

PART I

NARRATIVE REQUIREMENTS

Dental Facilities Onsite Wastewater Treatment Systems (GP)

A. GENERAL REQUIREMENTS

1. Eligibility
 - a. All owners of individual subsurface sewage disposal systems that are designed, constructed, installed and operated in compliance with the Standards for Individual Subsurface Sewage Disposal Systems (N.J.A.C. 7:9A) or Class V injection wells that are authorized by an individual or general NJPDES-DGW Permit that receive or will receive discharges from dental facilities, excluding dental facilities at which no dentistry is practiced other than the following specialties:
 - i. Orthodontics;
 - ii. Periodontics;
 - iii. Endodontics;
 - iv. Oral and Maxillofacial Surgery;
 - v. Oral and Maxillofacial Radiology; and
 - vi. Oral and Maxillofacial Pathology.
2. A Request for Authorization (RFA) consisting of:
 - a. A NJPDES-1 application form;
 - b. A map depicting the location of the facility, which could include, but is not limited to:
 - i. A 8.5" x 11" USGS 7.5 minute quadrangle topographic map with the property clearly identified; or
 - ii. A copy of 8.5" x 11" local street map with the property clearly identified; and

- c. A plot plan consisting of:
 - i. A copy of a plan approved by the local administrative authority or the State for the construction of the individual subsurface sewage disposal system or Class V injection well, which can be obtained through the local health department or the State agency;
 - ii. If i. above is not available, a property survey, which includes property boundaries, realty improvements and the individual subsurface sewage disposal system or Class V injection well; or
 - iii. If i. and ii. above are not available, a copy of the municipal tax map at a scale where the property fits on an 8.5" x 11" sheet.
3. Deadline to Request Authorization
 - a. For new dental facilities, an RFA shall be submitted at least thirty (30) days prior to any discharge from the operation to any individual subsurface sewage disposal system or Class V injection well.
 - b. For existing dental facilities, an RFA shall be submitted by January 2, 2008.
 - c. The Department may accept an RFA submitted after the applicable deadlines in a. or b. above; however the permittee is liable for violations that occurred prior to the submission of the RFA, including discharging without a permit.
4. Automatic Renewal of Authorization
 - a. Authorization under this permit will be automatically renewed when this permit is reissued as provided by N.J.A.C. 7:14A-6.13(d)9 and 25.4(a)3 so long as the discharge authorized under this permit continues to be eligible. The Department shall issue a notice of renewed authorization to the permittee.
 - b. If the permittee is aware of any information in the most recently submitted RFA that is no longer true, accurate, and/or complete, the permittee shall provide the correct information to the Department within ninety (90) days of the effective renewal authorization notice.

B. SPECIFIC AUTHORIZATION CRITERIA

1. In cases where a dental facility that is discharging or will be discharging to an individual subsurface sewage disposal system or Class V injection well is not or will not be the owner of the individual subsurface sewage disposal system or Class V injection well, the owner of the individual subsurface sewage disposal system or Class V injection well shall have a written agreement with each dental facility stating that the dental facility agrees to comply with the applicable requirements of this permit.

C. OPERATING REQUIREMENTS OF THE DENTAL FACILITY

1. Best Management Practices (BMPs)
 - a. New dental facilities shall institute the BMPs in c. below prior to any discharge from the operation to any individual subsurface sewage disposal system or Class V injection well.
 - b. Each existing dental facility shall implement at a minimum the BMPs in c. below by October 1, 2008.
 - c. All dental facilities shall comply with the following:
 - i. Use mercury-free material when appropriate;
 - ii. Eliminate all use of bulk elemental mercury;
 - iii. Use precapsulated alloys only;
 - iv. Recycle used disposable capsules containing amalgam;
 - v. Store amalgam waste in airtight containers;
 - vi. Install chair-side traps in each cuspidor and filters in the vacuum system of every operatory where restoration work is done;
 - vii. Change and clean chair-side traps and vacuum filters frequently;
 - viii. Do not rinse traps or vacuum pump filters over drains or in the sinks. Amalgam waste shall be stored in accordance with v. above until recycled;

- ix. Do not throw or place the disposable trap, sludge from reusable trap, or vacuum pump filter or contents with regular garbage. Amalgam waste shall be stored in accordance with v. above until recycled;
- x. Do not throw or place the disposable trap, sludge from reusable trap, or vacuum pump filter or contents into sharps containers or biohazard bag. Amalgam waste shall be stored in accordance with v. above until recycled;
- xi. Do not flush amalgam waste down the drain. Amalgam waste shall be stored in accordance with v. above until recycled;
- xii. Use only non-bleach, non-chlorine cleaners, which are in a pH neutral range, in accordance with manufacturers' specifications, when cleaning any plumbing fixtures that come in contact with amalgam and/or amalgam waste;
- xiii. Appropriately disinfect and store amalgam pieces from removal and restoration with amalgam waste. Amalgam waste shall be stored in accordance with v. above until recycled;
- xiv. Have all amalgam waste containing mercury recycled by a licensed recycling contractor, mail-in service or hazardous waste hauler;
- xv. Train staff in the proper handling, management, and recycling of mercury containing material;
- xvi. Display and/or distribute any educational information, such as posters and brochures made available by the Department for this purpose; and
- xvii. Maintain records to document that the BMP requirements are being met.

