



State of New Jersey

CHRIS CHRISTIE
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
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Commissioner

KIM GUADAGNO
Lt. Governor

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7011 2970 0003 7284 1071

March 1, 2017

To: Distribution List

Re: Draft NJPDES Discharge to Surface Water Master General Permit Renewal - Statewide
Category: B6 –Swimming Pool Discharge General Permit
NJPDES Permit No. NJ0128589

This letter is written to provide notification that the Department has prepared a **draft** New Jersey Pollutant Discharge Elimination System (NJPDES) permit action identified above which has been issued in accordance with N.J.A.C. 7:14A. This master general permit serves to renew the existing master swimming pool discharge general permit which expired on November 30, 2003. This permit renewal authorizes the discharge to a surface waterbody resulting from the draining of pool water and/or filter backwash from any municipal, commercial, non-residential or community (e.g., townhouses and condominiums) swimming pools.

Notice of this draft permit will appear in the March 1, 2017 *DEP Bulletin*. The *DEP Bulletin* is available on the internet at <http://www.state.nj.us/dep/bulletin> or by contacting the DEP Document Distribution Center at (609) 777-4398. In addition, notice of this draft permit will appear in the major Northern, Central and Southern NJ newspapers listed below. In accordance with N.J.A.C. 7:14A-15.10(c)1i, the public comment period will close thirty days after the latest newspaper's (listed below) publication date.

Newspaper	County
<i>The Press of Atlantic City</i>	Atlantic and Cape May
<i>Star Ledger</i>	Bergen, Essex, Hudson, Hunterdon, Middlesex, Morris, Passaic, Somerset, Sussex, Union and Warren
<i>Trenton Times</i>	Mercer

As detailed in the *DEP Bulletin* and aforementioned newspapers, written comments or a request that the Department hold a non-adversarial public hearing must be submitted to Melisse Carasia Auriti, Section Chief, Mail Code: 401-02B, Division of Water Quality, Bureau of Surface Water Permitting, P.O. Box 420, Trenton, NJ 08625-0420 by the close of the public comment period. All persons, including the applicant, who believe that any condition of this draft document is inappropriate or that the Department's tentative decision to issue this draft document is inappropriate, must raise all reasonable arguments and factual grounds supporting their position, including all supporting materials, during the public comment period.

The Department will respond to all significant and timely comments upon issuance of the final document. The permittee and each person who has submitted written comments will receive notice of the Department's final decision to issue, revoke, or redraft the document.

If you have questions or comments regarding the draft action, please contact Tara Klimowicz or Dwayne Kobesky via e-mail at swimmingpoolgp@dep.nj.gov or by phone at (609) 292-4860.

Sincerely,

A handwritten signature in black ink that reads "Michele Christopher". The signature is written in a cursive, flowing style.

Michele Christopher
Supervising Environmental Engineer
Bureau of Surface Water Permitting

Enclosures

c: Permit Distribution List

Masterfile #: 39609; PI #: 50577

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

PUBLIC NOTICE

Notice is hereby given that the New Jersey Department of Environmental Protection (Department) proposes to renew the Master General Permit NJ0128589 for Swimming Pool Discharge activities pursuant to N.J.A.C. 7:14A-6.13 of the New Jersey Pollutant Discharge Elimination System (NJPDES) Regulations. This general permit is issued in accordance with N.J.A.C. 7:14A-1 et seq., the NJPDES Regulations, and by authority of the Water Pollution Control Act at N.J.S.A. 58:10-1 et seq.

This Master Swimming Pool Water Discharge General Permit (B6) is issued to authorize discharges to a surface waterbody from draining of pool water and/or filter backwash from any municipal, commercial, non-residential or community (e.g., townhouses and condominiums) swimming pool. Although this general permit is specifically designed for swimming pool discharges, the Department reserves the right to include, as deemed appropriate, other similar, uncontaminated, clean water discharges.

Discharges will be allowed into surface waters of the State, except into receiving waters classified as FW1, Pinelands and certain Shellfish waters. In addition, discharge of filter backwash water to Category 1 designated receiving waters is NOT permitted. These discharges are essentially “clean” in nature. The Department has determined that these types of point sources require the same operating conditions, require the same or similar monitoring conditions, and are more appropriately controlled under a general permit than under individual NJPDES permits.

Discharges associated with industrial processes, site remediation activities, and sanitary sewerage systems are not covered under this general permit. The “Exclusions” section of the general permit provides further clarification.

Applicants must request authorization to be covered under this general permit by submitting a completed and signed copy of the application (NJPDES Form-1 and the B6 Supplemental Form including associated Safety Data Sheets (SDS)) **at least seven (7) calendar days prior to discharge.**

The NJDPES Form-1 and the B6 Supplemental Form can be accessed on the Department’s web page at: www.state.nj.us/dep/dwq/forms_surfacewater.htm. To qualify for authorization under this general permit, the applicants are required to discharge in compliance with Federal and State Regulations and in a manner that will not cause a violation of State Surface Water Quality Standards, N.J.A.C. 7:9B-1.1 et seq. Additionally, the applicant is required to certify that the discharge will comply with all of the conditions of this permit.

This master general permit serves to renew the existing Master Swimming Pool Water Discharge General Permit which was issued on October 23, 1998 and expired on November 30, 2003.

A draft NJPDES permit action has been prepared based on the administrative record filed at the Department, 401 East State Street, Trenton, New Jersey 08625. Full copies of the draft and final master general permits will be made available at on the Department’s website at: www.state.nj.us/dep/dwq/gp_swimming.htm as well as by contacting Tara Klimowicz or Dwayne Kobesky of the Bureau of Surface Water Permitting at (609) 292-4860 or via email at swimmingpoolgp@dep.nj.gov. Hard copies of the draft document are obtainable, for a nominal charge, and the administrative record is available for inspection by appointment only, Monday through Friday, between 9:00 A.M. and 2:00 P.M. If you are interested in scheduling an appointment or requesting specific information regarding the draft document, please contact the Record Access Program at (609) 341-3121 or via email at: www.nj.gov/dep/opra.

Written comments must be submitted to Melisse Carasia Auriti, Section Chief, or Attention: Comments on Public Notice NJ0128589, Division of Water Quality, Mail Code: 401-02B, Bureau of Surface Water Permitting, P.O. Box 420, Trenton, NJ 08625. These written comments must be received by the close of the public comment period, which closes thirty calendar days after publication of this notice in the newspapers. All persons, including the applicant, who believe that any condition of this draft document is inappropriate or that the Department’s decision to issue this draft document is inappropriate, must raise all reasonable arguments and factual grounds supporting their position, including all supporting materials, during the public comment period.

The Department will respond to all significant and timely comments upon issuance of the final document. The permittee and each person who has submitted written comments will receive notice of the Department’s final decision.

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

FACT SHEET

Masterfile #: 39609

PI #: 50577

This fact sheet sets forth the principle facts and the significant factual, legal, and policy considerations examined during preparation of this draft master general permit. This action has been prepared in accordance with the New Jersey Water Pollution Control Act and its implementing regulations at N.J.A.C. 7:14A-1 et seq. - The New Jersey Pollutant Discharge Elimination System (NJPDES).

PERMIT ACTION: Surface Water Renewal Permit Action – Master Swimming Pool Discharge General Permit (B6)

The Department is proposing to issue a Discharge to Surface Water Master General Permit Renewal.

1 Description of the Master Swimming Pool Discharge General Permit:

New Jersey has a number of municipal, commercial, non-residential and community (e.g., townhouses and condominiums) swimming pools. Normal operation of these swimming pools often requires the discharge of pool water and filter backwash water. However, all discharges to State surface waterbodies must comply with the NJPDES discharge to surface water regulations. Pursuant to N.J.A.C. 7:14A-6.13(b)4, the New Jersey Department of Environmental Protection (Department) has determined that the Swimming Pool Water Discharge category of point source discharges is more appropriately controlled under a general permit than under an individual permit. Given that many swimming pools contain similar contaminants, the Department has issued one master general permit to regulate municipal, commercial, non-residential and community (e.g., townhouses and condominiums) swimming pool water discharges. Issuance of a master general permit serves to simplify and streamline the NJPDES permitting process for these similar types of discharges.

