

**CHAPTER 10A****LICENSING OF WATER SUPPLY AND  
WASTEWATER TREATMENT  
SYSTEM OPERATORS****Authority**

N.J.S.A. 13:1D-1 et seq., 58:10A-1 et seq., 58:11-64 et seq., and 58:12A-1 et seq.

**Source and Effective Date**

R.1997 d.48, effective February 3, 1997.  
See: 28 N.J.R. 4300(a), 29 N.J.R. 480(c).

**Chapter Expiration Date**

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 10A, Licensing of Water Supply and Wastewater Treatment System Operators, expires on June 29, 2002. See: 34 N.J.R. 407(a).

**Chapter Historical Note**

Chapter 10A, Licensing of Water Supply and Wastewater Treatment System Operators, was adopted by R.1997 d.48, effective February 3, 1997, as Subchapter 1, Water Supply and Waste-Water Collection and Treatment Systems: Examining and Licensing of Operators, partially recodified from N.J.A.C. 7:10-13, with sections 7:10A-1:12 through 7:10A-1:14 adopted as new rules; and Subchapter 2, Civil Administrative Penalties, Injunctive Relief, Suspension and Revocation of Operator's License and Requests for Adjudicatory Hearings. See: Source and Effective Date.

**CHAPTER TABLE OF CONTENTS****SUBCHAPTER 1. WATER SUPPLY AND WASTE-  
WATER COLLECTION AND TREATMENT  
SYSTEMS: EXAMINING AND LICENSING OF  
OPERATORS**

- 7:10A-1.1 Scope and construction of rules
- 7:10A-1.2 Definitions
- 7:10A-1.3 Examining board
- 7:10A-1.4 Examinations
- 7:10A-1.5 Advisory committee on training
- 7:10A-1.6 Applications
- 7:10A-1.7 Examination results
- 7:10A-1.8 Fees
- 7:10A-1.9 License renewal requirements
- 7:10A-1.10 Licensed operator required; exemptions
- 7:10A-1.11 Reciprocity with other states
- 7:10A-1.12 Duties, records and reports
- 7:10A-1.13 (Reserved)
- 7:10A-1.14 System classification
- 7:10A-1.15 Criteria needed to take the examination for each license

**SUBCHAPTER 2. CIVIL ADMINISTRATIVE  
PENALTIES, INJUNCTIVE RELIEF, SUSPENSION  
AND REVOCATION OF OPERATOR'S LICENSE,  
DENIAL OF AN APPLICATION TO RENEW A  
LICENSE AND REQUESTS FOR ADJUDICATORY  
HEARINGS**

- 7:10A-2.1 Purpose
- 7:10A-2.2 Administrative orders
- 7:10A-2.3 Civil administrative penalties
- 7:10A-2.4 Suspension of license

- 7:10A-2.5 Revocation of license or denial of application to renew a license
- 7:10A-2.6 Effect of suspension or revocation of license or denial of an application to renew a license
- 7:10A-2.7 Procedures for civil administrative orders, assessment of civil administrative penalties, suspension or revocation of license, or denial of an application to renew a license
- 7:10A-2.8 Procedures to request an adjudicatory hearing to contest an administrative order, administrative penalty assessment, suspension of license, revocation of license, or the denial of an application to renew a license
- 7:10A-2.9 Other enforcement actions

**SUBCHAPTER 1. WATER SUPPLY AND WASTE-  
WATER COLLECTION AND TREATMENT  
SYSTEMS: EXAMINING AND LICENSING  
OF OPERATORS****7:10A-1.1 Scope and construction of rules**

(a) This chapter shall constitute the rules governing the eligibility, examining, and licensing of persons as operators of Industrial Wastewater Treatment Systems, Public Wastewater Collection Systems, Public Wastewater Treatment Systems, Public Water Treatment Systems, Public Water Distribution Systems and Public Non Community Surface Water Treatment Systems.

(b) This chapter shall be liberally construed to permit the Department to discharge its statutory functions.

(c) If any section, subsection, provision, clause, or portion of this chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of these regulations shall not be affected thereby.

(d) Notwithstanding any provision of this chapter to the contrary, this chapter shall not apply, until October 1, 2003, to any public community water system, which serves 100 or fewer dwellings or properties and which does not use treatment, or to any nontransient noncommunity water system that does not use surface water.

Amended by R.1997 d.48, effective February 3, 1997.

See: 28 N.J.R. 4300(a), 29 N.J.R. 480(c).

Amended by R.2000 d.406, effective October 2, 2000.

See: 32 N.J.R. 2279(b), 32 N.J.R. 3585(a).

In (a), added a reference to Public Non-Community Surface Water Treatment Systems; and added (d).

**7:10A-1.2 Definitions**

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

“Act” means the Water Supply and Wastewater Operators Licensing Act, N.J.S.A. 58:11-64 et seq.

“Associates degree” means successful completion of two years of formal education at an accredited college resulting in an engineering or related science degree or post secondary vocational program or a bachelors degree in a field that does not meet the requirements of the bachelors degree category as defined in this subchapter.

“Automated system” means a treatment system that is designed and constructed in such a manner that no untreated or partially treated water or wastewater is discharged in the event of treatment system failure; such automated system shall include an alarm system by which a constantly staffed monitoring location will be notified that system failure has occurred.

“Bachelors degree” means four years of formal education at an accredited college resulting in an engineering or related science degree.

“Board” means the Board of Examiners established by N.J.A.C. 7:10A-1.3.