2. Amalgam Separator Requirements

- a. New dental facilities shall install an amalgam separator in accordance with c. below prior to any discharge from the operation to any individual subsurface sewage disposal system or Class V injection well.

- b. Each existing dental facility shall install an amalgam separator in accordance with c. below by October 1, 2009.
- c. All dental facilities shall comply with the following:
 - i. The amalgam separator shall be installed in accordance with the manufacturer's specifications and recommendations to serve every dental chair in the facility.
 - ii. The amalgam separator shall be certified to perform at 98% or greater efficiency according to the International Standard Organization (ISO) standard 11143 protocol.
 - iii. The amalgam separator shall be adequately sized for the maximum expected flow rate based on the manufacturer's written specifications or documented criteria for the specific facility.
 - iv. The amalgam separator shall be installed, maintained and operated in accordance with its manufacturer's requirements and recommendations.
 - v. The dental facility shall maintain documentation with the amalgam separator identifying the manufacturer name, product name and model number, if the amalgam separator is not clearly labeled with the above information.
 - vi. The dental facility shall use only non-bleach, non-chlorine cleaners, which are in a pH neutral range, in accordance with the requirements of amalgam separator's manufacturer, when cleaning any plumbing fixtures, such as vacuum system lines that come in contact with amalgam and/or amalgam waste.
 - vii. On an annual basis, or more frequently if necessary, the dental facility shall properly recycle the amalgam waste from the amalgam separator according to the manufacturer's specifications.

D. OPERATING REQUIREMENTS OF THE PERMITTEE

1. Compliance with Rules

- a. The permittee shall comply with any other federal, state and local rules, regulations and ordinances. The issuance of this permit shall not be considered as a waiver from any of these other requirements.

2. Maintenance Requirements

- a. For dental facilities that have installed a compliant amalgam separator prior to October 1, 2007, the permittee shall have the individual subsurface sewage disposal system or Class V injection well inspected in accordance with the Department’s, “Technical Guidance for Inspection of Onsite Wastewater Treatment and Disposal Systems”, which is available on the Department’s website at www.state.nj.us/dep/dwg/ by October 1, 2008. If the inspection identifies that the individual subsurface sewage disposal system or Class V injection well is “unsatisfactory”, the permittee shall follow the requirements outlined in D.4.b. Field Code Changed

- b. The permittee shall have the individual subsurface sewage disposal system or Class V injection well inspected in accordance with the Department’s, “Technical Guidance for Inspection of Onsite Wastewater Treatment and Disposal Systems”, which is available on the Department’s website at www.state.nj.us/dep/dwg/ within thirty (30) days after the installation of the amalgam separator in accordance with C.2.b. If the inspection identifies that the individual subsurface sewage disposal system or Class V injection well is “unsatisfactory”, the permittee shall follow the requirements outlined in D.4.b. Field Code Changed

- c. The permittee shall have all septic tanks, including pump tanks pumped, at a minimum, every five (5) years. The initial pumping of the tanks to satisfy this requirement may be coordinated with the requirements to have all tanks pumped as part of the inspection required in D.2.a. or D.2.b..

3. Inspection Requirements

- a. The permittee shall visually inspect the individual subsurface sewage disposal system or Class V injection well on an annual basis. The visual inspection of the individual subsurface sewage disposal system or Class V injection well shall include all areas where septic tanks, pump tanks, distribution boxes, and disposal fields are located. At a minimum, these areas shall be inspected for evidence of breakout, ponding, wet areas, odors and an overabundance or loss of vegetative cover. If the aforementioned evidence is discovered, the permittee shall follow the requirements outlined in D.4.a. below.