Incidental discharge to ground waters of the State which may result from a discharge authorized by this permit, such as from overland flow on the way to the storm sewer or surface water conveyance, are also authorized under this general permit.

This general permit is herein renewed to continue to authorize planned swimming pool water discharges into surface waters of the State of New Jersey. These discharge activities are essentially "clean" in nature. This general permit is intended to authorize discharge of water containing de minimis amounts of pollutants. A de minimis discharge of pollutants for purposes of this general permit is defined as water, which complies with all of the conditions specified in this permit. These discharges are not associated with industrial processes, site remediation activities, and/or sanitary sewerage systems.

By renewing this general permit, the Department intends to continue to effectively regulate such discharges without setting unreasonable or unnecessarily burdensome conditions or requirements for dischargers and without creating an undue administrative burden for the Department and the applicant. Issuing individual permits for these types of discharges would be resource intensive to the extent of being impractical, without having any recognized environmental benefit. In accordance with N.J.S.A. 58:10A, the Department is renewing this general permit to continue to operate with Best Management Practices (BMPs) as necessary to protect the integrity and the designated uses of the receiving waters rather than effluent limitations or monitoring conditions.

The Department has proposed a provision that the permittee complete an NJPDES Form-1 and B6 Supplemental Form as part of obtaining authorization under this general permit. Applicants must now notify the Department of their intent

to request coverage under this general permit by submitting a completed and signed NJPDES Form-1 and B6 Supplemental Form electronically to swimmingpoolgp@dep.nj.gov **at least seven (7) calendar days prior to discharge**. The NJPDES Form-1 and B6 Supplemental Form shall include specific information regarding the applicant and the discharge including the projected timeframe and schedule of occurrence of all of the proposed discharge event(s), location, estimated duration, rate of flow, conveyance, receiving water, and all BMPs employed. The authorized agent signing the NJPDES Form-1 and B6 Supplemental Form will also be responsible for ensuring that the discharge meets all applicable requirements of this general permit during the discharge event. The NJPDES Form-1 and B6 Supplemental Form must be signed in accordance with N.J.A.C. 7:14A-4.9. Additionally, a list of any chemical additives (i.e., dechlorination/debromination agents, algaecides, stabilizers/balancers, etc.) and the associated Safety Data Sheets (SDS) must be submitted to the Department along with the NJPDES Form-1 and B6 Supplemental Form.

The entity requesting permission to discharge shall simultaneously submit a copy of the NJPDES Form-1 and B6 Supplemental Form including associated SDS to the Department's appropriate regional enforcement office, depending on the county where the discharge activity will occur. The certifying agent, besides submitting the NJPDES Form-1 and B6 Supplemental Form to the Department as described above, must maintain a copy of the NJPDES Form-1 and B6 Supplemental Form on-site. The NJPDES Form-1 and B6 Supplemental Form checklist includes these requirements.

The NJPDES Form-1, B6 Supplemental Form and checklist for this general permit are available online at: http://www.nj.gov/dep/dwq/gp_swimming.htm

The applicant becomes authorized to discharge under this general permit seven (7) calendar days after the Department receives the completed and signed NJPDES Form-1 and B6 Supplemental Form including associated SDS **UNLESS** the Department notifies the applicant that the discharge is NOT eligible. Authorizations under the Master Swimming Pool Discharge General Permit will be given two NJPDES numbers. Applicants will be given a specific individual NJPDES general permit number in addition to the Master Swimming Pool Discharge General Permit NJPDES number NJ0128589. Upon finalization of this Master General Permit, all applicants will have the same expiration date and will follow the same permit cycle. In accordance with N.J.A.C. 7:14A-2.7., all NJPDES permits shall be issued for fixed terms not to exceed five (5) years.

This general permit **does not authorize** discharges into receiving waters classified as certain Shellfish waters and Outstanding National Resource Waters (ONRW) including FW1 waters and Pinelands (PL) waters. Additionally, this general permit **does not authorize** the discharge of filter backwash into waters classified as C1. Pursuant to N.J.A.C. 7:9B-1.5(d), C1 waters shall be protected from any measurable changes to the existing water quality. As a result, if the receiving waterbody is classified as C1, an alternative disposal method for filter backwash will need to be pursued. However, discharges of filter backwash into all other classified waters may be eligible for authorization under this general permit. Please refer to Section 6.c. of this Fact Sheet for *all* excluded activities.

2 Name and Address of the Applicant:

Indicated on Individual
Authorization

3 Name and Address of the Facility/Site:

Indicated on Individual
Authorization

4 Receiving Water Discharge Location Information:

In accordance with N.J.A.C. 7:9B -1.4, the definitions for Category One (C1) Waters, Category Two (C2) Waters and Outstanding National Resource Waters (ONRW) are as follows:

Category One Waters means those waters designated in the tables in N.J.A.C. 7:9B-1.15(c) through (i), for purposes of implementing the antidegradation policies set forth at N.J.A.C. 7:9B-1.5(d), for protection from measurable changes in water quality based on exceptional ecological significance, exceptional recreational significance, exceptional water supply significance or exceptional fisheries resource(s) to protect their aesthetic value (color, clarity, scenic setting) and ecological integrity (habitat, water quality and biological functions).

Category Two Waters means those waters not designated as Outstanding National Resource Waters or Category One at N.J.A.C. 7:9B-1.15 for purposes of implementing the antidegradation policies set forth at N.J.A.C. 7:9B-1.5(d).

Outstanding National Resource Waters means high quality waters that constitute an outstanding national resource (for example, waters of National/State Parks and Wildlife Refuges and waters of exceptional recreational or ecological significance). Waters classified as FW1 waters and Pinelands waters are Outstanding National Resource Waters.

- FW1 Waters means those fresh waters, as designated in N.J.A.C. 7:9B-1.15(j), that are to be maintained in their natural state of quality (set aside for posterity) and not subjected to any man-made wastewater discharges or increases in runoff from anthropogenic activities. These waters are set aside for posterity because of their clarity, color, scenic setting, other characteristic of aesthetic value, unique ecological significance, exceptional recreational significance, exceptional water supply significance or exceptional fisheries resource(s).
- Pinelands (PL) waters means all waters within the boundaries of the Pinelands Area, except those waters designated as FW1 in N.J.A.C. 7:9B-1.15(j), as established in the Pinelands Protection Act (N.J.S.A. 13:18A-1 et seq.) and shown on Plate 1 of the “Comprehensive Management Plan” adopted by the New Jersey Pinelands Commission in November 1980.

As per the SWQS at N.J.A.C. 7:9B, the designated uses for the Freshwater 2 (FW2), Saline Estuary 1 (SE1), Saline Estuary 2 (SE2), Saline Estuary 3 (SE3), and Saline Coastal (SC) receiving waters are:

FW2:

1. Maintenance, migration and propagation of the natural and established biota;
2. Primary and secondary contact recreation;
3. Industrial and agricultural water supply;
4. Public potable water supply after conventional filtration treatment (a series of processes including filtration, flocculation, coagulation, and sedimentation, resulting in substantial particulate removal but no consistent removal of chemical constituents) and disinfection; and
5. Any other reasonable uses.

SE1:

1. Shellfish harvesting in accordance with N.J.A.C. 7:12;
2. Maintenance, migration and propagation of the natural and established biota;
3. Primary and secondary contact recreation; and
4. Any other reasonable uses.

SE2:

1. Maintenance, migration and propagation of the natural and established biota;
2. Migration of diadromous fish;
3. Maintenance of wildlife;
4. Secondary contact recreation; and
5. Any other reasonable uses.

SE3:

1. Secondary contact recreation;
2. Maintenance and migration of fish populations;
3. Migration of diadromous fish;
4. Maintenance of wildlife; and
5. Any other reasonable uses.

