

**CHAPTER 9**

**WATER POLLUTION CONTROL**

**Authority**

N.J.S.A. 13:1B-3, 13:1D-9, 58:4A-4.1 et seq., 58:10A-1 et seq. and 58:11A-1 et seq.

**Source and Effective Date**

R.1996 d.86, effective January 18, 1996.  
See: 27 N.J.R. 3519(a), 28 N.J.R. 1201(c).

**Executive Order No. 66(1978) Expiration Date**

The expiration date for Chapter 9, Water Pollution Control Rules, was extended by gubernatorial directive from January 18, 2002 to August 18, 2002. See: 34 N.J.R. 920(a).

**Chapter Historical Note**

Chapter 9, Water Pollution Control Rules, was adopted and became effective prior to September 1, 1969.

Subchapter 10, Installation of Sewerage Facilities in Critical Areas, was adopted as new rules by R.1971 d.208, effective January 15, 1972. See: 3 N.J.R. 78(a), 3 N.J.R. 255(b).

Subchapter 9, Sealing of Abandoned Wells, was adopted as new rules by R.1973 d.299, effective October 23, 1973. See: 5 N.J.R. 185(b), 5 N.J.R. 370(b).

Subchapter 11, Allocation of Waste Lands or Point-Source Dischargers, was adopted as new rules by R.1974 d.151, effective June 18, 1974. See: 6 N.J.R. 132(c), 6 N.J.R. 263(b).

Subchapter 4, Surface Water Quality Standards, was adopted as new rules by R.1974 d.310, effective December 2, 1974. See: 6 N.J.R. 302(d), 6 N.J.R. 470(c).

Subchapter 13, Sewer Extension Ban, was adopted as new rules by R.1975 d.302, effective October 16, 1975. See: 7 N.J.R. 147(a), 7 N.J.R. 499(e).

Subchapter 14, Ground Water Quality Standards, was originally adopted by R.1978 d.20, effective January 23, 1978. See: 9 N.J.R. 68(b), 10 N.J.R. 61(a).

Subchapter 15, Grants for Restoring Publicly Owned Freshwater Lakes, was adopted as new rules by R.1980 d.374, effective August 22, 1980. See: 12 N.J.R. 310(a), 12 N.J.R. 575(c).

Subchapter 3, Location of Factory within Watershed, was repealed by R.1980 d.433, effective October 7, 1980. See: 12 N.J.R. 454(b), 12 N.J.R. 643(a).

Subchapter 4, Surface Water Quality Standards, Subchapter 5, Subchapter 8, Treatment of Wastewaters Discharged into Waters of the State, Subchapter 11, Allocation of Waste Loads or Point-Source Dischargers, and Subchapter 14, Ground Water Quality Standards, were repealed by R.1981 d.80, effective March 4, 1981. See: 12 N.J.R. 108(c), 13 N.J.R. 194(b).

Pursuant to Executive Order No. 66(1978), Subchapter 2, Standards for Construction of Individual Subsurface Sewage Disposal Systems, was readopted as R.1983 d.243, effective June 3, 1983. See: 15 N.J.R. 591(a), 15 N.J.R. 1042(a).

Subchapter 10, Installation of Sewerage Facilities in Critical Areas, was repealed by R.1983 d.423, effective October 3, 1983. See: 15 N.J.R. 1155(a), 15 N.J.R. 1654(b).

Pursuant to Executive Order No. 66(1978), Subchapter 13, Sewer Extension Ban, was readopted as R.1984 d.336, effective July 23, 1984. See: 16 N.J.R. 660(a), 16 N.J.R. 2096(a).

Pursuant to Executive Order No. 66(1978), Subchapter 15, Grants for Restoring Publicly Owned Freshwater Lakes, expired on August 22, 1985

Subchapter 15, Grants Restoring Publicly Owned Freshwater Lakes, was adopted as new rules by R.1985 d.717, effective January 21, 1986. See: 17 N.J.R. 2182(a), 18 N.J.R. 163(b).

Subchapter 13, Sewer Extension Ban, was repealed by R.1987 d.445, effective November 2, 1987. See: 18 N.J.R. 2163(a), 19 N.J.R. 2000(b).

Pursuant to Executive Order No. 66(1978), Subchapter 1, Sewer Systems and Wastewater Treatment Plants, expired on April 25, 1985.

Subchapter 1, Sewer Systems and Wastewater Treatment Plants, was adopted as new rules by R.1988 d.205, effective May 2, 1988 as R.1988 d.205. See: 19 N.J.R. 2227(b), 20 N.J.R. 980(a).

Subchapter 2, Standards for Construction of Individual Subsurface Sewage Disposal Systems, was repealed by R.1989 d.450 and recodified to N.J.A.C. 7:9A, effective August 21, 1989, (operative January 1, 1990). See: 20 N.J.R. 1790(a), 21 N.J.R. 2534(a).

Pursuant to Executive Order No. 66(1978), Chapter 9, Water Pollution Control, was readopted as R.1991 d.68, effective January 18, 1991. See: 22 N.J.R. 3297(a), 23 N.J.R. 406(c).

