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## **SUBCHAPTER 4. PERMIT APPLICATION REQUIREMENTS**

### **7:14A-4.1 PURPOSE AND SCOPE**

- (a) This subchapter sets forth the minimum NJPDES permit application requirements, which apply to all applicants for NJPDES permits, unless otherwise specified.

### **7:14A-4.2 APPLICATION REQUIREMENTS**

- (a) Any person who is engaged in an activity or proposes to commence an activity that requires an individual NJPDES permit pursuant to N.J.A.C. 7:14A-2 shall submit a complete application to the Department in accordance with this subchapter. Any person wishing to be authorized under a general permit shall comply with the application requirements in the applicable general permit. The application forms can be obtained by writing to the address cited in (b) below, or from the Department's web site, <http://www.state.nj.us/dep/dwq/>.
- (b) Once an applicant has complied with N.J.A.C. 7:14A-4.3(a)13, requiring submittal of the application to the local agency or sewerage entity and municipality, the applicant shall submit two copies of all NJPDES permit applications to:
  - New Jersey Department of Environmental Protection
  - Bureau of Permit Management
  - Division of Water Quality
  - CN 029
  - Trenton, NJ 08625
  - Attn: Administrative Review Unit
- (c) It is the duty of any person who is or will be an operating entity for any part of a facility which includes a discharge or activity regulated pursuant to this chapter to obtain a NJPDES permit. When a facility or activity is owned by one or more persons, but is currently operated by another person, it is the operating entity's duty to obtain a NJPDES permit. However, the property owner (record owner of fee title interest) shall sign the "Property Owner's Certification" in the NJPDES-1 Form for all DGW permits.
- (d) Whenever pursuant to (c) above, more than one person is required to obtain an individual NJPDES permit for one or more discharges or activities at a specific site, the Department may issue a single permit and may list all of these persons as permittees. Such a permit may identify permit conditions that apply to one or more of those permittees.
- (e) The schedule for submission of applications (or requests for authorization under a general permit) is as follows:
  1. Any person proposing a new facility or activity, which requires a NJPDES permit pursuant to N.J.A.C. 7:14A-2.4 and is not exempt pursuant to

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N.J.A.C. 7:14A-2.5, shall submit an application at least 180 days before the date on which the activity is proposed to commence, unless an alternative date has been established by the Department. The schedule for submitting an application for certain stormwater discharges is set forth in N.J.A.C. 7:14A-24.4 and 25.4.

2. For general permits, alternate dates for submitting requests for authorization may be specified under the terms of the applicable general permits.
3. Any person planning to continue discharging after the expiration date of an existing NJPDES permit shall file an application for renewal or a request for authorization under a general permit at least 180 calendar days prior to the expiration of the existing permit, unless:
  - i. Otherwise required under (e)4 below;
  - ii. The existing permit is a general permit that provides for automatic renewal of authorization when that general permit is renewed (see N.J.A.C. 7:14A-6.13(d)9), or that provides for retroactive renewal of authorization after a new request for authorization is submitted or granted under the renewed general permit; or
  - iii. The existing permit is an individual permit where:
    - (1) The permittee has been notified by the Department prior to submitting a renewal application pursuant to N.J.A.C. 7:14A-2.7 that the permit qualifies for expedited permit renewal under N.J.A.C. 7:14A-16.3(h), and elects to participate; or
    - (2) The permittee has a stormwater only permit and is approved by the Department for expedited permit renewal.
4. (Reserved.)
5. If the Department revokes the industrial pretreatment program of a delegated local agency, the Department will notify each affected facility or activity that discharges under that industrial pretreatment program of the deadline for submitting an application for an individual NJPDES-SIU permit from the Department.
6. All existing facilities or activities which require an individual NJPDES-SIU permit due to promulgation of new Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subpart N, will be notified of the application date by the Department following submittal of the Baseline Report, as required pursuant to 40 CFR 403.12(b). See also N.J.A.C. 7:14A-21.3(b).

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- (f) The Department shall not issue a draft permit for an individual NJPDES permit before receiving a complete permit application, in accordance with N.J.A.C. 7:14A-15.4.

#### **7:14A-4.3 APPLICATION INFORMATION REQUIREMENTS**

- (a) All applicants for an individual NJPDES permit shall provide the following information to the Department using the application form(s) provided by the Department (except as specified in N.J.A.C. 7:14A-24.7, 25.9 and 25.10 for stormwater discharges):
  1. The activities conducted by the applicant which require it to obtain a NJPDES permit including a brief description of the nature of the business, project, facility, or activity;
  2. The name, mailing address, and location of the facility for which the application is submitted;
  3. Up to four SIC codes which best reflect the principal products or services provided by the facility;
  4. The expiration date of the existing permit or proposed start up date for a new source or for a new discharge or activity;
  5. Identification of the general type of waste discharged, or expected to be discharged upon commencement of operations, including sanitary wastes, or non-contact cooling water. This information shall include any cooling water additives that are used or expected to be used upon commencement of operations, along with their composition;
  6. Identification of facility ownership, and status as Federal, State, private, public or other entity, the name, address, and telephone number of all:
    - i. Operating entities of the treatment works;
    - ii. Owners of the land or property; and
    - iii. Licensed operators of the treatment works;
  7. The name, address, and telephone number of any DTW being utilized (if applicable);
  8. The name of the applicant's parent corporation;
  9. A listing of all permits or construction approvals received or applied for by the applicant or its parent corporation at the site under any of the following programs:

