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New Jersey (State)
Department of Health
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REGULATIONS ESTABLISHING CERTAIN CLASSIFICATIONS TO BE ASSIGNED TO THE WATERS OF THIS STATE AND STANDARDS OF QUALITY TO BE MAINTAINED IN WATERS SO CLASSIFIED.

Filed with Secretary of State: August 10, 1964

Effective Date: September 1, 1964

Amended: January 5, 1966, effective March 1, 1966; and, March 6, 1967, effective May 1, 1967.

WHEREAS, Chapter 12 of Title 58 of the Revised Statutes of New Jersey (N.J.S.A. 58:12-3) provides that no plant for the treatment of domestic or industrial wastes or other polluting substance, from which the effluent is to flow into any of the waters of this State, shall be constructed except under such conditions as shall be approved by the State Department of Health, and

WHEREAS, The conservation of the quality and function of the waters of the streams of this State into which effluents from sewerage facilities are discharged and the minimizing of pollution of these waters is the over-riding consideration of the Department of Health of the State of New Jersey in its considerations of the approvals of designs for such treatment works, and

WHEREAS, The maintenance of reasonable quality of the waters of the streams of this State is the primary basis upon which the State Department of Health approves of the design of proposed sewerage facilities, and

WHEREAS, The Interdepartmental Committee on Stream Pollution Control Problems, established by the State Commissioners of Health and Conservation and Economic Development, on April 9, 1964, recommended certain classifications be assigned to the waters of this State and standards of quality to be maintained in waters so classified, be promulgated as regulations by the State Department of Health, and

WHEREAS, The State Department of Health has determined that classifications of the waters of this State and standards of quality to be maintained in such waters as proposed and recommended by the Interdepartmental Committee on Stream Pollution Problems in this State are reasonable and constitute a valuable administrative instrument to the Department in the administration of the New Jersey Stream Pollution Control Program,

NOW THEREFORE, The State Department of Health, pursuant to authority vested in it, promulgates the following regulations establishing certain classifications to be assigned the waters of this State and standards of quality to be maintained in such waters which are to be implemented from time to time by further regulations promulgated after public hearing defining the water or waters of this State to be assigned certain classifications and standards of quality to be maintained in such waters.

FRESH WATERS

The fresh non-tidal surface waters of the State are herein classified as Classes FW-1, FW-2, and FW-3. For each classification there follow definitions and stream quality criteria.

Class FW-1

Definition: Fresh surface waters designated by authorized State Agencies as being set aside for posterity to represent the natural aquatic environment and its associated biota.

Criteria

These waters shall be maintained, as to quality, in their natural state.

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Class FW-2

Definition: Fresh surface waters approved as sources of public potable water supply. These waters are to be suitable for public potable water supply after such treatment as shall be required by the State Department of Health. These waters shall be suitable also for all recreational purposes including fishing, the propagation and migration of native fish species desired for angling and other fish and aquatic life necessary thereto as well as any other reasonable uses.

Criteria	
Conditions	Allowable Limits
1. Floating solids, settleable solids, oil, grease, artificial coloring matter and turbidity.	None of which are noticeable in the water or are deposited along the shore or on the aquatic substrata in quantities detrimental to the natural biota.
2. Toxic or deleterious substances (including mineral acids, caustic alkali, cyanides, heavy metals, carbon dioxide, ammonia or ammonium compounds, chlorine, etc.)	None which would effect humans or be detrimental to the natural aquatic biota.
3. Odor and taste producing substances.	None which are offensive to humans, detrimental to the aquatic biota or capable of producing offensive tastes and/or odors in water supplies and fauna used for human consumption.
4. pH.	Between 6.5 and 8.5 unless naturally outside thereof.
5. Dissolved Oxygen.	Not less than 5.0 p.p.m. for trout waters; otherwise 4.0 p.p.m.
6. Thermal Discharges.	None which detrimentally affect the natural aquatic biota, or reasonable anticipated reuse of the waters.

Class FW-3

Definition: Fresh surface waters suitable for all purposes provided for under Class FW-2 except public potable water supply.

Criteria	
Conditions	Allowable Limits
1. Floating solids, settleable solids, oil, grease and turbidity.	None which are noticeable in the water or are deposited along the shore or on the aquatic substrata in quantities detrimental to the natural biota.
2. Toxic or deleterious substances (including mineral acids, caustic alkali, cyanides, heavy metals, carbon dioxide, ammonia or ammonium compounds, chlorine, etc.)	None which would affect humans or be detrimental to the natural aquatic biota.
3. Color, odor and taste producing substances.	None which are offensive to humans, detrimental to the aquatic biota or capable of producing offensive tastes and/or odors in fauna used for human consumption.
4. pH.	Between 6.5 and 8.5 unless naturally outside thereof.
5. Dissolved Oxygen.	Not less than 5.0 p.p.m. for trout waters; otherwise 4.0 p.p.m.
6. Thermal Discharges.	None which detrimentally affect the natural aquatic biota, or reasonable anticipated reuse of the waters.

