



**SEWER USE ORDINANCE  
(INDUSTRIAL PRETREATMENT RULES AND REGULATIONS)  
OF THE  
CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY  
CAMDEN, NEW JERSEY**

**APRIL 2024**

## Table of Contents

1.0 GENERAL PROVISIONS .....	5
1.1 PURPOSE AND POLICY .....	5
1.2 ADMINISTRATION .....	6
1.3 DEFINITIONS .....	6
1.4 40 CFR PART 403. ....	23
2.0 PROHIBITIONS AND LIMITATIONS ON WASTEWATER DISCHARGES .....	24
2.1 PROHIBITIONS ON WASTEWATER DISCHARGES .....	24
2.2 SPECIFIC LIMITATIONS ON WASTEWATER DISCHARGES .....	27
2.3 FEDERAL CATEGORICAL PRETREATMENT STANDARDS .....	27
2.4 MODIFICATION OF FEDERAL CATEGORICAL PRETREATMENT STANDARDS .....	27
2.5 STATE REQUIREMENTS.....	28
2.6 DILUTION OF DISCHARGE.....	28
2.7 LOCAL REQUIREMENTS.....	28
2.8 BEST MANAGEMENT PRACTICES .....	28
3.0 CONTROL OF PROHIBITED WASTE .....	29
3.1 REGULATORY ACTIONS .....	29
3.2 PRETREATMENT FACILITIES.....	30
3.3 SUBMISSION OF PLANS .....	30
3.4 ADMISSION TO PROPERTY .....	30
3.5 ACCIDENTAL DISCHARGES .....	31
3.6 NOTIFICATION OF HAZARDOUS WASTE DISCHARGES .....	32
3.7 ANNUAL PUBLIC NOTIFICATION .....	33
3.8 SLUG DISCHARGE PLANS.....	33
4.0 INDUSTRIAL/COMMERCIAL DISCHARGE PERMITS .....	34
4.1 EXISTING UNPERMITTED INDUSTRIAL USERS .....	34
4.2 NEW INDUSTRIAL USERS .....	34
4.3 CATEGORICAL (NEW AND EXISTING) INDIRECT USERS .....	34
4.4 SMALL FLOW COMMERCIAL USER (NEW AND EXISTING) .....	37
4.5 LIQUID WASTE ACCEPTANCE PROGRAM.....	38
4.6 PERMIT APPLICATION PROCEDURE.....	38
4.7 PERMIT TERMS AND CONDITIONS .....	39

4.8 PERMIT DURATION AND RENEWAL.....	42
4.9 TRANSFER OF PERMITS .....	43
4.10 CHANGE IN CONDITIONS .....	43
4.11 PERMIT MODIFICATIONS.....	43
4.12 PERMIT APPEAL AND STAY PROCESS .....	44
5.0 INDUSTRIAL WASTEWATER MONITORING AND REPORTING.....	46
5.1 REPORTING REQUIREMENTS FOR INDUSTRIAL USERS .....	46
5.2 RECORDS AND MONITORING.....	52
5.3 INSPECTION, SAMPLING AND ANALYSIS .....	54
5.4 CONFIDENTIAL INFORMATION AND PUBLIC ACCESS TO RECORDS ...	56
5.5 NON-SIGNIFICANT CATEGORICAL INDIRECT USER ANNUAL CERTIFICATION	56
6.0 ENFORCEMENT PROCEDURES.....	58
6.1 HARMFUL CONTRIBUTIONS .....	58
6.2 TERMINATION OF SERVICES .....	58
6.3 NOTICE OF VIOLATION AND ENFORCEMENT RESPONSE PLAN .....	59
6.4 LEGAL ACTION .....	59
6.5 WASTEWATER TREATMENT OPERATORS TRAINING ACCOUNT .....	65
6.6 MUNICIPALITY PERCENTAGES .....	65
6.7 AFFIRMATIVE DEFENSE .....	65
6.8 FALSIFICATION OF INFORMATION .....	65
7.0 FEES.....	66
7.1 PURPOSE.....	66
7.2 CHARGES AND FEES .....	66
8.0 GRACE PERIOD.....	68
8.1 GRACE PERIOD APPLICABILITY, PROCEDURES .....	68
9.0. SEVERABILITY .....	71
10.0 CONFLICT .....	71
11.0 EFFECTIVE DATE.....	71

**TABLES (attached)**

- TABLE I-SPECIFIC POLLUTANT TABLE
- TABLE II-TOTAL TOXIC ORGANICS (TTO) PARAMETER LIST
- TABLE III-ENFORCEMENT RESPONSE PLAN
- TABLE IV-PENALTY MATRIX
- TABLE V-MINOR AND NON-MINOR VIOLATIONS

## **1.0 GENERAL PROVISIONS**

This Sewer Use Ordinance (SUO) is hereby adopted to replace in its entirety, the existing Ordinance of the Camden County Municipal Utilities Authority.

For the purpose of this SUO, unless otherwise specified, the term industrial shall mean to apply to all classes of non-domestic dischargers.

### **1.1 PURPOSE AND POLICY**

As a delegated agency by New Jersey Department of Environmental Protection (NJDEP), this SUO sets forth uniform requirements for discharges into the wastewater collection systems of any person or discharger that is discharging into the treatment works owned by the Camden County Municipal Utilities Authority (CCMUA). This SUO is intended to comply with State, Federal and local laws and regulations pertaining to wastewater treatment and industrial pretreatment.

The objectives of this SUO are as follows:

- A. To prevent the introduction of pollutants into the treatment works which will interfere with the operation of the treatment works or contaminate the resulting sludge;
- B. To prevent the introduction of pollutants into the treatment works which will pass through the treatment works or otherwise be incompatible with the treatment works;
- C. To improve the opportunity to recycle and reclaim municipal and industrial wastewaters and sludges from the treatment works;
- D. To ensure that the quality of the treatment plant sludge is maintained at a level which allows its use and disposal in compliance with applicable statutes and regulations, including composting for land application;
- E. To protect the treatment work's personnel who may be affected by wastewater and sludge in the course of their employment, as well as to protect the general public;
- F. To provide for fees for the equitable distribution of the cost of operation, maintenance and improvement of the treatment works;
- G. To address conditions which would interfere with the attainment of effluent limitations contained in the CCMUA's New Jersey Pollution Discharge Elimination System (NJPDES) permit conditions, sludge use and disposal requirements and any other Federal or State laws to which the treatment works is subject.

This SUO authorizes monitoring and enforcement activities including the issuance of individual wastewater discharge permits, provides for the regulation of indirect users to the POTW through monitoring, compliance, and enforcement activities, establishes administrative review procedures, requires indirect user reporting, and provides general requirements for all Indirect Users.

## **1.2 ADMINISTRATION**

Except as otherwise provided, the Executive Director of the Camden County Municipal Utilities Authority shall administer, implement, and enforce this SUO. Any powers granted to or duties imposed upon the Executive Director may be delegated by the him/her to a duly authorized CCMUA employee.

## **1.3 DEFINITIONS**

Unless the context specifically indicates otherwise, the terms listed below shall have the following meanings:

Act or "the Act" - The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251et seq.

Administrative Consent Order (ACO). [N.J.S.A. 58:10A-6.1] - A legal document entered into between the Authority and a permitted industrial facility, which is in violation of permitted parameter limit(s). The ACO is intended to afford the facility a period of time to have an opportunity to come into compliance with parameter limits. See Section 6.4 B.

Affirmative Defense - A person may be entitled to an affirmative defense for liability for an assessment of a civil administrative penalty assessment for a violation of an effluent limitation occurring as a result of an upset, an anticipated or unanticipated bypass, or a testing or laboratory error. See Section 6.7- Enforcement Procedures.

Approval Authority - The Director of the Division of Water Resources, of the Department of Environmental Protection for the State of New Jersey or his/her authorized representatives.

Approved Test Procedure - All analysis shall be performed in accordance with the analytical test procedures approved under 40 CFR Part 136 as modified on January 31, 1994, including all supplements and amendments thereto.

Authority - The Camden County Municipal Utilities Authority (CCMUA).

Authorized or Duly Authorized Representative of Indirect User - The highest-ranking official having day-to-day managerial and operational responsibilities for the discharging facility, which may include authorizing capital expenditures or hiring personnel. In his/her absence, this person may authorize another responsible high ranking official to sign a monthly monitoring report if a report is required to be filed during that time (N.J.S.A. 58:10A-6).

- 1) If the User is a corporation:
  - a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

Best Management Practices or “BMPs” - means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in section 2. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

Biochemical Oxygen Demand (BOD5) - The quantity of oxygen utilized in the biochemical oxidation of organic and inorganic matter for five (5) days at 20 degrees C in accordance with an approved test procedure.

Bypass - The anticipated or unanticipated intentional diversion of waste streams from any portion of a treatment works.

Categorical Indirect User (CIU) - An indirect user subject to categorical standards in accordance with the EPA General Pretreatment Standards (40 CFR Part 403).

Certified Laboratory - A laboratory certified by the NJDEP Office of Quality Assurance, to do wastewater analyses by approved test procedures.

Chemical Oxygen Demand (COD) - A measure of the oxygen equivalent of the organic matter present in a sample that is susceptible to oxidation by a strong chemical oxidant in accordance with an approved test procedure.

Commercial User (CU) - Any person who discharges non-domestic wastewater, who provides a service, and/or engages in the purchase or sale of commodities.

Commissioner - The Commissioner of the New Jersey Department of Environmental Protection (NJDEP) or his/her authorized representative.

Composite Sample - Means a combination of individual (or continuously taken) samples (aliquots) of at least 100 milliliters, collected at periodic intervals over a specified time period. Composites can be either time proportional or flow proportional; either the time interval between each aliquot or the volume of each aliquot should be proportional to either the flow at the time of sampling or the total flow since the collection of the previous aliquot. Aliquots may be collected manually or automatically. For intermittent discharges of less than four (4) hours duration, aliquots shall be taken at intervals not to exceed 15 minutes. For intermittent discharges of four (4) hours or more duration, aliquots shall be taken at intervals not to exceed 30 minutes (NJDEP Field Sampling Procedures Manual [March 2024]).

Conditionally Exempt User (CEU) - Any participant that conducts a dry operational process or has shown consistent compliance over at least a two (2) year reporting period, thereby discharging only conventional and domestic wastewater into the sewer system. However, the facility has the potential to discharge wastewater material of a quantity or quality which would impact on the treatment works.

Conduct

Major - An intentional, deliberate, knowing and willful violation.

Moderate - An unintentional but foreseeable act, omission or violation.

Minor - any behavior which causes a violation which is not major or moderate in nature.

Control Authority (CA) - Refers to the "CCMUA" defined above.

Conventional Pollutant - Biochemical Oxygen Demand, Total Suspended Solids, pH, fecal coliform bacteria, Oil & Grease (O/G) and such additional pollutants as are (or may in the future be) specified and controlled in the Authority's NJPDES permit, where the POTW is designed to treat such pollutants.

Daily Discharge - The discharge of a pollutant during a calendar day or 24-hour period for the purpose of sampling the average measurement of the pollutant calculated over the day. (For mass units it is calculated as the total mass of the pollutant discharged over the day.

Discharge - (N.J.S.A. 58:10A-3e) means an intentional or unintentional action or omission resulting in the releasing, spilling, leaking, pumping, pouring, emitting, emptying, or dumping of a pollutant into the waters of the State, onto land or into wells from which it might flow or drain into said waters, or into waters or onto lands outside the jurisdiction of the State, from which the pollutant enters the waters of the State. "Discharge" includes the release of any pollutant into a municipal treatment works.

Domestic Wastewater - The liquid waste or liquid-borne waste discharged from residential units, normally resulting from the non-commercial preparation, cooking and handling of food and wastes from sanitary conveniences.

Emergency - A situation which, in the opinion of the Executive Director or his/her authorized representative, may cause interference and/or pass through, damage to the POTW or present a health hazard to personnel, the general public, or the environment.

Executive Director - The Executive Director of the Camden County Municipal Utilities Authority or their designee.

Exempt Facility - Any participant that conducts a dry operational process and has no potential to discharge non-domestic wastewater.



Existing Source - Any Categorical Indirect User contributing wastewater before the promulgation of a new Categorical Standard.

Existing User - Includes all persons discharging wastewater to treatment works of the Authority at the time this SUO is adopted by the Authority.

Federal Categorical Pretreatment Standards - Pretreatment standards as codified in 40 CFR, Part 403, Chapter I, Subchapter N specifying quantities or concentrations of pollutants or pollutant properties which may be discharged or introduced to a POTW by existing or new Indirect Users in specific industrial subcategories.

Garbage - Solid waste from the domestic and commercial preparation, cooking, dispensing, handling, storage and/or sale of food or biodegradable waste.

Grab Sample - An individual sample of at least 100 milliliters collected over a period not exceeding 15 minutes.

Grace period – the period of time afforded under N.J.S.A. 13:1D-25 et seq., commonly known as the Grace Period Law, for a person to correct a minor violation in order to avoid imposition of a penalty that would be otherwise applicable for such violation.

The criteria for a minor violation that qualifies for a grace period are the following:

- (1) The violation is not the result of the purposeful, knowing, reckless or criminally negligent conduct of the person responsible for the violation;
- (2) The violation poses minimal risk to the public health, safety and natural resources;
- (3) The violation does not materially and substantially undermine or impair the goals of the regulatory program;
- (4) The activity or condition constituting the violation has existed for less than 12 months prior to the date of discovery by the Authority;
- (5) The person responsible for the violation has not been identified in a previous enforcement action by the Authority as responsible for a violation of the same requirement of the same permit within the preceding 12-month period;
- (6) In the case of a violation that does not involve a permit, the person, as defined in the Act, responsible for the violation has not been identified by the Authority in a previous enforcement action as responsible for the same or a substantially similar violation at the same facility within the preceding 12-month period or indicate a pattern of illegal conduct;
- (7) In the case of any violation, the person responsible for the violation has not been identified by the Authority as responsible for the same or a substantially similar violations at any time that reasonably indicate a pattern of illegal conduct and not isolated incidents on the part of the person responsible; and
- (8) The activity or condition constituting the violation is capable of being corrected and compliance achieved within the time prescribed by the Authority

If the violation does not meet the criteria above it is considered as a non-minor violation.

The grace period established by the Authority for all of the minor violations is 10 days.

Grease - Grease and/or oil of animal and vegetable origin, produced by restaurants and/or food processing plants, usually in a viscous or solid state.

Hauled Waste – Waste transported by hauler and discharged to a publicly owned treatment works by a conveyance other than a pipe (e.g., by truck or rail).

Hauled Waste Permit– Approval to bring waste via truck to the treatment plant for disposal at approved discharge points. Hazardous Pollutant –

- (1) Any toxic pollutant; or
- (2) Any substance regulated as a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act, Pub. L. 92-516 7 U.S.C. ' 136 et seq., or
- (3) Any substance the use or manufacture of which is prohibited under the federal Toxic Substances Control Act, Pub.L. 94-469 (15 U.S.C. 2601 ' et seq.), or
- (4) Any substance identified as a known carcinogen by the International Agency for Research on Cancer; or
- (5) Any hazardous waste as designated pursuant to the New Jersey Solid Waste Management Act section 3 of P.L. 1981, c. 279 (N.J.S.A. 13:1 E-1 et seq) or the Federal Resource Conservation and Recovery Act, Pub.L. 94-580 (42 U.S.C. '6901 et seq.); or
- (6) Any hazardous substance as defined pursuant to section 3 of P.L. 1976, c. 141 (C.58: 10-23.11b), or
- (7) Any substance designated hazardous waste as set forth in 40 CFR 261, or
- (8) Any hazardous substance as defined by the New Jersey Spill Compensation and Control Act, N.J.S.A. 58:10-23.11, or

Holding Tank Waste - Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

Industrial/Commercial Discharge Monitoring Report (IDMR) - Periodic reports, usually monthly or quarterly, required to be submitted by Indirect Users which have been issued an Industrial/Commercial Discharge Permit for discharging non-domestic wastewater to the sanitary sewer.

Industrial/Commercial Discharge Permit - A permit duly issued by the Executive Director or his designee, to a participant in accordance with this SUO. Such permit may establish discharge limitations, monitoring and reporting obligations, and other requirements that may be more stringent than this SUO.

Industrial/Commercial Process Wastewater - The liquid waste or liquid borne waste resulting from the processes employed by any party identified by, but not limited to, the Standard Industrial Classification Manual, 1987, Office of Management and Budget, or subsequent approved editions.

Industrial User (IU) - Any person who discharges non-domestic wastewater who produces or manufactures a commodity.

Interference - (1) Inhibiting or disrupting the operation of a POTW or its treatment processes so as to contribute to, or cause a violation of, any condition of a State, Federal or Local Permit. (2) Discharging process wastewater which, in combination with exiting domestic flows, is of such quantity and/or quality as to exceed the treatment process design capacity; or (3) Preventing the use or disposal of sludge produced by the POTW in accordance with Section 405 of the Federal Act, Sections 2, 4 and 6 of the State Act, and any regulations, criteria, or guidelines developed pursuant thereto, including, but not limited to, N.J.A.C. 7:14A-20, and the Statewide Sludge Management Plan.

Laboratory Error - An unanticipated test interference, sample contamination, analytical defect or procedural deficiency in sampling or other similar circumstances beyond the control of the Permitted Indirect User.

Maximum Daily Discharge Limitation - The highest allowable daily discharge during the report period.

Medical Waste - Means any waste which is generated in the diagnosis, treatment (e.g., provision of medical services), or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals. The term does not include any hazardous waste identified or listed under 40 C.F.R. Part 261 or any household waste generated from home self-care.

Net/Gross calculation –

1) Application

Categorical Pretreatment Standards may be adjusted to reflect the presence of pollutants in the Industrial Users intake water in accordance with this section. Any Industrial User wishing to obtain credit for intake pollutants must make application to the Authority. Upon request of the Industrial User, the applicable Standard will be calculated on a net basis (i.e., adjusted to reflect credit for pollutants in the intake water) if the requirements of paragraph (b) of this section are met.

2) Criteria

(A) Either:

- i) The applicable categorical Pretreatment Standards contained in 40 CFR subchapter N specifically provide that they shall be applied on a net basis; or
- ii) The Industrial User demonstrates that the control system it proposes or uses to meet applicable categorical Pretreatment Standards would, if properly installed and operated, meet the Standards in the absence of pollutants in the intake waters.

(B) Credit for generic pollutants such as biochemical oxygen demand (BOD), total suspended solids (TSS), and oil and grease should not be granted unless the Industrial User demonstrates that the constituents of the generic measure in the Users effluent are substantially similar to the constituents of the generic measure in the intake water or unless appropriate additional limits are placed on process water pollutants either at the outfall or elsewhere.

(C) Credit shall be granted only to the extent necessary to meet the applicable categorical Pretreatment Standard(s), up to a maximum value equal to the influent value. Additional monitoring may be necessary to determine eligibility for credits and compliance with Standard(s) adjusted under this section.

(D) Credit shall be granted only if the User demonstrates that the intake water is drawn from the same body of water as that into which the POTW discharges. The Control Authority may waive this requirement if it finds that no environmental degradation will result.

New Jersey Pollutant Discharge Elimination System (NJPDES) - The New Jersey system for the issuing, modifying, suspending, revoking, reissuing, terminating, monitoring and enforcing discharge permits pursuant to the State Administrative Code

New Source -

1) Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act which will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that: (i) the building, structure, facility or installation is constructed at a site at which no other source is located; or (ii) the building structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or (iii) the production of wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site.

2) Construction on a site at which an existing source is located results in a modification rather than new source if the construction does not create a new building, structure, facility or installation meeting the criteria of paragraphs (1)(ii), or (1)(iii) of this section but otherwise alters, replaces, or adds to existing process or production equipment.

3) Construction of a new source, as defined under this paragraph, has commenced if the owner or operator has: (i) begun, or caused to begin as part of a continuous onsite construction program: (A) Any placement, assembly, or installation of facilities or equipment; or (B) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or (ii) Entered into a binding contractual obligation for the purpose of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated

or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

Non-Contact Cooling Water - Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product. The water may contain biocides used to control biological growth or other additives to protect the system against corrosion, scaling or other impurity. This definition applies to closed systems and open systems subject to evaporation from cooling towers, as well as recycling of water.

Non-Conventional Pollutant - Any pollutant, hazardous or non-hazardous, which poses a treatment problem or health threat for conveyance, treatment or disposal in the sewer treatment works.

Non-Domestic - Wastewater of a quantity or quality which could have an impact on the treatment works. This water waste would include combined stormwater, industrial waste, commercial waste leachate or other liquid waste in the sewer system.

Non-Hazardous Pollutant - Any conventional pollutant not designated as hazardous, toxic or pathogenic.

Non-Significant Categorical Indirect User-

The Authority may determine that an Industrial User subject to categorical Pretreatment Standards under 403.6 and 40 CFR chapter I, subchapter N is a Non-Significant Categorical Indirect User rather than a Significant Indirect User on a finding that the Industrial User never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:

- 1) The Industrial User, prior to the Authority finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;
- 2) The Industrial User annually submits the certification statement required in section 5.5 together with any additional information necessary to support the certification statement; and
- 3) The Industrial User never discharges any untreated concentrated wastewater.

Non-Significant Indirect User (NSIU) - An industrial user which is non-categorical and discharges less than 25,000gpd.

Oil & Grease (O/G) - Waxy, oily or greasy materials derived from organic and inorganic sources, having a specific gravity of less than one and immiscible in water. Defined as any material recovered as a substance soluble in a solvent from an approved method.

pH - The negative logarithm of the hydrogen ion concentration. At a given temperature the pH is the intensity of the acidic or basic character of a solution.

**Participant** - All the municipalities, local sewerage authorities, companies or customers that sign a service agreement that provides for the treatment of sewerage by the Authority's treatment works.

**Pass Through** - A Discharge which exits the treatment works into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a potential cause of a violation of any requirement of the Treatment Work's NJPDES permit (including an increase in the magnitude or duration of a violation).**Permitted Industrial/Commercial User (PIU)** - Any participant who discharges wastewater into the sewer system which is regulated by means of an Industrial/Commercial Discharge Permit.

**Person** - Any individual, partnership, co-partnership firm, company, corporation, association, joint stock company, trust, estate, government entity, or any other legal entity; or their legal representatives, agents or assigns. This definition includes all Federal, State, and local governmental entities.

**Petroleum Hydrocarbon (PHC)** - Non-volatile Oil-based materials derived from inorganic sources, with a specific gravity less than one, immiscible in water, and non-polar in molecular configuration expressed as a pollutant found in wastewater or sludge. Selective removal from wastewater or sludge by partitioning into a solvent, then separation from organic grease fractions by passage through a bed of silicic acid to remove polar compounds, then evaporation of the solvent or quantification through an approved spectrophotometric method differentiates these compounds as a subset of Oil & Grease (O/G).