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- i. Hazardous Waste Management program under RCRA;
  - ii. NJPDES permits or Treatment Works Approvals under the State or Federal Acts;
  - iii. UIC program under N.J.A.C. 7:14A-8;
  - iv. Prevention of Significant Deterioration (PSD) program under the Clean Air Act;
  - v. Nonattainment program under the Clean Air Act;
  - vi. National Emission Standards for Hazardous Pollutants (NESHAPS) preconstruction approval under the Clean Air Act;
  - vii. Ocean dumping permits under the Marine Protection Research and Sanctuaries Act;
  - viii. Dredge or fill permits under Section 404 of the Federal Act; and
  - ix. Other relevant environmental permits, including Federal and State permits, such as stream encroachment or wetlands permits;
10. Identification of administrative orders, administrative consent orders, judicial consent orders, notices of violations, complaints filed, or other corrective or enforcement action(s) required by any governmental agency(ies) with regard to the operation of the applicant at that site concerning water pollution within the previous five years;
  11. If the applicant is subject to any present requirements or compliance schedules for construction, upgrading or operation of waste treatment equipment, connection to a DTW, an identification of the abatement requirement, a description of the abatement project, and a listing of the required and projected final compliance dates;
  12. A map identifying the land area intended to be served by the proposed treatment works on a U.S.G.S. quadrangle map or digital format map prepared in accordance with the Department's mapping standards at N.J.A.C. 7:1D Appendix A and a certification that the area to be served is within an area eligible for sewer service in accordance with the applicable WQM plan;
  13. Evidence of application submission to the local agency or sewerage entity and municipality as follows. Except for stormwater discharges, all applicants for an individual NJPDES permit proposing a new discharge or activity, increase in permitted flow with or without an associated increase in loading for an existing discharge, or change in the location or method of discharge shall, prior to the submission of an application to the

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Department, submit a copy of the application to the affected local agency or sewerage entity and municipality along with a written notice (certified mail return receipt requested or by other means which allow verification of the fact and date of receipt) that the local agency or sewerage entity and municipality must submit to the Department written comments regarding or objections to the proposed discharge or activity within 30 days of receipt of said notice. Any written comments regarding or objections to the proposed discharge or activity submitted to the Department by an affected local agency, or sewerage entity, or municipality shall be considered by the Department in determining whether to issue a draft permit in accordance with N.J.A.C. 7:14A-15.6. The applicant may file a permit application, provided that copies of the signed and dated notices to the respective local agency or sewerage entity and municipality, and dated certified mail return receipts or other verification of delivery receipt are submitted with the application. Under this circumstance, the Department would consider an application administratively complete, provided all other application requirements have been submitted;

14. Signature of certifying official as required in N.J.A.C. 7:14A-4.9;
15. A topographic map (U.S. Geological Survey Topographic Map, 7.5 minute Quadrangle Series) extending one mile beyond the property boundaries of the source, depicting the facility and each of its intake and discharge structures; each of its residual treatment, storage, or disposal facilities; each well where fluids from the facility are injected underground; and those wells, springs, other surface water bodies and drinking water wells listed in public records or otherwise known to the applicant in the map area;
16. The latitude and longitude to the nearest second of the location of each discharge or activity and the name of the receiving waters or formations, including the USEPA reach number for NJPDES-DSW permit applications. This information shall be submitted in a manner or format consistent with N.J.A.C. 7:1, Appendix A, incorporated herein by reference. Where the information has previously been submitted in a GIS compatible format or has been entered into the GIS database, a duplicate submittal in GIS compatible format is not required. Sludge-only facilities do not need to provide the name(s) of the receiving waters or formations;
17. A line drawing of the water flow through the facility with a water balance, showing operations contributing wastewater to the effluent and treatment units. Similar processes, operations, or production areas may be indicated as a single unit, labeled to correspond to the more detailed identification under (a)5 above. The water balance shall show approximate average flows at the intake and discharge points and between units, including treatment units. If a water balance cannot be determined, the applicant may provide a pictorial description instead, which indicates the nature and

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amount of any sources of water and any collection and/or treatment measures;

18. A description of the treatment the wastewater receives or will receive, including the means for ultimate disposal of any solid or fluid wastes other than by discharge. Each applicant for a new individual NJPDES permit must report the existence of any technical evaluation concerning their wastewater treatment, along with the name and location of similar plants of which they have knowledge;
19. A listing of any toxic pollutant specified in Appendix A, incorporated by reference herein, which the applicant currently uses or manufactures as an intermediate or final product or byproduct. The Department will waive or modify this requirement if an applicant demonstrates that it would be unduly burdensome to identify each toxic pollutant and the Department has adequate information to issue the permit;
20. For NJPDES-DSW permit applications, an identification of any biological toxicity tests, which the applicant knows or has reason to believe have been made within the last three years on any of the applicant's discharges or activities or on a receiving water in relation to a discharge or activity. The biological toxicity tests shall have been conducted in accordance with the laboratory certification regulations for biological testing, N.J.A.C. 7:18. The applicant shall include copies of the laboratory reports for such biological toxicity tests, if the test results were not previously submitted to the Department;
21. Average flows for the facility or proposed facility. For all facilities or proposed facilities, a narrative identification of each type of process, operation, or production area which contributes wastewater to the effluent for each outfall, including process wastewater, cooling water, and stormwater runoff; the average flow which each process contributes. Processes, operations or production area(s) may be described in general terms (for example, "dye-making reactor," distillation tower"). For DTWs, this identification shall include the identity of each user of the treatment works, as specified in Section 402(b)8 of the Federal Act. The average flow of sources composed of stormwater may be estimated. The method of estimation and the basis for the total estimated rainfall must be described. If the discharge is partly due to stormwater, for each outfall, the application must either quantify the contributing drainage area and the runoff coefficient(s) applicable, or provide the other data used to estimate the average flow of stormwater. In addition:
  - i. For DTWs, design flow of the facility or proposed facility shall be reported;
  - ii. All DGWs shall report the peak daily flow in addition to the average