“Classification” means the level of operation for a system, specifically, VSWS, 1, 2, 3 or 4, as determined pursuant to N.J.A.C. 7:10A-1.14.

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

“Controlling agency” means any agency with the authority, either granted by statute or delegated by the Department pursuant to law, to enforce the provisions of this chapter.

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

“Direct responsible charge experience” means active, daily, on-site supervision, including operation and maintenance responsibilities in a system with a classification no less than one classification lower than the license sought. This experience shall be gained while in possession of a license no less than one grade lower than the license sought.

“Division” means the Division of Revenue in the Department of Treasury.

“Examination and Licensing Unit” means the unit within Contract and Administrative Operations in the Department of Environmental Protection, PO Box 441, Trenton, New Jersey 08625-0441.

“Full time operator” means an operator who is in attendance at a system for at least seven hours each day for at least five days and at least 35 hours each week during an ordinary one week period.

“Industrial Wastewater Treatment System” means any structure or structures by means of which non-sanitary liquid wastes or sludges are subjected to any treatment process which requires the issuance of an individual NJPDES permit or general permit authorization and from which a discharge occurs in order to remove or alter the constituents so as to render the wastes or sludges less offensive or dangerous to public health, safety, welfare, comfort, property or environment of the State or any inhabitants of the State before discharge of the resulting effluent either directly or indirectly into any waters of the State.

“License” means a certificate of competency, issued by the Department, stating that the holder has met the requirements of a particular system classification.

“Licensed operator” means the licensee approved by the Department holding any local title, designation, or job description who is on-site at a system a significant amount of time, although not necessarily full time, and who has active involvement in and is responsible for the operation, and maintenance, and effectiveness of the system and who holds a license equal or superior to that required for the system.

“Licensee” means a person who possesses a valid license issued by the Department pursuant to the Act.

“Metal finishing” means any of the following metal finishing operations performed on any basis material: electroplating; electroless plating; anodizing; coating (chromating, phosphating, and coloring); chemical etching and milling; and printed circuit board manufacturing.

“NJPDES” means the New Jersey Pollutant Discharge Elimination System as defined at N.J.A.C. 7:14A.

“Oil water separator” means an industrial wastewater treatment system designed for the separation and removal of insoluble oils or floating grease.

“Operating experience” means the time spent in the satisfactory performance of operational duties at a system which is acceptable to the Board. For an industrial wastewater treatment system (N) license, manufacturing and process experience may be acceptable in lieu of operating experience.

“Operating requirements” means provisions of permits or approvals, administrative orders, directives, or rules and regulations which the Department may issue or adopt to ensure the safe and efficient operation of systems, consistent with statutory authority.

“Owner” means any municipality, institution, authority, commission, corporation, person or other similar body who owns or controls a system.

5. Two representatives from nomination lists submitted by the Association of Environmental Authorities; one of these representatives shall be from a water authority and one shall be from a wastewater authority;

6. Two members selected from environmental groups in the State actively concerned or involved in water quality or wastewater treatment;

7. One representative from a nomination list submitted by the New Jersey Business and Industry Council;

8. Two members selected from a list prepared by educational institutions in the State conducting courses in water supply or wastewater treatment operations, or which conducted an appropriate course in the immediately preceding academic year; and

9. The Director of the Office of Continuing Professional Education at Cook College, the State University of New Jersey.

(c) If a vacancy should occur on the committee during the term of a member, the Commissioner may fill the vacancy by appointing a qualified person for the time remaining in the term.

(d) The Advisory Committee shall meet at least once each year.

1. Minutes shall be kept.

2. A copy of all recommendations and minutes shall be sent to each member and the Chairman of the Board.

(e) Administrative support for the Advisory Committee shall be provided by the Examination and Licensing Unit.

Amended by R.1997 d.48, effective February 3, 1997.

See: 28 N.J.R. 4300(a), 29 N.J.R. 480(c).

Substantially amended (b); in (d), decreased minimum number of meetings each year from two to one, and deleted reference to the Director of the Division of Water Resources; and in (e), substituted the Bureau of Revenue for the Division of Water Resources.

Amended by R.2000 d.406, effective October 2, 2000.

See: 32 N.J.R. 2279(b), 32 N.J.R. 3585(a).

Added (a)6; in (e), substituted "Examination and Licensing Unit" for "Bureau of Revenue".

#### 7:10A-1.6 Applications

(a) An application for a license shall be submitted on forms furnished by the Department and shall be filed with the Department on or before the prestamped closing date on the application form.

1. All applications shall be completed to the satisfaction of the Department and shall be accompanied by documentary evidence supporting education and experience, and the nonrefundable application fee.

2. Applicants shall be advised at least two weeks in advance regarding admission to examinations.

(b) Any applicant who submits false information when applying for a license may be disqualified from taking the examination or receiving the license. In addition, any licensee whose eligibility for a license was based on the submission of false information is subject to having that license suspended or revoked by the Department.

Amended by R.1997 d.48, effective February 3, 1997.

See: 28 N.J.R. 4300(a), 29 N.J.R. 480(c).

#### 7:10A-1.7 Examination results

An applicant who passes the examination and pays the appropriate license fee shall be issued the license of the classification for which the applicant was examined.

