

**CHANGE SIXTEEN (16) TO THE PVSC RULES & REGULATIONS**

**FACT SHEET**

**THIS PART CONTAINS THE EXPLANATION OF  
APPROVED CHANGES TO THE  
PVSC RULES AND REGULATIONS**

## INTRODUCTION

Change 16 incorporates modifications to PVSC's Rules and Regulations (R&R) which are deemed necessary based on experience in the operation of PVSC's Industrial Pretreatment Program. Significant revisions include the prohibition of truck washing wastewater in non-designated areas, and the revision of local limits and threshold values for heavy metals. Some revisions were included to clarify language in existing Sections as well. Change 16 will also correct typographical and formatting errors. Corrections of this nature are non-substantive.

The following section in this Fact Sheet describes each corresponding, substantive change in more detail; non-substantive changes are not addressed.

### EXPLANATION OF SUBSTANTIVE CHANGES

1. **Section 101.1 (a)** – Modified this existing Section by changing the word “prevent” to “prohibit,” when referring to PVSC's objective regarding the introduction of pollutants which will interfere with the treatment plant or contaminate the sludge.
2. **Section 101.1 (b)** – Modified this existing Section by changing the word “prevent” to “prohibit,” when referring to PVSC's objective regarding the introduction of pollutants which do not receive satisfactory treatment or which cause Pass-through the system or otherwise be incompatible with the PVSC treatment works.
3. **Section 104.2 (c)** – Added this new subsection to require response to any PVSC-issued correspondence or Notice of Violation where directed. This requirement was previously inferred, so this subsection will clearly define this requirement.
4. **Section 301.1** - – Modified this existing Section clearly state that unauthorized discharges are strictly prohibited, rather than relying on the inference of such.
5. **Section 306.1** – Capitalized the first letter of both words in the reference “significant changes” to denote more clearly that it is a defined term in the PVSC Rules & Regulations.
6. **Section 306.2** – Altered the phrase “such a change” to “Significant Change” to more clearly reference “Significant Change” in Section 306.1 immediately preceding.
7. **Section 306.4** - Modified this existing Section to add that PVSC may also seek reimbursement for use of a consultant when an approval request is sought for a new additive, process, or product.
8. **Section 312.1(j)** –Removed “.5” from the existing “602.5,” as its specific references were too restrictive.
9. **Section 312.1(o)** - Removed “.5” from the existing “602.5,” as its specific references were too restrictive.
10. **Section 312.1(p)** - Removed “.5” from the existing “602.5,” as its specific references were too restrictive.
11. **Section 312.1(s)** – Added this new Section, which prohibits the discharge from vehicle-washing operations (trucks, buses, etc.) to the sewer which are performed outside the company's facility, on sidewalks or streets.

12. **Section 312.1(t)** - Added this new Section, which prohibits the diversion of, or discharge to, a sidewalk or street sewer (sanitary or combined sewer).
13. **Section 312.2** – Revised this existing Section to replace an existing reference to “Executive Director” with “Chief Executive Officer,” in keeping with every other reference to “Chief Executive Officer” in the document. Removed “.5” from the existing “602.5,” and replaced “Treatment Fee” with “fee.” This would allow for more authorized discharges to be contingent on payment of the applicable fee(s).
14. **Section 312.3** – Capitalized the first letter of both words in the existing reference “wet weather” to denote that it will be a defined term in the PVSC Rules & Regulations. In accordance with PVSC’s new NJPDES Permit (effective 7/1/15), added a requirement for SIUs to restrict discharges “to the extent practical” during Wet Weather.
15. **Section 312.4** – Added this new Section (replacing the existing 312.4 and renumbering that as 312.5), also in accordance with PVSC’s new NJPDES Permit, to require Significant Industrial Users to investigate ways to minimize discharges during Wet Weather and report their findings to PVSC.
16. **Section 312.5** – As stated immediately above, this Section was unchanged but renumbered to accommodate the new language in the proposed new 312.4.
17. **Section 314.1** – Modified this existing Section to clarify that any Permit, etc. requirement which will not be met, must be reported to PVSC; not just reporting a limit exceedance or discharge of prohibited wastes.
18. **Section 316.1** - Modified this existing Section to clarify that monthly MR-2 Reports cover calendar months.
19. **Section 316.3** - Modified this existing Section to clarify that monthly MR-1 Reports cover calendar months.
20. **Section 316.6** - Modified this existing Section to clarify that monthly MR-3 Reports cover calendar months.
21. **Section 316.11(a)** - Modified this existing Section to allow an exception when the number of reported analytical result digits exceed the number of digits defined by the pollutant limit. The exception would be for instances when, for example, <0.0 mg/L is the rounded result. In such case the Permittee would report the analytical result as is stated on the laboratory report.
22. **Section 317.3** - Modified this existing Section to add that, upon request by a PVSC Inspector, Users shall perform or demonstrate a calibration of the pH and/or LEL monitor in the Inspector’s presence. Added requirements to utilize a two-point calibration, and to ensure that pH meters are accurate and reproducible to within 0.1 S.U. Also, language was added to specifically prohibit the removal of a continuous pH probe from the waste stream unless authorized by PVSC.
23. **Section 322.1(f)** – Modified this existing Section to specifically include “Slug Discharge Control Plan Questionnaire” as a required report whose lateness would be subject to the Significant Non-Compliance (SNC) criteria. PVSC previously had to issue violations for SNC lateness of this questionnaire by reference to the “required reports” language of this Section.