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flow; and

- iii. If any of the discharges described above are intermittent or seasonal, a description of the frequency, duration, and flow rate of each discharge occurrence (except for stormwater runoff, and accidental spillage or leaks);
22. To the extent practicable, the location of all sites at which solid or liquid waste is stored at the facility for which the NJPDES application is being made and the ultimate disposal sites of solid or liquid waste generated by any facility with a discharge;
  23. Information in compliance with the Sludge Quality Assurance Regulations, N.J.A.C. 7:14C;
  24. A description of the applicant's residual use and disposal practices including, where applicable:
    - i. The location of all sites at which residual is stored at the facility for which the NJPDES application is being made and the name and location of the residual use and disposal practices for residual generated by the facility;
    - ii. The location of any sites where the applicant transfers or plans to transfer residuals for treatment and/or disposal;
    - iii. Annual residuals production volume (dry metric tons per year);
    - iv. A written statement from the applicant indicating whether a residual use or disposal practice is consistent with an approved District Sludge Management Plan or District Solid Waste Management Plan, as applicable; and
    - v. Any additional information required to be submitted by a treatment works treating domestic sewage or a sludge-only facility in accordance with 40 CFR 122.21, as amended or supplemented;
  25. All DTWs with an approved industrial pretreatment program shall complete a written technical evaluation of the need to revise local limits developed under 40 CFR 403.5(c)(1). This technical evaluation shall meet the criteria specified in N.J.A.C. 7:14A-19.7(e);
  26. The RWBR information in accordance with N.J.A.C. 7:14A-2.15; and
  27. Any other optional information the permittee wishes to have considered.
- (b) A person whose facility is the cause of, or whose activity results in, more than one discharge at a single site, shall separately describe each discharge or activity in the application.

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- (c) An applicant which qualifies as a small business under one of the following criteria is exempt from the requirements set forth in N.J.A.C. 7:14A-4.4(b)4 and 5 to submit quantitative data for the pollutants listed in Table II of Appendix A (the organic toxic pollutants), incorporated herein by reference:
  - 1. For coal mines, a probable total annual production of less than 100,000 tons per year; or
  - 2. For all other applicants, gross total annual sales averaging less than \$100,000 per year (in second quarter 1980 dollars).
- (d) If a certified laboratory or consulting firm performed an analysis required by N.J.A.C. 7:14A-4.4, the applicant shall provide the identity of each certified laboratory or firm and the analysis performed.
- (e) In addition to the information reported on the application form, applicants shall provide to the Department, upon request, such other information as the Department may reasonably require, or that the applicant wishes to have considered, to assess the activity or discharge(s) of the facility and to determine whether to issue a NJPDES permit in accordance with this chapter. This additional information may include additional quantitative data and bioassays to assess the relative toxicity of the discharge(s) to aquatic life, requirements to determine the cause of any toxicity, or other such information concerning existing or proposed pollution control programs, such as the technical application requirements listed in N.J.A.C. 7:14A-4.5 through 4.8. In accordance with N.J.A.C. 7:14A-15.4, a technically incomplete application may be inactivated (and the issuance of the draft permit therefore delayed) until the information requested under this subsection is supplied to the Department.

**7:14A-4.4 ADDITIONAL APPLICATION REQUIREMENTS FOR DISCHARGES TO SURFACE WATER**

- (a) An applicant for an individual NJPDES permit for a process wastewater discharge is required to provide with the application a reasonable estimate or measure of the applicant's actual maximum and average actual production. For new sources or new discharges or activities, the applicant shall provide estimates expressed in terms of production (or other measure of operation). The reported estimate or measure of production must reflect the actual production of the facility as required in N.J.A.C. 7:14A-13.13(a)1ii. If production is likely to vary, alternative estimates may be submitted in consultation with the Department. Production estimates shall be made in accordance with the following (except as specified in N.J.A.C. 7:14A-24.7, 25.9 and 25.10 for stormwater discharges):
  - 1. An effluent guideline promulgated under Section 304 of the Federal Act, reported in the units used in the applicable effluent guideline;

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2. A new source performance standard promulgated under Section 306 of the Federal Act, reported in the units used in the applicable new source performance standard; or
  3. A toxic and pretreatment standard promulgated under Section 307 of the Federal Act reported in the units used in the standard.
- (b) All applicants for an individual NJPDES permit shall provide as part of their application, information on the discharge of pollutants in accordance with this subsection (except information on stormwater discharges, which is to be provided as specified in N.J.A.C. 7:14A-24.7, 24.8, 25.9 and 25.10).
1. Where the Department has determined two or more outfalls to have substantially identical effluents, the Department will allow the applicant to report that the quantitative data from testing one outfall also applies to the other substantially identical outfall or outfalls.
  2. When quantitative data for a pollutant are required, the applicant shall collect a sample of effluent and analyze it for the pollutant in accordance with analytical methods approved under 40 C.F.R. Part 136 or N.J.A.C. 7:18.
    - i. When no approved analytical method is available, the applicant may propose to use a suitable method. The applicant shall provide a description of the proposed methodology to the Department for approval for the specific pollutant prior to initiation of sampling;
    - ii. Grab samples shall be used for pH, temperature, cyanide, total phenols, residual chlorine, chlorine produced oxidants, oil and grease, petroleum hydrocarbons, all volatile organics, bacterial indicators, and flash point. For all other pollutants, 24-hour composite samples must be used. However, a minimum of one grab sample may be taken for effluents from holding ponds or other impoundments with a retention period greater than 24 hours. The Department will waive composite sampling for any outfall for which the applicant demonstrates that the use of an automatic sampler is infeasible and that a specific minimum number of samples will be a representative sample of the effluent being discharged; and
    - iii. Where no certification program in accordance with N.J.A.C. 7:18 is available for a specific parameter, the permittee shall utilize a laboratory certified for a similar parameter or analytical procedure.
  3. An effluent characterization shall be submitted as follows:
    - i. Every applicant for an individual NJPDES permit shall report quantitative data that contains daily maximum and monthly average values, for every outfall, for the following pollutants:

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- (1) Biochemical oxygen demand (BOD<sub>5</sub>);
  - (2) Chemical oxygen demand ;
  - (3) Total organic carbon;
  - (4) Total suspended solids;
  - (5) Ammonia (as N);
  - (6) Temperature (both winter and summer);
  - (7) pH; and
  - (8) Dissolved oxygen.
- ii. Every applicant for an individual NJPDES permit shall collect and submit the quantitative data for the analyses listed in (b)3ii(1) and (2) below for every outfall, unless the Department determines that the submission is not necessary to evaluate the effluent characteristics.
- (1) Results from a minimum of at least once acute and one chronic whole effluent toxicity test performed on the same sample; and
  - (2) Results from a minimum of at least one analysis of the pollutants listed in Table II and Table III of N.J.A.C. 7:14A-4 Appendix A, except for applicants with processes in one or more primary industrial category that are required to obtain quantitative data under (b) below.
- iii. The Department will waive the reporting requirements for discharges of a particular industrial category for one or more of the pollutants in (i) above if the applicant demonstrates that such a waiver is appropriate because adequate information to support issuance of a permit can be obtained with less stringent or different requirements.
- iv. The quantitative data, regardless of when collected, shall remain representative of current operations and include maximum daily value, average daily value, and the number of measurements taken.
- v. For new sources or new discharges, when the applicant is unable to provide sampling data, the applicant must include estimates for the new sources or new discharges of pollutants or parameters listed in (b)3i above with the addition of bacterial indicators (if believed present or if sanitary waste is or will be discharged), chlorine produced oxidants (if chlorine is used in the treatment process), oil and grease, and flow, along with the source of each estimate.

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- vi. For all sampling data required under this section, all levels must be reported or estimated as concentration and as total mass, except for flow, pH, acute and chronic whole effluent toxicity, and temperature. The applicant must complete and submit the influent and effluent characteristics by providing quantitative data using NJPDES Form C. For POTWs (and DTWs), the applicant shall complete and submit the influent and effluent characteristics required under this section using NJPDES Form A.
4. Each applicant with processes in one or more primary industrial category contributing to a discharge shall report quantitative data for the following pollutants in each outfall containing process wastewater:
    - i. The organic toxic pollutants in the fractions designated in Table I of Appendix A (i.e. volatile, acid, base/neutral, or pesticide) for the applicant's industrial category or categories unless the applicant qualifies as a small business under N.J.A.C. 7:14A-4.3(c). Table II of N.J.A.C. 7:14A-4 Appendix A lists the organic toxic pollutants in each fraction. The fractions result from the sample preparation required by the analytical procedure which uses gas chromatography/mass spectrometry. A determination that an applicant falls within a particular industrial category for the purposes of selecting fractions for testing is not conclusive as to the applicant's inclusion in that category for any other purposes; and
    - ii. The pollutants listed in Table III of Appendix A (the toxic metals, cyanide, and total phenols).
  5. The applicant shall report the presence of pollutants that it knows or has reason to believe are present as follows:
    - i. An applicant shall indicate whether it knows or has reason to believe that any of the pollutants in Table IV of Appendix A (certain conventional and nonconventional pollutants) is discharged from each outfall. If an applicable effluent limitations guideline either directly limits the pollutant or, by its express terms, indirectly limits the pollutant through limitations on an indicator, the applicant shall report quantitative data. For every pollutant discharged which is not so limited in an effluent limitations guideline, the applicant shall either report quantitative data or briefly describe the reasons the pollutant is expected to be discharged;
    - ii. An applicant shall indicate whether it knows or has reason to believe that any of the pollutants listed in Table II or Table III of Appendix A (the toxic pollutants and total phenols) for which quantitative data are not otherwise required under (b)3 above, is discharged from each outfall. For every pollutant expected to be discharged in a

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concentration of 10 ug/L or greater the applicant shall report quantitative data. Each applicant shall report daily maximum, daily average, and the source of information for each pollutant it knows or has reason to believe to be present or if the application is limited by an effluent limitations guideline or new source performance standard either directly or indirectly through limitations or an indicator pollutant: all pollutants in Table IV of Appendix A (certain conventional and nonconventional pollutants). For acrolein, acrylonitrile, 2,4 - dinitrophenol, and 4,6-dinitro-o-cresol (2-methyl-4,6 dinitrophenol), where any of these pollutants are expected to be discharged in concentrations of 100 ug/L or greater, the applicant shall either submit quantitative data or briefly describe the reasons the pollutants are expected to be discharged. An applicant qualifying as a small business under N.J.A.C. 7:14A-4.3(c) is not required to analyze for pollutants listed in Table II of Appendix A (the organic toxic pollutants); and

- iii. For new discharges, each applicant must report estimated daily maximum, daily average and source of information for the following pollutants if it knows or has reason to believe that they will be present in the discharge from any outfall:
  - (1) The pollutants listed in Table III of Appendix A (the toxic metals, total cyanide, and total phenols); and
  - (2) The organic toxic pollutants in Table II of Appendix A (except bis (2-chloromethyl) ether, dichlorofluoromethane and trichlorofluoromethane). This requirement is waived for applicants who qualify as small businesses under N.J.A.C. 7:14A-4.3(c).
6. An applicant shall indicate whether it knows or has reason to believe that any of the pollutants in Table V of Appendix A (certain hazardous substances and asbestos) are discharged from each outfall. For every pollutant expected to be discharged, the applicant shall briefly describe the reasons the pollutant is expected to be discharged, and report any quantitative data it has for any pollutant. For new sources and new dischargers, no quantitative estimates are required at time of application submittal, unless they are already available. However, no later than two years after commencement of discharge from a proposed facility, the applicant for a permit for a new source or new discharge shall submit the quantitative data; and
7. An applicant shall report qualitative data, generated using a screening procedure not calibrated with analytical standards, for 2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD) if it:

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- i. Uses or manufactures 2,4,5-trichlorophenoxy acetic acid (2,4,5,-T)(CAS #93-76-5); 2-(2,4,5-trichlorophenoxy) propanoic acid (Silvex, 2,4,5,-TP)(CAS #93-72-1); 2-(2,4,5-trichlorophenoxy) ethyl, 2,2-dichloropropionate (Erbon)(CAS #136-25-4); O,O-dimethyl O-(2,4,5-trichlorophenyl) phosphorothioate (Ronnell)(CAS #299-84-3); 2,4,5-trichlorophenol (TCP)(CAS #95-95-4); or hexachlorophene (HCP)(CAS #70-30-4); or
- ii. Knows or has reason to believe that TCDD is, may be, or will be present in an effluent.