SC:

1. Shellfish harvesting in accordance with N.J.A.C. 7:12;
2. Primary and secondary contact recreation;
3. Maintenance, migration and propagation of the natural and established biota; and
4. Any other reasonable uses.

The designated uses for the mainstem Delaware River and Delaware Bay are those contained in "Delaware River Basin Commission, Water Quality Regulations, Administrative Manual - Part III," Article 3, dated October 23, 1996, including all amendments and future supplements thereto and are described below:

Zone 1C is that part of the Delaware River extending from the U.S. Routes 6 and 209 bridge at Port Jervis, New York, R.M. 254.75, to Tocks Island Dam, 217.0 (proposed axis of dam).

The quality of Zone 1C waters shall be maintained in a safe and satisfactory condition for the following uses:

1. a. public water supplies after reasonable treatment,
b. industrial water supplies after reasonable treatment,
c. agricultural water supplies;
2. a. maintenance and propagation of resident game fish and other aquatic life,
b. spawning and nursery habitat for anadromous fish,
c. passage of anadromous fish,
d. wildlife; 29
3. recreation.

Zone 1D is that part of the Delaware River extending from Tocks Island Dam, R.M. 217.0 (proposed axis of dam), to the mouth of the Lehigh River at Easton, Pennsylvania, R.M. 183.66.

The quality of Zone 1D waters shall be maintained in a safe and satisfactory condition for the following uses:

1. a. public water supplies after reasonable treatment,
b. industrial water supplies after reasonable treatment,
c. agricultural water supplies;
2. a. maintenance and propagation of resident game fish and other aquatic life,
b. spawning and nursery habitat for anadromous fish,
c. passage of anadromous fish,
d. wildlife;
3. recreation.

Zone 1E is that part of the Delaware River extending from the mouth of the Lehigh River at Easton, Pennsylvania, R.M. 183.66, to the head of tidewater at Trenton, New Jersey, R.M. 133.4 (Trenton-Morrisville Toll Bridge).

The quality of Zone 1E waters shall be maintained in a safe and satisfactory condition for the following uses:

1. a. public water supplies after reasonable treatment,
b. industrial water supplies after reasonable treatment,
c. agricultural water supplies;
2. a. maintenance and propagation of resident game fish and other aquatic life,
b. spawning and nursery habitat for anadromous fish,
c. passage of anadromous fish,
d. wildlife;
3. recreation.

Zone N2 is that part of the Clove Brook extending from its source in Steeny Kill Lake in New Jersey to its mouth in New York at R.M. 0.5 on the Neversink River; an unnamed tributary of Clove Brook extending from its source in New York to its mouth in New Jersey at R.M. 1.0 on Clove Brook; an unnamed tributary to the above unnamed tributary of Clove Brook extending from its source in New York to its mouth in New Jersey at R.M. 0.7 on the unnamed tributary of Clove Brook.

The quality of Zone N2 waters shall be maintained in a safe and satisfactory condition for the following uses:

1. a. public water supplies after reasonable treatment,
b. industrial water supplies after reasonable treatment,
c. agricultural water supplies;
2. a. maintenance and propagation of resident game fish and other aquatic life,
b. maintenance and propagation of trout,
c. wildlife;
3. recreation.

Zone 2 is that part of the Delaware River extending from the head of tidewater at Trenton, New Jersey, R.M. (River Mile) 133.4 (Trenton-Morrisville Toll Bridge) to R.M. 108.4 below the mouth of Pennypack Creek, including the tidal portions of the tributaries thereof.

The quality of Zone 2 waters shall be maintained in a safe and satisfactory condition for the following uses:

1. a. public water supplies after reasonable treatment,
b. industrial water supplies after reasonable treatment,
c. agricultural water supplies;
2. a. maintenance and propagation of resident fish and other aquatic life,
b. passage of anadromous fish,
c. wildlife;
3. recreation;
4. navigation.

Zone 3 is that part of the Delaware River extending from R.M. 108.4 to R.M. 95.0 below the mouth of Big Timber Creek, including the tidal portions of the tributaries thereof.

The quality of Zone 3 waters shall be maintained in a safe and satisfactory condition for the following uses:

1. a. public water supplies after reasonable treatment,
b. industrial water supplies after reasonable treatment,
c. agricultural water supplies;
2. a. maintenance of resident fish and other aquatic life,
b. passage of anadromous fish,
c. wildlife;
3. recreation - secondary contact;
4. navigation.

Zone 4 is that part of the Delaware River extending from R.M. 95.0 to R.M. 78.8, the Pennsylvania-Delaware boundary line, including the tidal portions of the tributaries thereof.

The quality of Zone 4 waters shall be maintained in a safe and satisfactory condition for the following uses:

1. industrial water supplies after reasonable treatment;
2. a. maintenance of resident fish and other aquatic life, 64
b. passage of anadromous fish,
c. wildlife;
3. a. recreation - secondary contact above R.M. 81.8,
b. recreation below R.M. 81.8;
4. navigation.

Zone 5 is that part of the Delaware River extending from R.M. 78.8 to R.M. 48.2, Liston Point, including the tidal portions of the tributaries thereof.

The quality of waters in Zone 5 shall be maintained in a safe and satisfactory condition for the following uses:

1. industrial water supplies after reasonable treatment;

2. a. maintenance of resident fish and other aquatic life,
b. propagation of resident fish from R.M. 70.0 to R.M. 48.2,
c. passage of anadromous fish,
d. wildlife;
3. recreation;
4. navigation.

Zone 6 is Delaware Bay extending from R.M. 48.2 to R.M. 0.0, the Atlantic Ocean, including the tidal portions of the tributaries thereof.

The quality of Zone 6 waters shall be maintained in a safe and satisfactory condition for the following uses:

1. a. industrial water supplies after reasonable treatment,
2. a. maintenance and propagation of resident fish and other aquatic life,
b. maintenance and propagation of shellfish,
c. passage of anadromous fish,
d. wildlife;
3. recreation;
4. navigation.

5 History of the Master Swimming Pool Discharge General Permit:

The first Master "Swimming Pool Water Discharge" General Permit was issued on October 23, 1998. This permit was tracked as "Category B6" in the Department's database. The October 23, 1998 general permit authorized the discharge of pool water and filter backwash water on an intermittent basis. For detailed information and the background of this general permit, see the Department's Fact Sheet for the draft general permit issued July 14, 1998. The Swimming Pool (SP) Certification Forms completed under the first general permit were certified by the applicant and posted at the discharge site. The Department did not require applicants to submit the SP Certification Forms. As a result, it is not known how many facilities actually used this general permit.

A renewal of the Master Swimming Pool Discharge General Permit issued on October 23, 1998 was drafted on May 23, 2005. However, this permit was never finalized.

This 2016 draft permit action serves to renew the October 23, 1998 Master Swimming Pool Discharge General Permit.

A. Newly Proposed in This Master General Permit Action:

- (1) A requirement that the NJPDES Form-1 and B6 Supplemental Form must be received by the Department and the appropriate regional enforcement office at least seven (7) calendar days prior to the proposed discharge;
- (2) Electronic submission of the NJPDES Form-1 and B6 Supplemental Form to swimmingpoolgp@dep.nj.gov;
- (3) Proof of denial to discharge filter backwash to a Publicly Owned Treatment Works (POTW);
- (4) Inclusion of the parameter Total Residual Bromine, if used;
- (5) Prohibition of the use of algaecides containing copper and/or silver;
- (6) A pH benchmark of 6.5-8.5, which must be met prior to discharge for FW2, SE1, SE2, and SE3 waters. For discharges to SC waters natural pH conditions shall prevail;
- (7) Allowance of swimming pool water discharges to Category 1 waterbodies;
- (8) Exclusion of filter backwash water discharges to Category 1 waterbodies;
- (9) A requirement that the discharge shall meet ambient temperature prior to discharge;
- (10) Exclusion of discharges into Outstanding National Resource Waters (ONRW), Pineland waters and certain Shellfish waters; and
- (11) Authorizations under the Master Swimming Pool Discharge General Permit will be given two NJPDES numbers. Authorizations will be given a specific individual NJPDES general permit number in addition to the Master Swimming Pool Discharge General Permit NJPDES number NJ0128589.
- (12) Upon finalization of this Master General Permit, all applicants will have the same expiration date and will follow the same permit cycle. The permit will cover the discharge for the entire permit term.