**Pharmaceutical Waste** - Any excess product, raw material or finished product, resulting from test runs, pilot runs, Research and Development runs and/or regular production runs. This is not intended to include product which is combined with or a portion of: regular production wash water, rinse water and standard equipment wash downs.

**Pollutant** - Any dredged spoil, solid waste, holding tank waste, incinerator residue, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, radioactive substance, thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal or agricultural waste or other substance, discharged.

**Pretreatment** - Means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration may be obtained by physical, chemical or biological processes, process changes or by other means, except as prohibited by The General Pretreatment Regulations for Existing and New Sources of Pollution (40 CFR 403.6(d)). Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities, for protection against surges or slug loadings that might interfere with or otherwise be incompatible with the POTW. However, where wastewater from a regulated process is mixed in an equalization facility with unregulated wastewater or with wastewater from another regulated process, the effluent from the equalization facility must meet an adjusted pretreatment limit calculated in accordance with 40 CFR 403.6(e).

Pretreatment Standards - Means any restriction on quantities, quality, rates, or concentrations of pollutants discharged into municipal or privately owned treatment works adopted pursuant to P.L. 1972, C. 42 (C.58: 11-49 et seq.).

Publicly Owned Treatment Works (POTW) - Treatment works owned and operated by a public entity (The CCMUA Delaware #1 is an example).

Regional Administrator - The Regional Administrator for Region II of the United States Environmental Protection Agency or his/her authorized representative.

Sampling Point - A representative point where wastewater is sampled to determine compliance with this Sewer Use Ordinance.

Screening Limit - The limit that will elicit written response from the Authority to require further analysis and possible treatment changes or upgrades.

Septage-Liquid and solid material pumped from a septic tank or cesspool during cleaning. For the purpose of this SUO septage shall be considered as waste from domestic or commercial septic tanks only.

Serious Violation (SV) - "Serious violation" means an exceedance of an effluent limitation for a discharge point source set forth in a permit, administrative order, or administrative consent agreement, including interim enforcement limits, by 20 percent or more for a hazardous pollutant, or by 40 percent or more for a nonhazardous pollutant, calculated on the basis of the monthly average for a pollutant for which the effluent limitation is expressed as a monthly average, or, in the case of an effluent limitation expressed as a daily maximum and without a monthly average, on the basis of the monthly average of all maximum daily test results for that pollutant in any month; in the case of an effluent limitation for a pollutant that is not measured by mass or concentration, the Authority may prescribe an equivalent exceedance factor therefor. The Authority may utilize, on a case – by case basis, a more stringent factor of exceedance to determine a serious violation if the Authority states the specific reasons therefor, which may include the potential for harm to human health or the environment. SV shall not include a violation of a permit limitation for color. For pH, the greatest violation of a pH effluent range in any one calendar day which violation deviates from the midpoint of the range by more than 40 percent. For pH, the greatest violation of a pH effluent range in any one calendar day which violation deviates from the midpoint of the range by more than 40 percent. The Authority's pH range is 6.0 S.U. to 11.5 S.U. The midpoint of the range is 8.75 S.U. Forty percent of 8.75 is 3.50 S.U.  $8.75 \text{ (midpoint)} - 3.50 \text{ (40\% of the midpoint)} = 5.25 \text{ S.U.}$   $8.75 \text{ (midpoint)} + 3.50 \text{ (40\% of the midpoint)} = 12.25 \text{ S.U.}$  If five separate readings of pH during a given month were 4.3, 5.8, 6.5, 6.0, and 6.5, the reading of 4.3 would be a serious violation. So the pH range for a serious violation is below 5.25 S.U. and above 12.25 S.U.

Seriousness-

Major – Shall include an intentional, deliberate, purposeful, knowing, or willful act or omission by the violator; or exceeding the effluent limitation which is measured by concentration or mass for any discharge as follows:

- 1) By more than 50% for a hazardous pollutant
- 2) By more than 100% for a non-hazardous pollutant
- 3) Has caused or has the potential to cause serious harm to human health or the environment.
- 4) Seriously deviates from the requirements of the Water Pollution Control Act or the New Jersey Underground Storage of Hazardous Substances Act and for violations of any rule, water quality standards, effluent limitation, administrative order or permit issued pursuant to; serious deviation shall include, but not be limited to, those violations which are in complete contravention of the requirement, or if some of the requirement is met, which severely impairs or determines the operation or intent of the requirement.

Moderate – Shall include any unintentional but foreseeable act or omission by the violator; or exceeding the effluent limitation which is measured by concentration or mass for any discharge as follows:

- 1) By 20% to 50% for a hazardous pollutant
- 2) By 40% to 100% for a non-hazardous pollutant
- 3) Has caused or has the potential to cause serious harm to human health or the environment.
- 4) Seriously deviates from the requirements of the Water Pollution Control Act or the New Jersey Underground Storage of Hazardous Substances Act and for violations of any rule, water quality standards, effluent limitation, administrative order or permit issued pursuant to; serious deviation shall include, but not be limited to, those violations which are in complete contravention of the requirement, or if some of the requirement is met, which severely impairs or determines the operation or intent of the requirement.

Minor – Shall include any other conduct not mentioned above; or exceeding the effluent limitation which is measured by concentration or mass for any discharge as follows:

- 1) By less than 20% for a hazardous pollutant
- 2) By less than 40% for a non-hazardous pollutant
- 3) Any violation other than an effluent violation not considered moderate or major.

Sewer Use Ordinance (SUO) - This document, also referred to as the Industrial Pretreatment Rules and Regulations.

Sewer User Rules and Regulations - Section 3.02 of the Authority's Service Agreement.

Significant Indirect User (SIU) - Any industrial user discharging industrial process wastewater where either:



- 1) The discharger is subject to categorical pretreatment standards under 40 CFR 403.6 and 40 CFR Chapter I Subchapter N; and
- 2) Any other industrial user that discharges an average of 25,000 gallons per day or more of wastewater to the POTW or that contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
- 3) The discharge consists of landfill leachate, either pure, treated or diluted by ground water or surface runoff; or the discharge consists of significant quantities of polluted ground water which is pumped from the ground in order to decontaminate an aquifer; or
- 4) That is designated as such by the Executive Director on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

Significant Noncomplier - State (SNC for N.J.S.A. 58:10A-1 et seq.) -

- 1) Any participant who commits a serious violation for the same hazardous pollutant or the same nonhazardous pollutant, at the same discharge point source, in any two months of any six-month period, or
- 2) Who exceeds the monthly average or, in a case of a pollutant for which no monthly average has been established, the monthly average of the daily maximums for an effluent limitation for the same pollutant at the same discharge point source by any amount in any four months of any six-month period, or
- 3) Who fails to submit a completed Industrial/Commercial Discharge Monitoring Report in any two months of any six-month period.

The Authority may utilize, on a case-by-case basis, a more stringent frequency or factor of exceedance to determine a significant noncomplier, if the Authority states the specific reasons therefor, which may include the potential for harm to human health or the environment. A local participant shall not be deemed a "significant noncomplier" due to an exceedance of an effluent limitation established in a permit for flow.

Significant Noncomplier-Federal (SNC for 40 CFR 403) - The Authority will use "Significant Violation" for a violation of the Federal Requirements or the use for Federal Reporting (40 CFR 403.8(f) 2 (viii)). For the purposes of this provision, an industrial user is in noncompliance if its violation meets one or more of the following criteria:

Comply with the public participation requirements of 40 CFR Part 25 in the enforcement of National Pretreatment Standards. These procedures shall include provision for at least annual public notification in a newspaper(s) of general circulation that provides meaningful public notice within the jurisdiction(s) served by the Authority of Industrial Users which, at any time during the previous 12 months, were in significant noncompliance with applicable Pretreatment requirements. For the purposes of this provision, a Significant Indirect User (or any Industrial User which violates paragraphs (C), (D), or (H) of this section below) is in significant noncompliance if its violation meets one or more of the following criteria:

- 1) Chronic violations of wastewater discharge limits, defined here as those in which 66 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(l);
- 2) Technical Review Criteria (TRC) violations, defined here as those in which 33 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(l) multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH); Any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative Standard) that the POTW determines has caused, alone or in combination with other Discharges, Interference or Pass Through (including endangering the health of POTW personnel or the general public);
- 3) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the Authority's exercise of its emergency authority under 403.8 (f)(1)(vi)(B) to halt or prevent such a discharge;
- 4) Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
- 5) Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- 6) Failure to accurately report noncompliance;
- 7) Any other violation or group of violations, which may include a violation of Best Management Practices, which the Authority determines will adversely affect the operation or implementation of the local pretreatment program.

**Slug Discharge** - is any discharge of a non-routine, episodic nature, including but not limited to, an accidental spill or a non-customary batch discharge.

Small Flow Commercial User (SFCU) - Any commercial user that meets all of the following criteria: 1) A non-categorical user; 2) A commercial user 3) Average daily flow must not exceed 3,000 gallons per day.

Standard Industrial Classification (SIC) - A classification pursuant to the Standard Industrial Classification Manual, 1987 (or as revised) issued by the Executive Office of the President, Office of Management and Budget.

State - State of New Jersey

State Act - New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq.

Storm Water - Any flow occurring during or immediately following any form of natural precipitation and resulting there from.

Total Suspended Solids (TSS) - The Total Non-filterable Residue as defined in Manual of Methods for Chemical Analysis of Water and Wastes 18th Edition, and any supplements and amendments thereto, and analyzed in accordance with an approved test procedure.

Total Toxic Organic (TTO) - The list of compounds defined in Table II of this SUO.

Toxic Pollutant - Those pollutants, or combinations of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly or indirectly by ingestion through food chains, may, on the basis of information available to the Commissioner, cause death, disease, behavioral abnormalities, cancer, genetic mutants, physiological malfunctions, including malfunctions in reproduction, or physical deformation, in such organisms or their offspring. Toxic pollutants shall include, but not be limited to, those pollutants designated under Section 307 of the Federal Act or Section 4 of the State Act.

Treatment Works - Any device or system, whether public or private, used in collection, transportation, storage, treatment, recycling, or reclamation of municipal or industrial waste of a liquid nature, including: intercepting sewers, outfall sewers, sewage collection systems, cooling towers and ponds, pumping, power and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; any other works including sites for the treatment process or ultimate disposal of residues resulting from such treatment.

Treatment Works Plant - That portion of the treatment works designed to provide treatment to wastewater.

Upset - Means an exceptional incident in which there is unintentional and temporary noncompliance with an effluent limitation because of an event beyond the reasonable control of the permittee, including fire, riot, sabotage, or a flood, storm event, natural cause, or other act of God, or other similar circumstance, which is the cause of the violation. "Upset" also includes noncompliance consequent to the performance of maintenance operations for which a prior exception has been granted by the department or a delegated local agency.

Wastewater - The liquid and water-carried wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the treatment works of the Authority or any Participant.

Terms not otherwise defined herein shall be as adopted in the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, the American Water Works Association and the Water Environment Federation; the "Federal Guidelines for State and Local Pretreatment Programs" (EPA-430/9-76-017a, Volume 1, 1977, or the latest revision thereof); the Clean Water Act, 33 U.S.C. 1251 et seq.; the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et. seq.; or "Pretreatment Standards for Sewerage, etc.", N.J.S.A. 58:11-49 et seq., 1972.1.4 ABBREVIATIONS. The following abbreviations shall have the following meanings:

ACO	- Administrative Consent Order
BMP	- Best Management Practices
CA	- Control Authority
CAPA	- Civil Administrative Penalty Assessment
CAT	- Categorical Indirect User
CCMUA	- Camden County Municipal Utilities Authority
CEU	- Conditionally Exempt User
CFR	- Code of Federal Regulations
CWEA	- Clean Water Enforcement Act
EPA	- United States Environmental Protection Agency
ERP	- Enforcement Response Plan
IDMR	- Industrial/Commercial Discharge Monitoring Report
IU	- Industrial User
l	- Liter
M	- Minor
mg	- Milligrams
mg/L	- Milligrams per liter
NM	- Non-Minor
N.J.A.C.	- New Jersey Administrative Code
NJDEP	- New Jersey Department of Environmental Protection
N.J.S.A.	- New Jersey Statutes Annotated
NJPDES	- New Jersey Pollutant Discharge Elimination System
NODI	- No Discharge
NSCIU	- Non-Significant Categorical Indirect User
NOV	- Notice of Violation
NPDES	- National Pollutant Discharge Elimination System
NSIU	- Non-Significant Indirect User
ORP	- Oxidation-Reduction Potential
POTW	- Publicly Owned Treatment Works
SFCU	- Small Flow Commercial User
SIC	- Standard Industrial Classification
SIU	- Significant Indirect User
SNC	- Significant Non-Compliance
SUO	- Sewer Use Ordinance
SV	- Serious Violation
TRC	- Technical Review Criteria

- TSD - Treatment Storage and Disposal
- TTO - Total Toxic Organics
- USC - United States Code

**1.4 40 CFR PART 403**

The Federal General Pretreatment Regulations is hereby adopted by reference, including all future amendments & supplements thereto.

---

## **2.0 PROHIBITIONS AND LIMITATIONS ON WASTEWATER DISCHARGES**

### **2.1 PROHIBITIONS ON WASTEWATER DISCHARGES**

No person may discharge, or allow to be discharged, into the treatment works of the Authority or any Participant, any wastewater which causes pass-through or interference, or contributes to a violation of any parameter in the Authority's NJPDES Permit or to a violation of a participant's sewer use ordinance, or which contains any of the following: (pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.) Any violation of this section of the SUO is considered non-minor.

- A.** Corrosive Wastes - Any waste which may cause corrosion or deterioration of the treatment works. All wastes discharged to the treatment works must not have a pH value lower than 6.0 or greater than 11.5 standard units. Prohibited materials include, but are not limited to: concentrated acids, alkalis, sulfides, chloride and fluoride compounds, and substances which will react with water to form acidic or alkaline products which have a pH value outside the range of 6.0 to 11.5 standard units.
- B.** Discolored Materials - Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the Authority's NJPDES permit.
- C.** Excessive Discharge - Wastewater at a flow rate during a period longer than fifteen (15) minutes that exceeds more than five (5) times the average daily flow rate of the industrial user during normal operation. This includes wastewater containing such concentrations or quantities of pollutants, single or by interaction with other pollutants, that may in the judgment of the Executive Director cause a treatment process upset, interference or significant loss of treatment efficiency.
- D.** Explosive and/or Flammable Mixtures - Liquids, solids or gases in wastewater causing two readings on an explosion hazard meter, at the point of discharge into the POTW, or at any point in the POTW, of more than 10 percent (10%) or any single reading over 25 percent (25%) of the Lower Explosive Limit of the meter. Those materials, by reason of their nature or quantity may, either alone or by interaction with other substances, cause fire or explosion or be injurious in any other way to the treatment works or to the operation of the works. Such materials include, but are not limited to gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides. Also waste streams with a closed cup flashpoint of less than 140°F or 60°C using the test methods specified in 40 CFR 261.21.



- E. Foaming Agents - Non-Biodegradable detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW or final effluent.
- F. Heat - Heat in amounts which will inhibit biological activity in the treatment works, resulting in interference or causing damage. In no case heat in such quantities that the temperature exceeds 65°C (150°F) at the sewer connection sampling point and 40°C (104°F) at the treatment works plant.
- G. Improperly Shredded Garbage - Garbage that has not been ground or comminuted to such a degree that all particles will be floating or carried freely in suspension under flow conditions normally prevailing in the treatment works. No particle shall be greater than one-half (1/2) inch [0.7 cm] in any dimension, except that this prohibition does not apply to garbage disposal units in private dwellings whose only discharge is domestic wastewater.
- H. Medical Waste - Undisinfected tissue fluid, diseased human or animal organ tissue, undisinfected whole blood, or other contaminated solid waste related to the transmission of disease from human or veterinary hospitals, medical facilities, pharmaceutical/research institutions, mortuaries, morgues, funeral parlors, animal shelters or related licensed facilities.
- I. Noxious Materials - Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life or prevent entry into the sewers for maintenance or repair.
- J. Oil and Grease - Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through; or fats, oils or greases, of animal or vegetable origin, in concentrations greater than 100 mg/L. Substances which may solidify or become viscous at temperatures between 32E and 150E F (0E and 65EC) are also prohibited.
- K. Oxidation - Reduction Potential (ORP) - Any discharge with an ORP of less than -50 millivolts. Any discharge containing approved reducing agents which result in an ORP of less than -50 millivolts will be excluded.
- L. Pollutants Resulting in Toxic Gases - Pollutants which result in the presence of toxic gases, vapors, or fumes, within the POTW, in a quantity that may cause acute worker health and safety problems.
- M. Radioactive Wastes - Wastewater containing any radioactive waste or isotopes except in compliance with applicable State or Federal regulations.

- N. Reject Product-Any non-accidental slug discharge which in itself will not meet the discharge limitations listed in Table I and II of this SUO. Please note dilution in order to meet discharge limitation is prohibited as outlined in Section 2.7 of this SUO.
- O. Solid or Viscous Wastes - Solid or viscous wastes which may cause obstruction to the flow in a sewer or otherwise interfere with proper operation of the treatment works. Such materials include, but are not limited to: grease, improperly shredded garbage, animal guts or tissues, human organs, paunch manure, bones, hair, hides or fleshings, entrails, feathers, ashes, cinders, iron oxide sludge, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, and similar substances.
- P. Storm Water - Discharge into the treatment works of storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, unless specifically authorized by the Authority.
- Q. Substances Interfering with Sludge Management - Any substance which may cause the POTW's sludge to be unsuitable for reclamation, reuse, or disposal. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under 40 CFR Section 503 (Federal Sludge Regulations), any criteria, guidelines, or regulations, affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or, to the extent practicable, the "New Jersey Guidelines for the Utilization and Disposal of Municipal and Industrial Sludges and Septage,@ statewide sludge management criteria for land application, the C.C.M.U.A. NJPDES permit, or any other applicable regulation.
- R. Substances Interfering with Sludge Management - Any substance which may cause the POTW's sludge to be unsuitable for reclamation, reuse, or disposal. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under 40 CFR Section 503 (Federal Sludge Regulations), any criteria, guidelines, or regulations, affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or, to the extent practicable, the "New Jersey Guidelines for the Utilization and Disposal of Municipal and Industrial Sludges and Septage,@ statewide sludge management criteria for land application, the C.C.M.U.A. NJPDES permit, or any other applicable regulation.

- S. Toxic Pollutants - Any toxic pollutant exceeding; (1) standards promulgated by the Administrator of the EPA pursuant to Section 307(a) of the Clean Water Act of 1977 (as amended); (2) standards promulgated pursuant to N.J.S.A. 58:10A-1 et seq.; or wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity (bioassay) test.
- T. Trucked and Hauled Wastes - Any discharge of trucked or hauled pollutants except at discharge points designated by the POTW. All trucked waste must be accompanied by a generation, shipment and disposal certification. All trucks must be permitted to discharge by the Industrial Pretreatment Program of the CCMUA prior to discharge at the POTW. All trucks must check in with Authority personnel before dumping the contents of their truck. All trucks shall be sampled by duly authorized Authority personnel.

## **2.2 SPECIFIC LIMITATIONS ON WASTEWATER DISCHARGES**

Table I presents the maximum concentrations of specific pollutants for wastewater discharges to the treatment works by any person. Dilution of any wastewater discharge for the purpose of satisfying these requirements is a violation of this SUO. No user shall discharge wastewater with pollutant levels exceeding the maximum concentration in Table I, at any point in time at connection to the sewer system, unless a variance has been granted by an industrial user discharge permit pursuant to the permit provisions of this SUO. Any violation of this section of the SUO is considered non-minor.

## **2.3 FEDERAL CATEGORICAL PRETREATMENT STANDARDS**

Upon promulgation of a Federal Categorical Pretreatment Standard for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under this SUO for sources in that subcategory, shall immediately supersede these limitations and affected indirect users shall comply with such standards within the stated deadlines. The Executive Director shall make reasonable attempts to notify affected indirect users of the applicable reporting requirements under 40 CFR Section 403.12, but a failure to notify does not relieve such industries of the obligation to comply with such reporting requirements. 40 CFR Part 403.6 and 40 CFR Chapter 1 Subchapter N are hereby incorporated by reference, including all future amendments and supplements thereto. Any violation of this section of the SUO is considered non-minor.

## **2.4 MODIFICATION OF FEDERAL CATEGORICAL PRETREATMENT STANDARDS**

If the Authority's wastewater treatment system achieves consistent removal of pollutants limited by Federal Pretreatment Standards, the Authority may apply to NJDEP for modification of specific limits in the Federal Pretreatment Standards. If the requirements contained in 40 CFR Section 403.7 are fulfilled and prior approval from NJDEP is obtained, the Authority may modify pollutant discharge limits in the Federal Pretreatment Standards.

## **2.5 STATE REQUIREMENTS**

State requirements and limitations on discharges shall apply where they are more stringent than this SUO or the federal requirements. Any violation of this section of the SUO is considered non-minor.

2.6 AUTHORITY'S RIGHT OF REVISION  
The Authority reserves the right to establish more stringent limitations or requirements on discharges to the treatment works than are contained in this SUO.

## **2.6 DILUTION OF DISCHARGE**

No indirect user shall intentionally, deliberately, knowingly or willingly increase the use of process water or in any way otherwise dilute a discharge as a substitute for adequate treatment to comply with the Federal Categorical Pretreatment Standards or any other pollutant- or concentration-specific limitation developed by the Authority or the State. Dilution of any wastewater discharge for the purpose of satisfying these requirements is a violation of this SUO. The Authority deems this action to be in direct violation of Section 6.8 of this SUO. The Authority may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate. Any violation of this section of the SUO is considered non-minor.

## **2.7 LOCAL REQUIREMENTS**

Any participant's requirements and limitations on discharges which are more stringent than this SUO or the federal requirements shall apply to discharges within their respective service areas. Any violation of this section of the SUO is considered non-minor.

## **2.8 BEST MANAGEMENT PRACTICES**

The Authority may at its discretion develop Best Management Practices (BMPs) to implement the local limits noted in Section 2 and Table I of the Authority's SUO. Such BMPs shall be considered local limits and Pretreatment Standards for the purposes of this part and section 307(d) of the Act. Any violation of this section of the SUO is considered non-minor.