**7:14A-4.5 SPECIFIC TECHNICAL APPLICATION REQUIREMENTS FOR DIRECT DISCHARGES TO SURFACE WATER**

- (a) N.J.A.C. 7:14A-12-Appendix C includes the effluent standards for new sources, including new or expanded discharges or activities. The effluent standards for new dischargers are effluent limitations developed using water quality assumptions applicable to a pollutant that is known to be in the applicant's effluent. An applicant may request effluent limitations based on the effluent standards for a new discharge in lieu of conducting site specific water quality studies. Applicants for individual NJPDES permits for new sources or new discharges directly discharging to surface water, shall submit one of the following:
  1. A complete application in accordance with the requirements of N.J.A.C. 7:14A-4.2 and 4.3, including a request to include one or more of the effluent standards listed in N.J.A.C. 7:14A-12 Appendix C as the effluent limitation(s) for each pollutant present in the applicant's discharge or activity. The applicant shall specify the specific pollutants where imposition of the effluent standards as effluent limitations are requested. By requesting the imposition of effluent standards listed in N.J.A.C. 7:14A-12 Appendix C as effluent limitations, an applicant shall be deemed to have waived its rights to contest the N.J.A.C. 7:14A-12 Appendix C effluent standards for each effluent limitation requested. The Department may determine that imposition of the effluent standards as effluent limitations are appropriate for specific pollutants and in that case shall exempt the applicant from completing detailed water quality studies for those pollutants; or
  2. A complete application without a request for use of the effluent standards. Where the applicant does not request the effluent standards as provided at (a)1 above, the applicant shall submit all water quality studies which the Department determines are appropriate for the specific discharge.
- (b) Applicants with an individual NJPDES permit for existing discharges or activities shall submit a complete renewal application in accordance with N.J.A.C. 7:14A-2.7. Where additional water quality information is necessary,

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the Department shall require water quality studies as provided in N.J.A.C. 7:14A-2.12(a).

**7:14A-4.6 ADDITIONAL APPLICATION REQUIREMENTS FOR SIGNIFICANT INDIRECT USERS**

- (a) In addition to the requirements of N.J.A.C. 7:14A-4.3, the application for an individual NJPDES-SIU permit shall include the information required under:
  - 1. N.J.A.C. 7:14A-4.4(a)1 and 3; and
  - 2. N.J.A.C. 7:14A-4.4(b)1,2,3i(1-2),3i(4-7),3iii, and 4 through 7.
- (b) In addition to the requirements listed in N.J.A.C. 7:14A-4.4, applicants for an individual SIU permit shall submit the following:
  - 1. A list of potential discharges, with a description of the expected levels and the reasons for any discharges of pollutants which the applicant knows or has reason to believe will exceed two times the value required to be reported in accordance with N.J.A.C. 7:14A-4.4(b)1, 2, 3i(1) and (2), 3i(4) through (7), 4 through 7, for a period of five years commencing with the date of the application;
  - 2. For new, expanded, or changed (in nature of pollutants discharged) SIU discharges only, consent from the affected local agency and owner of the applicable wastewater conveyance system(s), certifying that the discharge is acceptable. This consent shall be in the form of a letter or Form WQM-003 (available from the Department). This is the same form required by N.J.A.C. 7:14A-22.6; and
  - 3. An indication of the ultimate discharge point of all building floor drains, including the path through the facility collection system.

**7:14A-4.7 ADDITIONAL APPLICATION REQUIREMENTS FOR DISCHARGES TO GROUND WATER**

- (a) In addition to the requirements of N.J.A.C. 7:14A-4.2 and 4.3, an applicant for a NJPDES-DGW permit shall submit the information required in N.J.A.C. 7:14A-7, 8, 9 and 10.

**7:14A-4.8 ADDITIONAL APPLICATION REQUIREMENTS FOR SPECIFIC DSW DISCHARGES**

- (a) For new or existing concentrated animal feeding operations, in addition to the application information requirements contained in N.J.A.C. 7:14A-4.2 and 4.3, an application shall include the following information:
  - 1. The type and number of animals in open confinement and housed under

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roof;

2. The number of acres used for confinement feeding; and
  3. The design basis for the runoff diversion and control system, if one exists, including the number of acres of contributing drainage, the storage capacity, and the design safety factor.
- (b) For new or existing concentrated aquatic animal production facilities, in addition to the application requirements contained in N.J.A.C. 7:14A-4.2 and 4.3, applications shall include the following information:
1. The maximum daily and average monthly flow from each outfall;
  2. The number of ponds, raceways, and similar structures;
  3. The name of the receiving water and the source of intake water;
  4. For each species of aquatic animals, the total yearly and maximum harvestable weight; and
  5. The calendar month of maximum feeding and the total mass of food fed during that month.

