



## State of New Jersey

CHRIS CHRISTIE  
*Governor*

KIM GUADAGNO  
*Lt. Governor*

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Division of Water Quality  
Bureau of Surface Water Permitting  
P.O. Box 029 Trenton, NJ 08625-0029  
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BOB MARTIN  
*Commissioner*

**May 12, 2010**

To: Distribution List

Re: **Final** Surface Water Master General Permit Renewal - Statewide  
Category: BGR -General Remediation Clean-up (GP)  
NJPDES Permit No. NJ0155438

This letter serves to provide notice that the **final** New Jersey Pollutant Discharge Elimination System (NJPDES) Category BGR – General Remediation Clean-up renewal permit has been issued in accordance with N.J.A.C. 7:14A. This permit renewal authorizes the discharge of treated groundwater resulting from remediations, dewatering and pump tests to surface waters of the state. This master general permit serves to renew the existing general remediation clean-up permit which expires on May 31, 2010.

The Department issued a letter on March 10, 2010 notifying all permittees, applicants, applicant agents, and other interested parties of the release of the draft permit. Notice of this draft action also appeared in seventeen newspapers to represent all New Jersey counties and was published in the Department's March 10, 2010 *DEP Bulletin*. The public comment period closed on April 24, 2010. The comments received on the draft and the Department's responses are included.

You can find a complete copy of this final permit action on the Department's web site at [www.state.nj.us/dep/dwq](http://www.state.nj.us/dep/dwq) under General Remediation Clean-up Permit. If you would prefer that a paper copy of the final permit be mailed to you, please contact Kelly Perez or Brian Salvo of the Bureau of Surface Water Permitting at (609) 292-4860 or via email at [kelly.perez@dep.state.nj.us](mailto:kelly.perez@dep.state.nj.us) or [brian.salvo@dep.state.nj.us](mailto:brian.salvo@dep.state.nj.us), respectively.

Attached is a list of facilities for which the Department has received renewal applications. The Department intends to issue individual renewal authorizations for these facilities where the renewal authorization will become effective on July 1, 2010. Until such time as the new permit takes effect, the existing permit conditions will continue in full force and effect pursuant to N.J.A.C. 7:14A-2.8.

If you have any questions or comments regarding the final action, please contact Kelly Perez or Brian Salvo at (609) 292-4860.

Sincerely,  
*Original Signed by:*

Pilar Patterson, Chief  
Bureau of Surface Water Permitting

Enclosures  
cc: Permit Distribution List  
Masterfile #: 39609; PI #: 50577

### Pending BGR Renewal Authorizations

	<b>Facility Name</b>	<b>Facility Location</b>	<b>NJPDES Number</b>
1	Ames Rubber Corp Plant #1	Hamburg Boro	NJG0000141
2	Lowe's Home Center	Eatontown Boro	NJG0002623
3	Hercules Groundwater Trtmt at Geo Spec Chem	Greenwich Twp	NJG0005134
4	Airtron Div/Litton Systems Inc	Morris Plains Boro	NJG0025739
5	Honeywell International, Inc.	Morristown Town	NJG0031305
6	Carpenter Technology-Tube Div	Union Twp	NJG0052931
7	Redi-Flo Corporation	Toms River Twp	NJG0055255
8	Mepco Electra	Morristown Town	NJG0071030
9	Ardell Industries Inc	Maplewood Twp	NJG0080071
10	Evonik Degussa Corp	Piscataway Twp	NJG0082112
11	Evonik Degussa Corp	Elizabeth City	NJG0102270
12	Fisher Scientific Company	Fair Lawn Boro	NJG0102792
13	Haledon Remediation Facility	Haledon Boro	NJG0104451
14	Electric Boat Corp	Woodbridge Twp	NJG0105287
15	RMP Pennsauken	Pennsauken Twp	NJG0105449
16	ADT Security Sys Mfg (Former)	Clifton City	NJG0105490
17	Chemical Leaman Tank Lines Inc	Logan Twp	NJG0105589
18	Private Formulations Inc	Edison Twp	NJG0105716
19	Lockheed Electronics Co Former	Watchung Boro	NJG0105899
20	BICC Cables Corp	New Brunswick City	NJG0107247
21	Shopwell Inc	Tenaflly Boro	NJG0109878
22	Safer Textiles Facility (Former)	Moonachie Boro	NJG0109908
23	Former Handy & Harman Site	Montvale Boro	NJG0113794
24	JCP&L Belmar Former Mfg Gas Plant	Belmar Boro	NJG0125130
25	Clariant Corp - Fair Lawn	Fair Lawn Boro	NJG0128236
26	601 Nassau Street	North Brunswick Twp.	NJG0129127
27	Garden State Tile Distributors Inc	South Brunswick Twp	NJG0129526
28	PSE&G Former Paterson Mfg Gas Plant	Paterson City	NJG0130907