## **3.0 CONTROL OF PROHIBITED WASTE**

### **3.1 REGULATORY ACTIONS**

If wastewaters violating the permit conditions or restrictions imposed under Section 2.0 of this SUO are discharged into the treatment works, the Executive Director, or their designee may take any of the following actions:

1. Prohibit the discharge of such wastewaters.
2. Require an indirect user to demonstrate that in-plant modifications will reduce or eliminate the discharge so as to be in conformance with this SUO.
3. Require pretreatment, including storage facilities or flow equalization, necessary to ensure compliance with this SUO.
4. Require the discharger to pay the costs, incurred by the Authority, shown to be resulting from a violation of this permit, for any damages including engineering, legal, and administrative costs.
5. Take such other remedial action, including discontinuation of service and/or court action for injunctive relief, as may be desirable or necessary. The Authority may also issue Administrative Orders containing penalties and/or Administrative Consent Orders with stipulated penalties, and any other enforcement action listed in Section 6.0.
6. In accordance with 40 CFR 403.8(f)(2)(v), at least once every two years, the Authority shall evaluate whether each significant indirect user needs an accidental discharge/slug control plan. The Authority may require any user to develop, submit for approval, and implement such a plan. Alternatively, the Authority may develop such a plan for any user. An accidental discharge/slug control plan shall address, at a minimum, the following:
  - A. Description of discharge practices, including non-routine batch discharges.
  - B. Description of stored chemicals.
  - C. Procedures for immediately notifying the Authority of any accidental or slug discharge as required by Section 3.5 of this SUO.
  - D. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

### **3.2 PRETREATMENT FACILITIES**

Dischargers shall provide wastewater pretreatment, if required, to comply with this SUO and shall achieve compliance with Federal Categorical Pretreatment Standards within the time limitations specified by the Federal Pretreatment Regulations. Pretreatment facilities, where required, shall be provided for and operated efficiently by the owner or operator at his/her own cost and shall be maintained in good working order subject to the requirements of this SUO and all other applicable federal, state or local statutes, regulations, or ordinances. Any violation of this section of the SUO is considered non-minor.

Discharges with the potential to discharge oil and/or grease in amounts greater than those specified in the specific pollutant Table I, shall install, at the owners expense, grease traps or oil/water separators to prevent such discharges from occurring. Grease traps and/or oil/water separators must be cleaned and maintained regularly by the owner. The owner shall maintain manifests or cleaning receipts to demonstrate compliance with regular cleaning of the required pretreatment mechanisms. Any violation of this section of the SUO is considered non-minor.

### **3.3 SUBMISSION OF PLANS**

Where pretreatment or equalization of wastewater flows is required, plans, specifications, operating procedures, and other pertinent data and information shall be submitted by the discharger to the Executive Director and copied to the Chief of Engineering and the Assistant Director of Operations and Maintenance, for review and comments. The review of such plans and operating procedures does not relieve the discharger from the responsibility of modifying the facility as necessary, to produce acceptable wastewater characteristics. Any subsequent modifications to such pretreatment of flow-control facilities (including changes in any method of operation) affecting the discharge shall not be made without prior approval of the Executive Director. Any violation of this section of the SUO is considered non-minor.

### **3.4 ADMISSION TO PROPERTY**

In accordance with N.J.S.A. 58:10A-6(g), the Executive Director, or his designees, upon the presentation of credentials, may enter upon the premises of any discharger at any time for the purpose of inspecting or copying any records required to be kept under this SUO, and federal and state regulations.

The Executive Director, or his designees, upon presentation of credentials, may enter upon the premises of any discharger, at any time, for the purpose of; inspection, investigation, installing monitoring equipment or to conduct measuring, sampling, or testing of wastewater that is discharged to the treatment works. Any attempt to delay the Authority from entering the property for the purpose of altering the quantity of quality or the wastewater is a direct violation of Section 6.8 of this SUO. Any violation of this section of the SUO is considered non-minor.

### **3.5 ACCIDENTAL DISCHARGES**

Each indirect user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this SUO. If required by the Executive Director, facilities shall make provisions to prevent the accidental discharge of prohibited materials at the owner's or indirect user's own cost and expense. Upon request, of the Executive Director, the Authority shall be provided detailed plans showing facilities and operating procedures to provide this protection. These plans shall be submitted to the Executive Director for review and comment, prior to construction of the facility. All existing indirect users, where required, shall complete such a plan within 120 days of being notified by the Authority of the need for such a plan. No indirect user who commences discharge to the POTW, after the effective date of this SUO, shall be permitted to introduce pollutants into the system until accidental discharge prevention procedures have been reviewed by the Executive Director. Review of such plans and operating procedures shall not relieve the indirect user from the responsibility of modifying his/her facility, as necessary, to meet the requirements of this SUO. Any violation of this section of the SUO is considered non-minor.

Telephone Notice: In the case of an accidental discharge of prohibited materials or any other substances listed under this SUO, the indirect user responsible for such discharge shall immediately telephone and notify the Authority within 24 hours of the occurrence or becoming aware of the occurrence. The notification shall include location of discharge, type of waste, concentration and volume. During evening hours (after 3:30pm), weekends, or holidays, in the event of an accidental discharge or any type of emergency, please notify the Authority immediately at (609) 541-5200, ext 348. During regular working hours (7:00am to 3:30pm, Monday through Friday), please call 541-5200 ext 313 or 302. Furthermore, such indirect users shall take immediate action to contain and minimize the accidental discharge to the POTW so as to prevent interference with the treatment process and/or damage to the treatment works.

Written Notice: Within five (5) working days following an accidental or noncomplying discharge under this section, the indirect user shall submit to the Executive Director or his designee, a detailed written report describing the date, time and cause of the discharge, the quantity and characteristics of the discharge, corrective action taken at the time of the discharge, and the measures to be taken by the indirect user to prevent similar future occurrences. Such notification shall not necessarily relieve the indirect user of any expenses, loss, damage, or other liability that may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the indirect user of any fines, civil penalties, or other liability which may be imposed by this SUO or other applicable law. Please note additional reporting requirements specified in Section 3.6 of this SUO.

Notice to Employees: All indirect users shall develop an emergency notification procedure. A notice shall be permanently posted on the indirect user's bulletin board or other prominent place advising employees of the responsible individual to notify in the event of an accidental or noncomplying discharge. Employers shall ensure that all employees who may cause such a discharge are advised of the emergency notification procedures.

Bypass and Upset Conditions: Any reporting of a bypass or an upset condition and possible affirmative defense against mandatory penalties shall be in compliance with N.J.A.C. 7:14A-6.10(f)1 and (f)2, and N.J.A.C. 7:14-8.3(i).

### **3.6 NOTIFICATION OF HAZARDOUS WASTE DISCHARGES**

All indirect Users shall notify the POTW, the EPA regional Waste Management Division Director, and State Hazardous Waste Authorities, in writing, of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the indirect user discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent such information is known and readily available to the indirect user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass constituents in the waste stream expected to be discharged during the following twelve months. All notifications must take place within 30 days of the effective date of this SUO. Indirect users who commence discharging after the effective date of this SUO shall provide the notification no later than 30 days after the discharge of the hazardous waste. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. The notification requirement in this section does not apply to pollutants already reported under the self-monitoring requirements. Indirect users are exempt from the above requirements during a calendar month in which they discharge no more than fifteen kilograms of hazardous waste, unless the waste(s) are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen kilograms of non-acute hazardous waste in a calendar month or of any quantity of acute hazardous waste as specified in 40 CFR 261.30(d) and 261.33(e), requires a one time notification. Subsequent months during which the indirect user discharges additional quantities of such hazardous waste do not require additional notification.

In the case of new regulations under section 3001 of RCRA, identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the indirect user must notify the POTW, the EPA Regional Waste Management Division Director, and the State hazardous waste authorities, of the discharge of such substance within 90 days of the effective date of these regulations.

In the case of any notification made under this rule, the indirect user shall certify that it has a program in place to reduce the volume and toxicity of hazardous waste generated. Any violation of this section of the SUO is considered non-minor.



**3.7 ANNUAL PUBLIC NOTIFICATION**

The Authority shall annually publish, in the largest local newspaper, a list of the indirect users which, during the previous twelve (12) months, were in significant noncompliance (as defined by 40 CFR Part 403.8(f)(vii) and N.J.S.A. 58:10A-14.1) with applicable pretreatment standards or other pretreatment requirements.

**3.8 SLUG DISCHARGE PLANS**

The Authority shall evaluate whether each such Significant Indirect User needs a plan or other action to control Slug Discharges. Each Significant Indirect User must be evaluated within 1 year of being designated a Significant Indirect User. For purposes of this subsection, a Slug Discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the Authority regulations, local limits or permit conditions. The results of such activities shall be available to the Approval Authority upon request. Significant Indirect Users are required to notify the Authority immediately of any changes at its facility affecting potential for a Slug Discharge. If the Authority decides that a slug control plan is needed, the plan shall contain, at a minimum, the following elements:

- (A) Description of discharge practices, including non-routine batch discharges;
- (B) Description of stored chemicals;
- (C) Procedures for immediately notifying the Authority of Slug Discharges, including any discharge that would violate a prohibition under 40 CFR 403.5(b) with procedures for follow-up written notification within five days;
- (D) If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

## **4.0 INDUSTRIAL/COMMERCIAL DISCHARGE PERMITS**

### **4.1 EXISTING UNPERMITTED INDUSTRIAL USERS**

Within 60 calendar days after the effective date of this SUO, or at such time when the participant ties into the Authority's treatment works, whichever is later, indirect users shall apply for an Industrial/Commercial Discharge Permit. Such application shall be made by completing, and submitting to the Authority, a CCMUA Pretreatment Permit Application obtained from the Executive Director, or his designee. The terms of such permit may be modified by the Executive Director, or their designee after issuance and a reasonable time provided for compliance with such modified terms. Violations of the terms of such permits are violations of this SUO. Any violation of this section of the SUO is considered non-minor.

### **4.2 NEW INDUSTRIAL USERS**

New industrial users may not connect to the treatment works of the Authority, unless an Industrial/Commercial Discharge Permit has been obtained. Such users shall apply for an Industrial/Commercial Discharge Permit at least 120 calendar days before connecting to such treatment works. In the event the industry and Authority cannot agree as to the classification, under a particular industrial, commercial, categorical or sub categorical classification, for purposes of industrial pretreatment standards, a written certification from the appropriate federal and state regulatory agencies as to whether the applicant is included within a particular industrial, commercial, categorical or sub categorical classification for purposes of industrial pretreatment standards, may be obtained. Any violation of this section of the SUO is considered non-minor.

### **4.3 CATEGORICAL (NEW AND EXISTING) INDIRECT USERS**

Within ninety (90) calendar days after the adoption by a federal or state regulatory agency of a categorical pretreatment standard, existing industrial users subject to such standards shall submit a CCMUA Pretreatment Permit Application for an Industrial/Commercial Discharge Permit as required under Section 4.1 of this SUO. Industrial users subject to categorical pretreatment standards shall also submit a Baseline Monitoring Report (refer to Section 5.1 hereof) containing information required under federal and state industrial pretreatment regulations in the form required by the Executive Director, or his designee. The CCMUA Pretreatment Permit Application and Baseline Monitoring Report shall be reviewed by the Executive Director, or his designee, and a schedule of compliance established as a condition of the Industrial/Commercial Discharge Permit if the applicable categorical standards are not being met. Any violation of this section of the SUO is considered non-minor.

The Authority may convert the mass limits of the categorical Pretreatment Standards and Requirements at 40 CFR part 403 to concentration limits for purposes of calculating limitations applicable to individual Industrial Users. When converting such limits to concentration limits, the Authority will use the concentrations listed in the applicable subparts of 40 CFR parts 414, 419, and 455 and document that dilution is not being substituted for treatment as prohibited by 403.6(d) and Section 2.7 of the Authority's Sewer Use Ordinance.

When the limits in a categorical Pretreatment Standard are expressed only in terms of pollutant concentrations, an Industrial User may request that the Authority convert the limits to equivalent mass limits. The determination to convert concentration limits to mass limits is within the discretion of the Authority. The Authority may establish equivalent mass limits only if the Industrial User meets all the following conditions in paragraph (i)(A) through (i)(E) of this section.

(i) To be eligible for equivalent mass limits, the Industrial User must:

- (A) Employ, or demonstrate that it will employ, water conservation methods and technologies that substantially reduce water use during the term of its control mechanism;
- (B) Currently use control and treatment technologies adequate to achieve compliance with the applicable categorical Pretreatment Standard, and not have used dilution as a substitute for treatment;
- (C) Provide sufficient information to establish the facility's actual average daily flow rate for all waste streams, based on data from a continuous effluent flow monitoring device, as well as the facility's long-term average production rate. Both the actual average daily flow rate and long-term average production rate must be representative of current operating conditions;
- (D) Not have daily flow rates, production levels, or pollutant levels that vary so significantly that equivalent mass limits are not appropriate to control the Discharge; and
- (E) Have consistently complied with all applicable categorical Pretreatment Standards during the period prior to the Industrial User's request for equivalent mass limits.

(ii) An Industrial User subject to equivalent mass limits must:

- (A) Maintain and effectively operate control and treatment technologies adequate to achieve compliance with the equivalent mass limits;
- (B) Continue to record the facility's flow rates through the use of a continuous effluent flow monitoring device;
- (C) Continue to record the facility's production rates and notify the Authority whenever production rates are expected to vary by more than 20 percent from its baseline production rates determined in paragraph (i)(C) of this section. Upon notification of a

revised production rate, the Authority will reassess the equivalent mass limit and revise the limit as necessary to reflect changed conditions at the facility; and

- (D) Continue to employ the same or comparable water conservation methods and technologies as those implemented pursuant to paragraph (i)(A) of this section so long as it discharges under an equivalent mass limit.

(iii) Where the Authority chooses to establish equivalent mass limits, it will:

- (A) Calculate the equivalent mass limit by multiplying the actual average daily flow rate of the regulated process(es) of the Industrial User by the concentration-based daily maximum and monthly average Standard for the applicable categorical Pretreatment Standard and the appropriate unit conversion factor;
- (B) When notified of a revised production rate, reassess the equivalent mass limit and recalculate the limit as necessary to reflect changed conditions at the facility; and
- (C) Retain the same equivalent mass limit in subsequent control mechanism terms if the Industrial User's actual average daily flow rate was reduced solely as a result of the implementation of water conservation methods and technologies, and the actual average daily flow rates used in the original calculation of the equivalent mass limit were not based on the use of dilution as a substitute for treatment pursuant to 403.6(d) and Section 2.7 of the Authority's Sewer Use Ordinance. The Industrial User must also be in compliance with 403.17 (regarding the prohibition of bypass).

(iv) The Authority may not express limits in terms of mass for pollutants such as pH, temperature, radiation, or other pollutants which cannot appropriately be expressed as mass.

Equivalent limitations calculated in accordance with 403.6(c), *Concentration and mass limits*, specifically 403.6(c)(1) through (4), and 40 CFR 403.6(c)7, (c)8, and (c)9 are deemed Pretreatment Standards for the purposes of section 307(d) of the Act and this part. Once incorporated into its control mechanism, the Industrial User must comply with the equivalent limitations in lieu of the promulgated categorical standards from which the equivalent limitations were derived.

Many categorical Pretreatment Standards specify one limit for calculating maximum daily discharge limitations and a second limit for calculating maximum monthly average, or 4-day average, limitations. Where such Standards are being applied, the same production or flow figure shall be used in calculating both the average and the maximum equivalent limitation.

Any Industrial User operating under a control mechanism incorporating equivalent mass or concentration limits calculated from a production based standard shall notify the Authority within two (2) business days after the User has a reasonable basis to know that the production level will significantly change within the next calendar month. Any User not notifying the Authority of such anticipated change will be required to meet the mass or concentration limits in its control mechanism that were based on the original estimate of the long term average production rate.

Any violation of this section of the SUO is considered non-minor.

**4.4 SMALL FLOW COMMERCIAL USER (NEW AND EXISTING)**

Within 60 calendar days after the effective date of this SUO, or at such time when the participant ties into the Authority's treatment works, whichever is later, existing noncategorical commercial users, who discharge less than 3,000 gallons of average daily flow per day, may apply for an Industrial/Commercial Discharge Permit, with classification as a small flow commercial user.

New industrial users may not connect to treatment works of the Authority, unless an Industrial/Commercial Discharge Permit has been obtained. Such users shall apply for an Industrial/Commercial Discharge Permit at least 120 calendar days before connecting to such treatment works. At that time, the new user may request to be classified as a small flow commercial user if the user is noncategorical and will be discharging less than 3,000 gallons of average daily flow per day.

Please note, this classification is **not mandatory**. Commercial users who meet the qualifications may apply for this classification. If a commercial user chooses this option, and meets the Authority's qualifications as a small flow commercial user, all reporting and monitoring requirements that apply to a nonsignificant indirect user will apply to a small flow commercial user, with the following exceptions:

- The industrial user annual fee for a small flow commercial user will be \$2,000.00**
- The small flow commercial user's permit will have elevated limits for the following parameters, if applicable to the user's effluent limitations and monitoring requirements table:

<b>PARAMETER</b>	<b>DAILY MAXIMUM CONCENTRATION (mg/L)</b>
Biochemical Oxygen Demand	1500 mg/L
Chemical Oxygen Demand	1500 mg/L
Oil & Grease	150 mg/L
Petroleum Hydrocarbons	45 mg/L

Such application shall be made by completing, and submitting to the Authority, a CCMUA Pretreatment Permit Application obtained from the Executive Director, or his designee. The terms of such permit may be modified by the Executive Director, or his designee after issuance and a reasonable time provided for compliance with such modified terms. Violations of the terms of such permits are violations of this SUO. Any violation of this section of the SUO is considered non-minor.

#### **4.5 LIQUID WASTE ACCEPTANCE PROGRAM**

Any user desiring to haul wastewater directly to the CCMUA treatment plant shall make application to CCMUA on forms provided. If CCMUA deems the discharge may qualify the User as a Significant Indirect User, then the User shall file application with CCMUA and may be issued a Liquid Waste Acceptance Permit. Any waste hauler seeking a permit to discharge at the Authority Treatment Works will fall under regulation of the Industrial Pretreatment program including unannounced sampling events on different loads, Annual Inspection of facility, and subject to enforcement for any delivery resulting in exceedances per N.J.A.C. 7:14A.

The Authority may accept truck delivered commercial and domestic septage at the designated discharge location of 200 Jackson Street. Additional liquid wastes may be accepted by the Authority on a case-by-case approval basis. All discharged wastes must comply with all applicable Rules and Regulations identified herein. In addition, all discharged waste shall be subject to a disposal fee schedule established by the Authority.

The discharge or attempted discharge of any unapproved waste the CCMUA is strictly prohibited, regardless of whether such waste is from one source or multiple sources. Approved wastes shall not be mixed with any unapproved wastes, nor shall wastes with separate approvals be mixed. Such dissimilar wastes must have separate approvals in order to discharge to CCMUA, as the discharge points and/or compliance determinations may vary.

Trucked and Hauled Waste Users shall not discharge hazardous waste as set forth in 40 CFR 261.

Prior to any waste acceptance, the Authority may require a Hauler to perform specific sampling and submit test results for technical review. The Authority will notify the Hauler if the waste is acceptable or if it does not meet the acceptance criteria.

#### **4.6 PERMIT APPLICATION PROCEDURE**

Upon receipt of necessary information, by the Executive Director, or his designee (in the form of a completed CCMUA Pretreatment Permit Application), and any permit application fees, the application shall be reviewed and a draft permit prepared, if deemed necessary. When a Draft Industrial/Commercial Discharge Permit is issued, the industrial user shall have 30 days to submit written comments to the Authority. A copy of this Industrial/Commercial Discharge Draft Permit shall be forwarded to the Mayor of the municipality in which the industrial user is located.

After the thirty (30) day comment period, and all comments are responded to, a Final Industrial/Commercial Discharge Permit will be issued to the industrial user.

During the Draft Industrial/Commercial Discharge Permit issuance, an opportunity for the public to comment on permits proposed to be issued will be provided by newspaper notice.

**PLEASE NOTE:**

The CCMUA Pretreatment Permit Applications submitted by corporations shall be signed by a corporate officer or other authorized executive officers. An application shall include a corporate resolution, granting that individual authority, to make the application on behalf of the corporation. An application submitted by an industrial user other than a corporation shall be signed by the proprietor or general partner. Any violation of this section of the SUO is considered non-minor.

**4.7 PERMIT TERMS AND CONDITIONS**

- A. The Industrial/Commercial Discharge Permit shall be expressly subject to all the provisions of this SUO and all other rules, regulations, user charges and fees, which are in effect or which may be established by the Authority
- B. Each Industrial User Discharge permit shall contain at a minimum the following conditions:
  - (1) A statement of duration (in no case more than five years);
  - (2) A statement of non-transferability without, at a minimum, prior notification to the Authority and provision of a copy of the existing industrial discharge permit to the new owner or operator;
  - (3) Effluent limits, including Best Management Practices, based on applicable general Pretreatment Standards in 40 CFR 403, categorical pretreatment standards, local limits, and New Jersey and local law;
  - (4) Self-monitoring, sampling, reporting, notification and recordkeeping requirements, including an identification of the pollutants to be monitored (including the process for seeking a waiver for a pollutant neither present nor expected to be present in the Discharge in accordance with 40 CFR 403.12(e)(2), or a specific waived pollutant in the case of an individual control mechanism), sampling location, sampling frequency, and sample type, base on the applicable general Pretreatment Standards in CFR 403, categorical pretreatment standards, local limits, and New Jersey and local law;
  - (5) A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and requirements, and any applicable compliance schedule. Such schedules may not extend the compliance date beyond applicable federal deadlines;
  - (6) Requirements to control Slug Discharges, if determined by the Authority to be necessary.
- C. The following terms may be imposed by the Authority in the issuance of the Industrial/Commercial Discharge Permit:

1. A limitation upon the quality of wastewater, volume of wastes, and the rate of flow discharged from the indirect user. Any violation of this section of the SUO is considered non-minor.
2. The installation and maintenance by the Permitted Indirect User, at his own expense, the following: facilities or equipment for intermittent or continuous measurement of flow, industrial/commercial wastes, or other wastes discharged; detention tanks or other facilities or equipment for reducing the maximum rates of discharge; pretreatment and flow control facilities; suitable control sampling manhole or manholes; grease traps for removal of oil and grease originating from animal or vegetable origin; and oil/water separators to remove petroleum oil or products of mineral oil origin. Any violation of this section of the SUO is considered non-minor.
3. The submittal to, and approval by, the Authority of plans and specifications for any of the facilities or equipment required to be installed and maintained by the Permitted Indirect User. Any violation of this section of the SUO is considered non-minor.
4. Maintenance of appropriate records of all measurements made by the Permitted Indirect User of flow, industrial/commercial wastes, or other wastes specified by the Authority. The Permitted Industrial User shall afford the Authority access of the aforementioned. Any violation of this section of the SUO is considered non-minor.
5. Prior to the commencement of operation of any pretreatment or flow control facilities, the Authority has the right to require adequate data to determine the acceptability of the sewage, industrial/commercial wastes or other wastes generated. Any violation of this section of the SUO is considered non-minor.
6. Specifications for monitoring programs which may include sampling locations, frequency and method of sampling, number, type and standards for tests and reporting schedule.
  - a. All Categorical Indirect Users or Significant Indirect Users or Groundwater Remediation Projects must submit monthly IDMRs in accordance with Section 5.1.
  - b. All NSIUs or SFCUs must submit quarterly IDMRs in accordance with section 5.1. Any violation of this section of the SUO is considered non-minor. A more frequent reporting requirement may be established at the discretion of the Industrial Pretreatment Program.
7. Any other terms and conditions, as may be necessary, to protect the Authority's Treatment Works and to carry out the intent and provisions of this SUO. Any violation of this section of the SUO is considered non-minor.



