# FACT SHEET
## SCRAP METAL INDUSTRIAL STORMWATER GENERAL PERMIT
## NJ0163261

## I. BACKGROUND

The New Jersey Department of Environmental Protection (the Department) is the issuing authority for National Pollutant Discharge Elimination System (NPDES) permits in the State of New Jersey and issues those permits as part of the New Jersey Pollutant Discharge Elimination System (NJPDES) Program. In 1992, as part of the initial response to the United States Environmental Protection Agency (USEPA) stormwater discharge rules, the Department proposed and adopted amendments to the NJPDES rules, N.J.A.C. 7:14A.

On February 1, 1995, the Department's Scrap Metal Processing and Recycling General Permit - NJ0107671 (SM) became effective authorizing the discharge of "stormwater associated with industrial activity", as defined in N.JA.C. 7:14A-1.2, from facilities that engage in the dismantling and recycling of materials such as "end of life" automobiles and other metallic scrap under Standard Industrial Classification (SIC) code 5015 and 5093. The SM was reissued on December 1, 1999 to broaden its scope to incorporate new conditions and include discharges to groundwater. On February 1, 2005, the permit was renewed without change.

The existing SM was developed with the concept that both the scrap metal recycling industry and vehicle recycling industry were similar in industrial activity, waste production and environmental impact. In the fourteen (14) years since the implementation of the SM, the Department has determined that scrap metal recycling and vehicle recycling are two significantly different industries and should be permitted as such. Therefore, the Department has developed the Scrap Metal Industrial Stormwater General Permit - NJ0163261 (SM2) to better represent the scrap metal industry and created the Vehicle Recycling General Permit – NJ0163279 (RVR) to permit facilities solely engaged in vehicle recycling.

When developing the SM2, the Department met with representatives of the Institute of Scrap Recycling Industries, Inc (ISRI) to examine the effectiveness of the existing SM permit and review the findings of Department inspections conducted by enforcement and permitting staff. As a result, the Department is now instituting a more prescriptive and standardized set of specific goals that minimizes interpretation and ensures more consistent implementation and greater environmental protection. The Department has tried to incorporate most of ISRI's suggestions and comments into the SM2, while retaining certain Department core concepts such as drainage control and representative monitoring.

## II. AUTHORIZED DISCHARGES

The SM2 authorizes new and existing industrial stormwater discharges to surface and/or ground waters of the State from facilities either engaged in the scrap metal recycling business or engaged in the scrap metal recycling business and the wholesale or retail distribution of used vehicle parts, including the dismantling of motor vehicles.

Industrial stormwater discharges that are ineligible for authorization under the SM2 are listed in Part II.C.2.b of the general permit. Facilities SOLELY engaged in the wholesale or retail distribution used vehicle parts, including the dismantling of motor vehicles are NOT eligible for

the SM2 and will be required to obtain authorization under the proposed Draft NJPDES Vehicle Recycling Stormwater General Permit (NJ0163279).

## III. TYPE AND QUANTITY OF POLLUTANTS

The volume and quality of stormwater discharges associated with industrial activity at regulated facilities covered by this permit will depend on a variety of factors, including the industrial activities occurring at the facility, materials stored at the facility, imperviousness of industrial areas, duration and intensity of precipitation, and the successful implementation of Mandatory Performance Standards and Stormwater Control Measures (SCMs).

**Table 1** below lists some potential pollutant sources from activities that commonly take place at scrap metal recycling facilities.