	<b>Facility Name</b>	<b>Facility Location</b>	<b>NJPDES Number</b>
29	Former Eco Pump Site	South Plainfield Boro	NJG0130982
30	Inmont Division Facility (Former)	Lodi Boro	NJG0131032
31	Presto Lock Inc (Former)	Garfield City	NJG0131814
32	Fischbach Corporation	New Providence Boro	NJG0132489
33	Stearns & Foster Bedding Co Former	South Brunswick Twp	NJG0132829
34	Denville Technical Park	Denville Twp	NJG0133892
35	Former Laser Diode Facility	New Brunswick City	NJG0137758
36	Boonton Shopping Center	Boonton Town	NJG0138681
37	30 Hudson Street	Jersey City	NJG0139661
38	Hexcel Facility	Lodi Boro	NJG0145378
39	Klockner & Klockner	Rockaway Boro	NJG0156256
40	Penn Color Inc Former Manville, Nj Facility	Hillsborough Twp	NJG0156922
41	Higgins Disposal Superfund Site	Franklin Twp	NJG0160946
42	Higgins Farm Superfund Site	Franklin Twp	NJG0167533
43	Meadowlands Sports Complex	East Rutherford Twp	NJG0167665
44	Somerset St Groundwater Treatment System	Hopewell Boro	NJG0167916
45	Sandvik Coromant Co	Fair Lawn Boro	NJG0167959
46	I.Park Edgewater	Edgewater Boro	NJG0168840
47	Ellis Property	Evesham Twp	NJG0171336
48	Sea Isle City Former Manufactured Gas Plant	Sea Isle City	NJG0172936
49	Standard Chlorine Chemical Co.& Tierra Solns	Kearny Town	NJG0175102
50	Textile Research Institute	Princeton Boro	NJG0175412

### Pending BGR Revocations

	<b>Facility Name</b>	<b>Facility Location</b>	<b>NJPDES Number</b>
1	Elizabeth Industrial Park	Elizabeth City	NJG0030511
2	Rexam Groundwater Treatment System	Flemington Boro	NJG0066893
3	Unisys Corp - Plasmagraphics	Warren Twp	NJG0068942
4	Con-Lux Coatings Inc	Edison Twp	NJG0127698
5	Former Lockheed Martin	East Windsor Twp	NJG0163091

## Table of Contents

**This final permit package contains the following items:**

- 1. Cover Letter**
- 2. List of Renewals**
- 3. Table of Contents**
- 4. Technical Corrections and Response to Comments**
- 5. NJPDES Permit Authorization Page for Master General Permit No. NJ0155438**
- 6. Final Permit Summary Tables**
- 7. Whole Effluent Toxicity (WET) Data Table**
- 8. Part I – General Requirements: NJPDES**
- 9. Part II – General Requirements: Discharge Categories**
- 10. Part III – Limits and Monitoring Requirements**
- 12. Part III – Attachment BGR (Effluent Standards for Site Remediation Projects)**
- 13. Part III – Attachment Residuals**
- 14. Part IV – Specific Requirements: Narrative**
- 15. Appendix A: Chronic Toxicity Testing Specifications for Use in the NJPDES Permit Program (applicable only if a Chronic WET limit is specified)**

New Jersey Department of Environmental Protection  
Division of Water Quality  
Bureau of Surface Water Permitting

**TECHNICAL CORRECTIONS AND RESPONSE TO COMMENTS**

The New Jersey Department of Environmental Protection (the Department) issued a NJPDES draft Surface Water Master General Remediation Clean-up Permit NJ0155438 on March 10, 2010. This master general permit renewal serves to regulate the category of discharges that are associated with remediation projects.

