

POLLUTANT DISCHARGE ELIMINATION SYSTEM

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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 re-adopted 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 re-adopted 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Appendix F, Values for Determination of NJPDES Permit Toxic Effluent Limitations, was repealed by R.1993 d.59, effective February 1, 1993.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Subchapter 12, Requirements for a Treatment Works Approval, was repealed by R.1994 d.278, effective June 6, 1994.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.

RESEARCH NOTE

The Water Quality Regulations of the Interstate Sanitation 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).

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. ABBREVIATIONS, ACRONYMS, AND DEFINITIONS

- 7:14A-1.1 Abbreviations and acronyms
- 7:14A-1.2 Definitions

SUBCHAPTER 2. GENERAL PROGRAM REQUIREMENTS

- 7:14A-2.1 Purpose and scope
- 7:14A-2.2 Liberal construction and severability
- 7:14A-2.3 Incorporation by reference
- 7:14A-2.4 Activities that require a NJPDES permit
- 7:14A-2.5 Exemptions
- 7:14A-2.6 Conflict of interest
- 7:14A-2.7 Permit duration and renewal
- 7:14A-2.8 Administrative continuation of permits
- 7:14A-2.9 Enforcement action
- 7:14A-2.10 Subpoenas
- 7:14A-2.11 Duty to provide information
- 7:14A-2.12 Ambient water quality studies
- 7:14A-2.13 Specific criteria for concentrated animal feeding operations
- 7:14A-2.14 Specific criteria for concentrated aquatic animal production facilities

SUBCHAPTER 3. DETERMINATION OF PERMIT FEES

- 7:14A-3.1 Fee schedule for NJPDES permittees and applicants

SUBCHAPTER 4. PERMIT APPLICATION REQUIREMENTS

- 7:14A-4.1 Purpose and scope
- 7:14A-4.2 Application requirements
- 7:14A-4.3 Application information requirements
- 7:14A-4.4 Additional application requirements for discharges to surface water
- 7:14A-4.5 Specific technical application requirements for direct discharges to surface water
- 7:14A-4.6 Additional application requirements for significant indirect users
- 7:14A-4.7 Additional application requirements for Discharges to Ground Water
- 7:14A-4.8 Additional application requirements for specific DSW discharges
- 7:14A-4.9 Signatory requirements for permit applications and reports
- 7:14A-4.10 Technical requirements for NJPDES-DSW applications

APPENDIX A. PERMIT APPLICATION TESTING REQUIREMENTS/POLLUTANT LISTINGS

SUBCHAPTER 5. TECHNICAL REQUIREMENTS FOR AMBIENT STUDIES FOR DSW PERMITS (RESERVED)

SUBCHAPTER 6. CONDITIONS APPLICABLE TO ALL NJPDES PERMITS

- 7:14A-6.1 Purpose and scope
- 7:14A-6.2 General conditions applicable to all permittees
- 7:14A-6.3 Establishing permit conditions
- 7:14A-6.4 Schedules of compliance
- 7:14A-6.5 Monitoring
- 7:14A-6.6 Recordkeeping
- 7:14A-6.7 Notice requirements for facility alterations and additions
- 7:14A-6.8 Reporting monitoring results
- 7:14A-6.9 Signatory requirements for DMR and BR
- 7:14A-6.10 Noncompliance reporting
- 7:14A-6.11 Affirmative defenses
- 7:14A-6.12 Operation, maintenance, and emergency conditions
- 7:14A-6.13 General permits
- 7:14A-6.14 Emergency permits

- 7:14A-6.15 Residuals management
- 7:14A-6.16 Pretreatment requirements for local agencies
- 7:14A-6.17 Adjustment of DSW limitations for alternative disposal of pollutants

SUBCHAPTER 7. REQUIREMENTS FOR DISCHARGES TO GROUND WATER (DGW)

- 7:14A-7.1 Purpose
- 7:14A-7.2 Requirement to discharge in compliance with a valid NJPDES permit
- 7:14A-7.3 Scope and applicability
- 7:14A-7.4 Exemptions
- 7:14A-7.5 Authorization of discharges to ground water by permit-by-rule
- 7:14A-7.6 Ground Water Protection Program (GWPP)
- 7:14A-7.7 Ground water sampling procedures and statistical analysis requirements
- 7:14A-7.8 Required response to contravention of ground water quality standards
- 7:14A-7.9 General requirements for applications for discharge to ground water permit
- 7:14A-7.10 Additional requirements for applications for NJPDES-DGW permits for surface impoundments
- 7:14A-7.11 Additional requirements for applications for NJPDES-DGW permits for spray irrigation
- 7:14A-7.12 Additional requirements for applications for NJPDES-DGW permits for overland flow
- 7:14A-7.13 Additional requirements for applications for NJPDES-DGW permits for infiltration/percolation lagoons
- 7:14A-7.14 Additional requirements for applications for NJPDES-DGW permits for residual surface impoundments
- 7:14A-7.15 Additional requirements for applications for NJPDES-DGW permits for disposal of dredge spoils

SUBCHAPTER 8. ADDITIONAL REQUIREMENTS FOR UNDERGROUND INJECTION CONTROL (UIC) PROGRAM

- 7:14A-8.1 Purpose and scope
- 7:14A-8.2 Classification of injection wells
- 7:14A-8.3 Prohibition of unauthorized injection
- 7:14A-8.4 Prohibition of movement of fluid into underground sources of drinking water
- 7:14A-8.5 Authorization of injection into Class V wells by permit-by-rule
- 7:14A-8.6 Identification of underground sources of drinking water
- 7:14A-8.7 Prohibition and elimination of underground injection of hazardous and radioactive wastes
- 7:14A-8.8 Authorization by permit
- 7:14A-8.9 Additional conditions applicable to Class I, II, III and V UIC permits
- 7:14A-8.10 Establishing UIC permit conditions
- 7:14A-8.11 Corrective or preventive action
- 7:14A-8.12 General operating criteria and construction standards
- 7:14A-8.13 Specific operating criteria and construction standards applicable to Class I wells
- 7:14A-8.14 Specific operating criteria and construction standards applicable to Class II wells
- 7:14A-8.15 Specific operating criteria and construction standards applicable to Class III wells
- 7:14A-8.16 Specific operating criteria and construction standards applicable to Class V injection wells
- 7:14A-8.17 Additional requirements for applications for individual UIC permits
- 7:14A-8.18 Specific operating criteria and construction standards applicable to permit by rule authorizations for underground injection into seepage pits

APPENDIX A. EQUATION FOR AREA OF REVIEW

SUBCHAPTER 9. GROUND WATER MONITORING REQUIREMENTS FOR SANITARY LANDFILLS

- 7:14A-9.1 Scope and purpose

POLLUTANT DISCHARGE ELIMINATION SYSTEM

- 7:14A-9.2 Applicability
- 7:14A-9.3 Ground water monitoring system performance standards
- 7:14A-9.4 General ground water monitoring well requirements
- 7:14A-9.5 Ground water monitoring program requirements for sanitary landfills
- 7:14A-9.6 Relevant point of compliance
- 7:14A-9.7 Leak detection monitoring program
- 7:14A-9.8 Assessment monitoring program
- 7:14A-9.9 Assessment of corrective measures
- 7:14A-9.10 Selection of remedy
- 7:14A-9.11 Implementation of the Corrective Action Program
- 7:14A-9.12 Application requirements for NJPDES-DGW permits for sanitary landfills