#### 7:10A-1.8 Fees

(a) The fee schedule is based upon the approximate cost to the Department to process the action requiring the fee. All fees submitted to the Department are nonrefundable. The following fees must be received by the Department before any action shall be taken on the matter requiring the fee:

|                        |         |
|------------------------|---------|
| 1. Application Fee     | \$35.00 |
| 2. Initial License Fee | \$25.00 |
| 3. Annual License Fee  | \$20.00 |
| 4. Late Renewal Fee    | \$10.00 |

#### 7:10A-1.9 License renewal requirements

(a) Each license shall be valid from its issue date until the following October 1.

(b) Each license holder shall renew his or her license by submitting a complete renewal application and the nonrefundable annual license fee to the Division, for a new license prior to September 30, of each year.

(c) A licensee who fails to renew his or her license within one year following the renewal date of the license, shall not receive a new license unless he or she meets the current requirements for the license and until he or she successfully passes another qualifying examination.

(d) As of October 1, 2000, all licensees shall accumulate TCHs to meet the continuing education requirements for license renewal. Effective October 1, 2003, all licensees shall demonstrate to the Board that they have completed the required number of TCHs, within the prior three year period, for license renewal. Every three calendar years after October 1, 2003 (that is, October 1, 2006, October 1, 2009, October 1, 2012, etc.), a licensee shall demonstrate that he or she has completed the required number of TCHs, within the prior three year period, for license renewal. The TCH's requirements are as follows:

| <u>License Classification</u> | <u>Training Contact Hours</u> |
|-------------------------------|-------------------------------|
| 3 and 4                       | 36                            |
| CN, NS, NN, 1 and 2           | 18                            |
| VSWS                          | 12                            |

1. For purposes of accumulating TCHs pursuant to this chapter, any seminar, workshop, training course or college course related to the water and/or wastewater field and approved by the International Association for Continuing Education and Training is approved by the Department.

2. The Department shall review and approve, on an individual case basis, any other seminar, workshop, training course, college course or other means of training, related to the water and/or wastewater field, which the Department determines substantially meets the criteria used by the International Association for Continuing Education and Training for the approval of a seminar, workshop, training course, or college course.

(e) A licensee who has been licensed for less than three years is not required to demonstrate that he or she has completed the required number of TCHs. If a license upgrade is approved within the three year period, the TCH requirement for the lesser classification shall apply. TCHs are required for all water (T, W and VSWS) and wastewater (S, C, N, NS, CN, NN) licenses. Any TCHs approved for a water license applies to all water licenses. Any TCHs for a wastewater license applies to all wastewater licenses. A licensee who holds both water and wastewater licenses shall obtain the required number of TCHs for each category of license.

Amended by R.1997 d.48, effective February 3, 1997.  
See: 28 N.J.R. 4300(a), 29 N.J.R. 480(c).

Substantially amended (c).

Amended by R.2000 d.406, effective October 2, 2000.  
See: 32 N.J.R. 2279(b), 32 N.J.R. 3585(a).

In (b), substituted a reference to the Division for a reference to the Bureau; and added (d) and (e).

#### 7:10A-1.10 Licensed operator required; exemptions

(a) Unless exempted pursuant to (c) below, every owner of a system shall employ a licensed operator holding the license prescribed by the Department for that classification of system as follows:

1. S licenses are licenses to operate a public wastewater treatment system.
2. C licenses are licenses to operate a public wastewater collection system.
3. T licenses are licenses to operate a public water treatment system. A T licensed operator may operate any VSWS.
4. W licenses are licenses to operate a public water distribution system. A W licensed operator may operate any VSWS.
5. N licenses are licenses to operate an industrial wastewater treatment plant.

6. NS licenses are licenses to operate an industrial wastewater treatment system consisting only of an oil water separator or a sedimentation unit.

7. CN licenses are licenses to operate only the public wastewater collection system which a person was operating on July 2, 1984. A CN license is restricted to a particular system, permits the operator to continue operating only that system, and shall not be used to meet the licensed operator requirements for any other system.

8. NN licenses are licenses to operate an industrial wastewater treatment system which a person was operating with a valid S-In license on July 2, 1984. However, the NN license shall not be used to meet the licensed operator requirements for any other system.

i. S-In licenses were licenses to operate industrial wastewater treatment systems. These licenses were discontinued effective July 2, 1984.

9. VSWS licenses are licenses to operate:

i. A public community water system, which serves 100 or fewer dwellings or properties, and which does not have treatment; or

ii. A public nontransient noncommunity water system which has no treatment or treatment in the form of disinfection, home style ion exchange units or any other treatment which does not require chemical addition, process adjustment, backwashing, media regeneration (for example, calcium carbonate filters, granular activated carbon, cartridge filters).

(b) The licensed operator shall be in charge of the operation of the system.

1. If a system is reclassified by the Department, the licensed operator of the reclassified system may continue as the licensed operator of that system, regardless of the new classification of that system, except that a VSWS licensed operator shall not operate a system reclassified so that it requires a T or W licensed operator.

(c) A licensed operator is not required for the following systems:

1. Industrial wastewater treatment systems and public wastewater treatment systems which do not require an individual NJPDES permit or a NJPDES general permit authorization to discharge pursuant to N.J.A.C. 7:14A;

2. Industrial wastewater treatment systems for which a NJPDES general permit authorization to discharge has been issued pursuant to N.J.A.C. 7:14A, for stormwater runoff only;

3. Industrial wastewater treatment systems which consist of American Petroleum Institute (API) approved or equivalent gravity oil/water separators and/or sedimentation units used to treat discharges consisting solely of stormwater runoff not commingled with other wastewater;

(c) Each licensed operator of a public wastewater treatment system (S class) or a public wastewater collection system (C class) shall maintain a record of all industrial and commercial dischargers into such system which could exert a deleterious effect on either the collection system or the receiving treatment system. The collection system operator shall provide a list of all such industrial and commercial dischargers to the owner or permittee of the receiving system by the 10th day of the month following each month for which the data is collected.