4. Contingency Requirements

- a. If the inspection of the individual subsurface sewage disposal system or Class V injection well in accordance with D.3.a. indicates the evidence of breakout, ponding, wet areas, odors and an

overabundance or loss of vegetative cover in the areas of the septic tanks, pump tanks, distribution boxes, and disposal fields, the permittee shall:

- i. Immediately cease discharge to the affected disposal fields and, as appropriate, use the septic tank as a temporary holding tank and have wastes transported to a wastewater disposal facility for disposal until the affected disposal fields can be repaired;
 - ii. Contact the Department's Bureau of Nonpoint Pollution Control (BNPC) at 609-292-0407, as well as, the respective regional Department Compliance and Enforcement Office to report the failure as soon as possible after it is observed; and
 - iii. Determine the probable cause and propose remedial measures.
- b. If the inspection of the individual subsurface sewage disposal system or Class V injection well in accordance with D.2.a. or D.2.b. finds the individual subsurface sewage disposal system or Class V injection well to be "unsatisfactory", the permittee shall notify the Department's Bureau of Nonpoint Pollution Control (BNPC) at 609-292-0407 within twenty-four (24) hours of the observation.
- c. The permittee shall obtain a Treatment Works Approval (TWA) from the Department's Bureau of Financing and Construction Permits (609-984-6840) prior to the commencement of any remedial work on a permitted individual subsurface sewage disposal system or Class V injection well, except for the following:
- i. The replacement of worn, damaged, defective or inoperable wastewater pumps, septic tanks, and associated components, provided that the capacity and location will not change.
 - ii. Rehabilitation or the replacement of the existing building sewer.
 - iii. Any remedial work that does not require a TWA shall be documented, in writing, to the Department within thirty (30) days of the completion of such remedial work. Approvals from any local health agency are not required for these remedial activities.

5. Closure
 - a. The permittee shall contact their respective regional Department Compliance and Enforcement Office for guidance when closing or abandoning any individual subsurface sewage disposal system or Class V injection well.
6. Change of Owner or Operating Entity
 - a. The current permittee shall comply with the requirements of N.J.A.C. 7:14A-16.2, pertaining to notification of change of ownership prior to any change in ownership or operating entity.

E. PERMIT SUBMITTAL REQUIREMENTS

1. Submittal Requirements
 - a. The permittee shall annually submit a certification to the Department that amalgam waste from the amalgam separator has been properly recycled in accordance with the manufacturer's specifications. The certification shall be submitted on forms or in the format provided by the Department.
 - i. The permittee shall attach a copy of the record of shipment of amalgam waste from the amalgam separator to the annual certification. A record of shipment may take the form of a log, invoice, manifest, bill of lading or other shipping document. The record for each shipment shall include, at a minimum, the name and address of the dental facility, the name and address of the receiving facility, the quantity of waste received and the date of receipt of the shipment.
 - ii. The permittee shall attach copies of pump out receipts to the annual certification following any pump out of septic tanks and/or pump tanks.
 - iii. The permittee shall certify that the visual inspection of the individual subsurface sewage disposal system or Class V injection well in accordance with D.3.a. has been performed by properly executing the annual certification, including but not limited to, the date of inspection.
 - b. The permittee shall submit the results of the inspection of the individual subsurface sewage disposal system or Class V injection well performed in accordance with D.2.a. or D.2.b. to the Department

on the form provided in the Department's, "Technical Guidance for Inspection of Onsite Wastewater Treatment and Disposal Systems", which is available on the Department's website at www.state.nj.us/dep/dwg/ within ten (10) days following the inspection.

Field Code Changed

F. RECORDKEEPING

1. Records

- a. Each dental facility shall retain all records of recycling of amalgam waste from the amalgam separator. All records shall be made available for inspection by the Department upon request and kept on-site. These records shall include the records of shipment as described in E.1.a.i.
- b. The permittee shall retain all records of pump outs of all septic tanks, including pump tanks. All records shall be made available for inspection by the Department upon request. A copy of each pump out record must be submitted to the administrative authority or their authorized agent.
- c. The permittee shall retain all records of inspections of the individual subsurface sewage disposal system or Class V injection well in accordance with D.2.a. or D.2.b. These records shall be updated annually with a record of the visual inspections required in D.3.a. and any information regarding repair or alteration to the individual subsurface sewage disposal system or Class V injection well as identified in D.4.c. All records shall be made available for inspection by the Department upon request. A copy of the inspection record generated from the inspection requirement at D.2.a. or D.2.b. and copies of information regarding any repair or alteration to the system must be submitted to the administrative authority or their authorized agent.

G. COMPLIANCE TIMETABLE

1. As an aid in staying in compliance with the permit, the following summary timetable is presented to denote the time schedule for performing various tasks required throughout the permit. The timetable starts from October 1, 2007.
 - a. Within twelve (12) months – dental facility shall implement BMPs.

- b. At a minimum, once every twelve (12) months – permittee shall perform a visual inspection of the individual subsurface sewage system or Class V injection well.
- c. Within twenty-four (24) months - dental facility shall install an amalgam separator.
- d. For existing dental facilities that do not currently operate a compliant amalgam separator, within twenty-five (25) months – permittee shall inspect the individual subsurface sewage system or Class V injection well in accordance with the Department’s, “Technical Guidance for Inspection of Onsite Wastewater Treatment and Disposal Systems”.
- e. For new dental facilities or existing dental facilities that currently have a compliant amalgam separator, within twelve (12) months - permittee shall inspect the individual subsurface sewage system or Class V injection well in accordance with the Department’s, “Technical Guidance for Inspection of Onsite Wastewater Treatment and Disposal Systems”.
- f. At a minimum, once every five (5) years - permittee shall pump out all applicable septic and pump tanks.