APPENDIX A. CONSTITUENTS FOR DETECTION MONITORING

SUBCHAPTER 10. GROUND WATER MONITORING REQUIREMENTS FOR HAZARDOUS WASTE FACILITIES

- 7:14A-10.1 Scope and purpose
- 7:14A-10.2 Applicability
- 7:14A-10.3 Exemptions
- 7:14A-10.4 General ground water monitoring well requirements
- 7:14A-10.5 Ground water monitoring program requirements for hazardous waste facilities
- 7:14A-10.6 Ground water protection standard
- 7:14A-10.7 Hazardous constituents
- 7:14A-10.8 Concentration limits
- 7:14A-10.9 Relevant point of compliance
- 7:14A-10.10 Compliance period
- 7:14A-10.11 Ground water monitoring system performance standards
- 7:14A-10.12 Leak detection monitoring system
- 7:14A-10.13 Compliance monitoring program
- 7:14A-10.14 Corrective action program
- 7:14A-10.15 Application requirements for NJPDES-DGW permits for hazardous waste facilities
- 7:14A-10.16 Application requirements for NJPDES-DGW permits for hazardous waste facilities with surface impoundments
- 7:14A-10.17 Application requirements for NJPDES-DGW permits for hazardous waste facilities with land discharge by infiltration-percolation lagoons
- 7:14A-10.18 Application requirements for NJPDES-DGW permits for hazardous waste landfills

SUBCHAPTER 11. PROCEDURES AND CONDITIONS APPLICABLE TO NJPDES-DSW PERMITS

- 7:14A-11.1 Purpose and scope
- 7:14A-11.2 Establishing DSW permit conditions
- 7:14A-11.3 Additional requirements for all existing manufacturing, commercial, mining, silviculture, and research facilities
- 7:14A-11.4 Permit denial or conditions requested by other governmental agencies
- 7:14A-11.5 Stormwater discharges
- 7:14A-11.6 Federal criteria and standards for DSW permits
- 7:14A-11.7 Variances and modifications under the State and Federal acts
- 7:14A-11.8 Decisions on variances
- 7:14A-11.9 Procedures for variances
- 7:14A-11.10 Public notice of Section 316(A) request
- 7:14A-11.11 Special procedures for decisions on thermal variances under Section 316(A)
- 7:14A-11.12 Discharges from combined sewer overflows

APPENDIX A. (RESERVED)

APPENDIX B. (RESERVED)

APPENDIX C. FEDERAL POLICY ON COMBINED SEWER OVERFLOWS

SUBCHAPTER 12. EFFLUENT STANDARDS APPLICABLE TO DIRECT DISCHARGES TO SURFACE WATER AND INDIRECT DISCHARGES TO DOMESTIC TREATMENT WORKS

- 7:14A-12.1 Purpose and scope

- 7:14A-12.2 Secondary treatment effluent standards
- 7:14A-12.3 Secondary treatment special considerations
- 7:14A-12.4 Minimum BOD₅ effluent standards
- 7:14A-12.5 Disinfection
- 7:14A-12.6 Foam
- 7:14A-12.7 Phosphorous effluent standards (Reserved)
- 7:14A-12.8 Oil and grease effluent standards
- 7:14A-12.9 (Reserved)
- 7:14A-12.10 Petroleum hydrocarbon exemptions
- 7:14A-12.11 Toxic effluent standards

APPENDIX A. (RESERVED)

APPENDIX B. EFFLUENT STANDARDS FOR SITE REMEDIATION PROJECTS

APPENDIX C. EFFLUENT STANDARDS FOR NEW SOURCES, NEW DISCHARGES OR EXPANDED DIRECT DISCHARGES

SUBCHAPTER 13. EFFLUENT LIMITATIONS FOR DSW PERMITS

- 7:14A-13.1 Purpose and scope
- 7:14A-13.2 Types of effluent limitations
- 7:14A-13.3 Applicability of effluent limitations
- 7:14A-13.4 Establishment of technology based limitations
- 7:14A-13.5 Determination of the reasonable potential to cause an excursion above the SWQS as a basis for requiring inclusion of water quality based effluent limitations
- 7:14A-13.6 Calculation of water quality based limitations
- 7:14A-13.7 Determination of water quality based effluent limitations based on narrative criteria
- 7:14A-13.8 Calculation of effluent limitations using existing effluent quality
- 7:14A-13.9 Seasonal effluent limitations
- 7:14A-13.10 Surrogate effluent limitations
- 7:14A-13.11 Interim effluent limitations
- 7:14A-13.12 Wet weather effluent limitations
- 7:14A-13.13 Quantity of flow used in the determination of effluent limitations
- 7:14A-13.14 Expression of effluent limitations
- 7:14A-13.15 Permit averaging periods
- 7:14A-13.16 Point of compliance for effluent limitations
- 7:14A-13.17 Toxicity reduction evaluations
- 7:14A-13.18 Inclusion of action levels for water quality based effluent limitations
- 7:14A-13.19 Antibacksliding
- 7:14A-13.20 Limitations for non-continuous discharges
- 7:14A-13.21 Implementation of water quality based effluent limitations

SUBCHAPTER 14. MONITORING FREQUENCY REQUIREMENTS APPLICABLE TO DSW AND SIU PERMITS

- 7:14A-14.1 Purpose and scope
- 7:14A-14.2 Monitoring frequency requirements for direct surface water discharges
- 7:14A-14.3 Monitoring frequency requirements for NJPDES-SIU permits

SUBCHAPTER 15. PROCEDURES FOR DECISION MAKING—NJPDES PERMIT PROCESSING REQUIREMENTS

- 7:14A-15.1 Purpose and scope
- 7:14A-15.2 (Reserved)
- 7:14A-15.3 Preapplication conferences, permit checklists and technical manuals
- 7:14A-15.4 Procedures for Department review of individual NJPDES permit applications
- 7:14A-15.5 Consolidation of permit processing
- 7:14A-15.6 Draft permits
- 7:14A-15.7 Statement of basis
- 7:14A-15.8 Fact sheet

- 7:14A-15.9 Administrative record for the draft permit
- 7:14A-15.10 Public notice of permit actions and public comment period
- 7:14A-15.11 Public comments and requests for public hearing
- 7:14A-15.12 Public hearings
- 7:14A-15.13 Obligation to raise issues and provide information during the public comment period
- 7:14A-15.14 Reopening of the public comment period
- 7:14A-15.15 Final permit decision and issuance and effective date of a permit
- 7:14A-15.16 Response to comments
- 7:14A-15.17 Administrative record for the final permit

APPENDIX A. GUIDE TO THE NJPDES PERMIT PROCESSING REQUIREMENTS

SUBCHAPTER 16. TRANSFER, MODIFICATION, REVOCATION AND REISSUANCE, RENEWAL, SUSPENSION, AND REVOCATION OF EXISTING PERMITS

- 7:14A-16.1 Purpose and scope
- 7:14A-16.2 Transfer of a permit
- 7:14A-16.3 Procedures for the modification, revocation and reissuance, renewal, suspension, or revocation of a permit
- 7:14A-16.4 Causes for major modification or revocation and reissuance of a permit
- 7:14A-16.5 Minor modification of a permit
- 7:14A-16.6 Causes for suspension or revocation of a permit or denial of a permit renewal

SUBCHAPTER 17. PROCEDURES FOR DECISION MAKING—ADJUDICATORY HEARINGS AND STAYS OF PERMIT CONDITIONS

- 7:14A-17.1 Purpose and scope
- 7:14A-17.2 Request for an adjudicatory hearing
- 7:14A-17.3 Consideration as a party to the action
- 7:14A-17.4 Granting or denying an adjudicatory hearing request
- 7:14A-17.5 Notice for and conduct of an adjudicatory hearing
- 7:14A-17.6 Stays of contested permit conditions

APPENDIX A. GUIDE TO THE NJPDES PERMIT APPEAL AND STAY PROCESS

SUBCHAPTER 18. PUBLIC ACCESS TO INFORMATION AND REQUIREMENTS FOR DETERMINATION OF CONFIDENTIALITY

- 7:14A-18.1 Public access to information and scope of authority
- 7:14A-18.2 Confidentiality
- 7:14A-18.3 Procedures for asserting confidentiality
- 7:14A-18.4 Fees for a claim of confidentiality
- 7:14A-18.5 Procedure for confidentiality determinations
- 7:14A-18.6 Substantive criteria for confidentiality determinations
- 7:14A-18.7 Class determinations
- 7:14A-18.8 Access to and safeguarding of confidential information
- 7:14A-18.9 Disclosure of confidential information to State, Interstate and Federal agencies with the exception of the USEPA and the U.S. Department of Justice
- 7:14A-18.10 Disclosure of confidential information to authorized agents
- 7:14A-18.11 Designation by person of an addressee for notices and inquiries
- 7:14A-18.12 Access to information for the USEPA and U.S. Department of Justice
- 7:14A-18.13 Use of confidential information in rulemaking, permitting, and enforcement proceedings