(d) Each licensed operator or the owner of a Public Water Treatment System or Public Non-Community Surface Water Treatment System (T class) shall submit the monthly Operating Report of Water Treatment Plants, on the form provided by the Department, to the Department before the 10th day of the month following each month for which the data is collected. The report shall include:

1. The plant identification number and classification;
2. The month for which the report is provided;
3. The name of the purveyor;
4. Plant description and its location;
5. The pumpage quantity, both raw and treated water;
6. Chemical data as specified on the form;
7. The name and signature of the operator; and
8. Information related to system processes.

(e) Each licensed operator of a Public Water Distribution System (W class) shall, at a minimum:

1. Exercise all major system valves for emergency interconnections annually; and
2. Notify the system owner of any line breaks, pumping failures or water quality complaints relating to treatment.

#### 7:10A-1.13 (Reserved)

#### 7:10A-1.14 System classification

(a) Public wastewater treatment systems (S), public water treatment systems, or public non-community surface water treatment systems (T, VSWS), industrial wastewater treatment systems (N), public wastewater collection systems (C) and public water distributions systems (W, VSWS) shall be classified into one of the classes established in (b)1 through 5 below at Table I(S), Table I(T), Table I(N), Table I(C) and Table I(W), respectively.

1. Except for VSWS, the Department shall assign points to each public wastewater treatment system (S), public water treatment system or public non-community surface water treatment system (T), and industrial wastewater treatment system (N) for every item in (c) below that applies. The classification of each system as determined by (b)1 through 3 below shall be based upon the total number of points assigned to it in accordance with

(c)1 through 3 below in Table II(S), Table II(T) or Table II(N), respectively.

2. The Department shall determine the population served or the population equivalent for public wastewater collection systems (C), and the population served or equivalent for public water distribution systems (W) as established at (b) 4 and 5 below in Table I(C), and Table I(W), respectively.

3. If unique treatment system conditions exist that are not set forth in the tables below, the Department shall adjust the system classification by determining the unique conditions equivalent to a comparable factor in the tables and assigning points accordingly.

4. The toxicity grouping for an industrial wastewater treatment system (N) in Table II (N) shall be determined from the Standard Industrial Classification (SIC) code table, at (c)4 below, for the facility whose system is being classified.

(b) Systems are classified in accordance with the following tables:

1. The classification of public wastewater treatment systems (S) is as follows:

Table I(S)

| System class                                   | S1         | S2       | S3       | S4             |
|--|------------|----------|----------|----------------|
| Range of points as determined under (c)1 below | 30 or less | 31 to 55 | 56 to 75 | 76 and greater |

2. The classification of public water treatment systems or public non-community surface water treatment systems (VSWS or T) is as follows:

i. "Very Small Water System (VSWS)" as defined at N.J.A.C. 7:10A-1.10.

ii.

Table I(T)

| System class                                   | T1         | T2       | T3       | T4             |
|--|------------|----------|----------|----------------|
| Range of points as determined under (c)2 below | 30 or less | 31 to 55 | 56 to 75 | 76 and greater |

3. The classification of industrial wastewater treatment systems (N) is as follows:

Table I(N)

| System class                                   | N1      | N2       | N3       | N4         |
|--|---------|----------|----------|------------|
| Range of points as determined under (c)3 below | 6 to 19 | 20 to 49 | 50 to 69 | 70 or more |

4. The classification of public wastewater collection systems (C) is as follows:

Table I(C)

| System class                               | C1                  | C2                     | C3                      | C4                    |
|--|---------------------|------------------------|-------------------------|-----------------------|
| Population served or population equivalent | 251 to 1,500 people | 1,501 to 15,000 people | 15,001 to 50,000 people | 50,001 or more people |

5. The classification of public water distribution systems (W) is as follows:

Table I(W)

| System class                    | W1   | W2                     | W3                      | W4                    |
|---------------------------------|--|------------------------|-------------------------|-----------------------|
| Population served or equivalent | 101 or more connections and less than 1,501 people | 1,501 to 15,000 people | 15,001 to 50,000 people | 50,000 or more people |

(c) Points shall be assigned to systems in accordance with the following tables.

1. Points shall be assigned to public wastewater treatment systems (S) as follows:

Table II(S)