8. Monthly reporting due to a serious violation, in accordance with N.J.S.A. 58:10A-6.f(9) and 6.f.(10), if required. Any violation of this section of the SUO is considered non-minor.
9. Resampling due to noncompliance in accordance with 40 CFR Part 403.12(g) which states: if sampling performed by an indirect user indicates a violation, the user shall repeat the sampling and analysis and submit the results of the repeat analysis to the Authority within 30 days after becoming aware of the violation. Any violation of this section of the SUO is considered non-minor.
10. All Indirect Users shall notify the POTW, the EPA regional Waste Management Division Director, and State Hazardous Waste Authorities, in writing, of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the indirect user discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent such information is known and readily available to the indirect user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass constituents in the waste stream expected to be discharged during the following twelve months. All notifications must take place within 30 days of the effective date of this SUO. Indirect users who commence discharging after the effective date of this SUO shall provide the notification no later than 30 days after the discharge of the hazardous waste. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. The notification requirement in this section does not apply to pollutants already reported under the self - monitoring requirements.

Indirect users are exempt from the above requirements during a calendar month in which they discharge no more than fifteen kilograms of hazardous waste, unless the waste(s) are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen kilograms of non-acute hazardous waste in a calendar month or of any quantity of acute hazardous waste as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the indirect user discharges additional quantities of such hazardous waste do not require additional notification.

In the case of new regulations under section 3001 of RCRA, identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the indirect user must notify the POTW, the EPA Regional Waste Management Division Director, and the State hazardous waste authorities, of the discharge of such substance within 90 days of the effective date of these regulations.

In the case of any notification made under this rule, the indirect user shall certify that it has a program in place to reduce the volume and toxicity of hazardous waste generated. Any violation of this section of the SUO is considered non-minor.

11. Requirements for notification to the Authority of any new introduction of wastewater constituents, or any changes, in the volume or quality of the wastewater constituents being introduced into the Authority's Treatment Works. Any violation of this section of the SUO is considered non-minor.
  12. Payments to cover the added costs of handling and treating the waters or wastes, which payments are not covered by existing sewer charges. Any violation of this section of the SUO is considered non-minor.
  13. Requirements for notification of a slug discharge. Any violation of this section of the SUO is considered non-minor.
  14. Requirements for notification of accidental discharge. Any violation of this section of the SUO is considered non-minor.
  15. Payment of the applicable user fee. Any violation of this section of the SUO is considered non-minor.
  16. Compliance schedules issued or required in accordance with this SUO.
- D. Industrial/Commercial Discharge Permits will include a statement of applicable civil and criminal penalties, in accordance with 403.8(f)(1)(iii), as well as information relative to payments of fines, penalties, etc., in accordance with N.J.S.A. 58:10A-1et seq. and N.J.A.C. 7:14-8.

#### **4.8 PERMIT DURATION AND RENEWAL**

The terms of the Industrial/Commercial Discharge Permit shall not exceed five (5) years. If the Permitted Indirect User desires to continue discharging beyond the expiration date, reapplication shall be made not less than 180 calendar days before such expiration date as mandated by N.J.S.A. 58:10A-7a. Renewal of the permit shall be contingent upon adequate compliance with the terms and conditions of the current permit. Should the permit expire before reapplication is made by the Permitted Industrial User, the terms and conditions of the original permit shall remain in force, unless terminated by the Authority, until the renewal permit becomes final and effective. Any violation of this section of the SUO is considered non-minor.

The terms of a Hauled Waste Discharge Permit shall not exceed one (1) year. Renewal applications will be mailed to all currently permitted users 90 days prior to expiration of permit. Renewal of the discharge permit shall be contingent upon demonstration of ongoing compliance with the regulations stated herein and the Hauler must no outstanding invoices greater than 60 days.

#### **4.9 TRANSFER OF PERMITS**

Industrial/Commercial Discharge Permits are not transferable. The Permitted Indirect User shall notify the Executive Director, or his designee, no later than sixty (60) days before any proposed change in ownership. The new owner is responsible for obtaining a permit by completing a CCMUA Pretreatment Permit Application as noted in Section 4.5 of this SUO. Any violation of this section of the SUO is considered non-minor.

#### **4.10 CHANGE IN CONDITIONS**

A Permitted Industrial User proposing to make any change in its discharge volume (specifically an increase to greater than 25,000 gallons per day, which would reclassify a nonsignificant indirect user as a significant indirect user or an increase to greater than 3,000 gallons per day, for a small flow commercial user, which would reclassify them to a nonsignificant indirect user) or quality, shall apply for a permit modification at least ninety (90) days before making any changes. Any violation of this section of the SUO is considered non-minor.

#### **4.11 PERMIT MODIFICATIONS**

The terms and conditions of an Industrial/Commercial Discharge Permit may be subject to modifications and changes by the Authority during the life of the permit. The Permitted Industrial User shall be informed of any proposed changes in this permit at least thirty (30) days prior to the effective date of changes. The Permitted Industrial User shall be granted thirty (30) days to submit written comments to the Authority.

If a permit modification satisfies the criteria in N.J.A.C. 7:14A-16.3, for "minor modifications," the permit may be modified without a draft permit or public review.

A permit modification, not processed as a minor modification under section N.J.A.C. 7:14A, shall be made for cause and shall conform with the draft permit and public notice requirements of N.J.A.C. 7:14A as required in N.J.A.C. 7:14A

Any violation of this section of the SUO is considered non-minor.

**4.12 PERMIT APPEAL AND STAY PROCESS**

When contemplating an appeal and/or stay after a permit is issued, Industrial Users should consult the full text of N.J.A.C. 7:14A-17.

A. The key items to remember in this section are:

1. A hearing shall be requested within 30 days of receipt of the permit; and
2. A request for a stay may be combined with a hearing request but the request for a stay shall be expressly stated.

The sequence of events of the stay procedures for when a final permit is issued areas follows:

1. The final permit decision is issued, N.J.A.C. 7:14A-15.15.

\*If construction is involved, a treatment works approval is required before construction, N.J.A.C. 7:14A-22 and 23.

\* Final permit decision is issued and administrative record in accordance with N.J.A.C. 7:14A-15.17 is retained on file.

Permittee may then:

- 2a. Request for adjudicatory hearing (optional) N.J.A.C. 7:14A-17.2

\*Within 30 day of receipt of the final permit decision a request for a hearing shall be made. A hearing is limited to the issues raised during the public comment period in accordance with N.J.A.C. 7:14A-15.13

and/or

- 2b. Request for stay of permit conditions (optional) N.J.A.C. 7:14A-17.6

\*A request for an adjudicatory hearing does not automatically result in a stay of a permit conditions. Requests for stays are decided in accordance with N.J.A.C 7:14A-17.6.

then:

3. Adjudicatory hearing held in Office of Administrative Law.

then:

4. Office of Administrative Law initial decision sent to the Executive Director.

\*The Executive Director reviews decision and issues a final decision.

then:

5. Final Decision issued by Executive Director.

then:

6. Superior Court Appellate Division to appeal final decision.

Any violation of this section of the SUO is considered non-minor.

## **5.0 INDUSTRIAL WASTEWATER MONITORING AND REPORTING**

### **5.1 REPORTING REQUIREMENTS FOR INDUSTRIAL USERS**

- A. Permitted Industrial Users subject to categorical standards shall comply with reporting requirements under 40 CFR 403.12 including (but not limited to) Baseline Monitoring Reports, Pretreatment Deadline Compliance Reports and Periodic Compliance Reports. Significant Non-categorical Indirect Users must submit an IDMR at least once every six months (on dates specified by the Authority in the Industrial Discharge Permit). In cases where a local limit requires compliance with a Best Management Practice or pollution prevention alternative, the Significant Non-categorical Indirect User must submit documentation required by the Authority to determine the compliance status of the Significant Non-categorical Indirect User. These reports must be based on sampling and analysis performed in the period covered by the report, and in accordance with the techniques described in 40 CFR 136 and amendments thereto. This sampling and analysis may be performed by the Authority in lieu of the Significant Non-Categorical Indirect User. Any violation of this section of the SUO is considered non-minor.
- B. Permitted Industrial Users shall comply with applicable State pretreatment reporting requirements. Any violation of this section of the SUO is considered non-minor.
- C. Additional reporting requirements required by an Industrial/Commercial Discharge Permit are as follows:
1. Monthly monitoring reports or quarterly monitoring reports.
  2. Compliance schedules, if required, with scheduled, written progress reports.
  3. Enforcement or compliance reporting deadlines, if required.
  4. Resampling due to noncompliance in accordance with 40 CFR Part 403.12(g) which states: If sampling performed by an industrial user indicates a violation, the user shall repeat the sampling and analysis and submit the results of the repeat analysis to the Authority within 30 days after becoming aware of the violation.

If sampling performed by an Industrial User indicates a violation, the user shall notify the Authority within 24 hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Control Authority within 30 days after becoming aware of the violation. Where the Authority has performed the sampling and analysis in lieu of the Industrial User, the Authority will perform the repeat sampling and analysis unless it notifies the User of the violation and requires the User to perform the repeat analysis. Resampling is not required if:

- (i) The Authority performs sampling at the Industrial User at a frequency of at least once per month, or
- (ii) The Authority performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the Authority receives the results of this sampling.

5. The reports required in section 5 must be based upon data obtained through appropriate sampling and analysis performed during the period covered by the report, which data are representative of conditions occurring during the reporting period. The Authority shall require that frequency of monitoring necessary to assess and assure compliance by Industrial Users with applicable Pretreatment Standards and Requirements. Grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds. For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Authority. Where time-proportional composite sampling or grab sampling is authorized by the Authority, the samples must be representative of the discharge and the decision to allow the alternative sampling must be documented in the Industrial User file for that facility or facilities. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24- hour period may be composited prior to the analysis as follows: For cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil & grease the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the Authority, as appropriate.

6. Monthly reporting due to a serious violation, in accordance with N.J.S.A. 58:10A-6.f(9) and 6.f.(10), which states: Notwithstanding the reporting requirements stipulated in a permit for discharges, a permittee shall be required to file monthly reports with the commissioner or delegated local agency if the permittee: (a) in any month commits a serious violation or fails to submit a completed discharge monitoring report and does not contest, or unsuccessfully contests, the assessment of a civil administrative penalty therefor; or (b) exceeds an effluent limitation for the same pollutant at the same discharge point source by any amount for four out of six consecutive months. The commissioner or delegated local agency may restore the reporting requirements stipulated in the permit if the permittee has not committed any of the violations identified in this paragraph for six consecutive months.
7. In accordance with 40 CFR 403.12(f) & N.J.S.A 58:10A-6(f)8, all industrial users shall notify the POTW immediately of all discharges that could cause problems to the POTW, including any slug loadings, as defined in Section 1.0 of this SUO and by 40 CFR 403.5(b).

Any violation of this section of the SUO is considered non-minor.

- D. Permitted Industrial Users must submit to the Executive Director or their designee, at least quarterly, (on dates specified) a description of the nature, concentration and flow of the pollutants required to be reported. The report shall be based on sampling analysis performed in the period covered by the report. All reporting shall be in compliance with N.J.S.A 58:10A-1 et seq. and N.J.A.C. 7:14 et seq. and regulations developed thereunder. The permittee shall report all sample results on the Industrial/Commercial Discharge Monitoring Report. All results for parameters listed on the Effluent Limitations and Monitoring Requirements Table shall be reported along with flow. The permittee shall sign this report and attach a copy of the Certificate of Analysis (on laboratory letterhead) and the Chain-of-Custody from the certified laboratory. An industrial user must report exceedances of the Industrial Discharge Permit to the Authority in accordance with Section 3.5 of this Sewer Use Ordinance. If an industrial user is at zero discharge or not actively discharging wastewater to the treatment works, the permitted industrial user is required to continue to submit Industrial/Commercial Discharge Monitoring Report forms to the Authority, clearing specifying No Discharge (NODI). Any violation of this section of the SUO is considered non-minor.
- E. All reports shall include the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible



for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Each report must be signed by the appropriate officer as follows:

1. By a responsible corporate officer, if the Permitted Industrial User submitting the reports is a corporation. For the purpose of this paragraph, a responsible corporate officer means (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any person who performs similar policy or decision making functions for the corporation, or (ii) the manager of one or more manufacturing, production or operation facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegate to the manager in accordance with corporate procedures.
2. By a general partner or proprietor if the Permitted Industrial User submitting the reports is a partnership or sole proprietorship respectively.
3. By a duly authorized representative of the individual designated in paragraph (1) or (2) of this section if: (i) the authorization is made in writing by the individual described in paragraph (1) or (2); (ii) the authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the Industrial Discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and (iii) the written authorization is submitted to the Control Authority.

4. If an authorization under paragraph (3) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of paragraph (3) of this section must be submitted to the Executive Director prior to or together with any reports to be signed by an authorized representative.

5. All IDMRs must be submitted in accordance with N.J.S.A. 58:10A-6.f. (5)

Any violation of this section of the SUO is considered minor. The grace period for this violation is 30 days.

F. All Categorical Indirect Users or Significant Indirect Users or Groundwater Remediation Projects must submit monthly IDMRs in accordance with Section 5.1 (outlined above). Any violation of this section of the SUO is considered non-minor.

G. All NSIUs or SFCUs must submit quarterly IDMRs in accordance with section 5.1 (outlined above). Any violation of this section of the SUO is considered non-minor. A more frequent reporting requirement may be required at the discretion of the Authority.

H. Monitoring and analysis to demonstrate continued compliance.

1. Except in the case of Non-Significant Categorical Users, the reports required in section 5.1 shall contain the results of sampling and analysis of the Discharge, including the flow and the nature and concentration, or production and mass where requested by the Authority, of pollutants contained therein which are limited by the applicable Pretreatment Standards. This sampling and analysis may be performed by the Authority in lieu of the Industrial User. Where the Authority performs the required sampling and analysis in lieu of the Industrial User, the User will not be required to submit the compliance certification required under section 5.1.E. In addition, where the Authority itself collects all the information required for the report, including flow data, the Industrial User will not be required to submit the report. Any violation of this section of the SUO is considered non-minor.

I. Net/Gross calculation –

## 1. Application.

Categorical Pretreatment Standards may be adjusted to reflect the presence of pollutants in the Industrial Users intake water in accordance with this section. Any Industrial User wishing to obtain credit for intake pollutants must make application to the Authority. Upon request of the Industrial User, the applicable Standard will be calculated on a net basis (i.e., adjusted to reflect credit for pollutants in the intake water) if the requirements of paragraph (b) of this section are met.

## 2. Criteria

Either:

(i) The applicable categorical Pretreatment Standards contained in 40 CFR subchapter N specifically provide that they shall be applied on a net basis; or

(ii) The Industrial User demonstrates that the control system it proposes or uses to meet applicable categorical Pretreatment Standards would, if properly installed and operated, meet the Standards in the absence of pollutants in the intake waters.

3. Credit for generic pollutants such as biochemical oxygen demand (BOD), total suspended solids (TSS), and oil and grease should not be granted unless the Industrial User demonstrates that the constituents of the generic measure in the Users effluent are substantially similar to the constituents of the generic measure in the intake water or unless appropriate additional limits are placed on process water pollutants either at the outfall or elsewhere.

4. Credit shall be granted only to the extent necessary to meet the applicable categorical Pretreatment Standard(s), up to a maximum value equal to the influent value. Additional monitoring may be necessary to determine eligibility for credits and compliance with Standard(s) adjusted under this section.

5. Credit shall be granted only if the User demonstrates that the intake water is drawn from the same body of water as that into which the POTW discharges. The Control Authority may waive this requirement if it finds that no environmental degradation will result.

**5.2 RECORDS AND MONITORING**

- A. Permitted Industrial Users discharging or proposing to discharge wastewater to the treatment works shall maintain the following: (1) records of production, (2) water consumption and discharge flow records, (3) complete monitoring records as specified in Section 5.1 of this SUO, (4) process monitoring records, (5) incident reports, (6) waste handling records, and any other records necessary to demonstrate compliance with this SUO, the Industrial Pretreatment Inspection Report and with State and Federal pretreatment standards and requirements. Any violation of this section of the SUO is considered non-minor.
- B. Such records shall be made available to the Authority, upon request, by the Executive Director or his designee. A summary of such data indicating the industrial user's compliance with this SUO, shall be prepared and submitted per permit requirements to the Executive Director or his designee. Records shall be retained for a minimum of five (5) years and throughout the course of any pertinent litigation. Any violation of this section of the SUO is considered non-minor.
- C. Permitted Industrial Users shall install (at his/her own cost) monitoring equipment approved by the Authority to facilitate the accurate observation, sampling and measurement of wastes as required by the permit. Such equipment shall be in working order and kept safe and accessible at all times. Alternatively, the Authority may choose to install such equipment at its expense. Any violation of this section of the SUO is considered non-minor.
- D. Whether constructed on public or private property, such monitoring facilities shall be constructed according to requirements of the Authority and other applicable construction standards and specifications. Plans and specifications for such work shall be submitted to the Executive Director or his designee, for review and comments before construction. Any violation of this section of the SUO is considered non-minor.
- E. The permitted industrial user will be required to monitor for Total Toxic Organics ("TTO") (See Table I) for three (3) successive months, at the commencement of said permit. If all three (3) successive monthly sampling analyses fall below the monthly maximum average for TTOs stated within the Final Industrial/Commercial Discharge Permit, the permittee may therefore apply for an exemption of the TTO test. Please note, should the permittee not qualify for an exemption of the TTO test, the permittee will remain liable to continue sampling for TTOs on a quarterly basis as per the reporting dates stated within the Final Industrial/Commercial Discharge Permit. The permittee must continue to sample for TTOs thereafter, until approval concerning exemption of the TTO Test is granted by this Authority.

The above stated conditions are applicable to all facilities, with the exception of; 1) food industries and car washes, who are required to submit only two successive monthly sampling analyses; 2) hospitals, medical centers, learning institutions, drum cleaners, pharmaceuticals, and all laboratories (commercial, industrial, research, etc.), which are required to test for TTOs on a quarterly basis until the termination of the Industrial/Commercial Discharge Permit; 3) Superfund Cleanup or remediation, resource recovery facilities, hazardous waste TSD facilities; 4) One additional TTO test will be required when a five year permit renewal is generated, and may be required when a change in corporate ownership of the facility occurs, requiring re-issuance of the permit.

All remaining conditions remain applicable as noted. Furthermore, all permitted industries governed by federal categorical standards may be subject to a TTO Management Plan.

All facilities having multiple point discharges may composite for their TTO samples based upon flow percentage from each of the multiple point discharge sampling locations.

Any violation of this section of the SUO is considered non-minor.

F. Sampling Waivers for Categorical pollutants

1. The Authority may authorize the Industrial User subject to a categorical Pretreatment Standard to forego sampling of a pollutant regulated by a categorical Pretreatment Standard if the Industrial User has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the Discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the Industrial User. This authorization is subject to the following conditions:
  - (i) The Authority may authorize a waiver where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical Standard and otherwise includes no process wastewater.
  - (ii) The monitoring waiver is valid only for the duration of the effective period of the Permit or other equivalent individual control mechanism, but in no case longer than 5 years. The User must submit a new request for the waiver before the waiver can be granted for each subsequent control mechanism.
  - (iii) In making a demonstration that a pollutant is not present, the Industrial User must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.

The request for a monitoring waiver must be signed in accordance with section 5.1.E. and include the certification statement in section 5.1.E. Non-detectable sample results may only be used as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.

(iv) Any grant of the monitoring waiver by the Authority must be included as a condition in the User's control mechanism. The reasons supporting the waiver and any information submitted by the User in its request for the waiver will be maintained by the Authority for 5 years after expiration of the waiver.

(v) Upon approval of the monitoring waiver and revision of the User's control mechanism by the Industrial User must certify on each report with the statement below, that there has been no increase in the pollutant in its waste stream due to activities of the Industrial User:

Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR \_\_\_\_\_ [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of \_\_\_\_\_ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report under 40 CFR 403.12(e)(1).

(vi) In the event that a waived pollutant is found to be present or is expected to be present based on changes that occur in the User's operations, the User must immediately: Comply with the monitoring requirements of section 5 or other more frequent monitoring requirements imposed by the Authority; and notify the Authority.

(vii) This provision does not supersede certification processes and requirements established in categorical Pretreatment Standards, except as otherwise specified in the categorical Pretreatment Standard.

Any violation of this section of the SUO is considered non-minor.

### **5.3 INSPECTION, SAMPLING AND ANALYSIS**

- A. **Representative Sampling Point** Industrial Users proposing to connect to, or continue discharging to, any part of the Authority's treatment works, must make available, upon request of the Executive Director or his designee, a sampling point representative of the discharge. Such sampling points shall be approved by the Executive Director or his designee, and shall be located on public property, if requested by the Executive Director or his designee. The cost for installing and maintaining such representative sampling point(s) shall be borne by the Industrial User. Access to the point shall be available at all times to the Authority and Industrial Users, for the purposes of conducting sampling,

inspections, compliance monitoring, and metering operations. All permittees with discharges that flow to the Authority shall notify the Authority that a tag to mark the location of the pipe has been or will be installed on the sampling point by the effective date of this SUO.

i The outfall tag shall be:

- (1) Legible;
- (2) Located on (or as close as physically possible to) the representative sampling point;
- (3) Made of a durable material such as metal; and
- (4) Maintained on a regular basis, such as cleaned and inspected to ensure that the tag is properly attached.

ii The outfall tag shall display the following information:

- (1) The name of the facility where the discharge originates;
- (2) The Industrial/Commercial Permit Number
- (3) The Sampling Point Number for that particular outfall.