24. **Section 322.1** – Modified this existing Section’s last paragraph to clarify that PVSC may also designate a User as being in SNC if the User meets the NJ criteria defined under “Significant Non-Compliance (SNC)” – “State.”
25. **Section 323.1** – Modified the “Slug Discharge Plan Questionnaire” reference in this existing Section to match the uniform reference in other areas of these Regulations as “Slug Discharge *Control* Plan Questionnaire.”
26. **Section 324.1** - Modified this existing Section to delete an outdated reference (phrase) to “the most recent revision” to the Rules & Regulations as it pertains to the timing for filing an application to process trucked waste at a User’s facility.
27. **Section 406.3** – Revised this existing Section to add that PVSC may withdraw any grease additive approval should it suspect or determine that the additive is ineffective or is resulting in or contributing to grease accumulation downstream or at PVSC.
28. **Section 503.2** - Modified this existing Section to add that PVSC may substitute invalid or unrepresentative User-submitted Biochemical Oxygen Demand (BOD) and/or Total Suspended Solids (TSS) data, or any missing BOD and/or TSS data, with its own BOD and/or TSS data in the calculation of User Charges. This modification also provides PVSC with the ability to incorporate an average BOD and/or TSS as well.
29. **Section 503.6** - Modified this existing Section to eliminate an old commencement date (1997) for the calculation of non-direct-billed Users, and clarified the average period to be used for such calculation.
30. **Section 505.2** - Capitalized the first letter of both words in the reference “significant change” to denote more clearly that it is a defined term in the PVSC Rules & Regulations. Also moved the phrase “(as determined by PVSC)” to after the new “Significant Change” so that it no longer appears in between both words.
31. **Section 505.3** - Added this new Section reserving PVSC’s right to, when deemed necessary, require an Industrial User in Supplemental User Charge to estimate its usage, then require the User to remit User Charges prior to the commencement of each quarter. This would prevent non-payment of User Charges for discharges by a User no longer able to pay after the respective quarter (for example, companies that declare bankruptcy or go out of business).
32. **Section 601.1** – Modified this existing Section to incorporate existing PVSC authority at N.J.S.A. 58:14 to enforce the prohibition of sewage or other polluting matter discharged (directly or indirectly) into certain waters of the Passaic River and/or its tributaries.
33. **Section 602.5** - Modified this existing Section to bring it up to date with a prior abolition of Surcharge fees; as such a clarification was added stating that a Treatment Fee would replace User Charge in certain instances, and not be assessed in addition to any applicable User Charge. PVSC also reserved the right to require a Contractual Indirect Discharger (CID) to estimate its volume, BOD, and TSS for up to two quarters in advance, then require the CID to remit the resultant, quarterly Treatment Fee prior to the commencement of each quarter.
34. **Section 602.6(c)** – Modified this existing Section to state that, even if a local approval was granted before PVSC’s, the applicant would still be responsible for filing the application and submitting any required fees to PVSC. Additionally modified this existing Section to provide PVSC with the ability to also utilize Best Professional Judgment to estimate Connection Fee volumes in cases

where the otherwise-assigned flow values from N.J.A.C. 7:14A-23.3 (Projected Flow Criteria) are clearly overstated, understated, or outdated.

35. **Section 602.6(g)** – Modified this existing Section to clarify that the Administration Fee for connections applications review is charged even if the Connection Fee is waived or partially waived as allowed.
36. **Section 602.6(k)** – Added language to this existing Section to allow Connection Fee gallons credit where applicable, for locations with multiple lots in one block. Established that, where there are multiple units, credit may only be awarded for those units which are/have been actively generating wastewater during the prior five years.
37. **Section 602.8** - Modified this existing Section to include the Connection Fee “Administrative Review Fee” as being revised (when necessary) via Resolution.
38. **Appendix A – Definitions** – Added the definition of “Wet Weather.”
39. **Appendix B – Section B-102.1** – Deleted the words “a report” from this paragraph as it was redundant in its reference to “Baseline Monitoring Report” in the next line.
40. **Appendix B – Section B-103.3** – Revised this existing Section to incorporate newly-calculated local limits (daily maximums) and threshold values for applicable heavy metals. Also included, but suspended, a new local limit for total cyanide (not a heavy metal).
41. **Appendix C – Table C-3** – Modified existing row “3.” by capitalizing the first letter of both words in the reference “significant change.”
42. **Appendix C – Table C-5** – Modified existing rows for Sections 104.2, 306.1, 306.2, 312.3, 317.3, 323.1, B-102.2, and B-102.3 as per above-mentioned changes. Added a new row for Sections 312.4, 502.2 (previously omitted), 505.3, 601.1 and B-102.1. Deleted rows for Section 312.5 (which previously should have been listed as 312.4), and B-102.4. Note that the B-102 rows should have been altered and renumbered as part of Change 15; due to the oversight at that time, they are being corrected herein.