| Item/Unit  | Points  |
|--|---------|
| <b>DESIGN FLOW</b>   |         |
| 2 pts per MGD or part thereof, 20 max., multiply MGD by 2                                      | MGD x 2 |
| <b>EFFLUENT DISCHARGE</b>  |         |
| Surface water discharge  | 2       |
| Land disposal—evaporation  | 2       |
| Subsurface disposal  | 4       |
| Direct recycle and reuse system  | 6       |
| <b>VARIATIONS IN RAW WASTE</b>   |         |
| Variations do not exceed those normally or typically expected                                  | 0       |
| Recurring deviations or excessive variations of 100% to 200% in strength and/or flow           | 3       |
| Recurring deviations or excessive variations of more than 200% in strength and/or flow         | 6       |
| Raw wastes subject to toxic waste discharges which affect plant performance                    | 10      |
| <b>PRETREATMENT</b>  |         |
| Screening, comminution, grinder  | 3       |
| Grit removal   | 3       |
| Plant pumping of main flow   | 3       |
| Equalization   | 3       |
| <b>PRIMARY TREATMENT</b>   |         |
| Primary clarifiers   | 5       |
| Combined sedimentation/digestion   | 5       |
| Chemical addition (except chlorination, enzymes, etc.)   | 4       |
| <b>SECONDARY TREATMENT</b>   |         |
| Trickling filter or rotating Biological contactor with secondary clarifiers                    | 10      |
| Activated sludge with secondary clarifiers (including extended aeration and oxidation ditches) | 20      |
| Stabilization ponds without aeration   | 6       |
| Aeration lagoon  | 10      |

| Item/Unit                                       | Points |
|---|--------|
| <b>ADVANCED WASTEWATER TREATMENT</b>            |        |
| Polishing pond                                  | 4      |
| Chemical/physical without secondary treatment   | 18     |
| Chemical/physical following secondary treatment | 12     |
| Biological or chemical/biological               | 14     |
| Ion exchange                                    | 12     |
| Reverse osmosis electrodialysis                 | 16     |
| Chemical recovery, carbon regeneration          | 6      |
| Sand filters                                    | 5      |
| <b>SOLIDS HANDLING</b>                          |        |
| Thickening                                      | 6      |
| Anaerobic digestion/aerated holding tank        | 12     |
| Aerobic digestion                               | 8      |
| Evaporation sludge drying                       | 2      |
| Mechanical dewatering                           | 10     |
| Solids reduction (incineration, wet oxidation)  | 14     |
| Composting                                      | 5      |
| <b>DISINFECTION</b>                             |        |
| Chlorination or comparable treatment            | 6      |
| On site generation of disinfectant              | 6      |

2. Points shall be assigned to public water treatment systems or public non-community surface water treatment systems (T) as follows:

Table II(T)

| Item/Unit   | Points  |
|---|---------|
| <b>SIZE</b>   |         |
| Population served, 1 pt. per 10,000 or part thereof, 10 pts max., population divided by 10,000 to obtain number | # x 1   |
| Peak month's production (average day), 10 pts max., 1 pt per mgd or part thereof, multiply mgd by 1             | mgd x 1 |
| <b>WATER SUPPLY SOURCE</b>  |         |
| Ground water  | 6       |
| Ground water under direct influence of surface water  | 10      |
| Surface water   | 22      |
| <b>TREATMENT</b>  |         |
| Aeration (without packed column)  | 8       |
| Chemical precipitation softening  | 20      |
| Coagulation-flocculation with sedimentation   | 20      |
| Coagulation-flocculation without sedimentation  | 10      |
| Corrosion inhibitors  | 8       |
| Disinfection with chlorine  | 8       |
| Disinfection with chlorine dioxide  | 10      |
| Disinfection with chloramines   | 10      |
| Disinfection with ozone   | 15      |
| Fluoridation  | 8       |
| Filtration with membrane  | 15      |
| Filtration with multimedia and/or gravity filters   | 15      |
| Filtration with monomedia and/or pressure filters   | 10      |
| Granular activated carbon (GAC)   | 15      |
| Ion exchange  | 10      |
| Ion exchange with degasser  | 15      |
| Iron/Manganese removal employing oxidation  | 10      |
| Iron/Manganese hardness sequestration   | 8       |

| Item/Unit   | Points |
|---|--------|
| Packed column aeration (PCA)  | 15     |
| Packed column aeration with granular activated carbon air pollution abatement | 20     |
| pH adjustment   | 8      |
| Reverse osmosis or electrodialysis, etc.                                      | 15     |
| Sludge (in plant) treatment with recycling                                    | 6      |
| Taste and odor control (carbon or oxidants)                                   | 8      |

3. Points shall be assigned to industrial wastewater treatment systems (N) as follows:

Table II(N)

| Item/Unit  | Points |
|--|--------|
| <b>TOXICITY GROUP BASED ON SIC CODE FROM TABLE II(N)A BELOW:</b> |        |
| Group I  | 1      |
| Group II   | 5      |
| Group III  | 10     |
| Group IV   | 15     |
| Group V  | 20     |
| Group VI   | 25     |
| <b>RECEIVING WATER</b>   |        |
| Surface water-FW or Delaware River Zones 1, 2 or 3               | 5      |
| Surface water-SE or Delaware River Zones 4, 5 or 6               | 3      |
| Surface water-SC   | 2      |
| Ground water   | 5      |
| Discharge into a public wastewater treatment system              | 2      |
| <b>HYDRAULIC LOAD</b>  |        |
| Indirect discharge less than 0.008 MGD                           | 0      |
| Discharge less than 0.1 MGD                                      | 2      |
| Discharge 0.1 to 1.0 MGD   | 4      |
| Discharge 1.0 to 10.0 MGD  | 6      |
| Discharge greater than 10.0 MGD                                  | 10     |
| <b>PRIMARY TREATMENT</b>   |        |
| pH adjustment  | 1      |
| Equalization   | 1      |
| Oil separation   | 3      |

| Item/Unit  | Points |
|--|--------|
| Dissolved air flotation                                  | 3      |
| Chemical coagulation/flocculation                        | 5      |
| Sedimentation/clarification                              | 3      |
| Chemical addition  | 2      |
| Simple filtration (bag filters, cartridge filters, etc.) | 2      |
| Disinfection   | 2      |
| Air stripper/cooling towers                              | 5      |