| TABLE 1 | |
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| **POLLUTANTS OF CONCERN** | **POTENTIAL SOURCES** |
| Potential Sources include, but are not limited to the following. | |
| Aluminum, Dissolved | ▪ Siding ▪ Metal alloys ▪ Lawn furniture ▪ Car trim ▪ Hand rails ▪ Gutters and leaders ▪ Storm doors ▪ Transmission housings ▪ Heavy electrical cable ▪ Power tool housings ▪ Screening ▪ Hub caps ▪ Soda Cans ▪ Appliances ▪ Auto Parts ▪ Windows ▪ Doors ▪ White Goods |
| Aluminum, Total | |
| Arsenic, Dissolved | ▪ Paint ▪ Dyes ▪ Metal alloys |
| Arsenic, Total | |
| Benzene | ▪ Dyes ▪ Rubber ▪ Detergents ▪ Explosives ▪ Lubricants ▪ Pesticides ▪ Gasoline ▪ Styrofoam packing materials ▪ Plastics ▪ Glues ▪Adhesives ▪ Household cleaning products ▪ Paint strippers ▪ Some art supplies ▪ Tobacco smoke ▪ Oil products |
| Cadmium, Dissolved | ▪ Metal alloys ▪ Batteries ▪ Paint ▪ Appliances |
| Cadmium, Total | |
| Chemical Oxygen Demand | ▪ Rust ▪ Degreasers ▪ Oil products |
| Chromium, Dissolved | ▪ Metal alloys ▪ Paint ▪ Stainless steel |
| Chromium, Total | |
| Copper, Dissolved | ▪ Metal alloys ▪ Wire ▪ Tubing ▪ Plumbing fittings |
| Copper, Total | |
| Ethylbenzene | ▪ Oil products ▪ Paints ▪ Primers ▪ Inks ▪ Sealants ▪ Cleaners ▪ Adhesives ▪ Pesticides |
| Iron, Dissolved | ▪ Metal alloys ▪ Automobiles ▪ Girder beams ▪ Pipes |
| Iron, Total | |
| Lead, Dissolved | ▪ Metal alloys ▪ Piping ▪ Batteries ▪ Paint ▪ Weights ▪ Solders |
| Lead, Total | |

| TABLE 1 continued… | |
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| **POLLUTANTS OF CONCERN** | **POTENTIAL SOURCES** |
| Potential Sources include, but are not limited to the following. | |
| Mercury, Dissolved | ▪ Metal alloys ▪ Fluorescent light tubes ▪ Electronic devices ▪ Mercury switch ▪ Dental Amalgams ▪ Batteries |
| Mercury, Total | |
| Methyl tert-butyl | ▪ Oil products ▪ Paints ▪ Primers ▪ Inks ▪ Sealants ▪ Cleaners ▪ Adhesives ▪ Pesticides |
| Naphthalene | ▪ Oil products ▪ Paints ▪ Primers ▪ Inks ▪ Sealants ▪ Cleaners ▪ Adhesives ▪ Pesticides |
| Nickel, Total | ▪ Metal alloys ▪ Automobiles ▪ Girder beams ▪ Pipes |
| Organic Carbon, Total | ▪ Pesticides ▪ Herbicides ▪ Cleaning products |
| Petroleum Hydrocarbons, Total – Diesel Range Organics (Extended Range) | ▪ Oil products |
| Petroleum Hydrocarbons, Total – Gasoline Range Organics | ▪ Oil products |
| pH | ▪ Batteries ▪ Concrete |
| Polychlorinated Biphenyls, Total | Equipment and material manufactured before July 2, 1979 and not marked "No PCBs" including: ▪ Automobiles ▪ Reusable automobile parts ▪ Transformer shells ▪ Heat transfer equipment ▪ Hydraulic equipment ▪ Electrical equipment parts ▪ Oil and grease-filled insulated electrical cable ▪ Hydraulic oil ▪ Brake fluid ▪ Recycled oil ▪ Oil recovered from steam cleaning ▪ Ignition coil capacitors ▪ Drums and containers ▪ Major home appliance capacitors ▪ Fluff ▪ Fluorescent light ballasts |
| Suspended Solids, Total | ▪ Loose soils ▪ Rust flakes ▪ Cutting materials |
| Toluene | ▪ Oil products ▪ Paints ▪ Primers ▪ Inks ▪ Sealants ▪ Cleaners ▪ Adhesives ▪ Pesticides |
| TPHC | ▪ Oil products |
| Xylene | ▪ Oil products ▪ Paints ▪ Primers ▪ Inks ▪ Sealants ▪ Cleaners ▪ Adhesives ▪ Pesticides |
| Zinc, Dissolved | ▪ Metal alloys ▪ Paint▪ Ingots ▪ Rejected castings ▪ Flashing ▪ Galvanized metals |
| Zinc, Total | |

The SM2 general permit addresses these major sources by requiring a Drainage Control Plan (DCP) as part of the Stormwater Pollution Prevention Plan (SPPP), the incorporation of Mandatory Performance Standards with specific implementation schedules, and quarterly monitoring requirements for both discharges to surface water and discharges to ground water. Facilities also engaged in vehicle recycling activities, will have vehicle recycling specific SCMs with implementation schedules included as a section of the permit. Implementation of these requirements will generally ensure that source materials and industrial activities do not contribute pollutants to stormwater runoff.