#### **7:14A-4.9 SIGNATORY REQUIREMENTS FOR PERMIT APPLICATIONS AND REPORTS**

- (a) All permit applications, requests for authorization, reports required by permits other than MRFs, and other information requested by the Department, shall be signed by a person described in (a)1 through 4 below. MRFs shall be signed in accordance with the reporting requirements of N.J.A.C. 7:14A-6.9.
1. For a corporation, by a responsible corporate officer. For the purpose of this section, 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 other person who performs similar policy or decision-making functions for the corporation; or
    - ii. The manager of one or more manufacturing, production, or operating facilities, provided:
      - (1) The manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of recommending major capital investment, initiating and directing comprehensive measures to assure long term compliance with environmental laws and regulations, and ensuring that the necessary systems are

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established or actions taken to gather complete and accurate information for permit application requirements; or

- (2) The authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
2. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
  3. For a municipality, State, Federal, or other public agency, by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:
    - i. The chief executive officer of the agency; or
    - ii. A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator); or
  4. By a duly authorized representative as described in (b) below.
- (b) A person is a duly authorized representative only if:
1. The authorization is made in writing by a person described in (a)1 through 3 above;
  2. The authorization specifies either an individual or a position whose occupant has responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position whose occupant has overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and,
  3. The written authorization is submitted to the Department.
- (c) If an authorization under (b) above 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 (b) above must be submitted to the Department prior to or together with any reports, information, or applications signed by an authorized representative.
- (d) Any person signing a document under (a) above shall make the following certification:

"I certify under penalty of law that this document and all attachments were

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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 purposely, knowingly, recklessly, or negligently submitting false information."

**7:14A-4.10: TECHNICAL REQUIREMENTS FOR NJPDES-DSW APPLICATIONS.**

(Reserved)

**7:14A-4-APPENDIX A:**

**PERMIT APPLICATION TESTING REQUIREMENTS/POLLUTANT LISTINGS**

**TABLE I: TESTING REQUIREMENTS FOR ORGANIC TOXIC POLLUTANTS BY INDUSTRIAL CATEGORY**

Industrial Category	GC/MS Fraction <sup>1</sup>			
	Volatile	Acid	Base/Neutral	Pesticide
Adhesives and Sealants	*	*	*	
Aluminum Forming	*	*	*	
Auto and Other Laundries	*	*	*	*
Battery Manufacturing	*		*	
Coal Mining	*	*	*	*
Coil Coating	*	*	*	
Copper Forming	*	*	*	
Electric and Electronic Components	*	*	*	*
Electroplating	*	*	*	
Explosives Manufacturing		*	*	
Foundries	*	*	*	
Gum and Wood Chemicals	*	*	*	*
Inorganic Chemicals Manufacturing	*	*	*	
Iron and Steel Manufacturing	*	*	*	
Leather Tanning and Finishing	*	*	*	*
Mechanical Products Manufacturing	*	*	*	
Nonferrous Metals Manufacturing	*	*	*	*
Ore Mining	*	*	*	*
Organics Chemicals Manufacturing	*	*	*	*
Paint and Ink Formulation	*	*	*	*
Pesticides	*	*	*	*
Petroleum Refining	*	*	*	*
Pharmaceutical Preparations.	*	*	*	
Photographic Equipment and Supplies.	*	*	*	*
Plastic and Synthetic Materials Manufacturing	*	*	*	*
Plastic Processing...	*			

Porcelain Enameling..	*		*	*
Printing and Publishing	*	*	*	*
Pulp and Paper Mills	*	*	*	*
Rubber Processing	*	*	*	
Soap and Detergent Manufacturing	*	*	*	
Steam Electric Power Plants	*	*	*	
Textile Mills	*	*	*	*
Timber Product Processing.	*	*	*	*

Note 1: The Environmental Protection Agency has suspended the requirements of 122.21(g)(7)(ii)(A) and Table I of Appendix D as they apply to certain industrial categories. The suspensions are as follows:

(a) At 46 FR 2046, January 8, 1981, the Environmental Protection Agency suspended until further notice 122.21(g)(7)(ii)(A) as it applies to coal mines.

(b) At 46 FR 22585, April 20, 1981, the Environmental Protection Agency suspended until further notice 122.21(g)(7)(ii)(A) and the corresponding portions of Item V-C of the NPDES application Form 2 as they apply to:

1. Testing and reporting for all four organic fractions in the Greige Mills Subcategory of the Textile Mills industry (Subpart C—Low water use processing of 40 C.F.R. part 410), and testing and reporting for the pesticide fraction in all other subcategories of this industrial category.
2. Testing and reporting for the volatile, base/neutral and pesticide fractions in the Base and Precious Metals Subcategory of the Ore Mining and Dressing industry (subpart B of 40 C.F.R. part 440), and testing and reporting for all four fractions in all other subcategories of this industrial category.
3. Testing and reporting of all four GC/MS fractions in the Porcelain Enameling industry.

(c) At 46 FR 35090, July 1, 1981, the Environmental Protection Agency suspended until further notice 122.21(g)(7)(ii)(A) and the corresponding portions of Item V-C of the NPDES application Form 2c as they apply to:

1. Testing and reporting for the pesticide fraction in the Tall Oil Rosin Subcategory (subpart D) and Rosin-Based Derivatives Subcategory (subpart F) of the Gum and Wood Chemicals industry (40 CFR part 454), and testing and reporting for the pesticide and base/neutral fractions in all other subcategories of this industrial category.
2. Testing and reporting for the pesticide fraction in the Leather Tanning and Finishing, Paint and Ink Formulation, and Photographic Supplies industrial categories.
3. Testing and reporting for the acid, base/neutral and pesticide fractions in the Petroleum Refining industrial category.
4. Testing and reporting for the pesticide fraction in the Papergrade Sulfite subcategories (subparts J and U) of the Pulp and Paper industry (40 C.F.R. part 430); testing and reporting for the base/neutral and pesticide fractions in the following

subcategories: Deink (subpart Q), Dissolving Kraft (subpart F), and Paperboard from Waste Paper (subpart E); testing and reporting for the volatile, base/neutral and pesticide fractions in the following subcategories: BCT Bleached Kraft (subpart H), Semi-Chemical (subparts B and C), and Nonintegrated-Fine Papers (subpart R); and testing and reporting for the acid, base/neutral, and pesticide fractions in the following subcategories: Fine Bleached Kraft (subpart I), Dissolving Sulfite Pulp (subpart K), Groundwood-Fine Papers (subpart O), Market Bleached Kraft (subpart G), Tissue from Wastepaper (subpart T), and Nonintegrated-Tissue Papers (subpart S).