**SECONDARY TREATMENT**

|  |    |
|--|----|
| Activated sludge with secondary clarifiers   | 15 |
| Bio-filtration with secondary clarifiers (including trickling filters or rotating biological contactors) | 10 |
| Stabilization pond   | 5  |
| Disinfection   | 2  |
| Spray irrigation/overland flow   | 10 |
| Oxidation ditches  | 10 |

**ADVANCED WASTEWATER TREATMENT**

|  |    |
|--|----|
| Ammonia removal (nitrification/break point chlorination)                               | 10 |
| Nutrient removal (denitrification or phosphorus removal)                               | 10 |
| Advanced filtration (sand filters, multi-media filters, plate and frame filters, etc.) | 5  |
| Carbon adsorption  | 10 |
| Ion exchange   | 10 |
| Post aeration/dechlorination   | 2  |
| Reverse osmosis ultra filtration   | 10 |
| Ultraviolet - peroxide reactor   | 5  |

**SLUDGE HANDLING/DISPOSAL**

|                                       |    |
|---------------------------------------|----|
| Digestion                             | 5  |
| Sludge conditioning                   | 2  |
| Mechanical dewatering                 | 4  |
| Drying bed or lagoons                 | 2  |
| Thickening or dissolved air flotation | 3  |
| On-site land filling                  | 2  |
| Composting                            | 7  |
| Incineration/wet oxidation            | 10 |

4. Toxicity groups based on SIC Code shall be as follows:

Table II(N)A

| SIC Codes                     | Description  | Toxicity Group                               |
|-------------------------------|--|--|
| Any SIC Code not listed below |  | I  |
| Any SIC Code                  | Non-contact Cooling Water only   | I  |
| Any SIC Code                  | All groundwater remediations of toxic substances, including priority pollutants                                | V  |
| Any SIC Code                  | Contaminated stormwater runoff shall be considered as process water for purposes of determining Toxicity Group | Based upon facility SIC Code as listed below |
| 0721                          | Crop dusting & spraying  | IV   |
| 10xx                          | Metal mining   | V  |
| 12xx                          | Coal mining  | III  |
| 1475                          | Phosphate rock mining  | IV   |
| 22xx                          | Textile Mills—no finishing operations  | I  |
| 22xx                          | Textile Mills—any finishing operations (dyeing, coating, etc.)   | V  |
| 2491                          | Wood preserving  | VI   |
| 2493                          | Reconstituted wood products  | II   |
| 25xx                          | Furniture & Fixtures—no metal finishing  | I  |
| 25xx                          | Furniture & Fixtures—with metal finishing  | V  |
| 261x, 262x, 263x              | Pulp, Paper, and Paperboard Mills  | V  |
| 27xx                          | Printing & Publishing  | II   |

| SIC Codes  | Description   | Toxicity Group |
|--|---|----------------|
| 2812   | Inorganic Chemicals—Alkalies & Chlorine   | V              |
| 2813   | Industrial Gases  | II             |
| 2816   | Inorganic pigments  | IV             |
| 2819   | Industrial inorganic chemicals  | IV             |
| 282x   | Plastics Materials & Synthetic Resins   | V              |
| 283x   | Drugs   | V              |
| 284x   | Soaps, Detergents, etc.   | III            |
| 285x   | Paints, etc.  | IV             |
| 2861   | Gum & Wood Chemicals  | III            |
| 2865, 2869   | Industrial Organic Chemicals  | VI             |
| 2879   | Pesticides & Agricultural Chemicals   | VI             |
| 289x, except 2891  | Miscellaneous Chemical Products   | IV             |
| 2891   | Adhesives & Sealants  | V              |
| 29xx   | Petroleum Refining  | V              |
| 30xx   | Rubber & Plastic Products   | IV             |
| 31xx, except 3111  | Leather   | I              |
| 3111   | Leather Tanning & Finishing   | IV             |
| 331x, except 3313  | Steel Mills   | VI             |
| 3313   | Electrometallurgical Products, except Steel   | III            |
| 332x   | Iron & Steel Foundries  | V              |
| 333x   | Primary Smelting, Nonferrous Metals   | VI             |
| 334x   | Secondary Smelting, Nonferrous Metals   | V              |
| 335x   | Rolling/Drawing/Extruding, Nonferrous   | V              |
| 336x   | Nonferrous Foundries  | V              |
| 339x   | Miscellaneous Primary Metal Products  | V              |
| 341x, 342x, 343x, 344x,<br>345x, 346x, except 3431<br>& 3463 | Fabricated Metal Products—no metal finishing  | I              |
| 341x, 342x, 343x, 344x,<br>345x 346x except 3431<br>& 3463   | Fabricated Metal Products—with metal finishing                                      | V              |
| 3431   | Enameled Sanitary Ware, Cast Iron Basis   | VI             |
| 3463   | Nonferrous Forgings   | V              |
| 347x   | Plating & Coating   | V              |
| 348x   | Ordinance, no metal finishing or explosives   | I              |
| 348x   | Ordinance, with metal finishing   | V              |
| 348x   | Ordinance, explosive load, assemble, pack   | IV             |
| 349x, except 3497  | Miscellaneous Fabricated Metal Products—no metal finishing                          | I              |
| 349x, except 3497  | Miscellaneous Fabricated Metal Products—with metal finishing                        | V              |
| 3497   | Metal Foil & Leaf   | V              |
| 35xx   | Industrial/Commercial Machinery & Equipment—no metal finishing                      | I              |
| 35xx   | Industrial/Commercial Machinery & Equipment—with metal finishing                    | V              |
| 36xx, except as below  | Electronic Equipment—no metal finishing or porcelain enameling                      | I              |
| 36xx, except as below  | Electronic Equipment—with metal finishing or porcelain enameling                    | V              |
| 3624   | Carbon & Graphite products  | V              |
| 3671   | Cathode Ray Tubes   | V              |
| 3672   | Printed Circuit Boards  | V              |
| 3674   | Semiconductors  | VI             |
| 3679   | Electronic Crystals only  | III            |
| 3691, 3692   | Batteries   | IV             |
| 37xx, except 3731  | Transportation Equipment—no metal finishing   | I              |
| 37xx, except 3731  | Transportation Equipment—with metal finishing                                       | V              |
| 3731   | Shipbuilding  | IV             |
| 38xx, except as below  | Measuring, Analyzing, & Controlling Instruments—no metal finishing                  | I              |
| 38xx, except as below  | Measuring, Analyzing, & Controlling Instruments—with metal finishing                | V              |
| 3844, 3845   | Measuring, Analyzing, & Controlling Instruments—with electron tube manu-<br>facture | V              |
| 3861   | Photographic related chemicals  | V              |
| 39xx   | Miscellaneous Manufacturing Industries—no metal finishing                           | I              |
| 39xx   | Miscellaneous Manufacturing Industries—with metal finishing                         | V              |
| 4231   | Trucking Terminals  | III            |
| 4493   | Marinas   | III            |
| 4499   | Water Transportation Services   | III            |
| 46xx   | Pipelines, except natural gas   | V              |
| 4911, 4931   | Electric Services   | IV             |
| 4941   | Water Supply  | IV             |