6 Conditions for Eligibility:

To be considered eligible under this general permit, a discharge to a surface water body must result from the draining of pool and/or filter backwash from any municipal, commercial, non-residential or community (e.g. townhouses and condominiums) swimming pool. Whenever possible, discharges of filter backwash shall be directed to the sanitary sewer with permission from the Publically Owned Treatment Works (POTW). If permission is denied by the POTW, the applicant must provide proof of denial to discharge filter backwash to the POTW along with the NJPDES Form-1 and B6 Supplemental Form.

This permit allows:

- Draining of municipal, commercial, non-residential or community (e.g., townhouses and condominiums) swimming pool water into receiving waters classified as Category 1 and Category 2.
- Filter backwash water from municipal, commercial, non-residential or community (e.g., townhouses and condominiums) swimming pools into receiving waters classified as Category 2 only. Filter backwash discharges are not permitted to Category 1 designated receiving waters.

This permit operates under the premise that if appropriate BMPs are implemented prior to discharge, and if any necessary temporary treatment is provided, no negative environmental impact should result from the discharge. If appropriate BMPs are not employed, and the discharge causes adverse environmental impacts to the receiving water, the discharge is in violation of this permit, and the entity authorizing the activity and certifying compliance with the requirements of this general permit could be subject to enforcement action.

For other discharge scenarios not already described in this General Permit, the Department may authorize other discharges that are “clean” in nature under this General Permit upon written approval. Other types of similar, planned, uncontaminated, clean discharges may qualify for coverage under this permit on a case-by-case basis.

Questions regarding discharges, which are similar to the discharges listed above but are not specified, or questions regarding the eligibility under this general permit, should be directed to Tara Klimowicz or Dwayne Kobesky of the Bureau of Surface Water Permitting by phone at (609) 292-4860 or via email at swimmingpoolgp@dep.nj.gov so that a permit determination can be made.

7 Summary of Permit Conditions:

A. Basis for Effluent Limitations Permit Conditions - General:

The effluent limitations and permit conditions in this permit have been developed to ensure compliance with the following, as applicable:

1. NJPDES Regulations (N.J.A.C. 7:14A),
2. New Jersey Surface Water Quality Standards (N.J.A.C. 7:9B),
3. New Jersey’s 2012 Integrated Water Quality Monitoring and Assessment Report (includes 305(b) Report and 303(d) List),
4. Requirements of the Delaware River Basin Commission (N.J.A.C. 7:9B-1.5(b)1),
5. Requirements of the Interstate Environmental Commission (N.J.A.C. 7:9B-1.5(b)2),
6. Requirements of the Pinelands Commission (N.J.A.C. 7:50-6.81 to 6.87),
7. Requirements of the Highlands Commission (N.J.S.A. 13:20-1 et seq),
8. Permit limitations in accordance with N.J.A.C. 7:9B-1.5(d) (antidegradation requirements),
9. Statewide Water Quality Management Planning Rules (N.J.A.C. 7:15).

All conditions in this permit action are equal to or more stringent than those contained in the existing permit. As a result, this permit action satisfies the federal and state anti-degradation regulations at 40 CFR 131.12 and N.J.A.C. 7:9B-1.5(d), and no further anti-degradation analysis is necessary.

B. Basis and Derivation for Permit Conditions - Specific:

1. **Flow:** This permit does not include a numerical limitation for flow. However, the average flow rate of the discharge, frequency of the discharge and the total capacity of the pool must be provided on the NJPDES Form-1 and B6 Supplemental Form for authorization under this general permit.
2. **Temperature:** Many pools utilize temperature control (i.e., heating) equipment. A discharge of water with a temperature significantly different than that of the receiving water can be harmful to fish and other aquatic life. Therefore, this permit requires temperature control equipment to be turned off for a minimum of 24 hours and the water to be allowed to stabilize to ambient temperature prior to discharge.
3. **pH:** The pH range of the water may be influenced by the water source. Chemical compounds used to dechlorinate or debrominate can depress pH. In addition, cleaning processes routinely use acid compounds which can alter the pH and the discharge of acidic wastewater can kill aquatic life. Therefore, this permit requires the operating entity to ensure that the pH of the discharge to FW2, SE1, SE2 and SE3 waters is between 6.5 and 8.5 standard units and that the natural pH conditions prevail for discharges to SC waters. It is permissible to use chemical additives, such as soda ash, to adjust pH. A pool supply professional may be contacted for assistance on how to properly adjust the pool pH.
4. **Soil Erosion and Suspended Solids:** The discharger shall minimize the amount of suspended solids and/or turbidity in the discharge so as to not cause adverse impacts on the natural aquatic biota of the receiving stream or cause instream exceedances of the SWQS. If the discharge contains suspended solids, BMPs shall be utilized to minimize or eliminate the levels prior to discharge to the receiving water. Some examples of BMPs include, but are not limited to: increased retention time, filter fabric, hay bales, silt fences, filter bags, stone covered areas, frac tanks and holding tanks. Additionally, the discharge shall not cause or result in erosion to the area of the discharge or surrounding stream bank. If necessary, dewatering structures and/or velocity dissipation devices shall be used to prevent and minimize erosion, stream scouring and increases in turbidity.
5. **Chlorine Produced Oxidants (CPO) and Total Residual Chlorine (TRC):** Facilities utilize chlorine to protect pool users from bacteria. A chlorine molecule or ion kills bacteria, algae and disease-causing organisms by moving through the cell membranes and deactivating the cell's essential enzymes and structures. As per the *NJPDES Monitoring Report Form Reference Manual* which can be found at: http://www.nj.gov/dep/dwq/pdf/MRF_Manual.pdf, both TRC and CPO should be measured by TRC methods. The term CPO is a more appropriate name for the compounds which the TRC analytical method measures. The TRC test measures total chlorine which is the sum of free and combined chlorine. The TRC test can also be used to measure bromine. Additionally, this permit requires the operating entity to retain, aerate, and/or treat (e.g., sodium thiosulfate or sodium metabisulfite) the swimming pool water or filter backwash to ensure that CPO is 0.1 mg/L or below prior to discharge to the receiving waters.
6. **Total Residual Bromine:** Bromine is primarily used in spas but can be used in swimming pools as well. Bromine, like chlorine, is a chemical element of the halogen family and is a prominent pool or spa disinfecting agent. Bromine compounds used for pool or spa disinfection are manufactured in granular, liquid, and tablet form. The advantages of bromine include a more stable level of disinfecting power at higher water temperatures, and less objectionable smell. Since all forms of bromine are active disinfectants, Total Residual Bromine is an accurate measure of the amount of active disinfectant. This permit requires the operating entity that uses Bromine to aerate, retain and/or treat (e.g., sodium thiosulfate) the swimming pool water or filter backwash to ensure that the Total Residual Bromine is 0.1 mg/L or below prior to discharge to the receiving waters.
7. **Algaecides:** Algaecides are typically used in pool operations to control and prevent algae outbreaks. Algaecides containing copper and/or silver are toxic to fish and other aquatic life. This permit prohibits the discharge of algaecides containing copper and/or silver.

8. **Chemical Additives:** A list of any chemical additives (i.e., dechlorination/debromination agents, algaecides, stabilizers/balancers etc.) and the associated SDS must be submitted to the Department along with the NJPDES Form-1 and B6 Supplemental Form. If the operating entity decides to begin using any additional additives in the future or switches chemical additives, the operating entity must notify the Bureau of Surface Water Permitting in writing via letter or email at least 30 days prior to discharge so that the Department may review the chemical additive.