H. LICENSED OPERATOR EXEMPTION

1. A licensed operator holding a license prescribed by the Department is not required for the permitted treatment system, pursuant to N.J.A.C.7:10A-1.10(c)5.

I. DEFINITIONS

1. The following definitions apply to this permit.
 - a. “Administrative authority” means the local board of health or its authorized agent acting on its behalf.
 - b. “Amalgam separator” is a device to remove amalgam and its metal constituents from dental facility wastewater.
 - c. “Amalgam waste” means and includes:
 - i. Non-contact amalgam (amalgam scrap that has not been in contact with patient);

- ii. Contact amalgam (including, but not limited to, extracted teeth containing amalgam);
 - iii. Amalgam sludge captured by chairside traps, vacuum pump filters, screens, and other amalgam trapping devices;
 - iv. Used capsules containing amalgam; and
 - v. Leaking or unusable amalgam capsules.
- d. “Dental facility” means any dental clinic, dental office, or dental practice, including hospitals, dental schools, and community health centers.
- e. “ISO 11143” is the International Organization for Standardization's standard for amalgam separators and specifically means ISO 11143:1999 or later. The standard is available from the ISO at <http://www.iso.org>.
- f. “Permittee” means, for the purpose of this permit, the owner of the individual subsurface sewage disposal system or Class V injection well. The permittee may be a dental facility, if the dental facility owns the individual subsurface sewage disposal system or Class V injection well receiving the dental facility discharge.

J. GENERAL CONDITIONS

1. The following conditions are incorporated by reference. The permittee is required to comply with the rules that were in effect as of the effective date of the final permit.
 - a. General Permits - N.J.A.C. 7:14A-6.13
 - b. Penalties for Violations - N.J.A.C. 7:14-8.1 et seq.
 - c. Incorporation by Reference - N.J.A.C. 7:14A-2.3
 - d. Toxic Pollutants - N.J.A.C. 7:14A-6.2(a)4
 - e. Duty to Mitigate - N.J.A.C. 7:14A-6.2(a)11
 - f. Inspection and Entry - N.J.A.C. 7:14A-2.11(e)
 - g. Enforcement Action - N.J.A.C. 7:14A-2.9

- h. Duty to Reapply - N.J.A.C. 7:14A-4.2(e)
 - i. Administrative Continuation of Permits - N.J.A.C. 7:14A-2.8
 - j. Permit Actions - N.J.A.C. 7:14A-2.7(c)
 - k. Permit Duration and Renewal - N.J.A.C. 7:14A-2.7(a), (b)
 - l. Consolidation of Permit Processing - N.J.A.C. 7:14A-15.5
 - m. Fee Schedule - N.J.A.C. 7:14A-3.1
 - n. Effect of Permit – N.J.A.C. 7:14A-6.2(a)6 & 7
 - o. Severability - N.J.A.C. 7:14A-2.2(b)
 - p. Standard Reopener Clause - N.J.A.C. 7:14A-6.2(a)10
 - q. General Conditions Applicable to All Permittees - N.J.A.C. 7:14A-6.2
 - r. Duty to Comply - N.J.A.C. 7:14A-6.2(a)
 - s. Signatory Requirements for Applications and Reports - N.J.A.C. 7:14A-4.9
 - t. UIC Corrective Action - N.J.A.C. 7:14A-8.4
 - u. Additional Conditions Applicable to UIC Permits - N.J.A.C. 7:14A-8.9
 - v. UIC Operating Criteria - N.J.A.C. 7:14A-8.16
 - w. Licensed Operator Exemption - N.J.A.C. 7:10A-1.10(c)5
2. Operation and Maintenance
- a. Proper Operation and Maintenance - N.J.A.C. 7:14A-6.12(a)
 - b. Need to Halt or Reduce not a Defense - N.J.A.C. 7:14A-2.9(b)
3. Records and Reporting Requirements
- a. Planned Changes - N.J.A.C. 7:14A-6.7
 - b. Duty to Provide Information - N.J.A.C. 7:14A-2.11, 6.2(a)14

- c. Compliance Schedules - N.J.A.C. 7:14A-6.4
 - d. Transfer - N.J.A.C. 7:14A-6.2(a)8, 6.13(n), 16.1, 16.2
4. NJPDES Rules
- a. Copies of the NJPDES rules may be purchased by contacting LexisNexis – Customer Service at (800) 223-1940, or go to the LexisNexis bookstore on the internet at www.lexisnexis.com/bookstore.