## IV. POLYCHLORINATED BIPHENYLS

Polychlorinated Biphenyls (PCBs) remain one of the greatest pollutants of concern at scrap metal recycling facilities and the reduction of PCB contamination at scrap metal facilities is a component of this permit. Many contaminants, including PCBs, are transported with suspended solids. This permit targets suspended solids in order to reduce the potential for PCB contamination. The SM2 requires all facilities to sample for Total Suspended Solids (TSS) on a quarterly basis and has an action level of 100 mg/L. Exceeding the action level triggers TSS to become a numeric effluent limit, subject to enforcement action and mandatory monetary penalties. The SM2 also includes Total PCBs as a quarterly monitoring requirement with a design criterion of 0.5 µg/L.

As part of the DCP, this permit requires paving of all areas of industrial activity to reduce the potential transport of any existing PCBs and facilitate sweeping and other TSS control measures. In addition, Mandatory Performance Standards will reduce PCB contamination on and off-site by eliminating pathways of PCB-containing materials to infiltrate surface and ground water. The "Inbound Quality Control" performance standard requires permittees to remove PCB capacitors from all vehicles and appliances prior to crushing, shredding or delivery to another dismantler/recycling facility. The "Vehicle Tracking" performance standard eliminates all visible tracking of soil, sediment or other material outside the drainage control area or from the facility onto municipal, county or state roads. The "Battery, Mercury Switch, and PCB Capacitor Storage" performance standard requires the removal and proper storage, recycling, and disposal of PCB capacitors from all vehicles and white goods, such as common household appliances, prior to shredding or crushing.

## V. BASIS AND DESCRIPTION OF THE NEW DRAFT PERMIT

This permit's provisions prevent or minimize any further impacts to surface and/or ground waters of the State from potential sources of stormwater pollutants. These provisions are consistent with the Department's philosophy to eliminate or minimize exposure of pollutant sources to stormwater. Monitoring and analysis of stormwater was incorporated into the initial SM to evaluate the effectiveness of SPPPs and associated BMPs and fourteen years of water quality data has been collected. However, the Department has determined that continued monitoring is necessary to develop reliable background water quality data, ensure the efficiency of SCMs, and for future use in permitting this regulated industry.

The SM2's specific goals summarized in the permit's overview (Part IV.A) eliminate interpretation of BMPs, ensure more consistent BMP implementation, and standardize compliance and enforcement resulting in greater environmental protection. The Department has developed reasonable, appropriate and enforceable Mandatory Performance Standards with specific implementation schedules. Mandatory Performance Standards exist for the following scrap metal recycling activities:

- Inbound Quality Control;
- Vehicle Tracking;
- Turning Storage;
- Battery, Mercury Switch and PCB Capacitor Storage;
- Spill Prevention and Response
- Equipment and Vehicle Washing;
- Preventative Maintenance;
- Outfall Stabilization;
- Discharges of Stormwater from Secondary Containment;
- Employee Training; and
- Compliance with Local Ordinances.

For facilities also engaged in vehicle recycling activities, the Department has developed a more prescriptive set of SCMs with specific implementation schedules. For such facilities, the SCMs are to be implemented in addition to the Mandatory Performance Standards. SCMs exist for the following vehicle recycling activities:

- Staging of Inbound Vehicles;
- Vehicle Fluid Draining and Dismantling;
- Existing Vehicle Inventory;
- Outdoor Vehicle and Vehicle Part Storage;
- Vehicle Crushing;
- Vehicle Parts Cleaning/Solvent Degreasing;
- Vehicle and Equipment Maintenance and Repair;
- Oil/Water Separator Performance Standard and Maintenance;
- Aboveground Storage Tank Management;
- Outdoor Gasoline and Vehicle Fluid Storage; and
- Transfer and Fueling of Gasoline and other Fuels.

The Department retained the SPPP provision and added the requirement to implement a DCP. The DCP ensures that uncontrolled stormwater discharges from areas of regulated industrial activity are eliminated and stormwater is properly monitored and that data collected by the Department is representative of the regulated industry. As a key component of the DCP, the Department is requiring authorized facilities to install impervious pavement in all areas of industrial activity. Quarterly monitoring for pollutants of concern has been reinstated, along with Annual Inspections and Annual Certifications to assess each facility's progress and compliance with the permit.