**Technical Corrections**

As part of the March 10, 2010 draft master permit, the Department included Permit Summary Tables for all facilities currently authorized under the master permit. There were some minor technical errors included in some of those permit summary tables which are identified below. In addition, these errors have been corrected in the final Permit Summary Tables as contained in this final master permit. These changes are as follows:

- Page 27 of 67 – NJG0105899  
Footnote (1) is corrected to read, “WET monitoring has been decreased from quarterly to twice per year based on existing data.”
- Page 30 of 67 – NJG0109908  
The footnote indicator “(1)” has been deleted as it was included in error. There is no footnote necessary for this table.
- Page 30 of 67 – NJG0109908  
The daily maximum limit for total organic carbon has been corrected to 25 mg/L.
- Page 42 of 67 – NJG0132829  
The final monitoring frequency for Chronic WET in the table has been corrected to say “1/Quarter” as noted in footnote (1).
- Page 43 of 67 – NJG0133892  
The final monitoring frequency for Chronic WET in the table has been corrected to say “1/Quarter” as noted in footnote (1).
- Page 45 of 67 – NJG0138681  
The final monitoring frequency for Chronic WET in the table has been corrected to contain the footnote. The (1) is hereby included beside “1/6 Months”.

Due in part to comments raised on NJ0105490 as indicated below, the Department has modified item F.2.d. of the final master permit to clarify the Department’s policy in reviewing minor modifications to reduce WET monitoring requirements.

This final BGR permit action also includes the addition of one facility, namely Honeywell International Inc. (NJPDES Permit No. NJ0031305). This permit was not originally included as part of the draft master BGR permit. However, upon review of the individual application, the Department determined that this site meets the eligibility characteristics of the BGR. The Department contacted the permittee to confirm this inclusion and they did not object. All limitations and monitoring conditions for NJG0031305 have been retained from the existing permit pursuant to N.J.A.C. 7:14A-13.19. The permit summary table for Honeywell International has been included on page 67 as part of the final Permit Summary Tables as contained in this final master permit.

## **Response to Comments**

Notice of this draft permit action appeared in seventeen newspapers to represent all New Jersey counties as well as in the March 10, 2010 *DEP Bulletin*. The public comment period ended on April 24, 2010. A summary of the timely and significant comments received, the Department's responses to these comments, and an explanation of any changes from the draft action have been included below.

The following persons commented during the public comment period:

1. Laura Morales, Project Scientist, Malcolm Pirnie  
Waye Sheu, Ph.D., Vice President, Malcolm Pirnie  
Comments 1 to 3 which are specific to Former Safer Textiles Facility (Former Textiles) - NJG0109908
2. Sean Wallace, Director of Research and Technology, Environmental Services, Ambient Group, Inc.  
Comments 4 to 5 which are specific to 30 Hudson Street - NJG0139661
3. Maura E. Blau, Counsel, Farer Fersko  
Peter Lumkong, P.E., Phoenix Environmental Management, Inc.  
Comments 6 to 7 which are specific to ADT Security System Manufacturing – NJG0105490

### **Comments on the Individual Permit Authorization NJ0109908** **Comments are specific to page 30 of 66 of the Permit Summary Tables**

#### **COMMENT 1:**

"Stream Losen Slofe" should be changed to "Losen Slote."

#### **RESPONSE 1:**

The Department's records indicate that the official stream name of the receiving waters for this facility is "Losen Slofe." "Losen Slofe" was identified in the previous individual authorization as well as the previous individual NJPDES permit for this facility. This name is also consistent with the stream name identified on the United States Geological Survey (USGS) Weehawken Quad, NJ, NY, Topographic Map. While Losen Slote may be a local name for the waterbody, the Department is required to utilize official names consistent with government records. As a result, the Department recognizes "Losen Slofe" as the official stream name for the facility.

No change has been made to the final master permit as a result of this comment.

#### **COMMENT 2:**

On page 30 of 66 in the "Final Monitoring Frequency" column, it is indicated that there is a footnote "(1)" but no footnote is included.

#### **RESPONSE 2:**

As noted in the list of corrections above, the footnote indicator was a typographical error as no footnote was necessary for this table. Therefore, the footnote indicator "(1)" in the header of the "Final Monitoring Frequency" column has been removed as part of the Final permit action.

This change affects page 30 of 67 of the final master permit.

#### **COMMENT 3:**

The Total Organic Carbon (TOC) "Final Limit" is indicated as "15 mg/L." This is different from the existing limit of 25 mg/L.