Any violation of this section of the SUO is considered non-minor.

- B. Compliance Determination. Compliance determination by the Executive Director or his designee, with respect to Section 2.0, Prohibitions and Limitations, shall be made on the basis of either instantaneous grab samples or representative composite samples of wastewater, or as otherwise may be determined by the Authority.
- C. Sampling of Industrial Wastewater All sampling of industrial wastewater shall be in accordance with 40 CFR 136, including all supplements and amendments thereto, and the most current edition of the NJDEP Field Sampling Procedures Manual. Any violation of this section of the SUO is considered non-minor.
- D. Analysis of Industrial Wastewater Laboratory analysis of industrial wastewater samples shall be performed in accordance with an approved test procedure in a laboratory certified by NJDEP to perform said analysis. Any violation of this section of the SUO is considered non-minor.
- E. Sampling Frequency Sampling of industrial wastewater for the purpose of compliance determination with respect to Section 2.1, Prohibition and Limitations, will be done at such intervals as the Executive Director or his designee, may designate. However, it is the intention of the Executive Director to conduct compliance sampling and inspection or to cause such sampling and inspection to be conducted for all permitted industrial users at least once each year.

- F. Inspection Requirements Inspections shall be performed in accordance with N.J.S.A. 58:10A-6(1) and 6(m).

#### **5.4 CONFIDENTIAL INFORMATION AND PUBLIC ACCESS TO RECORDS**

Information and data on industrial users obtained from reports, questionnaires, permit applications, monitoring programs, inspections and other sources, shall be available to the public and governmental agencies without restriction, unless the industrial user requests in writing confidential treatment and demonstrates to the satisfaction of the Executive Director or his designee, that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets. Public access shall also be governed by N.J.S.A. 47:1A-2. Wastewater constituents and characteristics, however, shall not be recognized as confidential information.

Non-confidential industrial user information on file with the Authority may be obtained by interested parties (including members of the public and government agencies) by submitting a written request to the Executive Director or his designee, to arrange a time and place for review and copying of available documents. The cost of copying shall be the responsibility of such interested party.

When information classified by the Executive Director or his designee, as confidential is requested by the EPA or the NJDEP for the purposes related to this SUO, the NJPDES, or the State or Federal Pretreatment Programs, the Authority shall refer such requests to the industrial user that furnished the information in question. Confidential information shall be kept in a separate, locked file accessible only to the Executive Director or his designee.

#### **5.5 NON-SIGNIFICANT CATEGORICAL INDIRECT USER ANNUAL CERTIFICATION**

Where the Authority has determined that an Industrial User meets the criteria for classification as a Non-Significant Categorical Indirect User, the Authority will evaluate, at least once per year, whether an Industrial User continues to meet the criteria for the definition of a non-significant categorical indirect user in section 1.2.

*Annual certification by Non-Significant Categorical Indirect Users.* An industrial user determined to be a Non-Significant Categorical Indirect User pursuant to the definition of a non-significant categorical indirect user in section 1.2 of the SUO must annually submit the following certification statement, signed in accordance with the signatory requirements in section 5.1.E. This certification must accompany any alternative report required by the Authority:



Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical Pretreatment Standards under 40 CFR \_\_\_\_, I certify that, to the best of my knowledge and belief that during the period from \_\_\_\_, to \_\_\_\_, \_\_\_\_ [month, days, year]:(a) The facility described as \_\_\_\_\_ [facility name] met the definition of a non-significant categorical Indirect User as described in 403.3(v)(2); (b) the facility complied with all applicable Pretreatment Standards and requirements during this reporting period; and (c) the facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period. This compliance certification is based upon the following information:

## **6.0 ENFORCEMENT PROCEDURES**

### **6.1 HARMFUL CONTRIBUTIONS**

The Authority may suspend wastewater treatment service, when necessary, in the opinion of the Executive Director, or his designee, to stop an actual or threatening discharge that presents or may present any imminent and substantial endangerment to the health or welfare of persons or the environment, or cause interference to the POTW.

An industrial user notified of the suspension of wastewater treatment service shall immediately stop or eliminate the contribution of wastewater. If such person fails to comply with the suspension notification, the Authority shall take necessary steps including immediate severance of the sewer connection pursuant to N.J.S.A. 58:11-56, to prevent or minimize damage to treatment works or endangerment to individuals or the environment. The Authority may reinstate wastewater treatment service upon proof of the elimination of the noncompliant discharge. A detailed written statement, submitted by the discharger, describing the cause of the harmful contribution and the measures taken to prevent any future occurrences, shall be submitted to the Authority within fifteen (15) calendar days of the date of occurrence. Any violation of this section of the SUO is considered non-minor.

### **6.2 TERMINATION OF SERVICES**

In addition to termination under Subsection 6.1, any participant violating the following conditions, or applicable state statutes or regulations, may have service terminated in accordance with N.J.S.A. 58:11-56.

1. Failure of the industrial user to accurately report the wastewater constituents and characteristics of their discharge. Any violation of this section of the SUO is considered non-minor.
2. Failure of the industrial user to report significant changes in operations or wastewater constituents and characteristics. Any violation of this section of the SUO is considered non-minor.
3. Refusal of access to the industrial user's premises for the purpose of inspection or monitoring. Any violation of this section of the SUO is considered non-minor.
4. Any failure to comply with any of the provisions of this SUO. Any violation of this section of the SUO is considered non-minor.
5. Failure of the industrial user to pay the Industrial User Fees, Sewer Use Fee, or any past-due penalty assessments. Any violation of this section of the SUO is considered minor. The grace period for this violation is 10 days.

### **6.3 NOTICE OF VIOLATION AND ENFORCEMENT RESPONSE PLAN**

Whenever the Executive Director or his designee finds any participant who has violated or is violating any of the provision of this SUO and/or N.J.S.A. 58:10A-1 et seq., its regulations, and N.J.S.A 58:11-49 et seq., N.J.A.C. 7:14 et seq., the Executive Director or his designee may take any of the following actions as referenced in **TABLE III of the Authority's ENFORCEMENT RESPONSE PLAN (ERP)**:

### **6.4 LEGAL ACTION**

- A. Penalties - A person violating any provision of this SUO, any provision of the Pretreatment Standards for Sewerage, N.J.S.A. 58:11-49 et seq., N.J.A.C. 7:14 et seq., or any regulations promulgated thereunder, shall be liable for a penalty of not more than \$50,000 per day (58:11-49). If the violation is of a continuing nature, each day shall constitute a separate and distinct violation. The Authority shall seek penalties as referenced in **TABLE III of the Authority's ERP**. In accordance with N.J.A.C. 7:14-8.1(f), the Authority shall assess the following Civil Administrative Penalty Assessments:

The Authority shall assess a mandatory minimum penalty of not less than \$1,000.00 for each serious violation as defined in N.J.S.A. 7:14-8.16.

The Authority shall assess a mandatory minimum penalty of not less than \$5,000.00 for each violation that causes a violator to be, or continue to be, a significant non complier as defined in N.J.S.A 7:14-8.16.

The Authority shall assess a civil administrative penalty against each violator who fails to carry out monitoring or sampling activities or to submit discharge monitoring reports, baseline monitoring reports, or any other reports required by the Authority.

Each violation, including each parameter that is required to be monitored, sampled and reported and that is not monitored, sampled and reported, is an additional, separate and distinct violation. Each day during which a violation continues shall constitute an additional, separate and distinct violation.

The Authority shall assess a mandatory minimum penalty of not less than \$100.00 for each effluent parameter omitted on a industrial discharge monitoring report, nor greater than \$50,000.00 per month for any one discharge monitoring report in accordance with N.J.S.A 7:14-8.9(c),(d),(e).

The requirement that the Authority assesses penalties pursuant to the Authority's ERP, shall in no way be construed to limit the ability of the Authority to assess a penalty, bring an action for a penalty for a violation at any time after a violation occurred, or to assess a more stringent penalty against a person pursuant to the Authority's ERP.

The Executive Director or his designee shall issue a Notice of Violation (NOV). The NOV shall be sent certified mail, return receipt requested to the Permitted Industrial User. The Permitted Industrial User will be directed to show why service should not be terminated or penalties imposed. Notice shall be served on the offending party to show why enforcement action should not be taken.

1) The Authority may enter into a settlement agreement for any civil administrative penalty assessed pursuant to this SUO in accordance with N.J.A.C. 7:14-8.3(e and f) which states the following:

The Authority may settle any civil administrative penalty assessed pursuant to this subchapter according to the factors identified in (2) below as follows:

In cases where the violator is a local agency which violates an administrative consent order, the Authority may settle a civil administrative penalty as follows:

The Authority may reduce the civil administrative penalty up to 50 percent, provided that the penalty as reduced is not less than any applicable minimum amount set forth in N.J.A.C. 7:14-8.5(a) or 8.9(e); and

The Authority may not reduce the amount of any component of a civil administrative penalty which represents the economic benefit gained by the violator from the violation;

In the case of a violator who is a local agency which violates something other than an administrative consent order and then enters into an administrative consent order with the Authority, which requires the local agency to take prescribed measures to comply with its permit, the Authority shall have full discretion to settle the amount of the civil administrative penalty assessed or due for violations occurring during a period up to 24 months preceding the effective date of the administrative consent order, except that the Authority shall neither:

Reduce the amount of the civil administrative penalty less than the minimum amount, if applicable, prescribed in N.J.A.C. 7:14-8.5(a) or 8.9(e); nor

Reduce the amount of any component of a civil administrative penalty which represents the economic benefit gained by the violator from the violation.

In the case of all other violators:

The Authority may reduce the civil administrative penalty up to 50 percent, provided that the penalty as reduced is not less than any applicable minimum amount set forth in N.J.A.C. 7:14-8.5(a) or 8.9(e); and

The Authority may not reduce the amount of any component of a civil administrative penalty which represents the economic benefit gained by the violator from the violation:

2) In settling a civil administrative penalty, The Authority may consider the following:

Mitigating or extenuating circumstances not considered in the notice of civil administrative penalty assessment;

The implementation by the violator of pollution prevention and/or abatement measures in addition to those minimally required by applicable statute or rule;

The implementation by the violator of measures to clean up, reverse or repair environmental damage previously caused by the violation;

The full payment by the violator of a specified part of the civil administrative penalty assessed if made within a time period established by the Authority in an administrative order and/or a notice of civil administrative penalty assessment and provided that the violator waives the right to request an adjudicatory hearing on the civil administrative penalty; or

Any other terms of conditions acceptable to the Authority.

The Authority may, after consultation with a compliance officer designated by the NJDEP, issue a civil administrative penalty, in accordance with N.J.S.A. 58:10-10.5 through N.J.S.A. 58:10A-10.8 ( inclusive) for any violation of the provisions of P.L. 1977, c.74 (C. 58:10A-1 et seq.), N.J.A.C. 7:14 et seq., including a violation of any rule, regulation or pretreatment standard adopted by the Authority.

- B. Administrative Consent Order-The Authority may enter into an Administrative Consent Order (ACO) under N.J.S.A. 58:10A-1 et seq. with a Permitted Industrial User which shall contain a compliance schedule to remedy the noncompliance. The ACO shall contain a finding of facts, an order section, which may contain a compliance schedule and interim discharge limits, and sections detailing the provisions for stipulated penalties and force majeure. The permittee may request an ACO in writing to the Authority. Minimum requirements for consideration include, but are not limited to the following:

- (1) Written request by the permittee documenting the need for an ACO.
  - (2) Prior to approval from the Authority, the permittee shall submit the following:
    - a. A detailed compliance schedule including completion dates for up to one year. In the case of major construction with considerable engineering design and construction time, a compliance schedule may be submitted or extended for a total of two years.
    - b. A written request for interim limits. For the purpose of calculating interim limits, the Authority may use the average of up to two years worth of effluent data. The Authority will utilize 90 percent of the average value for the interim discharge limits.
    - c. The Authority will then issue a draft ACO to the industrial user. The Authority will also post notice in the largest local paper to the public for a 30 day comment period. In addition the Authority will notify the mayor and freeholder board of the pending ACO. The industrial user and the public will have 30 days to submit written comments regarding the document.
    - d. At the close of the 30 day comment period, the Authority will issue a Final ACO to the industry for final execution of the document.
- C. Administrative Order-The Authority may issue an Administrative Order (AO) pursuant to N.J.S.A 58:10A-10.a.(1) and 10A-10b which states the nature of the violation and provides for a finding of facts and an order section which directs the action of the Permitted Industrial User. An AO may contain penalties to be assessed as referenced in Table III of the Authority's ERP.
- D. Issuance of a Summons-The Authority may seek civil penalties of up to \$5,000 by the issuance of a summons to appear in municipal court in accordance with N.J.S.A. 58:10A-10.4
- E. Civil Action-The Authority may issue a Civil Action pursuant to N.J.S.A 58:10A-10.a(2) and 10A-10c.
- F. Civil Penalty-The Authority may issue a Civil Penalty pursuant to N.J.S.A. 58:10A-10.a(4) and 10A-10.e.
- G. Criminal Action-The Authority may take Criminal Action pursuant to N.J.S.A 58:10A-10.a(5) and 10A-10.f.
- H. Penalty Matrix-The Authority reserves the right to seek higher penalties through

either action in superior court, or the issuance of an AO containing penalties developed in Table IV of the Authority's Sewer Use Ordinance.

- I. Injunctive Relief - If a person violates any provisions of this SUO, any provisions of the Pretreatment Standards for Sewage, etc., N.J.S.A. 58:11-49 et seq., N.J.S.A. 58:10A-1 et seq. and N.J.A.C. 7:14 et seq. or any regulations promulgated thereunder, the Authority, the NJDEP or the appropriate Permitted Industrial User may institute a civil action in the Superior Court for injunctive relief.
- J. Constraints for Relaxed Limits - No permit may be issued, renewed, or modified by the Authority so as to relax a water quality standard or effluent limitation until the applicant, or permit holder, as the case may be, has paid all fees, penalties or fines due and owing pursuant to P.L. 1977, c. 74, or has entered into an agreement with the Authority establishing a payment schedule therefore; except that if a penalty or fine is contested.
- K. Legal Options-A delegated local agency may, after consulting with a compliance officer designated by the department, issue a civil administrative penalty for any violation of the provisions of P.L. 1977, c. 74 (C.58:10A-1 et seq.), including a violation of any rule, regulation or pretreatment standard adopted by a delegated local agency, or assess, by civil administrative order, any costs recoverable pursuant to subsection c. of section 10 of that act, including the reasonable costs of investigation and inspection, and preparing and litigating the case before an administrative law judge pursuant to this section, except assessments for compensatory damages and economic benefits. Notice of the penalty or assessment shall be given to the violator in writing by the delegated local agency, and payment of the penalty or assessment shall be due and payable, unless a hearing is requested in writing by the violator, within 20 days of receipt of notice. If a hearing is requested, the penalty or assessment shall be deemed a contested case and shall be submitted to the Office of Administrative Law for an administrative hearing in accordance with section 9 and 10 of P.L. 1968, c.410 (C.52:14B-9 and 52:14B-10).

Upon conclusion of administrative hearing held pursuant to section 2 of P.L. 1991, c.8(C.58:10A-10-5) the administrative law judge shall prepare and transmit a recommended report and decision on the case to the head of the delegated local agency and to each party of record, as prescribed in subsection c. of section 10 P.L. 1968, c.410 (C.52:14B-10). The head of the delegated local agency shall afford each party of the record an opportunity to file exceptions, objections and replies thereto, and to present arguments, either orally or in writing, as required by the delegated local agency. After reviewing the record of the administrative law judge, and any filings received thereon, but not later than 45 days after receipt of the record and decision, the head of the delegated local agency shall adopt, reject, or modify the recommended report and decision. If the head of the delegated local agency fails to modify or reject the report within the 45-day period, the decision of the administrative law judge shall be deemed adopted as the final decision of the head of the delegated local agency, and the recommended report and

decision shall be made a part of the record in the case. For good cause shown, and upon certification by the Director of the Office of Administrative Law and the head of the delegated local agency, the time limits established herein may be extended.

A final decision or order of the head of the delegated local agency shall be in writing or stated in the record. A final decision shall include separately stated findings of fact and conclusions of law, based upon the evidence of record at the hearing of the administrative law judge. Findings of fact shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings. A final decision or order may incorporate by reference any or all of the recommendations of the administrative law judge.

Parties of record shall be notified either by personal service or by mail of any final decision or order. Upon request, a copy of the decision or order shall be delivered or mailed forthwith by registered or certified mail to each party of record and to a party's attorney of record.

A final decision or order shall be effective on the date of delivery or mailing, whichever is sooner, to the part or parties of record, or shall be effective on any date thereafter, as the delegated local agency may provide in the decision or order. The date of delivery or mailing shall be stamped on the face of the final decision or order. A final decision or order shall be considered a final agency action, and shall be appeal able in the same manner as a final agency action of a State department or agency.

a. If the civil administrative penalty or assessment is upheld in whole or in part, the delegated local agency shall be entitled to a daily interest charge on the amount of the judgment amount from the date of the posting of the security with the commissioner until that amount is paid in full. The rate of interest shall be that established by the New Jersey supreme Court for interest rates on judgments, as set forth in the Rules Governing the Courts of the State of New Jersey.

b. A person who is assessed a civil administrative penalty, or is subject to an assessment levied pursuant to section 2 of P.L. 1991, c.8 (C.58:10A-10.5), and fails to contest or pay the penalty or assessment, or fails to enter into a payment schedule with the delegated local agency within 30 days of the date that the penalty or assessment is due and owing, shall be subject to an interest charge on the amount of the penalty or assessment from the date that the amount was due and owing. The rate of interest shall be that authorized pursuant to subsection a. of this section.

c. Any person who fails to pay a civil administrative penalty or assessment, in whole or in part, when due and owing, or who fails to agree to a payment schedule therefor, shall be subject to the civil penalty provisions of subsection e. of section 10 of P.L. 1977, c 74 (C.58:10A-10).



d. A civil administrative penalty or assessment imposed pursuant to a final order: (1) may be collected or enforced by summary proceedings in a court of competent jurisdiction in accordance with the penalty enforcement law@, (N.J.S.2.A 58-1 et seq.); or (2) shall constitute a debt of the violator, and the civil administrative penalty may be docketed with the clerk of the Superior Court, and shall have the same standing as any judgment docketed pursuant to N.J.S.2A:16-1.

### **6.5 WASTEWATER TREATMENT OPERATORS TRAINING ACCOUNT**

Of the amount of any penalty assessed and collected pursuant to an action brought by the Authority, in accordance with section 10 of P.L. 1990, c. 28 (C.58:10A-10.1), 10% shall be deposited in the "Wastewater Treatment Operators' Training Account," established in accordance with section 13 of P.L. 1990, c. 28 (C.58:10A-14.5), and used to finance the cost of training operators of municipal treatment works. The remainder shall be used by the Authority solely for enforcement purposes, and for upgrading municipal treatment works.

### **6.6 MUNICIPALITY PERCENTAGES**

In accordance with N.J.S.A. 58:10A-10.4, the penalty amount collected pursuant to an action brought in a municipal court pursuant to this SUO, 10% shall be paid to the municipality or municipalities in which the court retains jurisdiction for use for court purposes, with the remainder to be retained by the Authority.

### **6.7 AFFIRMATIVE DEFENSE**

The Permitted Industrial User may be entitled to an affirmative defense to liability for an assessment of a penalty pursuant to section 10 of P.L. 1990, c. 28 (C.58:10A-10.1) for a violation of an effluent limitation occurring as a result of an upset, an anticipated or unanticipated bypass, or a testing or laboratory error (Please refer to Section 1.2 "Definitions" of this SUO). A participant shall be entitled to an affirmative defense only if, in the determination of the Authority, the person satisfies the provisions of N.J.A.C. 7:14- 8.3(i) and/or 40 CFR Part 403.5(a)2 as applicable.

### **6.8 FALSIFICATION OF INFORMATION**

Any person who knowingly makes a false statement, representation or certification in any application, record, or other document filed or required to be maintained under this SUO, any provision of N.J.S.A 58:10A-1 et seq. , or any regulations promulgated thereunder, or who falsifies, tampers with, dilutes waste streams, or knowingly renders inaccurate any monitoring device or method required to be maintained pursuant to the State Act, shall be subject to a fine of not less than \$5,000 or more than \$75,000 per day of violation, or by imprisonment, or by both. This violation would be considered non-minor.

## **7.0 FEES**

### **7.1 PURPOSE**

This section establishes fees for discharges to the Authority's wastewater treatment system for certain activities not included in the Authority's user charges. The applicable charges or fees shall be set forth in the Authority's Schedule of Charges and Fees.

### **7.2 CHARGES AND FEES**

The Authority may adopt reasonable charges and fees that may include:

1. Fees for reviewing accidental discharge prevention procedures and construction.
2. Specific Industrial User Annual Fees:
  - a. \$1100.00/year Categorical Users and Significant Indirect Users discharging greater than 25,000 gallons per day (GPD), and all groundwater remediation cleanup projects.
  - b. \$700.00/year for Non-Significant Indirect Users discharging less than 25,000 GPD
  - c. \$2,000.00/year for Small Flow Commercial Users discharging less than 3,000 GPD
  - c. \$500.00/year for case management (inspections, reports, and unscheduled sampling) of conditionally exempt users.
3. CCMUA may accept truck hauled liquid wastewater which comply with all applicable Rules and Regulations of the CCMUA. The discharge of such waste shall be subject to a treatment and disposal fee schedule established by the CCMUA. All Persons seeking approval to discharge or dispose of such wastes shall comply with the following requirements:
  - a. Disposal of truck hauled wastes shall be limited to such discharge locations as established by the Executive Director or their designee.
  - b. The Person transporting such wastes to the CCMUA for disposal shall certify on forms supplied by the CCMUA, any information which the Executive Director deems necessary to protect the CCMUA treatment facility.

4. Fees for consistent removal of pollutants otherwise subject to Federal Pretreatment Standards.
5. Other fees as the Authority may deem necessary to carry out the requirements contained herein which may include emergency incident response and cost of personnel and equipment.

These fees relate solely to the matters covered by this SUO and are separate from all other fees chargeable by the Authority.