## VI. PERMIT AUTHORIZATION

Permitted facilities have been notified via Certified Mail that they may be subject to the terms and conditions of the SM2. Misclassified facilities must notify the Department in writing prior to the end of the public comment period. If the Department is not notified concerning a misclassification, the facility will be automatically authorized under the SM2. Facilities SOLELY engaged in the wholesale or retail distribution of used vehicle parts, including the dismantling of motor vehicles are NOT eligible under the SM2 and will be required to obtain authorization under the proposed Draft NJPDES Vehicle Recycling Stormwater General Permit - NJ0163279. In accordance with N.J.A.C. 7:14A 6.13(g), facilities may apply for an individual NJPDES permit at any time. Authorization under the SM2 will remain in effect until the effective date of the individual NJPDES permit.

For new operations, a Request for Authorization (RFA) must be submitted at least sixty (60) days prior to the commencement of industrial activity. New operations must also submit with the RFA the Department's Generic Certification Form, certifying that the facility has implemented all Mandatory Performance Standards and SCMs required by the permit and is in compliance with all permit conditions, prior to the commencement of any industrial activity.

## VII. PROCEDURES FOR REACHING A FINAL PERMIT DECISION ON THE NEW DRAFT PERMIT

A copy of the public notice for the draft renewal permit will be sent to all existing permittees, and will be published in the *DEP Bulletin, Atlantic City Press, Trenton Times, and the Star-Ledger*. The public comment period is scheduled to begin on August 19, 2009. The Department has decided to extend the standard thirty (30) day public comment period. Therefore, in accordance with N.J.A.C. 7:14A-15.10(c)1i, the public comment period will close forty-five (45) days after publication in either the DEP Bulletin or the last newspaper publication, whichever is later. Comments must be received by the end of the public comment period. A copy of the permit and background information is available on the Department's web page at www.state.nj.us/dep/dwq, under "What's New in Water?" and at the Camden Free Public Library, Ferry Avenue Branch (Centerville), located at 852 Ferry Avenue, Camden, New Jersey, 08104.

## VIII. DEPARTMENT CONTACT

Interested persons may obtain further information about SM2 draft permit, including copies of the draft permit, fact sheet, and other information in the administrative record (including names and addresses of affected permittees and facilities), from Kerri Standowski, Bureau of Nonpoint Pollution Control, at (609) 633-7021. Written requests for such information may be sent to Kerri Standowski, New Jersey Department of Environmental Protection, Bureau of Nonpoint Pollution Control, P.O. Box 029, Trenton, NJ 08625-0029. Interested persons should provide their telephone number in their written request or telephone message.

For further information on the RVR draft permit, contact Sheri Shifren, Bureau of Nonpoint Pollution Control at (609) 633-7021.

## VIIII. ADMINISTRATIVE RECORD

1.) The public notice of the NJDEP's intent to issue NJPDES permit NJ0163261 (i.e."Draft Permit")
2.) NJPDES NJ0088315 Basic Industrial Stormwater Permit (NPI)*
3.) NJPDES NJ0107671 Scrap Metal Processing and Recycling General Permit
4.) 33 U.S.C. 1251 et seq., Federal Water Pollution Control Act. (NPI)*
5.) N.J.S.A. 58:10A-1 et seq., New Jersey Water Pollution Control Act (NPI)*
6.) 40 CFR 122.28 et seq., National Pollutant Discharge Elimination System (NPI)*
7.) N.J.A.C. 7:14A et seq., New Jersey Pollutant Discharge Elimination System Regulations (NPI)*
8.) N.J.A.C. 7:9B-1 et seq., New Jersey Surface Water Quality Standards. (NPI)*
9.) Discharge Monitoring Reports submitted under NJPDES Permit NJ0107671
10.) 52440 Federal Register / Vol. 63, No. 189 / Wednesday, September 30, 1998 / Notices. (NPI)*
11.) EPA's Multi Sector General Permit Development Document (NPI)*
12.) Nationwide Urban Runoff Program, US EPA and consultants, 1983. (NPI)*
13.) "Field Sampling Procedures Manual", published by the NJDEP. (NPI)*
14.) "NJPDES Monitoring Report Form Reference Manual", published by the NJDEP. (NPI)*
15.) Ground Water Quality Standards (N.J.A.C. 7:9-6)
16.) Sludge Quality Assurance Regulations (N.J.A.C. 7:14C)

*NPI indicates the actual entire document is not physically attached to this Draft Renewal Permit, but the documents themselves are referenced as a source of information and may be viewed separately.