SUBCHAPTER 19. PRETREATMENT PROGRAM REQUIREMENTS FOR LOCAL AGENCIES

- 7:14A-19.1 Purpose and scope
- 7:14A-19.2 Industrial pretreatment program development by local agencies

- 7:14A-19.3 Industrial pretreatment program requirements for all local agencies
- 7:14A-19.4 Enforcement response plan
- 7:14A-19.5 Enforcement requirements in an industrial pretreatment program
- 7:14A-19.6 Additional requirements for delegated local agencies
- 7:14A-19.7 Development of local limits by local agencies
- 7:14A-19.8 Requirements for issuance of IPP permits by delegated local agencies
- 7:14A-19.9 Modifications of an industrial pretreatment program
- 7:14A-19.10 Public notice requirements for delegated local agencies
- 7:14A-19.11 Enforcement action for failure to implement or enforce an approved industrial pretreatment program

APPENDIX A. ENFORCEMENT RESPONSE PLAN

SUBCHAPTER 20. STANDARDS FOR THE USE OR DISPOSAL OF RESIDUAL

- 7:14A-20.1 Purpose
- 7:14A-20.2 Applicability
- 7:14A-20.3 Relationship to other regulations
- 7:14A-20.4 Special definitions
- 7:14A-20.5 Establishing limitations, standards and other permit conditions
- 7:14A-20.6 Environmental assessment
- 7:14A-20.7 Land application
- 7:14A-20.8 Surface disposal of sewage sludge
- 7:14A-20.9 Fact sheet
- 7:14A-20.10 Residual transfer stations
- 7:14A-20.11 Generic residual quality determinations

SUBCHAPTER 21. REQUIREMENTS FOR INDIRECT USERS

- 7:14A-21.1 Purpose and scope
- 7:14A-21.2 Minimum requirements for all indirect users
- 7:14A-21.3 Additional requirements for all significant indirect users
- 7:14A-21.4 Categorical standards, calculation of equivalent and/or alternative limits
- 7:14A-21.5 Variance from categorical pretreatment standards for fundamentally different factors
- 7:14A-21.6 Bypass
- 7:14A-21.7 Additional requirements for facilities which meet the SIU definition and discharge to a delegated local agency's treatment works
- 7:14A-21.8 Additional requirements for facilities which meet the SIU definition and discharge to a non-delegated local agency's treatment works
- 7:14A-21.9 Exemptions from the requirements for an individual NJPDES-SIU permit from the Department
- 7:14A-21.10 Establishing conditions and effluent limitations for an individual NJPDES-SIU permit issued by the Department
- 7:14A-21.11 Violations; closing off of use of sewerage connections

SUBCHAPTER 22. TREATMENT WORKS APPROVALS, SEWER BANS, SEWER BAN EXEMPTIONS

- 7:14A-22.1 General policy and purpose
- 7:14A-22.2 Scope
- 7:14A-22.3 Activities for which a treatment works approval is required
- 7:14A-22.4 Activities for which a treatment works approval is not required
- 7:14A-22.5 Treatment works approval
- 7:14A-22.6 Information and submission requirements for general industrial treatment works approvals
- 7:14A-22.7 Requirements for preliminary review of applications for treatment works approval—stage I
- 7:14A-22.8 Requirements for construction, installation, or modification of treatment works—Stage II
- 7:14A-22.9 Stage II "construction only" treatment works approvals
- 7:14A-22.10 Requirements for stage III treatment works approval applications

- 7:14A-22.11 Modifications and revocations of treatment works approvals
- 7:14A-22.12 Extensions of time for treatment works approvals
- 7:14A-22.13 Administrative requirements for wastewater holding tanks (non-industrial)
- 7:14A-22.14 Temporary wastewater hauling/diversion
- 7:14A-22.15 Requirements for flow equalization tanks
- 7:14A-22.16 Capacity assurance program
- 7:14A-22.17 Sewer ban imposition
- 7:14A-22.18 Procedures and effective date for the imposition of a sewer connection ban
- 7:14A-22.19 General policy and procedure for sewer connection ban exemptions
- 7:14A-22.20 Activities which do not require an exemption from the Department
- 7:14A-22.21 Application procedures for obtaining a sewer connection ban exemption from the Department
- 7:14A-22.22 Sewer ban exemption criteria
- 7:14A-22.23 Delegation
- 7:14A-22.24 Requests for adjudicatory hearings

SUBCHAPTER 23. TECHNICAL REQUIREMENTS FOR TREATMENT WORKS APPROVAL APPLICATIONS

- 7:14A-23.1 Purpose
- 7:14A-23.2 Scope
- 7:14A-23.3 Projected flow criteria
- 7:14A-23.4 Plans and specifications submitted to the Department with treatment works approval applications
- 7:14A-23.5 Engineering design reports to be submitted to the Department with treatment works approval applications
- 7:14A-23.6 Sanitary sewer design
- 7:14A-23.7 Inverted siphons
- 7:14A-23.8 Manholes
- 7:14A-23.9 Outfalls
- 7:14A-23.10 Wastewater pumping stations
- 7:14A-23.11 Submersible wastewater pumps
- 7:14A-23.12 Dry wells and wet wells
- 7:14A-23.13 Wastewater treatment plants
- 7:14A-23.14 Measuring, recording, and sampling requirements at treatment plants
- 7:14A-23.15 Screening and comminution
- 7:14A-23.16 Grit removal equipment
- 7:14A-23.17 Settling tanks
- 7:14A-23.18 Chemical coagulation
- 7:14A-23.19 Trickling filters
- 7:14A-23.20 Rotating biological contactors
- 7:14A-23.21 Activated sludge
- 7:14A-23.22 Intermittent sand filters
- 7:14A-23.23 Chlorination
- 7:14A-23.24 Dechlorination
- 7:14A-23.25 Ultraviolet disinfection
- 7:14A-23.26 Anaerobic sludge digestion and management
- 7:14A-23.27 Sludge pumps
- 7:14A-23.28 Drying beds for residuals
- 7:14A-23.29 Residual dewatering lagoons
- 7:14A-23.30 Mechanical dewatering of residuals
- 7:14A-23.31 Stabilization residuals
- 7:14A-23.32 Storage of residuals or septage; and septage handling
- 7:14A-23.33 New treatment methods and technologies
- 7:14A-23.34 Closure requirements for wastewater treatment units

- “ACR” means acute to chronic ratio.
- “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.

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:

- “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.
- “MSWLF” means a municipal solid waste landfill as defined in 40 CFR part 258.2.
- “NBOD” means nitrogenous biochemical oxygen demand.
- “NCCW” means non-contact cooling water.
- “N.J.A.C.” means New Jersey Administrative Code.
- “NJPDES” means the New Jersey Pollutant Discharge Elimination System.
- “N.J.S.A.” means New Jersey Statutes Annotated.
- “NOAEC” means no observed adverse effect concentration.
- “NOEC” means no observable effect concentration.
- “NPDES” means the National Pollutant Discharge Elimination System.
- “NT” means non-trout waters.
- “OEP” means the Office of Environmental Planning.
- “PL” means the general surface water classification applied to Pinelands Waters.
- “POTW” means publicly owned treatment works.
- “PPSNC” means pretreatment program significant non-compliance.
- “PQL” means practical quantification level.
- “PVSC” means Passaic Valley Sewerage Commissioners.
- “RCRA” means Resource Conservation and Recovery Act.
- “RFA” means Request For Authorization under a general NJPDES permit.
- “SC” means the general surface water classification applied to coastal saline waters.

Administrative correction.

See: 29 N.J.R. 3822(a).