C. Basis for Ineligibility or Denial:

This general permit **does not authorize** discharges into Outstanding National Resource Waters (ONRW) which is the highest level of protection afforded to surface waters under the SWQS. ONRW includes FW1 waters and PL waters. **FW1 waters**, also known as nondegradation waters, are set aside for posterity because of their unique ecological significance, exceptional recreational significance, or exceptional water supply significance. Nondegradation waters are not to be subjected to any manmade wastewater discharges. Activities that might alter existing water quality in FW1 waters are prohibited. **PL waters** are maintained in their natural state and changes are allowed only toward natural water quality.

Additionally, this general permit **does not authorize** discharges into **certain** Shellfish waters, to be determined by the Department on a case-by-case basis. **Shellfish waters** exclusion locations are consistent with the current Shellfish Growing Water Classification Charts, which are updated annually in accordance with N.J.A.C. 7:12-1 et seq. These charts may be obtained from the Bureau of Marine Water Monitoring, PO Box 405, Stoney Hill Road, Leeds Point, NJ 08220 or from any shellfish agency, shellfisheries office, or the marine police. This information is also available online at the Department's website at <http://www.nj.gov/dep/bmw/waterclass.htm>. Furthermore, any discharge to a Shellfish water must receive approval from the Bureau of Marine Water Monitoring prior to submitting the NJPDES Form-1 and B6 Supplemental Form to be authorized under this permit. For further clarification and/or information, please contact the Bureau of Marine Water Monitoring at (609) 748-2000.

The following discharges are specifically **NOT ELIGIBLE** for Authorization under this permit because they are either regulated under other permits or the discharge may cause adverse environmental impact to the receiving waters:

- a. Discharges of filter backwash to Category 1 designated waterbodies;
- b. All discharges of industrial process wastewater including contact and non-contact cooling water;
- c. Sanitary sewer flushing;
- d. Discharges from domestic, publicly or privately owned, and industrial treatment works;
- e. Combined sewer overflow;
- f. Sanitary sewer overflow;
- g. All stormwater discharges;
- h. Discharges in any way associated with site remediation activities, including water from well construction and development;
- i. Water from monitoring well construction and development or capping;
- j. Discharges from water and wastewater treatment system bench scale and pilot testing;
- k. Water used to clean and rinse storage tanks, natural gas pipelines, or other vessels;

- l. Discharges resulting from water main breaks and water distribution system infrastructure failures;
- m. Emergency discharges of polluted waters;
- n. Dewatering from construction activities, including contaminated waters resulting from construction dewatering activities;
- o. Discharges from the disinfection of newly constructed or repaired potable water mains;
- p. Discharges resulting from fire hydrant flushing;
- q. Discharges resulting from Hydrostatic testing of tanks, vessels or pipelines;
- r. Discharges from mining operations;
- s. Discharges that are solely to groundwater; and
- t. Discharges that are regulated under the Municipal Stormwater Permit (Tier A-NJ0141852 and Tier B - NJ0141861) and the Public Complex Permit (NJ0141879).

D. General conditions:

In accordance with N.J.A.C. 7:14A-2.3 and 6.1(b), specific rules from the New Jersey Administrative Code have been incorporated either expressly or by reference in Part I - A.

E. Flow Related Conditions:

Swimming Pool Water Discharges such as those regulated under this general permit are not required to be addressed in the applicable Water Quality Management Plans and/or Wastewater Management Plans for each request for authorization.

8 Description of Procedures for Reaching a Final Decision on the Draft Action:

Please refer to the procedures described in the public notice published in the DEP Bulletin. In addition to the DEP Bulletin, the public notice for this permit action is published in the following major Northern, Central and Southern New Jersey's newspapers:

Newspaper	County
<i>The Press of Atlantic City</i>	Atlantic and Cape May
<i>Star Ledger</i>	Bergen, Essex, Hudson, Hunterdon, Middlesex, Morris, Passaic, Somerset, Sussex, Union and Warren
<i>Trenton Times</i>	Mercer

9 Contact Information:

If you have any questions regarding this permit action, please contact Tara Klimowicz or Dwayne Kobesky of the Bureau of Surface Water Permitting at (609) 292-4860 or via email at swimmingpoolgp@dep.nj.gov.

10 Contents of the Administrative Record:

The following items are used to establish the basis of the Draft Permit:

Rules and Regulations:

1. 33 U.S.C. 1251 et seq., Federal Water Pollution Control Act. [B]
2. 40 CFR Part 131, Federal Water Quality Standards. [B]
3. 40 CFR Part 122, National Pollutant Discharge Elimination System. [B]
4. N.J.S.A. 58:10A-1 et seq., New Jersey Water Pollution Control Act. [A]
5. N.J.A.C. 7:14A-1 et seq., NJPDES Regulations. [A]
6. N.J.A.C. 7:9B-1 et seq., New Jersey SWQS. [A]
7. N.J.A.C. 7:15, Statewide Water Quality Management Planning Rules. [A]
8. N.J.A.C. 7:14C, Sludge Quality Assurance Regulations. [A]
9. DRBC: Administrative Manual – Part III Water Quality Regulations.
10. Interstate Environmental Commission Regulations, N.J.S.A. 32:18-1 et seq.
11. Requirements of the Pinelands Commission (N.J.A.C. 7:50-6.81 to 6.87).
12. Requirements of the Highlands Commission (N.J.S.A. 13:20-1 et seq.)

Guidance Documents / Reports:

1. "Field Sampling Procedures Manual", published by the NJDEP. [A]
2. "NJPDES Monitoring Report Form Reference Manual", updated December 2007, and available on the web at http://www.state.nj.us/dep/dwq/pdf/MRF_Manual.pdf. [A]
3. "USEPA TSD for Water Quality-based Toxics Control", EPA/505/2-90-001, March 1991. [B]
4. New Jersey's 2012 Integrated Water Quality Monitoring and Assessment Report (includes 305 (b) Report 303(d) List). [A]
5. General Permit for the Discharge of Swimming Pool Wastewater from the Connecticut Department of Energy and Environmental Protection website at http://www.ct.gov/deep/cwp/view.asp?a=2709&q=324212&deepNav_GID=1643
6. NPDES Public Swimming Pool Wastewater General Permit from the State of Michigan Department of Environmental Quality website at http://michigan.gov/deq/0,4561,7-135-3313_51002_3682_3713-10252--,00.html
7. Missouri State Operating Permit from the State of Missouri Department of Natural Resources website at <http://dnr.mo.gov/env/wpp/permits/issued/docs/G760000.pdf>
8. General Permit for Discharges from Swimming Pools & Spas from the Maryland Department of the Environment website at http://www.mde.maryland.gov/programs/Permits/WaterManagementPermits/WaterDischargePermitApplications/Pages/Permits/watermanagementpermits/water_applications/swimmingpools.aspx

Permits:

1. Existing NJPDES/DSW General Permit for Swimming Pool Discharge, Permit No. NJ0128589, October 23, 1998 and effective December 1, 1998.
2. NJPDES/DSW General Permit for Swimming Pool Discharge, Permit No. NJ0128589, issued draft on May 23, 2005 (*never finalized*).

Footnotes:

- [A] Denotes items that may be found on the New Jersey Department of Environmental Protection (NJDEP) website located at "http://www.state.nj.us/dep/".
- [B] Denotes items that may be found on the USEPA website at "http://www.epa.gov/".



