following meaning:

"ACR" means acute to chronic ratio.

"AM" means additional measure.

"BAT" means best available technology.

"BCT" means best conventional technology.

"BOD" means biochemical oxygen demand.

"BPJ" means best professional judgment.

"BPT" means best practical control technology.

"BMP" means best management practices.

"BR" means baseline report.

"C1" means Category One waters.

"C2" means Category Two waters.

"CBOD" means carbonaceous biochemical oxygen demand.

- "CI" means confidence interval.
- "CCC" means the criteria continuous concentration.
- "CERCLA" means Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended.
- "CFR" means the Code of Federal Regulations.
- "CMC" means the criteria maximum concentration.
- "COD" means chemical oxygen demand.
- "CPO" means chlorine produced oxidants.
- "CSO" means combined sewer overflow.
- "CV" means coefficient of variation.
- "CWA" means the Federal Act or the Clean Water Act.
- "CWEA" means the Clean Water Enforcement Act, P.L. 1990, c.28; N.J.S.A. 58:10A-1 et seq.
- "DAC" means Discharge Allocation Certificate.
- "DEP" means the New Jersey Department of Environmental Protection.
- "DGW" means Discharge to Ground Water.
- "DLA" means delegated local agency.
- "DMR" means Discharge Monitoring Report.
- "DOC" means dissolved organic carbon.
- "DRBC" means the Delaware River Basin Commission.
- "DSW" means Discharge to Surface Water.
- "DTW" means domestic treatment works.
- "ECRA" means Environmental Cleanup Responsibility Act.
- "EC50" means the median effective concentration resulting in at least 50 percent mortality to the test species.
- "EDP" means effective date of permit.
- "ERP" means enforcement response plan.
- "FSOD" means first stage oxygen demand.
- "FW" means freshwater.
- "GIS" means Geographic Information System.
- "GPD" means gallons per day.
- "GWQS" means the Ground Water Quality Standards as defined in N.J.A.C. 7:9-6.
- "IC" means the inhibition concentration.
- "IPP" means industrial pretreatment program.
- "ISRA" means Industrial Site Recovery Act.
- "ITW" means industrial treatment works.
- "IWMF" means industrial waste management facility.
- "kg/day" means kilograms per day.
- "LA" means load allocation.
- "LC50" means the median lethal concentration resulting in at least 50 percent mortality to the test species.
- "LLAMA" means Letter of Land Application Management Approval.
- "LTA" means long term average effluent concentration.
- "MA1CD10" means the minimum average one day flow with a statistical recurrence interval of ten years.
- "MA30CD5" means the minimum average 30 consecutive day flow with a statistical recurrence interval of five years.
- "MA7CD10" means the minimum average seven consecutive day flow with a statistical recurrence interval of 10 years.
- "MCL" means maximum contaminant level.
- "MDL" means method detection level.
- "MF" means membrane filter technique.
- "MGD" means million gallons per day.
- "mg/L" means milligrams per liter.
- "ml/L" means milliliters per liter.
- "MOA" means Memorandum of Agreement.
- "MOU" means Memorandum of Understanding.
- "MPN" means most probable number.
- "MRF" means Monitoring Report Form.
- "MS4" means municipal separate storm sewer system.
- "MSWLF" means a municipal solid waste landfill as defined in 40 CFR part 258.2.
- "NBOD" means nitrogenous biochemical oxygen demand.