In "Hazardous waste", amended N.J.A.C. references; Changed "Level of pollutant concentration actually achieved" to "Level of pollutant control actually achieved", and added reference to nonconventional pollutants; in "Medium municipal separate storm sewer system", in 1, inserted "(As of May 5, 1997, only Elizabeth, Jersey City, and Paterson are listed)", and in 2, inserted "(As of May 5, 1997, no New Jersey counties are listed)"; in "Operating entity", deleted reference to "operator error"; in "Significant indirect user", amended N.J.A.C. references; in "Surface impoundment", changed "wastes containing free liquids" to "wastes containing free liquids"; and deleted "Total suspended solids concentrations achievable with waste stabilization ponds".

Case Notes

Flow monitoring; requirement for surface water discharge permit. Public Interest Research Group of New Jersey v. Yates Industries, Inc., D.N.J.1991, 757 F.Supp. 438, reconsideration denied in part, granted in part 790 F.Supp. 511.

Citation to upset definition; pollutant discharger not entitled to upset defense to permit limit exceedances which occurred prior to inclusion of upset provision in discharge permit; burden of proof of upset on discharger. Student Public Interest Research Group of New Jersey v. P.D. Oil & Chemical Storage, Inc., 627 F.Supp. 1074 (D.N.J. 1986).

Regulation defining "connection" was inapplicable to a regional or local sewerage authority established pursuant to N.J.S.A 40:14-1 et seq., and had nothing to do with connection fees as therein prescribed. Nestle USA-Beverage Division, Inc. v. Manasquan River Regional Sewerage Authority, 330 N.J.Super. 510, 750 A.2d 157 (N.J.Super.A.D. 2000).

Citation to definitions of thermal, municipal and industrial discharges. Public Service Electric and Gas Co. v. Dept. of Environmental Protection, 101 N.J. 95, 501 A.2d 125 (1985).

Corporation officer held personally responsible for administrative penalty assessment when company violates water pollution law during irregularly scheduled operation. Department of Environmental Protection v. Port Norris Oyster Company, Inc. and Weaton, 97 N.J.A.R.2d (EPE) 12.

Sewage treatment plant properly denied penalty waiver; "upset". Sewembers on the Hill, Inc. v. DEPE, 94 N.J.A.R.2d (EPE) 165.

Piercing corporate veil not necessary; officers liable as "responsible corporate officials". Department of Environmental Protection v. Engineered Precision Casting Co., 93 N.J.A.R.2d (EPE) 87.

Evidence was sufficient to establish unlawful discharge of pollutants. Salem Packing Company v. New Jersey Department of Environmental Protection, 92 N.J.A.R.2d (EPE) 270.

(b) The intent of these rules is to:

1. Restore, enhance, and maintain the chemical, physical, and biological integrity of the waters of the State;
2. Protect public health and safety;
3. Protect potable water supplies;
4. Safeguard fish and aquatic life and scenic and ecological values;
5. Enhance the domestic, municipal, recreational, industrial, agricultural and other uses of water; and
6. Prevent, control, and abate water pollution.

(c) This chapter sets forth the rules concerning implementation and operation of the New Jersey Pollutant Discharge Elimination System (NJPDES) permit program and the Treatment Works Approval (TWA) program. Each delegated local agency (DLA) shall issue and administer permits in accordance with an approved industrial pretreatment program, and the requirements of N.J.A.C. 7:14A-19 and applicable sections of N.J.A.C. 7:14A-21.

(d) It shall be unlawful for any person to discharge any pollutant except in conformity with a valid NJPDES permit issued by the Department, unless specifically exempted by this chapter.

(e) It shall be unlawful for any person to build, install, modify, or operate any facility for the collection, treatment, or discharge of any pollutant, except in conformance with the TWA requirements contained in N.J.A.C. 7:14A-22 and 23.

Case Notes

Standing to challenge pollutant discharge: no federal limitation period applicable to citizen suit; liability established by polluter's admissions and official reports that effluent limits exceeded. Student Public Interest Research Group of New Jersey v. P.D. Oil & Chemical Storage, Inc., 627 F.Supp. 1074 (D.N.J.1986).

Water pollution violation; discharge of sand-filled wash water into groundwater lagoon without permit. Department of Environmental Protection v. Brick-Wall Corp., 93 N.J.A.R.2d (EPE) 141.

Sewage treatment facility was shown to have discharged pollutants in violation of administrative consent order. Sheffield Hills Sewage Treatment Plant v. Division of Water Resources, 92 N.J.A.R.2d (EPE) 163.

SUBCHAPTER 2. GENERAL PROGRAM REQUIREMENTS

7:14A-2.1 Purpose and scope

(a) This chapter establishes the regulatory framework under the authority of 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., 58:11-18.10 et seq., 13:1D-1 et seq., 13:1E-1 et seq., 58:4A-5, 58:4A-4.1, 58:12A-1 et seq. 42 U.S.C. §§ 300F et seq., and 33 U.S.C. §§ 1251 et seq., within which the Department regulates the discharge of pollutants to the surface and ground waters of the State.

7:14A-2.2 Liberal construction and severability

(a) This chapter shall be liberally construed to permit the Department to effectuate the purposes of the State and Federal Acts.

(b) If any subchapter, section, subsection, provision, clause, or portion of this chapter or the application thereof to any person is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the subchapter, section, subsection, clause, portion, or application directly involved in the

controversy in which such judgment shall have been rendered and it shall not affect or impair the remainder of this chapter or the application thereof to other persons.

7:14A-2.3 Incorporation by reference

(a) The requirements applicable to the NJPDES program of the Federal Clean Water Act (33 U.S.C. §§ 1251 et seq.), the Federal Safe Drinking Water Act (42 U.S.C. §§ 300F et seq.), the State Act, and all Federal regulations cited in this chapter, including, but not limited to, 40 CFR Parts 110, 122, 123, 124, 125, 129, 133, 136, 144, 258, 264, 403, and National Pretreatment Standards in 40 CFR chapter I, subchapter N, and including all amendments and supplements thereto, are incorporated into this chapter by reference unless the context clearly indicates otherwise. A copy of the Federal Act, the State Act, or any Federal regulation cited in this chapter may be obtained at the State Library.

(b) The Delaware River Basin Commission Water Quality Regulations, including all amendments and supplements thereto, and the Interstate Sanitation Commission Water Quality Regulations, including, all amendments and supplements thereto, are incorporated into this chapter by reference unless the context clearly indicates otherwise.

(c) Wherever the requirements of this chapter are more stringent than existing requirements of a Federal regulation, the requirements of this chapter shall apply.

(d) For provisions of this chapter that incorporate Federal statutory requirements, amendments to the Federal statutes after the promulgation of these rules supersede these rules, as of the effective date of such amended Federal statute, to the extent that such Federal statutory amendments are not inconsistent with State statutory requirements. For provisions of this chapter that incorporate State statutory requirements, amendments to the State statute after the promulgation of these rules supersede these rules, as of the effective date of such amended State statute. The Department shall, subsequently, amend this chapter as necessary in accordance with the State Administrative Procedure Act.

7:14A-2.4 Activities that require a NJPDES permit

(a) The NJPDES permitting program shall regulate and issue permits for the discharge of pollutants to surface and ground waters of the State, pursuant to the State and Federal Acts, except for those activities specifically prohibited or exempted pursuant to N.J.A.C. 7:14A-2.4(d) and 2.5, respectively.

(b) The Department shall, at a minimum, issue NJPDES permits for the following activities:

1. Discharge of pollutants to surface and ground waters;
2. A discharge from an indirect user;

3. The land application of municipal wastewaters and/or industrial wastewaters, including, but not limited to, spray irrigation, overland flow, and infiltration-percolation lagoons;

4. The discharge from facilities under the jurisdiction of the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq.;

5. The storage of any liquid or solid pollutant, in a manner designed to keep it from entering the waters of the State;

6. The discharge of pollutants into wells;

7. Discharges from concentrated animal feeding operations as specified in N.J.A.C. 7:14A-2.13;

8. Discharges from concentrated aquatic animal production facilities as specified in N.J.A.C. 7:14A-2.14;

9. Discharges from aquaculture projects;

10. Discharges from silvicultural point sources;

11. Discharges of stormwater to surface waters, including discharges through storm sewers, as set forth in N.J.A.C. 7:14A-11.5;

12. Discharges from site remediation projects;

13. The treatment, storage or disposal of hazardous waste which is not regulated by the Hazardous Waste Management Regulations, N.J.A.C. 7:26; and

14. Those treatment works treating domestic sewage, or residual use or disposal practices, pursuant to Section 405(d) of the Federal Act and Sections 4 and 6 of the State Act, including, but not limited to, the land application of residual.