## **8.0 GRACE PERIOD**

### **8.1 GRACE PERIOD APPLICABILITY, PROCEDURES**

- (a) Each violation identified in the table at Table V by an "M" in the Type of Violation column and for which the conditions at (c) below are satisfied, is a minor violation, and is subject to a grace period, the length of which is indicated in the column with the heading Grace Period.
- (b) Each violation identified in the table at Table V by an "NM" in the Type of Violation column is a non-minor violation and is not subject to a grace period.
- (c) The Authority shall provide a grace period for any violation identified as minor under this section, provided the following conditions are met:
  - 1. The violation is not the result of the purposeful, knowing, reckless or criminally negligent conduct of the person responsible for the violation;
  - 2. The violation poses minimal risk to the public health, safety and natural resources;
  - 3. The violation does not materially and substantially undermine or impair the goals of the regulatory program;
  - 4. The activity or condition constituting the violation is capable of being corrected and compliance achieved within the time prescribed by the Authority;
  - 5. The activity or condition constituting the violation has existed for less than 12 months prior to the date of discovery by the Authority;
  - 6. In the case of a violation that involves a permit, the person responsible for the violation has not been identified in a previous enforcement action by the Authority as responsible for a violation of the same requirement of the same permit within the preceding 12-month period;
  - 7. In the case of a violation that does not involve a permit, the person responsible for the violation has not been notified in a previous enforcement action by the Authority as responsible for the same or a substantially similar violation at the same facility within the preceding 12-month period; and
  - 8. In the case of any violation, the person responsible for the violation has not been identified by the Authority as responsible for the same or substantially similar violations at any time that reasonably indicate a pattern of illegal conduct and not isolated incidents on the part of the person responsible.
- (d) For a violation determined to be minor under (c) above, the following provisions apply:
  - 1. The Authority shall issue a notice of violation to the person responsible for the minor violation that:
    - i. Identifies the condition or activity that constitutes the

- violation and the specific statutory and regulatory provision or other requirement violated; and
- ii. Specifies that a penalty may be imposed unless the minor violation is corrected and compliance is achieved within the specified grace period.
2. If the person responsible for the minor violation corrects that violation and demonstrates, in accordance with (d) 3 below, that compliance has been achieved within the specified grace period, the Authority shall not impose a penalty for the violation.
  3. The person responsible for a violation shall submit to the Authority, before the end of the specified grace period, written information certified to be true and signed by the person responsible for the minor violation, detailing the corrective action taken or compliance achieved.
  4. If the person responsible for the minor violation seeks additional time beyond the specified grace period to achieve compliance, the person shall request an extension of the specified grace period. The request shall be made in writing, be certified to be true and signed by the person responsible for the minor violation and received by the Authority no later than one week before the end of the specified grace period. The request shall include the anticipated time needed to achieve compliance, the specific cause or causes of the delay, and any measures taken or to be taken to minimize the time needed to achieve compliance. The Authority may, at its discretion, approve in writing an extension, which shall not exceed 90 days, to accommodate the anticipated delay in achieving compliance. In exercising its discretion to approve a request for an extension, the Authority may consider the following:
    - i. Whether the violator has taken reasonable measures to achieve compliance in a timely manner;
    - ii. Whether the delay has been caused by circumstances beyond the control of the violator;
    - iii. Whether the delay will pose a risk to the public health, safety and natural resources; and
    - iv. Whether the delay will materially or substantially undermine or impair the goals of the regulatory program.
  5. If the person responsible for the minor violation fails to demonstrate to the Authority that the violation has been corrected and compliance achieved within the specified grace period or within the approved extension, if any, the Authority may, in accordance with the provisions of this chapter, impose a penalty that is retroactive to the date the notice of violation under (d)1 was issued.
  6. The person responsible for a minor violation shall not request more than one extension of a grace period specified in a notice of violation.

## Section 8, Table V. Table of minor and non-minor violations; grace periods

- (a) Table V below identifies particular violations of the Authority's Sewer Use Ordinance, as minor or non-minor for purposes of a grace period and identifies the duration of the grace period for minor violations. The descriptions of the violations set forth in the table in this section are provided for informational purposes only. In the event that there is a conflict between a violation description in the table and the rule to which the violation description corresponds, the rule shall govern.
- (b) The Authority may assess a civil administrative penalty for a violation of the Authority's Sewer Use Ordinance and/or for a violation of any rule, consent agreement or administrative order adopted or issued pursuant thereto, that is not listed in Table V, following the procedure under (e) below.
- (c) For violations not listed in Table V, the Authority shall determine whether the violation is a minor violation and subject to a grace period or whether the violation is non-minor and not subject to a grace period as follows:
- i. If, pursuant to (d) below, the violation is comparable to a violation listed in Table V and the comparable violation in Table V is minor, then the violation under this section is also minor, provided the criteria at Section 8 are also met. The minor violation shall be subject to the grace period set forth in Table V for the comparable violation.
  - ii. If the violation is not comparable to a violation listed in Table V and the violation meets all of the criteria at Section 8, then the violation under this section is minor. The minor violation shall be subject to a grace period of 30 days.
  - iii. If, pursuant to (d) below, the violation is comparable to a violation listed in Table V and the comparable violation in Table V is non-minor, then the violation under this section is also non-minor and the penalty shall be assessed in accordance with Section 6.0 of the Authority's Sewer Use Ordinance,
  - iv. If the violation is not comparable to a violation listed in Table V and the violation does not meet the requirements of Section 8 above, the violation is non-minor, and the penalty shall be assessed in accordance with Section 6 of the Authority's Sewer Use Ordinance.
- (d) Comparability of a violation under (c) above with a violation listed in Table V is based upon the nature of the violation (for example, a violation of record keeping, permit limitation, or monitoring).

**9.0. SEVERABILITY**

If any provision, word, section, or article of this SUO is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and articles shall not be affected and shall continue in full force and effect.

**10.0 CONFLICT**

All other ordinances and parts of other ordinances inconsistent or conflicting with any part of this SUO are hereby repealed to the extent of such inconsistency or conflict.

**11.0 EFFECTIVE DATE**

This ordinance shall take effect on:

January 1, 2025

Witness

By Scott Schreiber



\_\_\_\_\_  
Authority Secretary



\_\_\_\_\_  
Executive Director

**TABLE I**  
**SPECIFIC POLLUTANT**  
**Maximum Daily Discharge Limitations (mg/L)**

<b>Parameter</b>	<b>Maximum Daily Discharge Concentration</b>
Flow	Monitor only
Biochemical Oxygen Demand (BOD5)	1000
Chemical Oxygen Demand (COD)	1000
Oils and Grease (O/G)	100
Total Suspended Solids (TSS)	750
Arsenic, Total (As, Total)	1.0
Beryllium, Total (Be, Total)	Monitor only
Cadmium, Total (Cd, Total)	0.04
Chromium Total (Cr, Total)	2.0
Color	Monitor only
Copper, Total (Cu, Total)	1.0
Cyanide, Total (CN, Total)	1.0
Cyanide, Amenable (CN, Amenable)	1.0
Lead, Total (Pb, Total)	0.30
Mercury, Total (Hg, Total)	0.01
Molybdenum, Total (Mo, Total)	Monitor only
Nickel, Total (Ni, Total)	1.0
Oxidation Reduction Potential(ORP)	-50(mv)
Phenol	Monitor only
Silver, Total (Ag, Total)	Monitor only
Zinc, Total (Zn, Total)	4.0
pH	6.0 to 11.5
Sulfide	1.0
Petroleum Hydrocarbons (PHC)	30
Total Dissolved Solids(TDS)	Monitor only
Total Toxic Organics (TTO)	5.00
Benzene, Toluene, Ethylbenzene, Xylenes (BTEX)	1.50( <i>Screening Limit Only</i> )

**\*Exceptions to Table I for Small Flow Commercial Users Only**  
**SPECIFIC POLLUTANT**  
**Maximum Daily Discharge Limitations (mg/L)**

<b>Parameter</b>	<b>Maximum Daily Discharge Concentration</b>
Biochemical Oxygen Demand (BOD5)	1500
Chemical Oxygen Demand (COD)	1500
Oils and Grease (O/G)	150
Petroleum Hydrocarbons (PHC)	45

\*The remaining effluent limitations in Table I above apply to Small Flow Commercial Users.



**TABLE II  
TOTAL TOXIC ORGANICS (TTO) PARAMETER LIST**

<u>PARAMETER</u>	<u>EPA METHOD NO.</u>	<u>RECOMMENDED QUANTITATION LEVEL (ug/l)</u>	<u>PARAMETER</u>	<u>EPA METHOD NO.</u>	<u>RECOMMENDED QUANTITATION LEVEL (ug/l)</u>
<u>BASE/NEUTRAL COMPOUNDS</u>	(625)		<u>ACID COMPOUNDS</u>	(625)	
Acenaphthene		9.5	2-Chlorophenol		20
Acenaphthylene		10	4-Chloro-3-methyl-pheno (P-Chloro M-Cresol)		15
Anthracene		10	4,6-Dinitro-O-Cresol		60
Benzidine		50	2,4-Dichlorophenol		10
Benzo (a) Anthracene		10	2,4-Dinitrophenol		40
Benzo (a) Pyrene		20	2,4-Dimethylphenol		13.5
Benzo (b) Fluoranthene		10	2-Nitrophenol		18
Benzo (ghi) Perylene		20	4-Nitrophenol		12
Benzo (k) Fluoranthene		20	Pentachlorophenol		30
Bis (2-Chloroethoxy) Methane		26.5	Phenol		10
Bis (2-Chlorethyl) Ether		10	2,4,6-Trichlorophenol		20
Bis (2-Chloroisopropy) Ether		10			
Bis (2-Ethylhexyl) Phthalate		30			
4-Bromophenyl Phenyl Ether		9.5			
Butyl Benzyl Phthalate		20			
2-Chloronaphthalene		9.5			
4-Chlorophenyl Phenyl Ether		21			
Chrysene		20			
Dibenzo (a,h) Anthracene		20			
1,2-Dichlorobenzene		9			
1,3-Dichlorobenzene		9			
1,4-Dichlorobenzene		20			
3,3'-Dichlorobenzidine		60			
Diethyl Phthalate		10			
Dimethyl Phthalate		10			
Di-N-Butyl Phthalate		20			
2,4-Dinitrotoluene		10			
2,6-Dinitrotoluene		9.5			
Di-n-Octyl Phthalate		12.5			
1,2-Diphenylhydrazine (as Azobenzene)		N/A			
Fluoranthene		10			
Fluorene		10			
Hexachlorobenzene		10			
Hexachlorobutadiene		10			
Hexachlorocyclopentadiene		10			
Hexachloroethane		10			
Indeno (1,2,3-cd) Pyrene		20			
Isophorone		10			
Naphthalene		8			
Nitrobenzene		10			
N-Nitrosodimethylamine		20			
N-Nitrosodi-N-Propylamine		N/A			
N-Nitrosodiphenylamine		20			
Phenanthrene		10			
Pyrene		20			
1,2,4-Trichlorobenzene		10			

**TABLE II  
TOTAL TOXIC ORGANICS (TTO) PARAMETER LIST (Cont.)**

<u>PARAMETER</u>	<u>EPA METHOD NO.</u>	<u>RECOMMENDED QUANTITATION LEVEL (ug/l)</u>	<u>PARAMETER</u>	<u>EPA METHOD NO.</u>	<u>RECOMMENDED QUANTITATION LEVEL (ug/l)</u>
<b><u>VOLATILE COMPOUNDS</u></b>	<b>624</b>		<b><u>PESTICIDES &amp; PCBs</u></b>	<b>608</b>	
Acrolein		50	Aldrin		0.04
Acrylonitrile		50	Alpha-BHC		0.02
Benzene		7	Beta-BHC		0.04
Bromoform		8	Delta-BHC		0.02
Carbon Tetrachloride		6	Gamma-BHC (Lindane)		0.03
Chlorobenzene		6	Chlordane		0.2
Chlorodibromomethane (Dibromochloromethane)		6	4-4' -DDT		0.06
Chloroethane		N/A	4,4' -DDE		0.04
2-Chloroethylvinyl Ether		N/A	4,4' -DDD		0.04
Chloroform		5	Dieldrin		0.03
Dichlorobromomethane (Bromodichloromethane)		5	Endosulfan, Total		N/A
1,1-Dichloroethane		23.5	Alpha-Endosulfan		0.02
1,2-Dichloroethane		3	Beta-Endosufan		0.04
1,1-Dichloroethene (1,1-Dichloroethylene)		6	Endosulfan Sulfate		0.08
1,2-Dichloropropane		30	Endrin		0.04
cis-1,3-Dichloropropene		5	Endrin Aldehyde		0.1
trans-1,3-Dichloropropene		7	Heptachlor		0.02
Ethylbenzene		6	Heptachlor Epoxide		0.4
Bromomethane (Methyl Bromide)		9	PCB-1016		N/A
Chloromethane (Methyl Chloride)		10	PCB-1242		N/A
Methylene Chloride (Dichloromethane)		6	PCB-1254		N/A
1,1,2,2-Tetrachloroethane		10	PCB-1221		N/A
Tetrachloroethylene		9	PCB-1232		N/A
Toluene		6	PCB-1248		N/A
1,2-Trans-Dichloroethylene		4	PCB-1260		N/A
1,1,1-Trichloroethane		6	PCB, Total		0.5
1,1,2-Trichloroethane		6	Toxaphene		1
Trichloroethylene		5	2,3,7,8-Tetrachlorodibenzo-p-dioxin (1)		0.01
Vinyl Chloride		10			
bis (chloromethyl) ether		N/A			
Dichlorodifluoromethane		N/A			
Trichlorofluoromethane		N/A			

Table Notes

(1) Method 625 must be used to screen samples for 2,3,7,8 Tetrachlorodibenzo-p-dioxin. If detected using Method 625, then a conclusive determination of the presence and concentration level must be obtained through the use of Method 613 or other approved test procedure (40 CFR Part 136, Appendix A). If Method 613 is used, the RQL of 0.01 ug/l applies. If not detected using Method 625, report "CODE=E" on the Discharge Monitoring Report and provide an explanation on the DMR or the Transmittal Sheet.

N/A: Recommended Quantitation Level equals five times the method detection level achieved by the laboratory.

**TABLE III  
CONTROL AUTHORITY ENFORCEMENT RESPONSE PLAN**

<b>NONCOMPLIANCE</b>	<b>NATURE OF THE VIOLATION</b>	<b>ENFORCEMENT RESPONSE</b>	<b>RESPONSE TIME FRAME</b>	<b>PERSONNEL</b>	<b>TYPE OF VIOL., GRACE PD</b>
<b>UNAUTHORIZED DISCHARGES</b>					
1) Unpermitted Discharge (permit required)	No harm to POTW/environment	Notice of Violation (NOV) with application form if needed	60 days	Dir. of O & M or his designee	NM
	Harm to POTW/environment (IU in SNC criteria under 40 CFR Part 403.8(f)(2)(viii))	NOV with application form Take action to halt activity; Public Notice	2 days; public notice - annually, but no later than 60 days after 403 annual report submitted to NJDEP	Executive Director or his designee	NM
	Noncompliance with order to submit application	Seek penalty	6 months	Executive Director or his designee	M, 30 days
2) Failure to renew	Failure to submit application prior to 180 days of expiration of current permit	NOV	60 days	Dir. of O & M or his designee	NM
	Failure to apply continues after notice by the POTW	Seek penalty	6 months	Executive Director or his designee	M, 30 days
3) Discharge outside scope of application/permit	Failure to notify in advance of new introductions of pollutants or significant change in existing pollutants	NOV with permit application to be modified	60 days	Dir. of O & M or his designee	NM
<b>DISCHARGE LIMIT VIOLATION</b>					
1) Exceedance of local or Federal standard (permit limit)	Individual or monthly non-serious violation	NOV; compliance response/corrective action plan, if needed	60 days from receipt	Dir. of O & M/Exec. Dir. or his designee	NM
	Serious Violation (individual or monthly)	NOV, seek at least mandatory minimum penalty of not less than \$1,000.00 in accordance with N.J.A.C. 7:14-8.16	NOV-60 days; penalty within 6 months	Dir. of O & M/Exec. Dir. or his designee	NM
	Significant Noncompliance (IU meets SNC criteria under 40 CFR Part 403)	Public Notice	Annually, but within 60 days after 403 Annual Report submitted to NJDEP	Dir. of O & M or his designee	NM

Penalties noted in this ERP will be determined utilizing Table IV. This is defined in N.J.A.C. 7:14-8.16

**TABLE III  
CONTROL AUTHORITY ENFORCEMENT RESPONSE PLAN**

NONCOMPLIANCE	NATURE OF THE VIOLATION	ENFORCEMENT RESPONSE	RESPONSE TIME FRAME	PERSONNEL	TYPE OF VIOL., GRACE PD
	Significant Noncompliance (IU meets SNC criteria under N.J.S.A. 58:10A-3(w))	NOV, seek at least mandatory minimum penalty of not less than \$5,000.00 in accordance with N.J.A.C. 7:14-8.16	NOV-60 days; penalty within 6 months	Dir. of O & M/Exec. Dir. or his designee	NM
<b>MONITORING AND REPORTING VIOLATIONS</b>					
1) Reporting Violation	Late 5 or more days after due date (but complete)	NOV, seek mandatory minimum penalty of \$100.00 per parameter per day for every day late up to 30 days in accordance with N.J.A.C. 7:14-8.9 (Note: penalty waived if complete report is received within 10 days or receipt of the NOV)	NOV-60 days; penalty within 6 months	Dir. of O & M/Exec. Dir. or his designee	NM
	Late 31 or more days after due date (but complete)	Public notice, NOV and seek mandatory minimum penalty of \$100.00 per parameter per day for every day late up to 30 days in accordance with N.J.A.C. 7:14-8.9 (Note: penalty waived if complete report is received within 10 days or receipt of the NOV)	NOV-60 days; Public Notice in accordance with approved program. Penalty within 6 months.	Dir. of O & M/Exec. Dir. or his designee	NM
	Incomplete for effluent parameter omission	NOV, seek mandatory minimum penalty of \$100.00 per parameter per day for every day late up to 30 days in accordance with N.J.A.C. 7:14-8.9 (Note: penalty waived if complete report is received within 10 days or receipt of the NOV)	NOV-60 days; penalty within 6 months	Dir. of O & M/Exec. Dir. or his designee	NM
	Incomplete for data omission (IU meets SNC criteria under 40 CFR Part 403)	Public notice	Annually, but within 60 days after 403 Annual Report submitted to NJDEP	Dir. of O & M/Exec. Dir. or his designee	NM

**TABLE III  
CONTROL AUTHORITY ENFORCEMENT RESPONSE PLAN**

NONCOMPLIANCE	NATURE OF THE VIOLATION	ENFORCEMENT RESPONSE	RESPONSE TIME FRAME	PERSONNEL	TYPE OF VIOL., GRACE PD
	Incomplete for effluent parameter omissions (IU meets SNC criteria under NJWPCA)	Public notice, NOV and seek mandatory minimum penalty of \$100.00 per parameter per day for every day late up to 30 days in accordance with N.J.A.C. 7:14-8.9 and N.J.A.C. 7:14-8.16(a) (Note: penalty waived if complete report is received within 10 days or receipt of the NOV)	NOV-60 days; Public Notice in accordance with approved program. Penalty within 6 months.	Dir. of O & M/Exec. Dir. or his designee	NM
	Incomplete for other omissions	NOV days in accordance with N.J.A.C. 7:14-8.16	NOV-60 days	Dir. of O & M/Exec. Dir. or his designee	NM
	Incomplete for other omissions (IU meets SNC criteria under NJWPCA)	Public notice, NOV and seek mandatory minimum penalty (Note: penalty waived if complete report is received within 10 days of receipt of the NOV)	NOV-60 days; Public Notice in accordance with approved program. Penalty within 6 months.	Dir. of O & M/Exec. Dir. or his designee	NM
	Falsification	NOV, Seek penalty & refer to county prosecutor	60 days	Dir. of O & M/Exec. Dir. or his designee	NM
2) Failure to adhere to compliance schedule (in control document, permit, AO/ACO, or letter of agreement)	Missed milestone by less than 30 days	NOV, seek penalty (note: penalty may be waived if final compliance is met by due date)	NOV-60 days; penalty within 6 months	Dir. of O & M/Exec. Dir. or his designee	NM
	Missed milestone by more than 30 days (IU meets SNC criteria under 40 CFR Part 403)	NOV, seek penalty, public notice (note: penalty may be waived if final compliance is met by due date)	NOV-60 days; penalty within 6 months	Dir. of O & M/Exec. Dir. or his designee	NM
	Failure to meet final compliance date	NOV, seek penalty	NOV-60 days; penalty within 6 months	Dir. of O & M/Exec. Dir. or his designee	NM
3) Failure to notify	Failure to report spill or change discharge	NOV, seek penalty where necessary	NOV w/in 60 days of discovery; penalty no later than 6 months of discovery	Dir. of O & M/Exec. Dir. or his designee	NM
4) Failure to monitor correctly	Incorrect sample location, incorrect sample type, incorrect sample collection techniques or incorrect sample analysis	NOV, with proper resampling, including sample analysis	60 days	Dir. of O & M or his designee	NM
5) Failure to report additional monitoring	POTW inspection finds additional files	NOV with request to submit additional monitoring data	60 days	Dir. of O & M or his designee	NM

**TABLE III  
CONTROL AUTHORITY ENFORCEMENT RESPONSE PLAN**

NONCOMPLIANCE	NATURE OF THE VIOLATION	ENFORCEMENT RESPONSE	RESPONSE TIME FRAME	PERSONNEL	TYPE OF VIOL., GRACE PD
<b>OTHER PERMIT VIOLATIONS</b>					
1) Wastestreams are diluted to achieve discharge limits	Dilution (falsification under N.J.S.A. 68:10 A-1, et seq.)	NOV, seek penalty	NOV-60 days; penalty within 6 months	Dir. of O & M/Exec. Dir. or his designee	NM
2) Continuing failure to halt or prevent a discharge which caused or causes imminent endangerment to human health, welfare, or the environment or has resulted in the POTW exercise of its emergency authority under 40 CFR 403.8(f)(1)(vi)(B)	Refusal to discontinue activity upon notification	Take physical (effective) action or seek court order to halt discharge	2 days maximum	Executive Director or his designee	NM
3) Failure to maintain in good working order and properly operate any facilities or systems of control installed to achieve compliance with the terms and conditions of the permit	Violations of operating requirements	NOV	60 days	Dir. of O & M or his designee	NM
4) Entry denial	Entry denied or consent withdrawn. Copies of records denied.	NOV, seek penalty	NOV-60 days; penalty within 6 months	Dir. of O & M/Exec. Dir. or his designee	NM
5) Inadequate record keeping	POTW inspector finds files incomplete or missing.	NOV	60 days	Dir. of O & M or his designee	NM

**TABLE IV**  
**PENALTY MATRIX**

		SERIOUSNESS		
		Major	Moderate	Minor
CONDUCT	Major	\$40,000- \$50,000	\$30,000- \$40,000	\$15,000- \$20,000
	Moderate	\$30,000- \$40,000	\$10,000- \$20,000	\$3,000- \$7,000
	Minor	\$15,000- \$25,000	\$3,000- \$7,000	\$1,000- \$2,500

Conduct and Seriousness are determined in accordance with N.J.A.C. 7:14-8.5 as stated section 1.2 of the Camden County Sewer Use Ordinance using the following information:

Major – Shall include any intentional, deliberate, purposeful, knowing, or willful act or omission by the violator; or exceeding the effluent limitation which is measured by concentration or mass for any discharge as follows:

- 1) By more than 50% for a hazardous pollutant
- 2) By more than 100% for a non-hazardous pollutant
- 3) Has caused or has the potential to cause serious harm to human health or the environment.
- 4) Seriously deviates from the requirements of the Water Pollution Control Act or the New Jersey Underground Storage of Hazardous Substances Act and for violations of any rule, water quality standards, effluent limitation, administrative order or permit issued pursuant to; serious deviation shall include, but not be limited to, those violations which are in complete contravention of the requirement, or if some of the requirement is met, which severely impairs or determines the operation or intent of the requirement.