5. Testing and reporting for the base/neutral fraction in the Once-Through Cooling Water, Fly Ash and Bottom Ash Transport Water process wastestreams of the Steam Electric Power Plant industrial category.

This revision continues these suspensions.

For the duration of the suspensions, therefore, Table I effectively reads:

**PERMIT APPLICATION TESTING REQUIREMENTS/POLLUTANT LISTINGS**  
**Table I**  
**Testing Requirements for Organic Toxic Pollutants by Industrial Category**

<u>Industrial Category</u>	<u>GC/MS Fraction<sup>1</sup></u>			
	<b>Volatile</b>	<b>Acid</b>	<b>Base/Neutral</b>	<b>Pesticide</b>
Adhesives and Sealants.....	*	*	*	
Aluminum forming.....	*	*	*	
Auto and other laundries.....	*	*	*	*
Battery manufacturing.....	*		*	
Coal mining.....				
Coil coating.....	*	*	*	
Copper forming.....	*	*	*	
Electric and electronic compounds.....	*	*	*	*
Electroplating.....	*	*	*	
Explosives manufacturing.....		*	*	
Foundries.....	*	*	*	
Gum and wood (all subparts except D and F).....	*	*		
Subpart D-tall oil rosin.....	*	*	*	
Subpart F-rosin-based derivatives.....	*	*	*	
Inorganic chemicals manufacturing.....	*	*	*	
Iron and steel manufacturing...	*	*	*	
Leather tanning and finishing.....	*	*	*	
Mechanical products manufacturing.....	*	*	*	

Nonferrous metals manufacturing.....	*	*	*	*
Ore mining (applies to the base and precious metals/Subpart B).....		*		
Organic chemicals manufacturing.....	*	*	*	*
Paint and ink formulation.....	*	*	*	
Pesticides.....	*	*	*	*
Petroleum refining.....	*			
Pharmaceutical preparations....	*	*	*	
Photographic equipment and supplies.....	*	*	*	
Plastic and synthetic materials manufacturing.....	*	*	*	*
Plastic processing.....	*			
Porcelain enameling.....				
Printing and publishing.....	*	*	*	*
Pulp and paperboard mills-see footnote <sup>3</sup> .....				
Rubber processing.....	*	*	*	
Soap and detergent manufacturing.....	*	*	*	
Steam electric power plants....	*	*		
Textile mills (Subpart C-Greige Mills are exempt from this table).....	*	*	*	
Timber products processing	*	*	*	*

1. The pollutants in each fraction are listed in Item V-C of the USEPA Form C and in Table 2 of the Instructions to NJPDES Form C and Form L.

\* Testing required

3. Pulp and Paperboard Mills:

**Subpart<sup>3</sup>**

**GC/MS Fraction<sup>1</sup>**

	<b>Volatile</b>	<b>Acid</b>	<b>Base/Neutral</b>	<b>Pesticide</b>
A.....	*	1	*	1
B.....	*	1	*	*
C.....	*	1	*	*
D.....	*	1	*	*
E.....	1	1	*	1
F.....	1	1	*	*
G.....	1	1	*	*
H.....	1	1	*	*
I.....	1	1	*	*
J.....	1	1	1	*
K.....	1	1	*	*
L.....	1	1	*	*
M.....	1	1	*	*

N.....	1	1	*	*
O.....	1	1	*	*
P.....	1	1	*	*
Q.....	1	1	*	1
R.....	*	1	*	*
S.....	1	1	*	1
T.....	1	1	*	1
U.....	1	1	1	*

1. Must test.
- \* Do not test unless 'reason to believe' it is discharged.
3. Subparts are defined in 40 CFR Part 430.\*

**TABLE II: ORGANIC TOXIC POLLUTANTS IN EACH OF FOUR FRACTIONS IN  
ANALYSIS BY GAS CHROMATOGRAPHY/MASS SPECTROSCOPY (GC/MS)**  
*Volatiles*

Acrolein  
Acrylonitrile  
Benzene  
Bromoform  
Carbon Tetrachloride  
Chlorobenzene  
Chlorodibromomethane (Dibromochloromethane)  
Chloroethane  
2-Chloroethylvinyl Ether  
Chloroform  
Dichlorobromomethane  
1,1-Dichloroethane  
1,2-Dichloroethane  
1,1-Dichloroethylene  
1,2-Dichloropropane  
1,3-Dichloropropylene  
Ethylbenzene  
Methyl Bromide  
Methyl Chloride  
Methylene Chloride  
1,1,2,2-Tetrachloroethane  
Tetrachloroethylene  
Toluene  
1,2-trans-Dichloroethylene  
1,1,1-Trichloroethane  
1,1,2-Trichloroethane  
Trichloroethylene  
Vinyl Chloride

*Acid Compounds*

2-Chlorophenol  
2,4-Dichlorophenol  
2,4-Dimethylphenol  
4,6-Dinitro-O-Cresol  
2,4-Dinitrophenol  
2-Nitrophenol  
4-Nitrophenol  
P-Chloro-M-Cresol  
Pentachlorophenol  
Phenol  
2,4,5-Trichlorophenol

2,4,6-Trichlorophenol

*Base/Neutral*

Acenaphthene  
Acenaphthylene  
Anthracene  
Benzidine  
Benzo(a)Anthracene  
Benzo(a)Pyrene  
3,4-Benzofluoranthene  
Benzo(ghi)Perylene  
Benzo(k)Fluoranthene  
Bis (2-Chloroethoxy) Methane  
Bis (2-Chloroethyl) Ether  
Bis (2-Chloroisopropyl) Ether  
Bis (2-Ethylhexyl) Phthalate  
4-Bromophenyl Phenyl Ether  
Butyl Benzyl Phthalate  
Chloride  
2-Chloronaphthalene  
4-Chlorophenyl Phenyl Ether  
Chrysene  
Dibenzo (a,h) Anthracene  
1,2-Dichlorobenzene  
1,3-Dichlorobenzene  
1,4-Dichlorobenzene  
3,3'-Dichlorobenzidine  
Diethyl Phthalate  
Dimethyl Phthalate  
Di-N-Butyl Phthalate  
2,4-Dinitrotoluene  
2,6-Dinitrotoluene  
Di-N-Octyl Phthalate  
1,2-Diphenylhydrazine(as Azobenzene)  
Fluoranthene  
Fluorene  
Hexachlorobenzene  
Hexachlorobutadiene  
Hexachlorocyclopentadiene  
Hexachloroethane  
Indeno (1,2,3-cd) Pyrene  
Isophorone  
Naphthalene  
Nitrobenzene  
N-Nitrosodiethylamine  
N-Nitrosodimethylamine