(c) The Department shall determine, on a case-by-case basis, that facilities which are otherwise eligible for general permits and which do not generally require individual permits may be required to obtain an individual permit because of their contributions to water pollution. Whenever the Department determines that an individual permit is required under this section, the Department shall notify the discharger in writing of the reasons for such a determination and shall include an application form with such notice. The discharger shall apply under N.J.A.C. 7:14A-4 for a permit within 60 days of receipt of such notice, except for a discharger of stormwater associated with industrial activity under N.J.A.C. 7:14A-11.5(g)1i, who shall apply within 180 days. In such a case, comment regarding the appropriateness of the initial determination to require an individual permit may be submitted during the public comment period under N.J.A.C. 7:14A-15.11 and in any subsequent hearing.

(d) The Department shall not issue a permit when prohibited by 40 CFR 122.4 or N.J.S.A. 58:10A-6(e).

7:14A-2.5 Exemptions

(a) The following activities are exempt from the requirements to obtain a NJPDES permit from the Department:

1. Any direct discharge of sewage from vessels, effluent from properly functioning marine engines, laundry, show-

er, and galley sink wastes, or any other discharge incidental to the normal operation of a vessel. This exemption does not apply to the following:

(c) In lieu of the parameter BOD₅ and the levels of the effluent quality specified in (b) above, the parameter CBOD₅ may be substituted as follows:

1. The monthly average value shall not exceed 25 mg/L;
2. The weekly average value shall not exceed 40 mg/L; and
3. The monthly average value for percent removal shall not be less than 85 percent.

(d) Chemical oxygen demand (COD) or total organic carbon (TOC) may be substituted for BOD₅ or CBOD₅ when a long-term BOD₅ or CBOD₅:COD or BOD₅ or CBOD₅:TOC correlation is demonstrated whereby a permittee submits data which indicates that a different BOD₅ or CBOD₅:COD or BOD₅ or CBOD₅:TOC ratio would be more appropriate. In the absence of data to establish a long term correlation, the BOD₅:COD ratio shall be assumed to be 1:2 and the BOD₅:TOC ratio shall be assumed to be 1:1.

(e) The minimum level of effluent quality attainable by secondary treatment in terms of the parameter TSS, except as provided in N.J.A.C. 7:14A-12.3 is as follows:

1. The monthly average value shall not exceed 30 mg/L;
2. The weekly average value shall not exceed 45 mg/L; and
3. The monthly average value for percent removal shall not be less than 85 percent.

(f) The pH shall be maintained within the limits of 6.0 to 9.0 standard units unless the facility demonstrates that:

1. Inorganic chemicals are not added to the wastestream as part of the treatment process; and
2. Contributions from industrial sources do not cause the pH of the effluent to be less than 6.0 or greater than 9.0.

7:14A-12.3 Secondary treatment special considerations

(a) This section identifies special considerations applicable to effluent limitations for BOD₅ or CBOD₅ and TSS percentage removal or, for facilities receiving waste from certain industrial categories, relief in terms of less stringent BOD₅ or CBOD₅ and TSS concentration levels when the level of treatment required is more stringent than the minimum treatment requirements specified in N.J.A.C. 7:14A-12.2.

(b) For domestic treatment works receiving less concentrated influent wastewater from combined sewer systems during wet weather, the Department may remove, or impose a less stringent, BOD₅ or CBOD₅ and TSS percent removal requirement than specified in N.J.A.C. 7:14A-12.2(b)3, (c)3 or (e)3. For such treatment works, any attainable percentage removal level shall be defined on a case-by-case basis.

(c) For domestic treatment works receiving less concentrated influent wastewater from combined sewer systems during dry weather, the Department shall remove, or impose a less stringent, BOD₅ or CBOD₅ and TSS percent removal requirement than specified in N.J.A.C. 7:14A-12.2(b)3, (c)3, or (e)3 if the permittee satisfactorily demonstrates that:

1. The treatment works is consistently meeting, or will consistently meet, its permit effluent concentration limits but the percent removal requirements cannot be met due to less concentrated influent wastewater. In such case an applicant shall demonstrate compliance with effluent limitations consistently achievable through proper operations and maintenance as defined in N.J.A.C. 7:14A-1.2;

2. To meet the percent removal requirements, the treatment works would have to achieve significantly more stringent effluent limitations, as defined in N.J.A.C. 7:14A-1.2, than would otherwise be required by the concentration-based standards and associated loadings; and

3. The less concentrated influent wastewater does not result from either excessive infiltration or clear water industrial discharges (for example, non-contact cooling water discharges or other discharges which do not contain pollutants in sufficient quantities to otherwise be of concern) during dry weather periods. If the less concentrated influent wastewater is the result of clear water industrial discharges, then the treatment works must control such discharges in accordance with 40 CFR 403.

(d) For domestic treatment works receiving less concentrated influent wastewater from a separate sewer system, the Department shall remove, or impose a less stringent, BOD₅ or CBOD₅ and TSS percent removal requirement than specified in N.J.A.C. 7:14A-12.2(b)3, (c)3 or (e)3, if the permittee satisfactorily demonstrates that:

1. The treatment works is consistently meeting, or will consistently meet, its permit effluent concentration limits but the percent removal requirements cannot be met due to less concentrated influent wastewater. In such case an applicant shall demonstrate compliance with effluent limitations consistently achievable through proper operations and maintenance as defined in N.J.A.C. 7:14A-1.2;

2. To meet the percent removal requirements, the treatment works would have to achieve significantly more stringent limitations as defined in N.J.A.C. 7:14A-1.2, than would otherwise be required by the concentration-based standards; and

3. The less concentrated influent wastewater is not the result of excessive inflow/infiltration.

(e) For domestic treatment works receiving industrial waste from certain industrial categories, the average monthly values for BOD₅, or CBOD₅ and TSS specified in N.J.A.C. 7:14A-12.2(b)1, (c)1 or (e)1 shall be made less stringent provided that:

1. The permitted discharge of BOD₅ or CBOD₅ and TSS from the domestic treatment works, attributable to the industrial category, would not be greater than that which would be permitted under sections 301(b)(1)(A)(i), 301(b)(2)(E) or 306 of the Federal Act if such industrial category were to discharge directly to surface water; and

2. The flow or loading for BOD₅ or CBOD₅ and TSS introduced to the domestic treatment works by the industrial category exceeds 10 percent of the design flow or loading of the domestic treatment works. When such an adjustment is made, the weekly average value for BOD₅ or CBOD₅ and TSS specified in N.J.A.C. 7:14A-12.2(b)2, (c)2 or (e)2 shall be adjusted proportionately.

(f) When requesting special consideration for any of the discharges described in (b), (c) and (d) above, an applicant shall submit, as part of the request, all demonstrations specified in the applicable subsection and, in addition, the following:

1. The BOD₅, or CBOD₅, and TSS percent removal requested, as applicable, and whether the request is for seasonal or year round relief;

2. If the discharge is also regulated by another regulatory agency (for example, Delaware River Basin Commission, Interstate Sanitation Commission), a brief written statement from that regulatory agency that the agency has no objection to the request for special consideration;

3. At a minimum, 24 consecutive months of influent and effluent data sampled at monthly intervals for BOD₅ or CBOD₅ and TSS concentration, as well as percentage removal, presented in summary form. Pollutant data for BOD₅ or CBOD₅ and TSS shall be sampled in accordance with the methods and procedures described in the applicable permit. Data collected during periods of upsets, bypasses, operational errors or other unusual conditions shall be excluded. The data shall contain, at a minimum, the following information:

- i. The parameter value in mg/L for influent (concentration only) and effluent (concentration and percent removal);
- ii. The date on which each sample was taken;
- iii. The effluent flow at time of each sample;
- iv. The weather conditions at time of each sampling (for example, raining or dry);
- v. The total population served; and
- vi. The total amount of flow attributable to major industrial and commercial users contributing greater than 50,000 gallons per day each;

4. All permit limit exceedences;

5. For combined sewer systems only, the number of combined sewer overflow points and an estimation, with basis, of what percentage of the total collection system is combined; and

6. Any other data that the Department deems appropriate to make an accurate determination on the merits of the request.

(g) When requesting special consideration for the discharge under (e) above, an applicant shall submit all applicable demonstrations specified in (e)1 and 2 above, and, in addition, the following:

1. If the discharge is also regulated by another regulatory agency (for example, Delaware River Basin Commission, Interstate Sanitation Commission), a brief written statement from that regulatory agency that the agency has no objection to the request for special consideration;

2. The adjustment requested; and

3. Any other data that the Department deems appropriate to make an accurate determination on the merits of the request.

(h) The following domestic treatment works are not eligible to request special consideration under this section:

1. Any domestic treatment works which cannot provide satisfactory demonstrations as required pursuant to (b) through (e) above, as applicable; and

2. Any domestic treatment works subject to the requirements of another regulatory agency (for example, Delaware River Basin Commission, Interstate Sanitation Commission) that has not received a written statement from that agency that it has no objection to the request.