NEW JERSEY POLLUTANT DISCHARGE ELIMINATION SYSTEM

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

Permit Number: NJ0128589

Draft: Surface Water Master General Permit Renewal

Permittee:

NJPDES Master General Permit Program Interest
 Category B6
 Per Individual Notice of Authorization
 Division of Water Quality
 Mail Code: 401-02B
 PO Box 420
 401 East State Street
 Trenton, NJ 08625-0420

Property Owner:

NJPDES Master General Permit Program Interest
 Category B6
 Per Individual Notice of Authorization
 Division of Water Quality
 Mail Code: 401-02B
 PO Box 420
 401 East State Street
 Trenton, NJ 08625-0420

Location Of Activity:

NJPDES Master General Permit Program Interest
 Category B6
 Per Individual Notice of Authorization
 Division of Water Quality
 Mail Code: 401-02B
 PO Box 420
 401 East State Street
 Trenton, NJ 08625-0420

Authorization(s) Covered Under This Approval	Issuance Date	Effective Date	Expiration Date
B6 - Swimming Pool Discharge (GP)	<i>Pending</i>	<i>Pending</i>	<i>Pending</i>

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

DEP AUTHORIZATION
Melisse Carasia Auriti, Section Chief
Bureau of Surface Water Permitting
Division of Water Quality

(Terms, conditions and provisions attached hereto)

Division of Water Quality

PART I

NARRATIVE REQUIREMENTS

Swimming Pool Discharges (GP)

A. GENERAL REQUIREMENTS FOR AUTHORIZATION UNDER THE NJPDES DISCHARGE TO SURFACE WATER GENERAL MASTER SWIMMING POOL DISCHARGE GENERAL PERMIT (B6) (NJ0128589)

1. Requirements Incorporated by Reference

- a. The permittee shall comply with all conditions set forth in this permit and with all the applicable requirements incorporated into this permit by reference.
- b. General Conditions
 - i. Penalties for Violations - N.J.A.C. 7:14-8.1 et seq
 - ii. Incorporation by Reference - N.J.A.C. 7:14A-2.3
 - iii. Toxic Pollutants - N.J.A.C. 7:14A-6.2(a)4i
 - iv. Duty to Comply N.J.A.C. 7:14A-6.2(a)1 & 4
 - v. Duty to Mitigate - N.J.A.C. 7:14A-6.2(a)5, 6.2(a)11
 - vi. Inspection and Entry - N.J.A.C. 7:14A-2.11(e)
 - vii. Enforcement Action - N.J.A.C. 7:14A-2.9
 - viii. Signatory Requirements for Applications and Reports N.J.A.C. 7:14A-4.9
 - ix. Effect of Permit/Other Laws - N.J.A.C. 7:14A-2.9(c), 6.2(a)6&7
 - x. Severability - N.J.A.C. 7:14A-2.2(b)
 - xi. Administrative Continuation of Permits N.J.A.C. 7:14A-2.8
 - xii. Permit Actions - N.J.A.C. 7:14A-2.7(c)
 - xiii. Permit Duration - N.J.A.C. 7:14A-2.7(a)
 - xiv. Confidentiality N.J.A.C. 7:14A-18.2 & 2.11(g)
 - xv. Treatment Works Approval - N.J.A.C. 7:14A-22 & 23
 - xvi. General Permits - N.J.A.C. 7:14A-6.13
- c. Operation and Maintenance
 - i. Need to Halt or Reduce not a Defense - N.J.A.C. 7:14A-2.9(b)

Swimming Pool Discharges (GP)

- ii. Proper Operation and Maintenance - N.J.A.C. 7:14A-6.12(a)
- d. Monitoring And Records
 - i. Monitoring N.J.A.C. 7:14A-6.5
 - ii. Record Keeping - N.J.A.C. 7:14A-6.6
 - iii. Signatory Requirements for Monitoring Reports - N.J.A.C. 7:14A-6.9
- e. Reporting Requirements
 - i. Planned Changes - N.J.A.C. 7:14A-6.7
 - ii. Noncompliance Reporting - N.J.A.C. 7:14A-6.10
 - iii. Hotline/Two Hour & Twenty-four Hour Reporting N.J.A.C. 7:14A-6.10(c) & (d)
 - iv. Written Reporting N.J.A.C. 7:14A-6.10(e) &(f) & 6.8(h)
 - v. Duty to Provide Information - N.J.A.C. 7:14A-2.11, 6.2(a)14 & 18.1
 - vi. Transfer - N.J.A.C. 7:14A-6.2(a)8, 6.13(n), 16.1, 16.2

B. GENERAL REQUIREMENTS FOR SWIMMING POOL DISCHARGE

1. PURPOSE AND SCOPE

- a. The New Jersey Pollutant Discharge Elimination System (NJPDES) Discharge to Surface Water (DSW) General Permit for Swimming Pool Discharge authorizes the following discharges:
 - i. Draining of municipal, commercial, non-residential or community (e.g., townhouses and condominiums) swimming pool water into receiving waters classified as Category 1 and Category 2.
 - ii. Filter backwash water from municipal, commercial, non-residential or community (e.g., townhouses and condominiums) swimming pools into receiving waters classified as Category 2 only. Whenever possible, discharges of filter backwash shall be directed to the sanitary sewer with permission from the Publicly Owned Treatment Works (POTW). If permission is denied by the POTW, the applicant must provide proof of denial to discharge filter backwash to the POTW along with the NJPDES Form-1 and the B6 Supplemental Form. Note, filter backwash discharge to Category 1 designated receiving waters is not permitted.
- b. This permit is intended for discharges containing de minimis amounts of pollutants. A de minimis discharge of pollutants for purposes of this permit is defined as a discharge containing a relatively insignificant amount of pollutants that complies with all of the conditions specified in this permit. De minimis amounts of pollutants that may be present in these discharges include filterable or dissolved solids, suspended solids, bromine levels, chlorine levels and chlorine related compounds.
 - i. Levels of Chlorine Produced Oxidants (CPO) and/or Total Residual Bromine (TRC) are considered to be de minimis (for purposes of this permit) when they are measured at values of 0.1 mg/L or below.

- c. This permit operates under the premise that if appropriate Best Management Practices (BMPs) are implemented prior to discharge and temporary treatment is provided (if necessary) then no negative environmental impact should result from the discharge. If the discharge causes adverse environmental impacts to the receiving water, the discharge is in violation of this permit. The operating entity authorizing the activity and certifying compliance with the requirements of this permit would then be subjected to enforcement action as deemed appropriate by the Department. If it is suspected at any time during or directly after a discharge event that a discharge is not being conducted or was not conducted in accordance with all applicable requirements of this permit, the discharger shall call the Department's Environmental Action Hotline at 1-877-WARN-DEP (1-877-927-6337).
- d. The applicant/operating entity responsible for the activity that results in a discharge authorized by this permit, is required to electronically submit a NJPDES Form-1 and B6 Supplemental Form certifying that the proposed discharge will comply with the conditions of this permit. The Department must receive the NJPDES Form-1 and B6 Supplemental Form including associated Safety Data Sheets (SDS) at least seven (7) days prior to discharge. The applicant becomes authorized to discharge under this general permit seven (7) days after the Department receives the completed NJPDES Form-1 and B6 Supplemental Form, UNLESS the Department notifies the applicant that they are NOT eligible.
 - i. Authorizations under the Master Swimming Pool Discharge General Permit will be given two NJPDES numbers. Applicants will be given a specific individual NJPDES general permit authorization number in addition to the Master Swimming Pool Discharge General Permit NJPDES number NJ0128589.
 - ii. All applicants will have the same expiration date and will follow the same permit cycle. In accordance with N.J.A.C. 7:14A-2.7, all NJPDES permits shall be issued for fixed terms not to exceed five (5) years.