RESPONSE 3:

As noted in the list of corrections above, the daily maximum limit for TOC of 15 mg/L is a typographical error and should have been 25 mg/L consistent with the existing permit. Therefore, the TOC limit for Former Textiles (NJG0109908) is correctly changed to 25 mg/L as part of this Final permit action.

This change affects page 30 of 67 of the final master permit.

**Comments on the Individual Permit Authorization NJ0139661**  
**Comments are specific to page 66 of 67 of the Permit Summary Tables**

COMMENT 4:

It appears that the determination for Zinc and thus the semi-annual WET test requirement was based on the one initial sample submitted for the original application. There is no treatment of groundwater at this site and there is no process on site, we believe, that would contribute to groundwater contamination. We believe the parking lot runoff is controlled separately.

We are looking for a little guidance on what is going to be required in the future if the zinc levels remain where they are.

RESPONSE 4:

The commentor is correct in that the zinc requirement in the proposed draft permit is based on one data point namely 1380 ug/L. However, since the draft master permit was issued, the permittee provided additional analytical results for zinc in an e-mail dated March 15, 2010 addressed to Brian Salvo of the Department from Sean Wallace. Those results were 0.454 mg/L for March and 1.23 mg/L for February. The Department understands that the permittee is in the process of changing laboratories to see if that affects the results.

Review of the application whole effluent toxicity (WET) data showed a Chronic IC25 result of 9.4% with *Mysidopsis bahia*. The Acute WET result was LC50>37.3% for *Mysidopsis bahia*. These results indicate that toxicity is present and, as a result, a monitoring requirement for acute WET was imposed. Acute WET was deemed more appropriate given the site-specific characteristics of the discharge location.

The Department recognizes that the groundwater discharge consists of water generated from basement sumps. Nonetheless, all zinc results are significantly higher than both the New Jersey Surface Water Quality Standards (NJSWQS) for saline waters and the remediation standards of 100 ug/L (monthly average) and 200 ug/L (daily maximum) at N.J.A.C. 7:14A- Appendix B. As a result, the Department imposed both zinc limits and a whole effluent toxicity monitoring requirement. It is likely that toxicity is being caused by the high levels of zinc. Therefore, if the zinc levels are reduced, this could in turn result in better WET results.

The Department also recognizes that the current system does not have treatment at this time. The zinc limits will not come into effect until July 1, 2011 to allow the permittee some time to reduce the zinc levels which would likely include treatment installation.

Based on the above rationale the zinc limits have been retained and no change has been made as part of this final permit action.

**Comments on the Individual Permit Authorization NJ0105490**  
**Comments are specific to page 23 of 67 of the Permit Summary Tables**

COMMENT 5:

There is not a clear basis for the proposed NJPDES WET requirements when viewed along with site conditions, the site's historic effluent characteristics and the site's compliance history. We understand that the site is being grouped with other BGRs of varying site characteristics and conditions in the interest of streamlining the general permit process. However, it appears that the proposed WET testing requirement is being unnecessarily imposed on the former ADT site, since there is no site specific information, identified site / offsite evidence or triggers, or other informational finding or study demonstrating the need for the WET testing at the site.

Further, the site effluent has been monitored for some time, for a very specific group of compounds known to be present in the influent stream and the effectiveness of the groundwater treatment system in treating the influent has been consistently demonstrated. The remedial action selection and NJPDES monitoring at the site is appropriate based on the site characterization. However, the WET requirement has no connection to the site characteristics.

If the Department moves forward with requiring WET data points to confirm that further testing is not needed, ADT proposes collecting WET testing of effluent to provide two semi-annual data points on a contingent basis outside of the NJPDES permit. Should the results indicate no toxicity effects, no additional WET testing would be proposed for the site.

RESPONSE 5:

Section 101(a)3 of the Clean Water Act establishes a national policy of restoring and maintaining the chemical, physical and biological integrity of the Nation's waters. In addition, section 101(a)(3) of the CWA and the NJSWQS at N.J.A.C. 7:9B-1.5(a)3 state that the discharge of toxic pollutants in toxic amounts is prohibited. Further, 40 CFR 122.44(d) and N.J.A.C. 7:14A-13.6(a) require that where the Department determines using site-specific WET data that a discharge causes, shows a reasonable potential to cause, or contributes to an excursion above the NJSWQS, the permitting authority must establish effluent limits for WET. In order to satisfy the requirements of the CWA, the NJSWQS and the NJPDES Regulations, the need for a WQBEL for WET was evaluated for this discharge.