Administrative correction.
See: 29 N.J.R. 3822(a).

7:14A-12.4 Minimum BOD₅ effluent standards

(a) For direct discharges to surface water for which BOD₅ or CBOD₅ water quality based effluent limitations based upon water quality studies acceptable to the Department have not been developed but are required under N.J.A.C. 7:9B-1.5 or 1.6, the minimum treatment requirements for BOD₅ specified in (b) below shall apply except when more stringent effluent limitations are required by:

1. Section 301 or 306 of the Federal Act;

2. The Delaware River Basin Commission or the Interstate Sanitation Commission, as applicable.

(b) The minimum BOD₅ treatment requirements are as listed in the following table:

Watershed Type	Receiving Water Classification	BOD ₅ Maximum (Monthly/Weekly Avg.)	Discharge All Domestic or
Atlantic Coastal Plain	FW2, SE1 SC	15/22.5 mg/L 30/45 mg/l	

Watershed Type	Receiving Water Classification	BOD ₅ Maximum (Monthly/Weekly Avg.)	Discharge Domestic combined with industrial
Delaware River Basin	Tributaries classified as FW2, SE1, SE2	25/37.5 mg/L	All
	Main stem, all zones	As set forth in the Water Quality Standards for the Delaware River Basin; Resolution 67-7 of the DRBC; April 26, 1967 and subsequent revisions	All
Hackensack River Basin	FW2, SE1, SE2, SE3	30/45 mg/L	All
Passaic River Basin (including Newark Bay)	FW2	25/37.5 mg/L	All
Wallkill River Basin	SE2, SE3	30/45 mg/L	All
	FW2	15/22.5 mg/L	All

shall be obtained during the months of November through April.

(3) The monthly and weekly BOD₅ effluent limitations shall be recalculated as CBOD₅ monthly and weekly effluent limitations using the approved correlation factor.

(d) Direct discharges to surface water from industrial treatment works shall be exempt from the minimum BOD₅ effluent standards in (b) above, when:

i. Statistically valid data indicate that the maximum projected BOD₅ concentration is consistently below the applicable effluent standard; or

ii. The Department determines that, based on wastewater generating activities, no potential exists for the discharge to add BOD₅, COD or TOC.

(c) In applying the minimum treatment requirements contained in (b) above, the following substitutions may be made:

1. For industrial treatment works, TOC or COD may be substituted for BOD₅ when a long-term BOD₅:COD or BOD₅:TOC correlation has been demonstrated. In the absence of data to establish a long term correlation, the BOD₅:COD ratio shall be assumed to be 1:2 and the BOD₅:TOC ratio shall be assumed to be 1:1. If subsequent data are submitted which indicate that a different BOD₅:COD or BOD₅:TOC ratio would be more appropriate, a written request shall be submitted to the Department; and

2. For industrial or domestic treatment works, CBOD₅ may be substituted for BOD₅ as follows:

i. With prior approval of each regulatory agency with jurisdiction over the discharge, when applicable, if the effluent standard for BOD₅ is 30/45 mg/L, a CBOD₅ effluent standard of 25/40 mg/L, as allowed for in N.J.A.C. 7:14A-12.2(c)1 and 2, may be substituted; or

ii. With prior approval of each regulatory agency with jurisdiction over the discharge, when applicable, if the effluent standard for BOD₅ is other than 30/45 mg/L, CBOD₅ may be substituted for BOD₅ when a long term BOD₅:CBOD₅ correlation has been demonstrated. When a request for a substitution of CBOD₅ for BOD₅ is made, the applicant shall submit data demonstrating the appropriate BOD₅:CBOD₅ correlation. The correlation demonstration shall consist of a minimum of 12 BOD₅ and CBOD₅ analyses of split samples obtained at a frequency of twice per month, subject to the following restrictions:

(1) For limitations applicable year round, or for limitations applicable during warm weather (for example, May through October), the samples shall be obtained during the months of May through October.

(2) For limitations applicable during cold weather (for example, November through April), the samples

Administrative correction.
See: 29 N.J.R. 3822(a).

7:14A-12.5 Disinfection

(a) All wastewater that could contain pathogenic organisms such as fecal coliform and/or enterococci organisms shall be subject to continuous year round disinfection prior to discharge into surface waters.

(b) The State effluent standard for fecal coliform organisms is as follows:

1. The monthly geometric mean shall not exceed 200 colonies/100 mL; and
2. The weekly geometric mean shall not exceed 400 colonies/100 mL.

7:14A-12.6 Foam

(a) DSW dischargers are prohibited from discharging foam or causing foaming of the receiving water that:

1. Forms objectionable deposits on the receiving water;
2. Forms floating masses producing a nuisance;
3. Produces objectionable color or odor; or
4. Interferes with a designated use of the waterbody.

(b) Foaming of the receiving waterbody caused by natural conditions shall not be considered a violation of the standard in (a) above.

(c) For discharges with submerged outfalls, the Department may take into consideration the location, depth and the dispersion characteristics of the discharge in deciding whether or not to include the provisions of (a) above in the permit.

7:14A-12.7 Phosphorus effluent standards (Reserved)**7:14A-12.8 Oil and grease effluent standards**

(a) The requirements of this section, N.J.A.C. 7:14A-12.9 and 12.10 apply to direct discharges of oil and grease to surface water, and indirect discharges of petroleum based oil and grease to a domestic treatment works, except as specifically exempted in N.J.A.C. 7:14A-12.10. Indirect users shall comply with any local agency standards for nonpetroleum based oil and grease.

(b) (Reserved)

(c) Direct dischargers to surface waters shall limit the oil and grease effluent content so that such effluent does not:

1. Exhibit a visible sheen;
2. Exceed an average monthly discharge limitation of 10 mg/L; and
3. Exceed a concentration of 15 mg/L in any single sample.

(d) Indirect users discharging petroleum based oil and grease shall meet the following petroleum hydrocarbon effluent standards except where the control authority has determined that more stringent effluent limitations apply:

1. The average monthly discharge limitation shall not exceed 100 mg/L; and
2. The concentration in any single sample shall not exceed 150 mg/L.

(e) (Reserved)

(f) If a direct discharger only discharges petroleum based oil and grease, the Department may specify in the permit that compliance with the oil and grease effluent standards in (c) above may be monitored using the petroleum hydrocarbons analytical method.

7:14A-12.9 (Reserved)**7:14A-12.10 Petroleum hydrocarbon exemptions**

(a) Indirect users shall be exempted from the petroleum hydrocarbon standards specified at N.J.A.C. 7:14A-12.8(d), provided the following requirements are met:

1. The DTW into which the indirect user discharges submits a request for the exemption indicating it meets all of the following criteria:

i. The discharge from the domestic treatment works has met a 10 mg/L average and 15 mg/L maximum limitation for oil and grease for each of the reporting periods during the preceding 12 months, as determined by the Department;

ii. The sludge disposal option currently utilized or planned by the domestic treatment works considers petroleum hydrocarbons a beneficial constituent; and

iii. The DTW shows that the costs for oil and grease removal at its plant are in proportion to the other operation and maintenance costs of the plant.