2. Eligibility

- a. The following discharges are ELIGIBLE for authorization under this permit:
 - i. Draining of municipal, commercial, non-residential or community (e.g., townhouses and condominiums) swimming pool water into receiving waters classified as Category 1 and Category 2.
 - ii. Filter backwash water from municipal, commercial, non-residential or community (e.g., townhouses and condominiums) swimming pools into receiving waters classified as Category 2 only.
- b. The following discharges are NOT ELIGIBLE for authorization under this permit:
 - i. Discharges of filter backwash to Category 1 waterbodies;
 - ii. All discharges of industrial process wastewater including contact and non-contact cooling water;
 - iii. Sanitary sewer flushing;
 - iv. Discharges from domestic, publicly or privately owned, and industrial treatment works;
 - v. Combined sewer overflow;
 - vi. Sanitary sewer overflow;

- vii. All stormwater discharges;
 - viii. Discharges in any way associated with site remediation activities, including water from well construction and development;
 - ix. Water from monitoring well construction and development or capping;
 - x. Discharges from water and wastewater treatment system bench scale and pilot testing;
 - xi. Discharges resulting from water main breaks and water distribution system infrastructure failures;
 - xii. Water used to clean and rinse storage tanks, natural gas pipelines, or other vessels;
 - xiii. Emergency discharges of polluted waters;
 - xiv. Dewatering from construction activities, including contaminated waters resulting from construction dewatering activities;
 - xv. Discharges from the disinfection of newly constructed or repaired potable water mains;
 - xvi. Discharges resulting from fire hydrant flushing;
 - xvii. Discharges resulting from Hydrostatic testing of tanks, vessels or pipelines;
 - xviii. Discharges from mining operations;
 - xix. Discharges that are solely to the groundwater; and
 - xx. Discharges that are regulated under the Municipal Stormwater Permit (Tier A-NJ0141852 and Tier B-NJ0141861) and the Public Complex Permit (NJ0141879);
- c. Discharges to the following waterbodies are ELIGIBLE for authorization under this permit:
- i. Swimming pool water discharges eligible for authorization under this permit may be discharged to FW2(C1 and C2), SE1(C1 and C2), SE2(C2), SE3(C2) and SC (C1 and C2) waters of the State.
 - ii. Filter backwash discharges eligible for authorization under this permit may be discharged to FW2(C2), SE1(C2), SE2(C2), SE3(C2) and SC(C2) waters of the State. Note that filter backwash discharges to C1 designated receiving waters are not eligible.
 - iii. Water body classifications are defined in N.J.A.C. 7:9B-1.4 and can be found online at: http://www.nj.gov/dep/rules/rules/njac7_9b.pdf. All individual stream classifications are designated in tables located at N.J.A.C. 7:9B-1.15 (c) through (j). For those receiving waters not listed, the applicable classification is that of the waterbody into which the immediate receiving water empties.
 - iv. For additional information pertaining to FW1, Pinelands or Shellfish waters, the permittee should contact the Department's Bureau of Environmental Analysis, Restoration and Standards at (609) 633-1441
- d. Discharges to the following waterbodies are NOT ELIGIBLE for authorization under this permit:

- i. This general permit does not authorize discharges into Outstanding National Resource Waters (ONRW), the highest level of protection afforded to the surface waters under the New Jersey Surface Water Quality Standards (SWQS), which includes Freshwater 1 (FW1) waters and Pinelands (PL) waters. FW1 waters, also known as nondegradation waters, are set aside for posterity because of their unique ecological significance, exceptional recreational significance or exceptional water supply significance. Nondegradation waters are not to be subjected to any manmade wastewater discharges.
- ii. This general permit does not authorize discharges into certain Shellfish waters to be determined by the Department on a case-by-case basis. Shellfish waters exclusion locations are consistent with the current Shellfish Growing Water Classification Charts, which are updated annually in accordance with N.J.A.C. 7:12-1 et seq. These charts may be obtained online at www.nj.gov/dep/bmw/waterclass.htm or from the Bureau of Marine Water Monitoring at (609) 748-2000 located at P.O. Box 405, Stoney Hill Road, Leeds Point, New Jersey 08220 or from any shellfish agency, shellfisheries office or the marine police. Furthermore, any discharge to a Shellfish water must receive approval from the Bureau of Marine Water Monitoring prior to submitting the NJPDES Form-1 and B6 Supplemental Form to be authorized under this permit.

C. CONDITIONS FOR AUTHORIZATION UNDER THE NJPDES MASTER SWIMMING POOL DISCHARGE GENERAL PERMIT

1. Narrative Discharge Requirements

- a. The discharge shall not contain any scum, foam or other residual matter. The following pollutant-specific guidelines and requirements shall be employed, when necessary, to comply with the terms of this general permit. Best Management Practices (BMPs) appropriate to this type of discharge shall be employed at all times.
- b. The permittee shall not discharge foam or cause foaming of the receiving water that:
 - i. forms objectionable deposits on the receiving water;
 - ii. forms floating masses producing a nuisance; or
 - iii. interferes with a designated use of the waterbody.
- c. The permittee's discharge shall not contain any color or odor that would render the water unsuitable for the designated uses. Color shall not be noticeable in the receiving water. Odors shall not be offensive to humans and shall not have a negative impact on water supplies.
- d. The discharge shall not exhibit a visible sheen.
- e. Incidental discharges to ground waters (DGW) of the State which may result from a discharge authorized by this permit, such as from overland flow on the way to the storm sewer or surface water conveyance, are also authorized under this general permit.

2. Discharge Requirements

- a. The discharge shall not contain toxic pollutants in toxic amounts, as defined under 33 U.S.C. 1251 et seq., the Federal Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq., and the New Jersey Water Pollution Control Act, or other pollutants, including temperature and pH, in mass, concentration, or other measures, which could cause adverse impacts or be detrimental to the natural aquatic biota, or which could cause instream exceedances of the Federal Water Quality Criteria in 40 CFR, Part 131 or New Jersey Surface Water Quality Criteria (N.J.A.C. 7:9B-1.14 et seq.) in the receiving water. Temperature control (i.e., heating) equipment shall be turned off for a minimum of 24 hours and water shall be allowed to stabilize to ambient conditions prior to discharge. In addition, it is the responsibility of the operating entity to ensure that the pH of the discharge to FW2, SE1, SE2 and SE3 waters is between 6.5 and 8.5 standard units using a pool test kit or other method approved by the Department. For discharges to SC waters, the natural pH conditions should prevail. Chemical additives, such as soda ash, can be used to adjust the pH. A pool supply professional may be contacted for assistance on how to properly adjust the pool pH.
- b. The swimming pool water discharge shall be retained, aerated and/or treated in such a way that the chlorine/bromine levels are 0.1 mg/L or below prior to discharging to the receiving waters. A pool test kit or other method approved by the Department may be used to confirm the results, and shall achieve a level at least as sensitive as 0.1 mg/L. Testing shall be conducted using the Total Residual Chlorine (TRC) Method.
- c. The swimming pool filter backwash water shall be retained, until such time that the chlorine/bromine levels are 0.1 mg/L or below prior to discharging to the receiving waters. A pool test kit or other method approved by the Department may be used to confirm the results, and shall achieve a level at least as sensitive as 0.1 mg/L. Testing shall be conducted using the TRC Method.
- d. The water used to backwash the filter should also be retained or discharged over a grassy area so any solids can settle out and can be removed (or filtered) prior to discharging the water. The solids, residue or sediment shall not be discharged to a waterway and shall be removed (i.e., discharged to a POTW, disposed of as solid waste, etc.) prior to discharging the filter backwash water to the receiving water classified as C2 waters.
- e. Algaecides containing copper and/or silver are toxic to fish and other aquatic life, and shall not be discharged.
- f. The discharge shall not cause or result in erosion to the area of the discharge or the surrounding stream banks. Adequate dewatering structures and velocity dissipation devices should be used when necessary to prevent and minimize erosion, stream scouring, and increases in turbidity. Dischargers may refer to "Standards for Soil Erosion and Sediment Control in New Jersey", as promulgated by the State Soil Conservation Committee and N.J.A.C. 2:90-1.3 et seq. In addition, the Regional Soil Conservation District office (organized by county) may be contacted for guidance on soil erosion control.
- g. The discharger shall take into account the conveyance capacity of the discharge outlet structure and/or conveyance structure prior to discharge and shall manage or control the flow of the discharge accordingly. The discharge shall not cause or create downstream flooding conditions.
- h. The discharger shall minimize the amount of suspended solids or turbidity in the discharge so as to not cause adverse impacts or be detrimental to the natural aquatic biota, or cause instream exceedances of the New Jersey Surface Water Quality Criteria (N.J.A.C. 7:9B-1.14 et seq.) of the receiving water. If the discharge contains suspended solids, BMPs shall be utilized to reduce or eliminate the levels of the solids prior to discharge to the receiving water. For example, BMPs can include increased retention time and/or filtration devices (such as hay bales and/or filter bags)

- i. There shall be no discharge of floating solids in other than trace amounts. The discharger shall use appropriate BMPs to eliminate floating debris, floatable or settleable solids, including construction or maintenance-related dirt, rust, or scale present in the waters prior to discharge.