| <u>SIC Codes</u>       | <u>Description</u>                                   | <u>Toxicity Group</u> |
|------------------------|--|-----------------------|
| 4953                   | Solid Waste Facilities                               | IV                    |
| 4953                   | Hazardous Waste Treatment Facilities                 | VI                    |
| 5052                   | Coal & other Minerals & Ores                         | V                     |
| 5093                   | Scrap & Waste Materials                              | VI                    |
| 5169                   | Chemicals & Allied Products                          | VI                    |
| 5171                   | Petroleum Bulk Stations & Terminals                  | V                     |
| 5191                   | Farm Supplies  | IV                    |
| 7211, 7215, 7216, 7217 | Laundries, Dry-cleaning & Carpet/Upholstery Cleaning | II                    |
| 7213, 7218             | Linen Supply & Industrial Launderers                 | IV                    |
| 7342                   | Disinfecting & Pest Control Services                 | VI                    |
| 7389                   | Solvents Recovery Services only                      | VI                    |
| 7542                   | Car & Truck Washes                                   | II                    |
| 7699                   | Repair Shops—no metal finishing                      | I                     |
| 7699                   | Repair Shops—with metal finishing                    | V                     |
| 8062                   | General Medical & Surgical Hospitals                 | VI                    |
| 8069                   | Specialty Hospitals                                  | VI                    |
| 8071                   | Medical Laboratories                                 | VI                    |
| 8731                   | Commercial Research Organizations                    | IV                    |
| 8733                   | Noncommercial Research Organizations                 | IV                    |

For the purpose of this Table, SIC (Standard Industrial Classification) Codes are determined from the Federal Standard Industrial Classification Manual (1987) issued by the United States Office of Management and Budget.

(d) A class 3 or class 4 treatment system will be classified as an automated system if:

1. The treatment system is designed and constructed in such a manner that in the event of system failure no untreated or partially treated water or wastewater is discharged;
2. An alarm system is provided which notifies a constantly staffed monitoring location that treatment system failure has occurred; and
3. Staff at the monitoring location are trained to properly respond to such an alarm.

Amended by R.2000 d.406, effective October 2, 2000.

See: 32 N.J.R. 2279(b), 32 N.J.R. 3585(a).

In (a) and (b), added references to Very Small Water Systems (VSWS).

#### **7:10A-1.15 Criteria needed to take the examination for each license**

(a) Persons applying to take an examination for a Very Small Water System (VSWS), public wastewater treatment system (S), public water treatment system or public non-community surface water treatment system (T), public wastewater collection system (C) or public water distribution system (W) license shall meet the following requirements and possess the minimum education and experience require-

ments for the license applied for found in Table IIIA in (b) below.

1. Persons applying to take any examination and holding no degree higher than a high school diploma or not holding an associates degree, as defined at N.J.A.C. 7:10A-1.2, shall have successfully completed an introductory course approved by the Department in the subject matter pertaining to the license being sought, prior to applying to take the examination.

2. Any person applying to take an examination for a class 2, 3 or 4 license shall complete an advanced course approved by the department in the subject matter pertaining to the license being sought, prior to applying to take the examination.

3. Any of the courses required above may be waived if the applicant submits satisfactory proof of equivalent training to the Department.

i. Such proof of equivalent training shall consist of transcripts and descriptions of relevant courses, including textbooks used in the courses, taken by the applicant.