2. The Department shall have 90 days to review the request for the exemption and make a tentative decision to approve or deny the request. If additional information from the applicant is required, the 90 day period may be extended. The Department shall public notice the tentative decision.

7:14A-12.11 Toxic effluent standards

(a) (Reserved)

(b) (Reserved)

(c) (Reserved)

(d) For discharges to surface water from site remediation projects, the chemical specific toxic pollutant effluent standards are set forth in N.J.A.C. 7:14A-12 Appendix B, incorporated herein by reference.

(e) For new sources, new discharges or expanded direct discharges to surface water, the chemical specific toxic pollutant effluent standards are set forth in N.J.A.C. 7:14A-12 Appendix C, incorporated herein by reference.

APPENDIX A (RESERVED)**APPENDIX B****EFFLUENT STANDARDS FOR SITE REMEDIATION PROJECTS**

Parameter	Effluent Standards			
	FW-2 Waters		SC, SE Waters	
	<u>monthly average</u>	<u>daily maximum</u>	<u>monthly average</u>	<u>daily maximum</u>
Volatile Compounds				
Acrolein		100		100
Acrylonitrile		50		50
Benzene		7	37	136
Bromoform		8.6	29	58
Carbon Tetrachloride		6		8.8

Parameter	Effluent Standards			
	FW-2 Waters		SC, SE Waters	
	monthly average	daily maximum	monthly average	daily maximum
Chlorobenzene	15	28	15	28
Chlorodibromomethane		8.2		14
Chloroethane	104	268	104	268
Chloroform		11.4	21	46
Dichlorobromomethane		5		12
1,1-Dichloroethane	22	59	22	59
1,2-Dichloroethane		3	68	211
1,1-Dichloroethylene		6	16	25
1,2-Dichloropropane	153	230	153	230
1,3-Dichloropropylene	10	20	29	44
Ethylbenzene	32	108	32	108
Methyl Bromide	20	40	20	40
Methyl Chloride	86	190	86	190
Methylene Chloride		9.4	40	89
1,1,2,2-Tetrachloroethane		10		10
Tetrachloroethylene		16	22	56
Toluene	26	80	26	80
1,2-Trans-Dichloroethylene	21	54	21	54
1,1,1-Trichloroethane	21	54	21	54
1,1,2-Trichloroethane		12	21	54
Trichloroethylene		5.4	21	54
Vinyl Chloride		10	104	268
Acid Compounds				
2-Chlorophenol	31	98	31	98
2,4-Dichlorophenol	39	112	39	112
2,4-Dimethylphenol	18	36	18	36
4,6-Dinitro-O-Cresol		60	78	277
2,4-Dinitrophenol	71	123	71	123
2-Nitrophenol	41	69	41	69
4-Nitrophenol	72	124	72	124
Pentachlorophenol		30		30
Phenol	15	26	15	26
2,4,6-Trichlorophenol		20		20
Base Neutral Compounds				
Anthracene	22	59	22	59
Benzidine		50		50
Benzo (a) Anthracene		10		10
Benzo (a) Pyrene		20		20
Benzo (b) fluoranthene		10		10
Benzo (k) Fluoranthene		20		20
Bis (2-Chloroethyl) Ether		10		10
Bis (2-Chloroisopropyl) Ether	301	757	301	757
Bis (2-Ethylhexyl) Phthalate		36	59	118
Butyl Benzyl Phthalate		24		24
Chrysene		20		20
Dibenzo (a,h) Anthracene		20		20
1,2-Dichlorobenzene	77	163	77	163
1,3-Dichlorobenzene	31	44	31	44
1,4-Dichlorobenzene		28		28
3,3'-Dichlorobenzidine		60		60
Diethyl Phthalate	81	203	81	203
Dimethyl Phthalate	19	47	19	47
Di-N-Butyl Phthalate	27	57	27	57
2,4-Dinitrotoluene		10		18.2
2,6-Dinitrotoluene	255	641	255	641
Fluoranthene	25	68	25	68
Fluorene	22	59	22	59
Hexachlorobenzene		10		10
Hexachlorobutadiene		10	20	49
Hexachlorocyclopentadiene	240	480		1800
Hexachloroethane	19	38	21	54
Indeno (1,2,3-cd) Pyrene		20		20
Isophorone		20		20
Naphthalene	22	59	22	59

Parameter	Effluent Standards			
	FW-2 Waters		SC, SE Waters	
	monthly average	daily maximum	monthly average	daily maximum
Nitrobenzene	17	34	27	68
N-Nitrosodimethylamine		20		20
N-Nitrosodiphenylamine		20		20
Phenanthrene	22	59	22	59
Pyrene	25	67	25	67
1,2,4-Trichlorobenzene	68	140	68	140
Pesticides				
Aldrin ²		0.04		0.04
Alpha-BHC		0.02		0.02
Beta-BHC	0.137	0.274	0.46	0.92
Gamma-BHC (Lindane)		0.08		0.03
Chlordane		0.2		0.2
4,4'-DDT ²		0.06		0.06
4,4'-DDE ²		0.04		0.04
4,4'-DDD ²		0.04		0.04
Dieldrin ²		0.03		0.03
Alpha-Endosulfan		0.02		0.02
Beta-Endosulfan		0.04		0.04
Endosulfan Sulfate	0.93	1.86	2	4
Endrin ³		0.04		0.04
Endrin Aldehyde	0.76	1.52	0.81	1.62
Heptachlor		0.02		0.02
Heptachlor Epoxide		0.4		0.4
Toxaphene ³		1		1
Metals and Cyanide				
Arsenic	50	100	50	100
Cadmium	50	100	50	100
Chromium	50	100	50	100
Copper	50	100	50	100
Iron	1000	2000	1000	2000
Lead	50	100	50	100
Mercury		1		1
Nickel	72	144	50	100
Selenium	50	100	50	100
Silver	25	50	25	50
Zinc	100	200	100	200
Cyanide	100	200	100	200
Dioxin				
2,3,7,8-Tetrachlorodibenzo-p-Dioxin		0.01		0.01
PCBs ²				
PCBs-1242, 1254, 1221, 1232, 1248, 1260, 1016			0.5	0.5

1—for manufacturers: 10 µg/L daily maximum and 50 µg/L instantaneous maximum for applicators: 10 µg/L daily maximum and 25 µg/L instantaneous maximum
 2—for manufacturers and formulators—discharge prohibited
 3—for manufacturers: 1.5 µg/L daily maximum, 7.5 µg/L instantaneous maximum for formulators: discharge prohibited

Administrative correction.
 See: 29 N.J.R. 3822(a).

APPENDIX C

EFFLUENT STANDARDS FOR NEW SOURCES, NEW DISCHARGES OR EXPANDED DIRECT DISCHARGES

Parameter	Facility Flow < 7Q 10 & Large Tidal				Facility Flow > 7Q 10 & Small Tidal			
	FW2 Waters		SE, SC Waters		FW2 Waters		SE, SC Waters	
	monthly average	daily maximum	monthly average	daily maximum	monthly average	daily maximum	monthly average	daily maximum
Volatile Compounds								
Acrolein		100		100		100		100