Notice of petition to amend New Jersey Pollution Discharge Elimination System permits. See: 23 N.J.R. 236(a), 23 N.J.R. 622(b).

Subchapter 6, Ground Water Quality Standards, was repealed and new rules were adopted by R.1993 d.73, effective February 1, 1993. See: 24 N.J.R. 181(a), 25 N.J.R. 464(a).

Subchapter 4 was recodified to N.J.A.C. 7:9B-1 by R.1993 d.610, effective December 6, 1993. See: 24 N.J.R. 3983(a), 24 N.J.R. 4471(a), 25 N.J.R. 404(a), 25 N.J.R. 5569(a).

Public Notice: Opportunity for interested party review for rule amendment. See: 25 N.J.R. 411(a).

Subchapter 1, Sewer Systems and Wastewater Treatment Plants, was repealed by R.1994 d.278, effective June 6, 1994. See: 25 N.J.R. 3282(a), 26 N.J.R. 2413(b). See, now, N.J.A.C. 7:14A-22 and 23.

Pursuant to Executive Order No. 66(1978), Chapter 9 was readopted as R.1996 d.86, effective January 18, 1996. See: Source and effective date.

**CHAPTER TABLE OF CONTENTS**

**SUBCHAPTER 1. (RESERVED)**

**SUBCHAPTER 2. LAKE RESTORATION FUNDS**

- 7:9-2.1 Scope and construction
- 7:9-2.2 Purpose
- 7:9-2.3 Definitions
- 7:9-2.4 Types of grant/loan assistance
- 7:9-2.5 Application ranking/evaluation criteria
- 7:9-2.6 Public participation
- 7:9-2.7 Program administration

**SUBCHAPTERS 3 THROUGH 4. (RESERVED)**

**SUBCHAPTER 5. WASTEWATER DISCHARGE REQUIREMENTS**

- 7:9-5.1 Scope of rules
- 7:9-5.2 (Reserved)
- 7:9-5.3 Definitions
- 7:9-5.4 through 7:9-5.6 (Reserved)

7:9-5.7 Effluent standards  
7:9-5.8 (Reserved)

## SUBCHAPTER 6. GROUND WATER QUALITY STANDARDS

7:9-6.1 Scope of subchapter  
7:9-6.2 Policies  
7:9-6.3 Construction  
7:9-6.4 Definitions  
7:9-6.5 Ground water classification system and designated uses  
7:9-6.6 Exceptions to the classification system  
7:9-6.7 Ground water quality criteria  
7:9-6.8 Antidegradation policy  
7:9-6.9 Constituent standard modifications and practical quantitation levels  
7:9-6.10 Procedures for reclassification of ground water  
7:9-6.11 Severability

## APPENDIX

SUBCHAPTERS 7 THROUGH 8. (RESERVED)

SUBCHAPTER 9. (RESERVED)

SUBCHAPTERS 10 THROUGH 14. (RESERVED)

## SUBCHAPTER 15. GRANTS FOR RESTORING PUBLICLY OWNED FRESHWATER LAKES

7:9-15.1 Scope of rules  
7:9-15.2 Construction  
7:9-15.3 Purpose  
7:9-15.4 Definitions  
7:9-15.5 Grant eligibility  
7:9-15.6 Types of grant assistance  
7:9-15.7 (Reserved)  
7:9-15.8 Phase I grant assistance criteria  
7:9-15.9 Phase II grant assistance  
7:9-15.10 Project period  
7:9-15.11 Public participation  
7:9-15.12 Program administration

SUBCHAPTER 1. (RESERVED)

## SUBCHAPTER 2. LAKE RESTORATION FUNDS

### Authority

P.L. 1996, c.70, Section 2.

### Source and Effective Date

R.1998 d.39, effective January 5, 1998.  
See: 29 N.J.R. 2746(a), 30 N.J.R. 217(b).

### 7:9-2.1 Scope and construction

This subchapter sets forth the rules governing grants and loans to assist local governmental units and private lake associations or owners of private lakes or similar organizations for lake restoration projects pursuant to the Port of New Jersey revitalization, Dredging, Environmental Cleanup, Lake Restoration, and Delaware Bay Area Economic Development Bond Act of 1996, P.L. 1996, c.70, Section 2.

### 7:9-2.2 Purpose

(a) The purposes of this subchapter are as follows:

1. To set forth the criteria for grant and loan eligibility; and
2. To establish policies and procedures for distribution of funds to State agencies, local governments or similar organizations, or private lake associations or similar organizations for Phase I Diagnostic-Feasibility Studies and for Phase II Implementation Activities, as described in P.L. 1996, c.70, Section 2.

### 7:9-2.3 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

“Applicant” means the governmental agency which has jurisdiction over or controls access to the freshwater lake, or the governmental agency which is representing the private owner with this jurisdiction or control.

“Center” means a compact form of development with a core, as defined in the “State Development and Redevelopment Plan.” Centers can range in scale from Urban Center, Regional Center, Town, Village, or Hamlet.

“Commissioner” means the Commissioner of the New Jersey Department of Environmental Protection.

“Department” means the Department of Environmental Protection.