Moderate – Shall include any unintentional but foreseeable act or omission by the violator; or exceeding the effluent limitation which is measured by concentration or mass for any discharge as follows:

- 1) By 20% to 50% for a hazardous pollutant
- 2) By 40% to 100% for a non-hazardous pollutant
- 3) Has caused or has the potential to cause serious harm to human health or the environment.
- 4) Seriously deviates from the requirements of the Water Pollution Control Act or the New Jersey Underground Storage of Hazardous Substances Act and for violations of any rule, water quality standards, effluent limitation, administrative order or permit issued pursuant to; serious deviation shall include, but not be limited to, those violations which are in complete contravention of the requirement, or if some of the requirement is met, which severely impairs or determines the operation or intent of the requirement.

Minor – Shall include any other conduct not mentioned above; or exceeding the effluent limitation which is measured by concentration or mass for any discharge as follows:

- 1) By less than 20% for a hazardous pollutant
- 2) By less than 40% for a non-hazardous pollutant
- 3) Any violation other than an effluent violation not considered moderate or major.

**TABLE V**

Rule Citation	Description of Violation	Type of Violation	Grace Period
2.1 <u>PROHIBITIONS ON WASTEWATER DISCHARGES</u>	No person may discharge, or allow to be discharged, into the treatment works of the Authority or any Participant, any wastewater which causes pass-through or interference, or contributes to a violation of any parameter in the Authority's NJPDES Permit or to a violation of a participant's sewer use ordinance, or which contains any of the following: (pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.) corrosive wastes, discolored materials, excessive discharge, explosive and/or flammable mixtures, foaming agents, heat, improperly shredded garbage, medical waste, noxious materials, oil and grease, oxidation — reduction potential (ORP), pollutants resulting in toxic gases, radioactive wastes, reject product, solid or viscous wastes, storm water, substances interfering with sludge management, toxic pollutants, trucked and hauled wastes.	NM	N/A
2.2 <u>SPECIFIC LIMITATIONS ON WASTEWATER DISCHARGES</u>	Table I presents the maximum concentrations of specific pollutants for wastewater discharges to the treatment works by any person. Dilution of any wastewater discharge for the purpose of satisfying these requirements is a violation of this SUO. No user shall discharge wastewater with pollutant levels exceeding the maximum concentration in Table I, at any point in time at connection to the sewer system, unless a variance has been granted by an industrial user discharge permit pursuant to the permit provisions of this SUO.	NM	N/A
2.3 <u>FEDERAL CATEGORICAL PRETREATMENT STANDARDS</u>	Upon promulgation of a Federal Categorical Pretreatment Standard for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under this SUO for sources in that subcategory, shall immediately supersede these limitations and affected industrial users shall comply with such standards within the stated deadlines. The Executive Director shall make reasonable attempts to notify affected industrial users of the applicable reporting requirements under 40 CFR Section 403.12, but a failure to notify does not relieve such industries of the obligation to comply with such reporting requirements. 40 CFR Part 403.6 and 40 CFR Chapter 1 Subchapter N are hereby incorporated by reference, including all future amendments and supplements thereto.	NM	N/A
2.5 <u>STATE REQUIREMENTS</u>	State requirements and limitations on discharges shall apply where they are more stringent than this SUO or the federal requirements.	NM	N/A
2.7 <u>DILUTION OF DISCHARGE</u>	No industrial user shall intentionally, deliberately, knowingly or willingly increase the use of process water or in any way otherwise dilute a discharge as a substitute for adequate treatment to comply with the Federal Categorical Pretreatment Standards or any other pollutant- or concentration-specific limitation developed by the Authority or the State. Dilution of any wastewater discharge for the purpose of satisfying these requirements is a violation of this SUO. The Authority deems this action be in direct violation of Section 6.8 of this SUO. The Authority may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.	NM	N/A
2.8 <u>LOCAL REQUIREMENTS</u>	Any participant's requirements and limitations on discharges which are more stringent than this SUO or the federal requirements shall apply to discharges within their respective service areas.	NM	N/A
2.9 <u>BEST MANAGEMENT PRACTICES</u>	The Authority may at its discretion develop Best Management Practices (BMPs) to implement the local limits noted in Section 2 and Table I of the Authority's SUO. Such BMPs shall be considered local limits and Pretreatment Standards for the purposes of this part and section 307(d) of the Act	NM	N/A
3.2 <u>PRETREATMENT FACILITIES</u> (1 <sup>st</sup> paragraph)	Dischargers shall provide wastewater pretreatment, if required, to comply with this SUO and shall achieve compliance with Federal Categorical Pretreatment Standards within the time limitations specified by the Federal Pretreatment Regulations. Pretreatment facilities, where required, shall be provided for and operated efficiently by the owner or operator at his/her own cost and shall be maintained in good working order subject to the requirements of this SUO and all other applicable federal, state or local statutes, regulations, or ordinances.	NM	N/A



Rule Citation	Description of Violation	Type of Violation	Grace Period
3.2 <u>PRETREATMENT FACILITIES</u> (2 <sup>nd</sup> paragraph)	Discharges with the potential to discharge oil and/or grease in amounts greater than those specified in the specific pollutant Table I, shall install, at the owner's expense, grease traps or oil/water separators to prevent such discharges from occurring. Grease traps and/or oil/water separators must be cleaned and maintained regularly by the owner. The owner shall maintain manifests or cleaning receipts to demonstrate compliance with regular cleaning of the required pretreatment mechanisms.	NM	N/A
3.3 <u>SUBMISSION OF PLANS</u>	Where pretreatment or equalization of wastewater flows is required, plans, specifications, operating procedures, and other pertinent data and information shall be submitted by the discharger to the Executive Director and copied to the Chief of Engineering and the Chief, Division of Regulatory Compliance, for review and comments. The review of such plans and operating procedures does not relieve the discharger from the responsibility of modifying the facility as necessary, to produce acceptable wastewater characteristics. Any subsequent modifications to such pretreatment of flow-control facilities (including changes in any method of operation) affecting the discharge shall not be made without prior approval of the Executive Director.	NM	N/A
3.4 <u>ADMISSION TO PROPERTY</u>	In accordance with N.J.S.A. 58:10A-6(g), the Executive Director, or his designees, upon the presentation of credentials, may enter upon the premises of any discharger at any time for the purpose of inspecting or copying any records required to be kept under this SUO, and federal and state regulations. The Executive Director, or his designees, upon presentation of credentials, may enter upon the premises of any discharger, at any time, for the purpose of: inspection, investigation, installing monitoring equipment or to conduct measuring, sampling, or testing of wastewater that is discharged to the treatment works. Any attempt to delay the Authority from entering the property for the purpose of altering the quantity of quality of the wastewater is a direct violation of Section 6.8 of this SUO.	NM	N/A
3.5 <u>ACCIDENTAL DISCHARGES</u>	Each industrial user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this SUO. If required by the Executive Director, facilities shall make provisions to prevent the accidental discharge of prohibited materials at the owner's or industrial user's own cost and expense. Upon request, of the Executive Director, the Authority shall be provided detailed plans showing facilities and operating procedures to provide this protection. These plans shall be submitted to the Executive Director for review and comment, prior to construction of the facility. All existing industrial users, where required, shall complete such a plan within 120 days of being notified by the Authority of the need for such a plan. No industrial user who commences discharge to the POTW, after the effective date of this SUO, shall be permitted to introduce pollutants into the system until accidental discharge prevention procedures have been reviewed by the Executive Director. Review of such plans and operating procedures shall not relieve the industrial user from the responsibility of modifying his/her facility, as necessary, to meet the requirements of this SUO.	NM	N/A
3.6 <u>NOTIFICATION OF HAZARDOUS WASTE DISCHARGES</u>	All Industrial Users shall notify the POTW, the EPA Regional Waste Management Division Director, and State Hazardous Waste Authorities, in writing, of any discharge into the POTW Director, and State Hazardous Waste Authorities, in writing, of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the industrial user discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent such information is known and readily available to the industrial user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass constituents in the waste stream expected to be discharged during the following twelve months. All notifications must take place within 30 days of the effective date of this SUO. Industrial users who commence discharging after the effective date of this SUO shall provide the notification no later than 30 days after the discharge of the hazardous waste. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. The notification requirement in this section does not apply to pollutants already reported under the self-monitoring requirements.	NM	N/A

Rule Citation	Description of Violation	Type of Violation	Grace Period
	<p>Industrial users are exempt from the above requirements during a calendar month in which they discharge no more than fifteen kilograms of hazardous waste, unless the waste(s) are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen kilograms of non-acute hazardous waste in a calendar month or of any quantity of acute hazardous waste as specified in 40 CFR 261.30(d) and 261.33(e), requires a one time notification. Subsequent months during which the industrial user discharges additional quantities of such hazardous waste do not require additional notification.</p> <p>In the case of new regulations under section 3001 of RCRA, identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the industrial user must notify the POTW, the EPA Regional Waste Management Division Director, and the State hazardous waste authorities, of the discharge of such substance within 90 days of the effective date of these regulations.</p> <p>In the case of any notification made under this rule, the industrial user shall certify that it has a program in place to reduce the volume and toxicity of hazardous waste generated.</p>		
<p><u>4.1 EXISTING UNPERMITTED INDUSTRIAL USERS</u></p>	<p>Within 60 calendar days after the effective date of this SUO, or at such time when the participant ties into the Authority's treatment works, whichever is later, industrial users shall apply for an Industrial/Commercial Discharge Permit. Such application shall be made by completing, and submitting to the Authority, a CCMUA Pretreatment Permit Application obtained from the Executive Director, or his designee. The terms of such permit may be modified by the Executive Director, or his designee after issuance and a reasonable time provided for compliance with such modified terms. Violations of the terms of such permits are violations of this SUO.</p>	<p>NM</p>	<p>N/A</p>
<p><u>4.2 NEW INDUSTRIAL USERS</u></p>	<p>New industrial users may not connect to treatment works of the Authority, unless an Industrial/Commercial Discharge Permit has been obtained. Such users shall apply for an Industrial/Commercial Discharge Permit at least 120 calendar days before connecting to such treatment works. In the event the industry and Authority cannot agree as to the classification, under a particular industrial, commercial, categorical or subcategorical classification, for purposes of industrial pretreatment standards, a written certification from the appropriate federal and state regulatory agencies as to whether the applicant is included within a particular industrial, commercial, categorical or subcategorical classification for purposes of industrial pretreatment standards, may be obtained.</p>	<p>NM</p>	<p>N/A</p>
<p><u>4.3 CATEGORICAL (NEW AND EXISTING) INDUSTRIAL USERS</u></p>	<p>Within ninety (90) calendar days after the adoption by a federal or state regulatory agency of a categorical pretreatment standard, existing industrial users subject to such standards shall submit a CCMUA Pretreatment Permit Application for an Industrial/Commercial Discharge Permit as required under Section 4.1 of this SUO. Industrial users subject to categorical pretreatment standards shall also submit a Baseline Monitoring Report (refer to Section 5.1 hereof) containing information required under federal and state industrial pretreatment regulations in the form required by the Executive Director, or their designee. The CCMUA Pretreatment Permit Application and Baseline Monitoring Report shall be reviewed by the Executive Director, or his designee, and a schedule of compliance established as a condition of the Industrial/Commercial Discharge Permit if the applicable categorical standards are not being met.</p> <p>The Authority may convert the mass limits of the categorical Pretreatment Standards at 40 CFR parts 414, 419, and 455 to concentration limits for purposes of calculating limitations applicable to individual Industrial Users. When converting such limits to concentration limits, the Authority will use the concentrations listed in the applicable subparts of 40 CFR parts 414, 419, and 455 and document that dilution is not being substituted for treatment as prohibited by 403.6(d) and Section 2.7 of the Authority's Sewer Use Ordinance.</p> <p>When the limits in a categorical Pretreatment Standard are expressed only in terms of pollutant concentrations, an Industrial User may request that the Authority convert the limits to equivalent mass limits. The determination to convert concentration limits to mass limits is within the discretion of the Authority. The Authority may establish equivalent mass limits only if the Industrial User meets all the following conditions in paragraph (i)(A) through (i)(E) of this section.</p>	<p>NM</p>	<p>N/A</p>

Rule Citation	Description of Violation	Type of Violation	Grace Period
	<ul style="list-style-type: none"> <li>i. To be eligible for equivalent mass limits, the Industrial User must: <ul style="list-style-type: none"> <li>A. Employ, or demonstrate that it will employ, water conservation methods and technologies that substantially reduce water use during the term of its control mechanism;</li> <li>B. Currently use control and treatment technologies adequate to achieve compliance with the applicable categorical Pretreatment Standard, and not have used dilution as a substitute for treatment;</li> <li>C. Provide sufficient information to establish the facility's actual average daily flow rate for all waste streams, based on data from a continuous effluent flow monitoring device, as well as the facility's long-term average production rate. Both the actual average daily flow rate and long-term average production rate must be representative of current operating conditions;</li> <li>D. Not have daily flow rates, production levels, or pollutant levels that vary so significantly that equivalent mass limits are not appropriate to control the Discharge; and</li> <li>E. Have consistently complied with all applicable categorical Pretreatment Standards during the period prior to the Industrial User's Request for equivalent mass limits.</li> </ul> </li> <li>ii. An Industrial User subject to equivalent mass limits must: <ul style="list-style-type: none"> <li>A. Maintain and effectively operate control and treatment technologies adequate to achieve compliance with the equivalent mass limits;</li> <li>B. Continue to record the facility's flow rates through the use of a continuous effluent flow monitoring device;</li> <li>C. Continue to record the facility's production rates and notify the Authority whenever production rates are expected to vary by more than 20 percent from its baseline production rates determined in paragraph (i)(C) of this section. Upon notification of a revised production rate, the Authority will reassess the equivalent mass limit and revise the limit as necessary to reflect changed conditions at the facility; and</li> <li>D. Continue to employ the same or comparable water conservation methods and technologies as those implemented pursuant to paragraph (i)(A) of this section so long as it discharges under an equivalent mass limit.</li> </ul> </li> </ul>		
<p>4.4 <u>SMALL FLOW COMMERCIAL USER (NEW AND EXISTING)</u></p>	<p>Within 60 calendar days after the effective date of this SUO, or at such time the participant ties into the Authority's treatment works, whichever is later, noncategorical commercial users, who discharge less than 3,000 gallons of daily flow per day, may apply for an Industrial/Commercial Discharge Permit, classification as a small flow commercial user. New industrial users may not connect to treatment works of the Authority, unless Industrial/Commercial Discharge Permit has been obtained. Such users shall for an Industrial/Commercial Discharge Permit at least 120 calendar days connecting to such treatment works. At that time, the new user may request classified as a small flow commercial user if the user is noncategorical and discharging less than 3,000 gallons of average daily flow per day.</p> <p>Please note, this classification is not mandatory. Commercial users who qualifications may apply for this classification. If a commercial user chooses option, and meets the Authority's qualifications as a small flow commercial reporting and monitoring requirements that apply to a nonsignificant indirect will apply to a small flow commercial user, with the following exceptions:</p> <p>The industrial user annual fee for a small flow commercial user is \$2,000.00</p> <p>The small flow commercial user's permit will have elevated limits for the following parameters, if applicable to the user's effluent limitations and monitoring requirements table:</p>	<p>NM</p>	<p>N/A</p>

Rule Citation	Description of Violation	Type of Violation	Grace Period										
	<table border="1" data-bbox="435 296 1146 468"> <thead> <tr> <th>PARAMETER</th> <th>DAILY MAXIMUM CONCENTRATION (mg/L)</th> </tr> </thead> <tbody> <tr> <td>Biochemical Oxygen Demand (BOD)</td> <td>1,500 mg/L</td> </tr> <tr> <td>Chemical Oxygen Demand (COD)</td> <td>1,500 mg/L</td> </tr> <tr> <td>Oil and Grease (O/G)</td> <td>150 mg/L</td> </tr> <tr> <td>Petroleum Hydrocarbons (PHC)</td> <td>45 mg/L</td> </tr> </tbody> </table> <p data-bbox="355 499 1222 632">Such application shall be made by completing, and submitting to the Authority, CCMUA Pretreatment Permit Application obtained from the Executive Director, his designee. The terms of such permit may be modified by the Executive Director, or his designee after issuance and a reasonable time provided for compliance such modified terms. Violations of the terms of such permits are violations SUO.</p>	PARAMETER	DAILY MAXIMUM CONCENTRATION (mg/L)	Biochemical Oxygen Demand (BOD)	1,500 mg/L	Chemical Oxygen Demand (COD)	1,500 mg/L	Oil and Grease (O/G)	150 mg/L	Petroleum Hydrocarbons (PHC)	45 mg/L		
PARAMETER	DAILY MAXIMUM CONCENTRATION (mg/L)												
Biochemical Oxygen Demand (BOD)	1,500 mg/L												
Chemical Oxygen Demand (COD)	1,500 mg/L												
Oil and Grease (O/G)	150 mg/L												
Petroleum Hydrocarbons (PHC)	45 mg/L												
<p data-bbox="142 638 289 705"><u>4.5 PERMIT APPLICATION PROCEDURE</u></p>	<p data-bbox="355 638 1222 936">Upon receipt of necessary information, by the Executive Director, or their designee (in the form of a completed CCMUA Pretreatment Permit Application), and any permit application fees, the application shall be reviewed and a draft permit prepared, if deemed necessary. When a Draft Industrial/Commercial Discharge Permit is issued, the industrial user shall have 30 days to submit written comments to the Authority. A copy of this Industrial/Commercial Discharge Draft Permit shall be forwarded to the Mayor of the municipality in which the industrial user is located.</p> <p data-bbox="355 831 1222 879">After the thirty (30) day comment period, and all comments are responded to, a Final Industrial/Commercial Discharge Permit will be issued to the industrial user.</p> <p data-bbox="355 884 1222 936">During the Draft Industrial/Commercial Discharge Permit issuance, an opportunity for the public to comment on permits proposed to be issued will be provided by newspaper notice.</p> <p data-bbox="704 968 870 989" style="text-align: center;">PLEASE NOTE:</p> <p data-bbox="355 993 1222 1125">The CCMUA Pretreatment Permit Applications submitted by corporations shall be signed by a corporate officer or other authorized executive officers. An application shall include a corporate resolution, granting that individual authority, to make the application on behalf of the corporation. An application submitted by an industrial user other than a corporation shall be signed by the proprietor or general partner.</p>	<p data-bbox="1281 638 1325 659" style="text-align: center;">NM</p>	<p data-bbox="1409 638 1453 659" style="text-align: center;">N/A</p>										
<p data-bbox="142 1136 334 1203"><u>4.6 PERMIT TERMS AND CONDITIONS</u></p>	<p data-bbox="500 1136 1146 1184">B. The following terms may be imposed by the Authority in the issuance of the Industrial/Commercial Discharge Permit:</p> <ol data-bbox="548 1188 1222 1850" style="list-style-type: none"> <li data-bbox="548 1188 1222 1241">1. A limitation upon the quality of wastewater, volume of wastes, and the rate of flow discharged from the industrial user.</li> <li data-bbox="548 1245 1222 1514">2. The installation and maintenance by the Permitted Industrial User, at his own expense, the following: facilities or equipment for intermittent or continuous measurement of flow, industrial/commercial wastes, or other wastes discharged; detention tanks or other facilities or equipment for reducing the maximum rates of discharge; pretreatment and flow control facilities; suitable control sampling manhole or manholes; grease traps for removal of oil and grease originating from animal or vegetable origin; and oil/water separators to remove petroleum oil or products of mineral oil origin.</li> <li data-bbox="548 1518 1222 1598">3. The submittal to, and approval by, the Authority of plans and specifications for any of the facilities or equipment required to be installed and maintained by the Permitted Industrial User.</li> <li data-bbox="548 1602 1222 1738">4. Maintenance of appropriate records of all measurements made by the Permitted Industrial User of flow, industrial/commercial wastes, or other wastes specified by the Authority. The Permitted Industrial User shall afford the Authority access of the aforementioned.</li> <li data-bbox="548 1743 1222 1850">5. Prior to the commencement of operation of any pretreatment or flow control facilities, the Authority has the right to require adequate data to determine the acceptability of the sewage, industrial/commercial wastes or other wastes generated.</li> </ol>	<p data-bbox="1281 1136 1325 1157" style="text-align: center;">NM</p> <p data-bbox="1281 1245 1325 1266" style="text-align: center;">NM</p> <p data-bbox="1281 1518 1325 1539" style="text-align: center;">NM</p> <p data-bbox="1281 1602 1325 1623" style="text-align: center;">NM</p> <p data-bbox="1281 1743 1325 1764" style="text-align: center;">NM</p>	<p data-bbox="1409 1136 1453 1157" style="text-align: center;">N/A</p> <p data-bbox="1409 1245 1453 1266" style="text-align: center;">N/A</p> <p data-bbox="1409 1518 1453 1539" style="text-align: center;">N/A</p> <p data-bbox="1409 1602 1453 1623" style="text-align: center;">N/A</p> <p data-bbox="1409 1743 1453 1764" style="text-align: center;">N/A</p>										