Parameter	Facility Flow < 7Q 10 & Large Tidal				Facility Flow > 7Q 10 & Small Tidal			
	FW2 Waters		SE, SC Waters		FW2 Waters		SE, SC Waters	
	monthly average	daily maximum	monthly average	daily maximum	monthly average	daily maximum	monthly average	daily maximum
Acrylonitrile		50		50		50		50
Benzene		24	37	136		7	37	136
Bromoform	29	58	29	58		8.6	29	58
Carbon Tetrachloride		6	18	38		6		8.8
Chlorobenzene	15	28	15	28	15	28	15	28
Chlorodibromomethane		14		14		8.2		14
Chloroethane	104	268	104	268	104	268	104	268
Chloroform	21	46	21	46		11.4	21	46
Dichlorobromomethane		5.4		12		5		12
1,1-Dichloroethane	22	59	22	59	22	59	22	59
1,2-Dichloroethane		7.6	68	211		3	68	211
1,1-Dichloroethylene	16	11.4	16	25		6	16	25
1,2-Dichloropropane	153	230	153	230	153	230	153	230
1,3-Dichloropropene	29	44	29	44		20	29	44
Ethylbenzene	32	108	32	108	32	108	32	108
Methyl Bromide	20	40	20	40	20	40	20	40
Methyl Chloride	86	190	86	190	86	190	86	190
Methylene Chloride	40	89	40	89		9.4	40	89
1,1,2,2-Tetrachloroethane		10		10		10		10
Tetrachloroethylene	22	56	22	56		16	22	56
Toluene	26	80	26	80	26	80	26	80
1,2-Trans-Dichloroethylene	21	54	21	54	21	54	21	54
1,1,1-Trichloroethane	21	54	21	54	21	54	21	54
1,1,2-Trichloroethane	21	54	21	54		12	21	54
Trichloroethylene	21	54	21	54		5.4	21	54
Vinyl Chloride	20	40	104	268		10	104	268
Acid Compounds								
2-Chlorophenol	31	98	31	98	31	98	31	98
2,4-Dichlorophenol	39	112	39	112	39	112	39	112
2,4-Dimethylphenol	18	36	18	36	18	36	18	36
4,6-Dinitro-O-Cresol	78	277	78	277		60	78	277
2,4-Dinitrophenol	71	123	71	123	71	123	71	123
2-Nitrophenol	41	69	41	69	41	69	41	69
4-Nitrophenol	72	124	72	124	72	124	72	124
Pentachlorophenol		30		30		30		30
Phenol	15	26	15	26	15	26	15	26
2,4,6-Trichlorophenol		42	65	130		20		20
Base Neutral Compounds								
Anthracene	22	59	22	59	22	59	22	59
Benzidine ¹		50		50		50		50
Benzo (a) Anthracene		10		10		10		10
Benzo (a) Pyrene		20		20		20		20
Benzo (b) fluoranthene		10		10		10		10
Benzo (k) Fluoranthene		20		20		20		20
Bis (2-Chloroethyl) Ether		10	14	28		10		10
Bis (2-Chloroisopropyl) Ether	301	757	301	757	301	757	301	757
Bis (2-Ethylhexyl) Phthalate	103	279	103	279		36	59	118
Butyl Benzyl Phthalate		24		24		24		24
Chrysene		20		20		20		20
Dibenzo (a,h) Anthracene		20		20		20		20
1,2-Dichlorobenzene	77	163	77	163	77	163	77	163
1,3-Dichlorobenzene	31	44	31	44	31	44	31	44
1,4-Dichlorobenzene		28		28		28		28
3,3'-Dichlorobenzidine		60		60		60		60
Diethyl Phthalate	81	203	81	203	81	203	81	203
Dimethyl Phthalate	19	47	19	47	19	47	19	47
Di-Ny-Butyl Phthalate	27	57	27	57	27	57	27	57
2,4 Dinitrotoluene		10	91	182		10		18.2
2,6-Dinitrotoluene	255	641	255	641	255	641	255	641
1,2-Diphenylhydrazine (as Azobenzene)	0.4	0.8	5.4	10.8	0.04	0.08	0.54	1.08
Fluoranthene	25	68	25	68	25	68	25	68

Parameter	Facility Flow < 7Q 10 & Large Tidal				Facility Flow > 7Q 10 & Small Tidal			
	FW2 Waters		SE, SC Waters		FW2 Waters		SE, SC Waters	
	monthly average	daily maximum	monthly average	daily maximum	monthly average	daily maximum	monthly average	daily maximum
Fluorene	22	59	22	59	22	59	22	59
Hexachlorobenzene		10		10		10		10
Hexachlorobutadiene	20	49	20	49		10	20	49
Hexachlorocyclopentadiene		1800		1800	240	480		1800
Hexachloroethane	21	54	21	54	19	38	21	54
Indeno (1,2,3-cd) Pyrene		20		20		20		20
Isophorone		20		20		20		20
Naphthalene	22	59	22	59	22	59	22	59
Nitrobenzene	27	68	27	68	17	34	27	68
N-Nitrosodimethylamine		20	73	146		20		20
N-Nitrosodiphenylamine		20		20		20		20
Phenanthrene	22	59	22	59	22	59	22	59
Pyrene	25	67	25	67	25	67	25	67
1,2,4-Trichlorobenzene	68	140	68	140	68	140	68	140
Pesticides								
Aldrin ²		0.04		0.04		0.04		0.04
Alpha-BHC	0.0391	0.0782	0.131	0.262		0.02		0.026
Beta-BHC	1.4	2.8	4.6	9.2		0.28	0.46	0.92
Gamma-BHC (Lindane)		0.38		0.32		0.037		0.125
Chlordane		0.2		0.2		0.2		0.2
4,4'-DDT 2		0.06		0.06		0.06		0.06
4,4'-DDE 2		0.04		0.04		0.04		0.04
4,4'-DDD 2		0.04		0.04		0.04		0.04
Dieldrin 2		0.03		0.03		0.03		0.03
Alpha-Endosulfan	0.22	0.44		0.068		0.092		0.02
Beta-Endosulfan	0.22	0.44		0.068		0.092		0.02
Endosulfan Sulfate	9.3	18.6	20	40	0.93	1.86	2	4
Endrin ³		0.04		0.04		0.04		0.04
Endrin Aldehyde	7.6	15.2	8.1	16.2		1.52		1.62
Heptachlor		0.02		0.02		0.02		0.02
Heptachlor Epoxide		0.4		0.4		0.4		0.4
Toxaphene ³		1		1		1		1
Metals								
Antimony	140	280				28		
Arsenic		8		8		8		8
Cadmium		4	43	86		4		15.2
Chromium, hexavalent	50	100	50	100	50	100	50	100
Chromium, total		32	409	818		16	41	82
Copper		18.4		10		10		10
Iron	1500	3000	1500	3000	1500	3000	1500	3000
Lead		21	69.5	139		10		13.9
Mercury		1		1		1		1
Nickel	720	1440	67.9	136	72	144		13.6
Selenium	20	40	300	600		10		
Silver		2.4		4.6		2		2
Thallium	17	34	62.2	124.4		10		12.4
Zinc	65	130	95	190		65	47.5	95
Cyanide		44		40		40		40
Total PCB's ²		0.5		0.5		0.5		0.5
Dioxin								
2,3,7,8-Tetrachlorodibenzo-p-Dioxin		0.01		0.01		0.01		0.01
Whole Effluent								
Chronic IC ₂₅ (5 effluent)		> = 50		> = 50		> = 100		> = 100
all units in µg/L								

1—for manufacturers: 10 µg/L daily maximum and 50 µg/L instantaneous maximum for applicators: 10 µg/L daily maximum and 25 µg/L instantaneous maximum

2—for manufacturers and formulators—discharge prohibited

3—for manufacturers: 0.1 µg/L daily maximum, 0.5 µg/L instantaneous maximum for formulators: discharge prohibited

Administrative correction.
See: 29 N.J.R. 3822(a).

**SUBCHAPTER 13. EFFLUENT LIMITATIONS FOR
DSW PERMITS**

7:14A-13.1 Purpose and scope

This subchapter sets forth the procedures the Department will use in imposing numeric or non-numeric effluent limitations in DSW permits.

7:14A-13.2 Types of effluent limitations

(a) Each DSW permit shall include conditions meeting the following requirements, as applicable:

1. Technology based limitations determined in accordance with N.J.A.C. 7:14A-13.3 and 13.4. Technology based limitations include secondary treatment standards for DTWs, effluent limitations guidelines, and case-by-case limitations developed through a best professional judgment analysis. Applicability criteria are at N.J.A.C. 7:14A-13.3(b);

i. For DTWs, effluent limitations based on secondary treatment as defined at 40 CFR 133 and incorporated into N.J.A.C. 7:14A-12;

ii. For dischargers other than DTWs, effluent limits requiring:

(1) Effluent limitations based on the best practicable control technology currently available (BPT);