There are two types of WET tests, acute toxicity testing which measures only the lethal effects (mortality) of the effluent on the test organisms, and chronic toxicity testing which measures the lethal and sublethal effects (ie. growth and/or reproduction) of the effluent on the test organisms. The type of WET test required for a particular facility is determined by evaluating the mixing characteristics of the effluent (ie dilution factor) in the receiving water. The acute mixing zone and the chronic mixing zone are compared, and whichever results in a more stringent limit is used to regulate the discharge.

At this time, there is no WET data available for this discharge as well as a few other older discharges covered under the BGR. As a result, the Department included semi-annual WET monitoring for those discharges which includes this site. This requirement is necessary in order to determine whether or not toxicity is present. Without any data, the Department does not agree that it would be appropriate to assume that the need for WET testing has not been demonstrated.

With respect to other surface water discharge permits throughout New Jersey, it is important to consider the following:

- All individual surface water discharge permits include either a WET monitoring requirement or WET limit.
- Any facilities that apply as a new discharge under the BGR automatically receive a Chronic WET limit.

The commentator is correct in that this site has demonstrated a good compliance history with respect to toxics. The Department acknowledged that fact by reducing the monitoring frequency from monthly to quarterly in the April 21, 2005 master BGR permit.

The Department agrees that the purpose of a general permit is to streamline permit requirements. As noted on the WET Data Summary Table included in the final master general permit, WET data collected under the BGR shows a wide variability in WET effects despite the fact that most all sites show excellent efficacy at removing toxics. As a result, the Department determined that some WET monitoring was appropriate for those sites for which WET data was not available.

Finally, with respect to the commentor's suggestion regarding collecting two WET samples outside the NJPDES permit, the Department has determined it appropriate to limit the WET sampling. Specifically, the Department will continue to impose chronic WET sampling for this facility but for a finite period of time of two years. Once four samples have been collected over a two year period, the WET requirement will be fulfilled. However, if the WET results show toxicity, the Department reserves the right to reopen the permit authorization to continue the WET monitoring. This requirement has been deemed appropriate given consideration of the size this facility, the location of the discharge as well as F.2.d. of Part IV. As noted above, the Department has modified item F.2.d. to clarify the Department's policy on reviewing minor modifications to change WET requirements.

This change affects footnote (2) of the final Permit Summary Table for NJ0105490 as well as item F.2.d. of Part IV of the final master permit.



# NEW JERSEY POLLUTANT DISCHARGE ELIMINATION SYSTEM

The New Jersey Department of Environmental Protection hereby grants you a NJPDES permit for the facility/activity named in this document. This permit is the regulatory mechanism used by the Department to help ensure your discharge will not harm the environment. By complying with the terms and conditions specified, you are assuming an important role in protecting New Jersey's valuable water resources. Your acceptance of this permit is an agreement to conform with all of its provisions when constructing, installing, modifying, or operating any facility for the collection, treatment, or discharge of pollutants to waters of the state. If you have any questions about this document, please feel free to contact the Department representative listed in the permit cover letter. Your cooperation in helping us protect and safeguard our state's environment is appreciated.

**Permit Number: NJ0155438**

**Final: Surface Water Master General Permit Renewal**

**Permittee:**

NJPDES Master General Permit Program Interest  
Per Individual Notice of Authorization  
Division of Water Quality  
P.O. Box 029, 401 East State Street  
Trenton, NJ 08625

**Co-Permittee:**

**Property Owner:**

NJPDES Master General Permit Program Interest  
Per Individual Notice of Authorization  
Division of Water Quality  
P.O. Box 029, 401 East State Street  
Trenton, NJ 08625

**Location Of Activity:**

NJPDES Master General Permit Program Interest  
Per Individual Notice of Authorization  
Division of Water Quality  
P.O. Box 029, 401 East State Street  
Trenton, NJ 08625

Authorization(s) Covered Under This Approval	Issuance Date	Effective Date	Expiration Date
BGR -General Remediation Clean-up (GP)	5/12/2010	7/1/2010	6/30/2015

**By Authority of:  
Commissioner's Office**

*Original Signed by*  
\_\_\_\_\_  
**DEP AUTHORIZATION  
Pilar Patterson, Chief  
Bureau of Surface Water Permitting  
Division of Water Quality**

(Terms, conditions and provisions attached hereto)

**Division of Water Quality**