3. Other Regulatory Requirements

- a. This permit is subject to modification, revocation, or change at any time, pursuant to the applicable regulations, when in the judgment of the Department such revocation, modification or change is deemed necessary.
- b. The Department may, on a case by case basis, authorize other similar uncontaminated discharges. Although this Master General Permit is specifically designed for swimming pool discharges, the Department reserves the right to include, as deemed appropriate, other similar, uncontaminated, clean water discharges.
- c. The Department may deny authorization under this permit and require submittal of an application for an individual DSW or another general permit or a DGW permit.
- d. This permit does not waive the requirement to obtain any other necessary Federal, State or Local government consents or approvals. No work shall be undertaken until such time as all other required approvals and permits have been obtained.
- e. This permit does not grant permission to use publicly or privately owned storm sewers or conveyances. The discharger is responsible for obtaining permission from the appropriate entity for such use.
- f. The discharger and/or operating entity shall allow an authorized representative of the Department, upon the presentation of credentials, to enter the premises where the regulated swimming pool is located, for purposes of inspection, and to access/copy any records that must be kept under the conditions of the permit.
- g. The discharger and/or operating entity shall allow an authorized representative of the Department, upon the presentation of credentials, to enter the premises where the regulated swimming pool is located, for purposes of inspection, and to access/copy any records that must be kept under the conditions of the permit.

D. ADMINISTRATIVE REQUIREMENTS UNDER THIS NJPDES GENERAL PERMIT

1. Request for NJPDES Form-1 and B6 Supplemental Form Requirements

- a. A completed and signed NJPDES Form-1 and B6 Supplemental Form must be submitted to the Department electronically to swimmingpoolgp@dep.nj.gov.
- b. The operating entity authorizing the activity which will result in the discharge to be authorized by this permit is required to electronically submit a NJPDES Form-1 and B6 Supplemental Form certifying that the proposed discharge(s) will comply with all of the conditions of this permit. The NJPDES Form-1, B6 Supplemental Form and checklist are available on the Department's website at: www.nj.gov/dep/dwq/forms_surfacewater.htm.

- c. A NJPDES Form-1 and B6 Supplemental Form including associated SDS shall be submitted to the Department's Bureau of Surface Water Permitting via email at swimmingpoolgp@dep.nj.gov, with a copy sent to the appropriate Regional Water and Compliance Enforcement office, as listed in D.2. below. This must be completed and submitted to both offices at least seven (7) days prior to the proposed discharge. A copy of the NJPDES Form-1 and B6 Supplemental Form shall also be kept on site. The NJPDES Form-1 and B6 Supplemental Form shall contain all of the following information:
- i. Name of the applicant/operating entity authorizing the activity (company, organization or municipality) resulting in the discharge to surface water and affiliation, address, telephone number and email address;
 - ii. Name of the property/land owner, address, telephone number and email address;
 - iii. Name and title of the facility contact/authorized agent for the operating entity, affiliation, address, telephone number and email address;
 - iv. Indicate when the pool operates (Year Round, Summer Only – Memorial Day to Labor Day or Other);
 - v. Source of the water being discharged (i.e., swimming pool draining, filter backwash water);
 - vi. Approximate average flow rate of the discharge;
 - vii. Approximate frequency of the discharge;
 - viii. Total Capacity of the pool;
 - ix. Description of the designated discharge point;
 - x. Location(s) (street name(s) or street address (as appropriate), municipality, and county) of the discharge;
 - xi. Identify the receiving waters and classification to which the discharge is directed, including the method of transport (i.e., via storm sewer, ditch, channel, etc.);
 - xii. Best Management Practices to be used;
 - xiii. A list of any chemical additives used (i.e., dechlorination/debromination agents, stabilizers/balancers, algaecides, etc.) and the associated SDS;
 - xiv. Proof of denial to discharge filter backwash to a POTW, if applicable.
- d. If the NJPDES Form-1 and B6 Supplemental Form are not submitted as specified above, or cannot be produced upon request of a Department or other government or jurisdictional representative, the discharger may be subject to enforcement action(s).

- e. If the conditions of this permit are not met, the Department reserves the right to require the discharger to cease discharging and obtain an individual or other general NJPDES permit or to utilize other alternate disposal methods. The Department also reserves the right to enforce all applicable NJPDES regulations should there be a suspected or confirmed violation of the conditions of the General Permit for Swimming Pool Discharges or of the Federal or New Jersey Water Pollution Control Act. Discharges, which are not conducted in accordance with all applicable conditions of this permit and, which therefore may result in adverse environmental impacts, including, but not limited to a fish kill, may subject the operating entity to enforcement action(s).
- f. The following statement, on the NJPDES Form-1 and B6 Supplemental Form, shall be signed by the authorized agent and submitted to the Department: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designated 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."
- g. Questions regarding discharges, which are similar to the discharges listed above but which are not specified, or questions regarding the eligibility of any discharge by this general permit, should be directed to the Bureau of Surface Water Permitting at (609) 292-4860 or via email at swimmingpoolgp@dep.nj.gov so that a permit determination can be made.

2. Record Keeping

- a. A copy of the NJPDES Form-1 and B6 Supplemental Form including associated SDS must also be submitted to the Department's appropriate Regional Enforcement Office, depending on the county where the discharge activity will occur. The addresses are specified below:
 - i. For Bergen, Essex, Hudson, Hunterdon, Morris, Passaic, Somerset, Sussex, and Warren Counties:
Northern Bureau of Water Compliance and Enforcement
7 Ridgedale Avenue
Cedar Knolls, New Jersey 07928-1 112
Phone: (973) 656-4099
Fax: (973) 656-4400
 - ii. For Mercer, Middlesex, Monmouth, Ocean and Union Counties:
Central Bureau of Water Compliance and Enforcement
Mail Code 44-03
401 East State Street
P.O. Box 420
Trenton, New Jersey 08625-0420
Phone: (609) 292-3010
Fax: (609) 292-6450

- iii. For Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester and Salem Counties:
Southern Bureau of Water Compliance and Enforcement
2 Riverside Drive, Suite 201
Camden, New Jersey 08103
Phone: (856) 614-3655
Fax: (856) 614-3608
- b. A copy of the NJPDES Form-1 and B6 Supplemental Form must also be maintained on site. The authorized agent and operating entity conducting the activity must maintain a copy of the NJPDES Form-1 and B6 Supplemental Form for a period of five (5) years, as per N.J.A.C. 7:14A-6.6.
- c. The permittee shall retain copies of all reports and/or data used to complete the NJPDES Form-1 and B6 Supplemental Form for authorization for a period of at least five (5) years, or longer as required by N.J.A.C. 7: 14A-6.6, from the date of the application.

E. SIGNATORY REQUIREMENTS OF THE NJPDES Form-1 and B6 Supplemental Form

1. According to N.J.A.C. 7:14A-4.9, Requests for Authorization and Other Information Requested by The Department, Shall Be Signed by A Person Described in (a) Through (d) Below.

- a. 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:
 - iii. 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 established or actions taken to gather complete and accurate information for the NJPDES Form-1 and B6 Supplemental Form requirements; or
 - iv. The authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
- c. For a municipality, State, Federal or other public agency, by either a principal executive officer or ranking elected official. For purpose 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
- d. By a duly authorized representative where a person is a duly authorized representative only if:

- i. The authorization is made in writing by a person described in 1(a) through (c), above;
 - ii. 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 of the company. (A duly authorized representative may thus be either a named individual or any other individual occupying a named position); and
 - iii. The written authorization is submitted to the Department.
- 2. If an Authorization Under (d) 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 (d) Above, Must Be Submitted to The Department with The NJPDES Form-1 and B6 Supplemental Form Signed by an Authorized Representative.**

NJPDES MASTER GENERAL PERMIT PROGRAM INTEREST, Trenton

Permit No. NJ0128589
DSW000007 Surface Water Master General Permit Renewal