(b) Minimum admission requirements for the licensing examination for VSWS, S, T, C, and W treatment system licenses are as follows:

Table IIIA

| <u>Personnel classification</u> | <u>Education</u>                                | <u>Operating experience (years)</u> | <u>Direct responsible charge experience (years)</u> | <u>Total experience (years)</u> |
|---------------------------------|---|-------------------------------------|---|---------------------------------|
| VSWS                            | High School Diploma or equivalency certificate: | 6 months                            | 0   | 6 months                        |
|                                 | Associates Degree:                              | 6 months                            | 0   | 6 months                        |
|                                 | Bachelors Degree category:                      | 6 months                            | 0   | 6 months                        |
| Classification 1                | High School Diploma or equivalency certificate: | 1                                   | 0   | 1                               |
|                                 | Associates Degree:                              | 1                                   | 0   | 1                               |

| Personnel classification | Education                                       | Operating experience (years) | Direct responsible charge experience (years) | Total experience (years) |
|--------------------------|---|------------------------------|--|--------------------------|
| Classification 2         | Bachelors degree category:                      | 1                            | 0  | 1                        |
|                          | High School Diploma or equivalency certificate: | 3                            | 0  | 3                        |
|                          | Associates Degree:                              | 2                            | 0  | 2                        |
| Classification 3         | Bachelors degree category:                      | 1.5                          | 0  | 1.5                      |
|                          | High School Diploma or equivalency certificate: | 3 plus                       | 3  | 6                        |
|                          | Associates Degree:                              | 2 plus                       | 2  | 4                        |
| Classification 4         | Bachelors degree category:                      | 1.5 plus                     | 1.5  | 3                        |
|                          | High School Diploma or equivalency certificate: | 6 plus                       | 4  | 10                       |
|                          | Associates Degree:                              | 4 plus                       | 3  | 7                        |
|                          | Bachelors degree category:                      | 3 plus                       | 2  | 5                        |

(c) Persons applying to take an examination for an industrial wastewater treatment system license shall meet the following requirements and possess the minimum education and experience requirements for the license applied for, found at Table IIIB in (d) below.

1. Persons applying to take any industrial wastewater treatment system license examination shall have successfully completed an industrial waste course approved by the department prior to applying to take the examination. The course requirement may be waived if the applicant submits satisfactory proof of equivalent training to the department.

i. Such proof of equivalent training shall consist of transcripts and descriptions of relevant courses, including textbooks used in courses, taken by the applicant.

(d) Minimum admission requirements for the licensing examination for an N treatment system license are as follows:

Table IIIB

| Personnel Classification | Education                                       | Operating experience (years) |
|--------------------------|---|------------------------------|
| Classification 1         | High School Diploma or equivalency certificate: | 1                            |
|                          | Associates Degree:                              | 1                            |
|                          | Bachelors degree category:                      | 1                            |
| Classification 2         | High School Diploma or equivalency certificate: | 3                            |
|                          | Associates Degree:                              | 2                            |
|                          | Bachelors degree category:                      | 1.5                          |
| Classification 3         | High School Diploma or equivalency certificate: | 6                            |
|                          | Associates Degree:                              | 4                            |
|                          | Bachelors degree category:                      | 3                            |
| Classification 4         | High School Diploma or equivalency certificate: | 10                           |
|                          | Associates Degree:                              | 7                            |
|                          | Bachelors degree category:                      | 5                            |

R.1984 d.350, eff. August 20, 1984.

See: 16 N.J.R. 1423(a), 16 N.J.R. 2268(b).

Amended by R.1997 d.48, effective February 3, 1997.

See: 28 N.J.R. 4300(a), 29 N.J.R. 480(c).

Substantially amended (a), and rewrote (b) and (d).

Amended by R.2000 d.406, effective October 2, 2000.

See: 32 N.J.R. 2279(b), 32 N.J.R. 3585(a).

In (a) and (b), added references to Very Small Water Systems (VSWS); in (a)1, inserted "or not holding an associates degree, as defined in N.J.A.C. 7:10A-1.2,"; and in (a)3, substituted "Any" for "Either or both".

## SUBCHAPTER 2. CIVIL ADMINISTRATIVE PENALTIES, INJUNCTIVE RELIEF, SUSPENSION AND REVOCATION OF OPERATOR'S LICENSE, DENIAL OF AN APPLICATION TO RENEW A LICENSE AND REQUESTS FOR ADJUDICATORY HEARINGS

### 7:10A-2.1 Purpose

This subchapter establishes the procedures governing the issuance of civil administrative orders, the assessment of civil administrative penalties and the suspension of, revocation of, or denial of an application to renew, any license issued pursuant to this chapter and the Act. This subchapter also governs the procedures for the submittal and review and grant or denial of requests for adjudicatory hearings on appeal from any administrative order, notice of civil administrative penalty assessment, notice of suspension of license, notice of revocation of license, or notice of intent to deny an application to renew a license.

Amended by R.2000 d.406, effective October 2, 2000.

See: 32 N.J.R. 2279(b), 32 N.J.R. 3585(a).

Inserted a reference to denial of applications to renew licenses, and added a reference to notices of intent to deny applications to renew licenses.

### 7:10A-2.2 Administrative orders

(a) The Department may issue an administrative order against a licensed operator or other person who has violated any provision of this chapter, or any provision of the Act, for one or more of the following purposes:

1. To assess a civil administrative penalty pursuant to this subchapter;
2. To suspend or revoke an operator's license pursuant to this subchapter;
3. To direct a licensed operator or other person to cease violation of any provision of this chapter; or