Rule Citation	Description of Violation	Type of Violation	Grace Period
	<p>6. Specifications for monitoring programs which may include sampling locations, frequency and method of sampling, number, type and standards for tests and reporting schedule,</p> <p>a. All Categorical Industrial Users or Significant Indirect Users or Groundwater Remediation Projects must submit monthly IDMRs in accordance with Section 5.1.</p> <p>b. All NSIUs or SFCUs must submit quarterly IDMRs in accordance with section 5.1.</p>	NM	N/A
	<p>7. Any other terms and conditions, as may be necessary, to protect the Authority's Treatment Works and to carry out the intent and provisions of this SUO.</p>	NM	N/A
	<p>8. Monthly reporting due to a serious violation, in accordance with N.J.S.A. 58:10A-6.f(9) and 6.f.(10), if required.</p>	NM	N/A
	<p>9. Resampling due to noncompliance in accordance with 40 CFR Part 403.12(g) which states: if sampling performed by an industrial user indicates a violation, the user shall repeat the sampling and analysis and submit the results of the repeat analysis to the Authority within 30 days after becoming aware of the violation.</p>	NM	N/A
	<p>10. All Industrial Users shall notify the POTW, the EPA regional Waste Management Division Director, and State Hazardous Waste Authorities, in writing, of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the industrial user discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent such information is known and readily available to the industrial user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass constituents in the waste stream expected to be discharged during the following twelve months, all notifications must take place within 30 days of the effective date of this SUO. Industrial users who commence discharging after the effective date of this SUO shall provide the notification no later than 30 days after the discharge of the hazardous waste. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. The notification requirement in this section does not apply to pollutants already reported under the self-monitoring requirements.</p> <p>Industrial users are exempt from the above requirements during a calendar month in which they discharge no more than fifteen kilograms of hazardous waste, unless the waste(s) are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), Discharge of more than fifteen kilograms of non-acute hazardous waste in a calendar month or of any quantity of acute hazardous waste as specified in 40 CFR 261.30(d) and 261.33(e), requires a one time notification. Subsequent months during which the industrial user discharges additional quantities of such hazardous waste do not require additional notification.</p> <p>In the case of new regulations under section 3001 of RCRA, identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the</p>	NM	N/A

Rule Citation	Description of Violation	Type of Violation	Grace Period
	<p>industrial user must notify the POTW, the EPA Regional Waste Management Division Director, and the State hazardous waste authorities, of the discharge of such substance within 90 days of the effective date of these regulations.</p> <p>In the case of any notification made under this rule, the industrial user shall certify that it has a program in place to reduce the volume and toxicity of hazardous waste generated.</p>		
	11. Requirements for notification to the Authority of any new introduction of wastewater constituents, or any changes, in the volume or quality of the wastewater constituents being introduced into the Authority's Treatment Works.	NM	N/A
	12. Payments to cover the added costs of handling and treating the waters or wastes, which payments are not covered by existing sewer charges.	NM	N/A
	13. Requirements for notification of a slug discharge.	NM	N/A
	14. Requirements for notification of accidental discharge.	NM	N/A
	15. Payment of the applicable user fee.	NM	N/A
4.7 <u>PERMIT DURATION AND RENEWAL</u>	The terms of the Industrial/Commercial Discharge Permit shall not exceed five (5) years. If the Permitted Industrial User desires to continue discharging beyond the expiration date, reapplication shall be made not less than 180 calendar days before such expiration date as mandated by N.J.S.A. 58:10A-7a. Renewal of the permit shall be contingent upon adequate compliance with the terms and conditions of the current permit. Should the permit expire before reapplication is made by the Permitted Industrial User, the terms and conditions of the original permit shall remain in force, unless terminated by the Authority, until the renewal permit becomes final and effective.	NM	N/A
4.8 <u>TRANSFER OF PERMITS</u>	Industrial/Commercial Discharge Permits are not transferable. The Permitted Industrial User shall notify the Executive Director, or his designee, no later than sixty (60) days before any proposed change in ownership. The new owner is responsible for obtaining a permit by completing a CCMUA Pretreatment Permit Application as noted in Section 4.5 of this SUO.	NM	N/A
4.9 <u>CHANGE IN CONDITIONS</u>	A Permitted Industrial User proposing to make any change in its discharge volume (specifically an increase to greater than 25,000 gallons per day, which would reclassify a nonsignificant indirect user as a significant indirect user or an increase to greater than 3,000 gallons per day, for a small flow commercial user, which would reclassify them to a nonsignificant indirect user) or quality, shall apply for a permit modification at least ninety (90) days before making any changes.	NM	N/A
4.10 <u>PERMIT MODIFICATIONS</u>	The terms and conditions of an Industrial/Commercial Discharge Permit may be subject to modifications and changes by the Authority during the life of the permit. The Permitted Industrial User shall be informed of any proposed changes in this permit at least thirty (30) days prior to the effective date of changes. The Permitted Industrial User shall be granted thirty (30) days to submit written comments to the Authority. If a permit modification satisfies the criteria in N.J.A.C. 7:19A-16.3, for "minor modifications," the permit maybe modified without a draft permit or public review. A permit modification, not processed as a minor modification under section N.J.A.C. 7:14A, shall be made for cause and shall conform with the draft permit and public notice requirements of N.J.A.C. 7:14A as required in N.J.A.C. 7:14A.	NM	N/A
4.11 <u>PERMIT APPEAL AND STAY PROCESS</u>	<p>When contemplating an appeal and/or stay after a permit is issued, Industrial Users should consult the full text of N.J.A.C. 7:14A-17.</p> <p>A. The key items to remember in this section are:</p> <ol style="list-style-type: none"> <li>1. A hearing shall be requested within 30 days of receipt of the permit; and</li> <li>2. A request for a stay may be combined with a hearing request but the request for a stay shall be expressly stated.</li> </ol> <p>The sequence of events of the stay procedures for when a final permit is issued are as follows:</p> <ol style="list-style-type: none"> <li>1. The final permit decision is issued, N.J.A.C. 7:14A-15.15.</li> </ol> <p><i>* If construction is involved, a treatment works approval is required before</i></p>	NM	N/A

Rule Citation	Description of Violation	Type of Violation	Grace Period
	<p style="text-align: center;"><i>construction, N.J.A.C. 7:14A-22 and 23.</i></p> <p style="text-align: center;"><i>* Final permit decision is issued and administrative record in accordance with N.J.A.C. 7:14A-15.17 is retained on file.</i></p> <p>Permittee may then:</p> <p style="padding-left: 20px;">2a. Request for adjudicatory hearing (optional) N.J.A.C. 7:14A-17.2.</p> <p style="text-align: center;"><i>* Within 30 days of receipt of the final permit decision a request for a hearing shall be made. A hearing is limited to the issues raised during the public comment period in accordance with N.J.A.C. 7:14A-15.13.</i></p> <p>and/or</p> <p style="padding-left: 20px;">2b. Request for stay of permit conditions (optional) N.J.A.C. 7:14A-17.6.</p> <p style="text-align: center;"><i>* A request for an adjudicatory hearing does not automatically result in a stay of a permit conditions. Requests for stays are decided in accordance with N.J.A.C. 7:14A-17.6.</i></p> <p>then:</p> <p style="padding-left: 20px;">3. Adjudicatory hearing held in Office of Administrative Law.</p> <p>then:</p> <p style="padding-left: 20px;">4. Office of Administrative Law initial decision sent to the Executive Director.</p> <p style="text-align: center;"><i>* The Executive Director reviews decision and issues a final decision,</i></p> <p>then:</p> <p style="padding-left: 20px;">5. Final Decision issued by Executive Director,</p> <p>then:</p> <p style="padding-left: 20px;">6. Superior Court Appellate Division to appeal final decision.</p>		
<u>5.1 REPORTING REQUIREMENTS FOR INDUSTRIAL USERS</u>	<p>A. Permitted Industrial Users subject to categorical standards shall comply with reporting requirements under 403.12 including (but not limited to) Baseline Monitoring Reports, Pretreatment Deadline Compliance Reports and Periodic Compliance Reports. Significant Non-categorical Industrial Users must submit an IDMR at least once every six months (on dates specified by the Authority in the Industrial Discharge Permit). In cases where a local limit requires compliance with a Best Management Practice or pollution prevention alternative, the Significant Non-categorical Industrial User must submit documentation required by the Authority to determine the compliance status of the Significant Non-categorical Industrial User. These reports must be based on sampling and analysis performed in the period covered by the report, and in accordance with the techniques described in 40 CFR 136 and amendments thereto. This sampling and analysis maybe performed the Authority in lieu of the Significant Non-categorical Industrial User</p>	NM	N/A
	<p>B. Permitted Industrial Users shall comply with applicable State pretreatment reporting requirements.</p>	NM	N/A
	<p>C. Additional reporting requirements required by an Industrial/Commercial Discharge Permit are as follows:</p> <ol style="list-style-type: none"> <li>1. Monthly monitoring reports or quarterly monitoring reports.</li> <li>2. Compliance schedules, if required, with scheduled, written progress reports.</li> <li>3. Enforcement or compliance reporting deadlines, if required.</li> <li>4. Resampling due to noncompliance in accordance with 40 CFR Part 403.12(g) which states: If sampling performed by an industrial user indicates a violation, the user shall repeat the sampling and analysis and submit the results of the repeat analysis to the Authority within 30 days after becoming aware of the violation. <ol style="list-style-type: none"> <li>a. If sampling performed by an Industrial User indicates a violation, the user shall notify the Authority within 24 hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Control Authority within 30 days after becoming aware of the violation. Where the Authority has performed the sampling and analysis in lieu of the Industrial User, the Authority will perform the repeat sampling and analysis unless it notifies the User of the violation and requires the User to perform the repeat analysis. Resampling is not required if: <ol style="list-style-type: none"> <li>i. The Authority performs sampling at the Industrial User at a frequency of at least once per month, or</li> </ol> </li> </ol> </li> </ol>	NM	N/A

Rule Citation	Description of Violation	Type of Violation	Grace Period
	<p>ii. The Authority performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the Authority receives the results of this sampling.</p> <p>iii. The reports required in section 5 must be based upon data obtained through appropriate sampling and analysis performed during the period covered by the report, which data are representative of conditions occurring during the reporting period.</p> <p>The Authority shall require that frequency of monitoring necessary to assess and assure compliance by Industrial Users with applicable Pretreatment Standards and Requirements. Grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds. For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Authority. Where time-proportional composite sampling or grab sampling is authorized by the Authority, the samples must be representative of the discharge and the decision to allow the alternative sampling must be documented in the Industrial User file for that facility or facilities. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: For cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil &amp; grease the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the Authority, as appropriate.</p> <p>5. Monthly reporting due to a serious violation, in accordance with N.J.S.A. 58:10A 6.1(9) and 6.f.(10), which states: Notwithstanding the reporting requirements stipulated in a permit for discharges, a permittee shall be required to file monthly reports with the commissioner or delegated local agency if the permittee: (a) in any month commits a serious violation or fails to submit a completed discharge monitoring report and does not contest, or unsuccessfully contests, the assessment of a civil administrative penalty therefor; or (b) exceeds an effluent limitation for the same pollutant at the same discharge point source by any amount for four out of six consecutive months, The commissioner or delegated local agency may restore the reporting requirements stipulated in the permit if the permittee has not committed any of the violations identified in this paragraph for six consecutive months.</p> <p>6. In accordance with 40 CFR 403.12(f) &amp; N.J.S.A 58:10A-6(f)8, all industrial users shall notify the POTW immediately of all discharges that could cause problems to the POTW, including any slug loadings, as defined in Section 1.0 of this SUO and by 40 CFR 403.5(b).</p>		
	<p>D. Permitted Industrial Users must submit to the Executive Director or his designee, at least quarterly, (on dates specified) a description of the nature, concentration and flow of the pollutants required to be reported. The report shall be based on sampling analysis performed in the period covered by the report. All reporting shall be in compliance with N.J.S.A 58:10A-I et seq. and N.I.A.C. 7:14 et seq., and regulations developed thereunder, the permittee shall report all sample results on the Industrial/Commercial Discharge Monitoring Report. All results for parameters listed on the Effluent Limitations and Monitoring Requirements Table shall be reported along with flow. The permittee shall sign this report and attach a copy of the Certificate of Analysis (on laboratory letterhead) and the Chain-of-Custody from the certified laboratory. An industrial user must report exceedances of the Industrial Discharge Permit to the Authority in accordance with Section 3.5 of this Sewer Use Ordinance. Nan industrial user is at zero discharge or not actively discharging wastewater to the treatment works, the permitted industrial user is required to continue</p>	NM	N/A



Rule Citation	Description of Violation	Type of Violation	Grace Period
	to submit industrial/Commercial Discharge Monitoring Report <u>forms to the Authority, clearing specifying No Discharge (NODI).</u>		
	<p>E. All reports shall include the following certification statement:</p> <p>"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."</p> <p>Each report must be signed by the appropriate officer as follows:</p> <ol style="list-style-type: none"> <li>1. By a responsible corporate officer, if the Permitted Industrial User submitting the reports is a corporation. For the purpose of this paragraph, a responsible corporate officer means (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any person who performs similar policy or decision making functions for the corporation, or (ii) the manager of one or more manufacturing, production or operation facilities provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegate to the manager in accordance with corporate procedures.</li> <li>2. By a general partner or proprietor if the Permitted Industrial User submitting the reports is a partnership or sole proprietorship respectively.</li> <li>3. By a duly authorized representative of the individual designated in paragraph (1) or (2) of this section if: (i) the authorization is made in writing by the individual described in paragraph (1) or (2); (ii) the authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the Industrial Discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and (iii) the written authorization is submitted to the Control Authority.</li> <li>4. If an authorization under paragraph (3) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of paragraph (3) of this section must be submitted to the Executive Director prior to or together with any reports to be signed by an authorized representative.</li> <li>5. All IDMRs must be submitted in accordance with N.J.S.A. 58:10A-6.f. (5).</li> </ol>	M	30 days
	F. All Categorical Industrial Users or Significant Indirect Users or Groundwater Remediation Projects must submit monthly IDMRs in accordance with Section 5.1 (outlined above).	NM	N/A
	G. All NSIUs or SECUs must submit quarterly IDMRs in accordance with section 5.1 (outlined above).	NM	N/A
	H. Monitoring and analysis to demonstrate continued compliance. Except in the case of Non-Significant Categorical Users, the reports required in section 5.1 shall contain the results of sampling and analysis of the Discharge, including the flow and the nature and concentration, or production and mass where requested by the Authority, of pollutants contained therein which are limited by the applicable Pretreatment Standards. This sampling and analysis may be performed by the Authority in lieu of the Industrial User. Where the POTW performs the required sampling and analysis in lieu of the Industrial User, the User will not be	NM	N/A

Rule Citation	Description of Violation	Type of Violation	Grace Period
	required to submit the compliance certification required under section 5.1.E. In addition, where the Authority itself collects all the information required for the report, including flow data, the Industrial User will not be required to submit the report.		
5.2 RECORDS AND MONITORING	A. Permitted Industrial Users discharging or proposing to discharge wastewater to the treatment works shall maintain the following: (1) records of production, (2) water consumption and discharge flow records, (3) complete monitoring records as specified in Section 5.1 of this SUO, (4) process monitoring records, (5) incident reports, (6) waste handling records, and any other records necessary to demonstrate compliance with this SUO, the Industrial Pretreatment Inspection Report and with State and Federal pretreatment standards and requirements.	NM	N/A
	B. Such records shall be made available to the Authority, upon request, by the Executive Director or his designee. A summary of such data indicating the industrial user's compliance with this SUO, shall be prepared and submitted per permit requirements to the Executive Director or his designee. Records shall be retained for a minimum of five (5) years and throughout the course of any pertinent litigation.	NM	N/A
	C. Permitted Industrial Users shall install (at his/her own cost) monitoring equipment approved by the Authority to facilitate the accurate observation, sampling and measurement of wastes as required by the permit. Such equipment shall be in working order and kept safe and accessible at all times. Alternatively, the Authority may choose to install such equipment at its expense.	NM	N/A
	D. Whether constructed on public or private property, such monitoring facilities shall be constructed according to requirements of the Authority and other applicable construction standards and specifications. Plans and specifications for such work shall be submitted to the Executive Director or his designee, for review and comments before construction.	NM	N/A
	E. The permitted industrial user will be required to monitor for Total Toxic Organics ("TTOs") (See Table 1) for three (3) successive months, at the commencement of said permit. If all three (3) successive monthly sampling analyses fall below the monthly maximum average for TTOs stated within the Final Industrial/Commercial Discharge Permit, the permittee may therefore apply for an exemption of the TTO test. Please note, should the permittee not qualify for an exemption of the TTO test, the permittee will remain liable to continue sampling for TTOs on a quarterly basis as per the reporting dates stated within the Final Industrial/Commercial Discharge Permit. The permittee must continue to sample for TTOs thereafter, until approval concerning exemption of the TTO Test is granted by this Authority. The above stated conditions are applicable to all facilities, with the exception of; 1) food industries and car washes, who are required to submit only two successive monthly sampling analyses; 2) hospitals, medical centers, learning institutions, drum cleaners, pharmaceuticals, and all laboratories (commercial, industrial, research, etc.), which are required to test for TTOs on a quarterly basis until the expiration of the Industrial/Commercial Discharge Permit; 3) Superfund Cleanup or remediation, resource recovery facilities, hazardous waste TSD facilities; 4) One additional TTO test will be required when a five year permit renewal is generated, and may be required when a change in corporate ownership of the facility occurs, requiring re-issuance of the permit. All remaining conditions remain applicable as noted. Furthermore, all permitted industries governed by federal categorical standards may be subject to a TTO Management Plan. All facilities having multiple point discharges may composite for their TTO samples based upon flow percentage from each of the multiple point discharge sampling locations	NM	N/A
5.3 <u>INSPECTION, SAMPLING, AND ANALYSIS</u>	A. <u>Representative Sampling Point</u> Industrial Users proposing to connect to, or continue discharging to, any part of the Authority's treatment works, must make available, upon request of the Executive Director or his designee, a sampling point representative of the discharge. Such sampling points shall be approved by the Executive Director or his designee, and shall be located on public property, if	NM	N/A

Rule Citation	Description of Violation	Type of Violation	Grace Period
	<p>requested by the Executive Director or his designee. The cost for installing and maintaining such representative sampling point(s) shall be borne by the Industrial User. Access to the point shall be available at all times to the Authority and Industrial Users, for the purposes of conducting sampling, inspections, compliance monitoring, and metering operations. All permittees with discharges that flow to the Authority shall notify the Authority that a tag to mark the location of the pipe has been or will be installed on the sampling point by the effective date of this SUO.</p> <p>i. The outfall tag shall be:</p> <ol style="list-style-type: none"> <li>1. Legible;</li> <li>2. Located on (or as close as physically possible to) the representative sampling point;</li> <li>3. Made of a durable material such as metal; and</li> <li>4. Maintained on a regular basis, such as cleaned and inspected to ensure that the tag is properly attached.</li> </ol> <p>ii. The outfall tag shall display the following information:</p> <ol style="list-style-type: none"> <li>1. The name of the facility where the discharge originates;</li> <li>2. The Industrial/Commercial Permit Number</li> <li>3. The Sampling Point Number for that particular outfall.</li> </ol>		
	<p>C. <u>Sampling of Industrial Wastewater</u> All sampling of industrial wastewater shall be in accordance with 40 CFR 136, including all supplements and amendments thereto, and the most current edition of the NJDEP Field Sampling Procedures Manual.</p>	NM	N/A
	<p>D. <u>Analysis of Industrial Wastewater</u> Laboratory analysis of industrial wastewater samples shall be performed in accordance with an approved test procedure in a laboratory certified by the NJDEP to perform said analysis.</p>	NM	N/A
<p>6.1 <u>HARMFUL CONTRIBUTIONS</u></p>	<p>The Authority may suspend wastewater treatment service, when necessary, in the opinion of the Executive Director, or his designee, to stop an actual or threatening discharge that presents or may present any imminent and substantial endangerment to the health or welfare of persons or the environment, or cause interference to the POTW.</p> <p>An industrial user notified of the suspension of wastewater treatment service shall immediately stop or eliminate the contribution of wastewater. If such person fails to comply with the suspension notification, the Authority shall take necessary steps including immediate severance of the sewer connection pursuant to N.J.S.A. 58:11-56, to prevent or minimize damage to treatment works or endangerment to individuals or the environment. The Authority may reinstate wastewater treatment service upon proof of the elimination of the noncompliant discharge. A detailed written statement, submitted by the discharger, describing the cause of the harmful contribution and the measures taken to prevent any future occurrences, shall be submitted to the Authority within fifteen (15) calendar days of the date of occurrence.</p>	NM	N/A
<p>6.2 <u>TERMINATION OF SERVICES</u></p>	<p>In addition to termination under Subsection 6.1, any participant violating the following conditions, or applicable state statutes or regulations, may have service terminated in accordance with N.J.S.A. 58:11-56.</p> <ol style="list-style-type: none"> <li>1. Failure of the industrial user to accurately report the wastewater constituents and characteristics of their discharge.</li> </ol>	NM	N/A
<p>6.2 <u>TERMINATION OF SERVICES</u></p>	<p>In addition to termination under Subsection 6.1, any participant violating the following conditions, or applicable state statutes or regulations, may have service terminated in accordance with N.J.S.A. 58:11-56.</p> <ol style="list-style-type: none"> <li>2. Failure of the industrial user to report significant changes in operations or wastewater constituents and characteristics.</li> </ol>	NM	N/A
<p>6.2 <u>TERMINATION OF SERVICES</u></p>	<p>In addition to termination under Subsection 6.1, any participant violating the following conditions, or applicable state statutes or regulations, may have service terminated in accordance with N.J.S.A. 58:11-56.</p> <ol style="list-style-type: none"> <li>3. Refusal of access to the industrial user's premises for the purpose of inspection or monitoring.</li> </ol>	NM	N/A
<p>6.2 <u>TERMINATION OF SERVICES</u></p>	<p>In addition to termination under Subsection 6.1, any participant violating the following conditions, or applicable state statutes or regulations, may have service terminated in accordance with N.J.S.A. 58:11-56.</p>	NM	N/A

Rule Citation	Description of Violation	Type of Violation	Grace Period
	4. Any failure to comply with any of the provisions of this SUO.		
6.2 <u>TERMINATION OF SERVICES</u>	<p>In addition to termination under Subsection 6.1, any participant violating the following conditions, or applicable state statutes or regulations, may have service terminated in accordance with N.J.S.A. 58:11-56.</p> <p>5. Failure of the industrial user to pay the Industrial User Fees, Sewer Use Fee, or any past-due penalty assessments.</p>	M	10 work days
6.8 <u>FALSIFICATION OF INFORMATION</u>	Any person who knowingly makes a false statement, representation or certification in any application, record, or other document filed or required to be maintained under this SUO, any provision of N.J.S.A 58:10A-1 <i>et seq</i> , or any regulations promulgated thereunder, or who falsifies, tampers with, dilutes waste streams, or knowingly renders inaccurate any monitoring device or method required to be maintained pursuant to the State Act, shall be subject to a fine of not less than \$5,000 or more than \$75,000 per day of violation, or by imprisonment, or by both.	NM	N/A