N-Nitrosodi-N-butylamine  
N-Nitrosodi-N-Propylamine (Di-N-Propylnitrosamine)  
N-Nitrosodiphenylamine  
N-Nitrosopyrrolidine  
Pentachlorobenzene  
Phenanthrene  
Pyrene  
1,2,4,5-Tetrachlorobenzene  
1,2,4-Trichlorobenzene

*Pesticides and Dioxin*

Aldrin  
Alpha-BHC  
Beta-BHC  
Gamma-BHC (Lindane)  
Delta-BHC  
Chlordane  
Chlorpyrifos  
4,4'-DDT  
4,4'-DDE  
4,4'-DDD  
Demeton  
Dieldrin  
Alpha-Endosulfan  
Beta-Endosulfan  
Endosulfan Sulfate  
Endosulfans, Total (alpha and beta)  
Endrin  
Endrin Aldehyde  
Guthion  
Heptachlor  
Heptachlor Epoxide  
Malathion  
Methoxychlor  
Mirex  
Parathion  
PCB-1242  
PCB-1254  
PCB-1221  
PCB-1232  
PCB-1248  
PCB-1260  
PCB-1016  
Toxaphene  
Polychlorinated biphenyls (PCBs)

2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD)

**TABLE III: OTHER TOXIC POLLUTANTS (METALS AND CYANIDE) AND TOTAL PHENOLS**

Antimony, Total  
Arsenic, Total  
Beryllium, Total  
Cadmium, Total  
Chromium, Total  
Chromium <sup>+3</sup>, Total (Trivalent)  
Chromium <sup>+6</sup>, Dissolved (Hexavalent)  
Copper, Total  
Lead, Total  
Mercury, Total  
Nickel, Total  
Selenium, Total  
Silver, Total  
Thallium, Total  
Zinc, Total  
Cyanide, Free  
Cyanide, Total  
Phenols, Total

**TABLE IV: CONVENTIONAL AND NONCONVENTIONAL POLLUTANTS REQUIRED TO BE TESTED IF EXPECTED TO BE PRESENT**

Bromide  
Chlorine, Total Residual  
Color  
E. Coli  
Enterococci  
Fecal Coliform  
Fluoride  
Nitrate-Nitrite  
Nitrogen, Total Organic  
Oil and Grease  
Phosphorus, Total  
Radioactivity  
Sulfate  
Sulfide  
Sulfite  
Surfactants  
Aluminum, Total  
Barium, Total  
Boron, Total

Cobalt, Total  
Iron, Total  
Magnesium, Total  
Molybdenum, Total  
Manganese, Total  
Tin, Total  
Titanium, Total

**TABLE V: TOXIC POLLUTANTS AND HAZARDOUS SUBSTANCES REQUIRED TO BE IDENTIFIED BY EXISTING DISCHARGERS IF EXPECTED TO BE PRESENT**

*Toxic Pollutants*

Asbestos

*Hazardous Substances*

Acetaldehyde  
Allyl alcohol  
Allyl chloride  
Amyl acetate  
Aniline  
Benzonitrile  
Benzyl chloride  
Butyl acetate  
Butylamine  
Captan  
Carbaryl  
Carbofuran  
Carbon disulfide  
Coumaphos  
Cresol  
Crotonaldehyde  
Cyclohexane  
2,4-D (2,4-diichlorophenoxy acetic acid)  
Diazinon  
Dicamba  
Dichlobenil  
Dichlone  
2,2-Dichloropropionic acid  
Dichlorvos  
Diethyl amine  
Dimethyl amine  
Dinitrobenzene  
Diquat  
Disulfoton  
Diuron

Epichlorohydrin  
Ethion  
Ethylene diamine  
Ethylene dibromide  
Formaldehyde  
Furfural  
Isoprene  
Isopropanolamine dodecylbenzenesulfonate  
Kelthane  
Kepone  
Mercaptodimethur  
Methyl mercaptan  
Methyl methacrylate  
Methyl parathion  
Mevinphos  
Mexacarbate  
Monoethyl amine  
Monomethyl amine  
Naled  
Napthenic acid  
Nitrotoluene  
Phenolsulfanate  
Phosgene  
Propargite  
Propylene oxide  
Pyrethrins  
Quinoline  
Resorcinol  
Strontium  
Strychnine  
Styrene  
2,4,5-T (2,4,5-Trichlorophenoxy acetic acid)  
TDE (Tetrachlorodiphenylethane)  
2,4,5-TP [2-(2,4,5-Trichlorophenoxy) propanoic acid]  
Trichlorofan  
Triethanolamine dodecylbenzenesulfonate  
Triethylamine  
Trimethylamine  
Uranium  
Vanadium  
Vinyl acetate  
Xylene  
Xylenol  
Zirconium

**TABLE VI: TOXIC POLLUTANTS AND HAZARDOUS SUBSTANCES REQUIRED TO BE IDENTIFIED BY EXISTING DISCHARGERS IF EXPECTED TO BE PRESENT**

*Per- and Polyfluoroalkyl Substances (PFAS)*

Perfluorononanoic acid (PFNA)

Perfluorooctanoic acid (PFOA)

Perfluorooctanesulfonic acid (PFOS)