TIDAL WATERS

The tidal surface waters of the State, including interstate waters, are herein classified as Classes TW-1, TW-2 and TW-3. For each classification there follow definitions and stream quality criteria.

Class TW-1

Definition: Tidal surface waters suitable for all recreational purposes, as a source of public potable water supply where permitted, and, where shellfishing is permitted, to be suitable for such purposes.

Criteria	
Conditions	Allowable Limits
1. Floating solids, settleable solids, oil, grease, sleet and turbidity.	None which are noticeable in the water or are deposited along the shore or on the aquatic substrata in quantities detrimental to the natural biota.
2. Toxic or deleterious substances (including mineral acids, caustic alkali, cyanides, heavy metals, carbon dioxide, ammonia or ammonium compounds, chlorine, etc.)	None which would affect humans or be detrimental to the natural aquatic biota.
3. Color, odor and taste producing substances.	None which are offensive to humans, detrimental to the aquatic biota or capable of producing offensive tastes and/or odors in water supplies and fauna used for human consumption.
4. pH.	Between 6.5 and 8.5 unless naturally outside thereof.
5. Dissolved Oxygen.	Not less than 50% of saturation.
6. Thermal Discharges.	None which detrimentally affect the natural aquatic biota, or reasonably anticipated reuse of the waters.
7. Coliform Bacteria.	The median MPN value in shellfish growing areas shall not be in excess of 70 per 100 milliliters.

Class TW-2

Definition: Tidal surface waters having limited recreational value and ordinarily not acceptable for bathing but suitable for fish survival although perhaps not suitable for fish propagation. These waters shall not be an odor nuisance and shall not cause damage to pleasure craft having occasion to traverse the waters.

Criteria	
Conditions	Allowable Limits
1. Floating solids, oil and grease.	None which are noticeable in the water or contribute to the formation of sludge deposits along the shores.
2. Toxic and deleterious substances.	None in such concentrations as to cause fish mortality or inhibit their natural migration.
3. Taste and odor-producing substances.	None, either alone or in combination, which are offensive or that would produce offensive tastes and/or odors in fauna used for human consumption.
4. pH.	Between 6.5 and 8.5 unless naturally outside thereof.
5. Dissolved Oxygen.	Not less than 50% saturation.
6. Thermal Discharges.	None which detrimentally affect reasonable anticipated reuse of the waters.

Class TW-3

Definition: Tidal surface waters used primarily for navigation, not recreation. These waters, although not expected to be used for fishing, shall provide for fish survival. These waters shall not be an odor nuisance and shall not cause damage to pleasure craft traversing them.

Criteria	
Conditions	Allowable Limits
1. Floating solids, settleable solids, oil and grease.	None which are noticeable in the water or contribute to the formation of sludge deposits along the shores.
2. Toxic and deleterious substances.	None in such concentrations as to cause fish mortality or inhibit their natural migration.
3. Taste and odor producing substances.	None which shall be offensive or that would detrimentally affect finfish, shellfish or other aquatic life in higher quality waters.
4. pH.	Between 6.5 and 8.5 unless naturally outside thereof.
5. Dissolved Oxygen.	Not less than 30% of saturation or 3.0 p.p.m., whichever is less.

COASTAL WATERS

The waters of the Atlantic Ocean within 1500 feet from mean low tide or to a depth of 15 feet, whichever is more distant from the mean low tide line, are classified as CW-1.

The waters of the Atlantic Ocean not included under Class CW-1 are classified as CW-2, out to the three (3) mile limit.

Class CW-1

Definition: Ocean waters expected to be suitable for all recreational purposes including fishing, the propagation and migration of native fish species desired for angling and other fish and aquatic life necessary thereto as well as any other reasonable use.

Criteria	
Conditions	Allowable Limits
1. Floating solids, settleable solids, oil, grease and turbidity.	None of which are noticeable in the water or contribute to the formation of sludge deposits along the shores.
2. Toxic and deleterious substances.	None which would affect humans or be detrimental to the natural aquatic biota.
3. Color, taste and odor producing substances.	None which are offensive to humans, capable of producing offensive tastes and/or odors in fauna used for human consumption.
4. pH.	Between 6.5 and 8.5 unless naturally outside thereof.
5. Dissolved Oxygen.	Not less than 50% saturation.
6. Thermal Discharges.	None which detrimentally affect the natural aquatic biota.

Class CW-2

Definition: Ocean waters expected to be suitable for all recreational uses, including those in Class CW-1, except bathing.

Criteria

Conditions	Allowable Limits
1. Floating solids, settleable solids, oil, grease and turbidity.	None of which are noticeable in the water or contribute to the formation of sludge deposits along the shores.
2. Toxic and deleterious substances.	None which would affect humans or be detrimental to the natural aquatic biota.
3. Color	None which would impair the quality of CW-1 waters or detrimental to aquatic biota.
4. Taste and odor producing substances.	None which are offensive to humans, or capable of producing tastes and/or odors in fauna used for human consumption.
5. Dissolved Oxygen.	Not less than 50% saturation.
6. Thermal Discharges:	None which detrimentally affect the natural aquatic biota.