



State of New Jersey

PHIL MURPHY
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Mail Code – 401-02B
Water Pollution Management Element
Bureau of Surface Water Permitting
P.O. Box 420 – 401 E State St
Trenton, NJ 08625-0420
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CATHERINE R. McCABE
Commissioner

SHEILA OLIVER
Lt. Governor

Email Only

August 15, 2018

To: Distribution List

Re: Final Surface Water Master General Permit Renewal
Category: BG -Hydrostatic Test Water (GP)
NJPDES Permit No. NJ0132993

Dear Interested Parties:

Enclosed is a **final** 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 permit renewal authorizes the discharge to a surface waterbody for discharges generated from hydrostatic testing of storage tanks and pipelines that have been cleaned pursuant to recognized federal, state or general industry documented procedures.

Hydrostatic test water discharges eligible for authorization under this permit may be discharged to Freshwater 2 (FW2) - Category 2 (C2), Saline Estuary 1 (SE1) - C2, SE2 - C2, SE3 - C2, and SC - C2 waters of the State. Waterbody 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. Note that discharges to Category 1 (C1) and Pinelands (PL) designated receiving waters are not eligible.

Notice of the draft permit action was posted on June 28, 2018 at www.state.nj.us/dep/dwq as well as in the July 5, 2018 *DEP Bulletin*. Public notice of the draft permit action was also provided in three newspapers to represent all applicable New Jersey counties. The public notice was published on July 5, 2018 in *The Press of Atlantic City* (published July 5) and *The Trenton Times* and on July 4, 2018 in the *Star Ledger*. The public comment period closed on August 5, 2018.

No written comments were received on the draft action during the comment period, and no provisions of the draft permit have been changed in the final permit. Therefore, the right by any permittee or third party to contest the permit conditions in an adjudicatory hearing has been waived pursuant to N.J.A.C. 7:14A-15.13.

The Department has included slight revisions to this final permit action as compared to the draft permit action to clarify the administrative process. Specifically, the Department has clarified in Part I.B.7, Part I.C.1 and Part IV.I.D.1.a that the applicant/operating entity must submit a NJPDES 1 form as part of any application in addition to the BG Supplemental Form (Clean Water Assurance Certification Form). The Department has also incorporated a minor change to Part I.B.3.c to clarify that the Department is requiring a new BG Supplemental Form for each discharge event. Finally, the Department incorporated minor revisions to Part I.B.7 to eliminate redundant conditions with the application forms.

Questions or comments regarding the final action should be addressed to Shaza Rizvi or Dwayne Kobesky either by phone at (609) 292-4860 or email at shaza.rizvi@dep.nj.gov or dwayne.kobesky@dep.nj.gov.

Sincerely,

A handwritten signature in black ink that reads "Susan Rosenwinkel". The signature is written in a cursive style with a large initial 'S'.

Susan Rosenwinkel
Acting Bureau Chief
Bureau of Surface Water Permitting

Enclosures

cc: Permit Distribution List
Masterfile #: 39609; PI #: 50577

Table of Contents for the Final Permit

This permit package contains the items below:

- 1. Cover Letter**
- 2. Table of Contents**
- 3. NJPDES Permit Authorization Page – Master Permit Page**
- 4. Part I – General Requirements: NJPDES**



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: NJ0132993

Final: Surface Water Master General Permit Renewal

Permittee:

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

Property Owner:

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

Location of Activity:

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

Authorization(s) Covered Under This Approval	Issuance Date	Effective Date	Expiration Date
BG - Hydrostatic Test Water (GP)	8/15/2018	9/1/2018	8/31/2023

By Authority of:
Commissioner's Office

DEP AUTHORIZATION
Susan Rosenwinkel, Acting Bureau Chief
Bureau of Surface Water Permitting
Division of Water Quality

(Terms, conditions and provisions attached hereto)

Division of Water Quality

PART I

NARRATIVE REQUIREMENTS

Hydrostatic Test Water (GP)

A. GENERAL REQUIREMENTS FOR ALL NJPDES PERMITS

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. The permittee is required to comply with the regulations, including those cited in paragraphs b. through e. following, which are in effect as of the effective date of the final permit.
- b. General Conditions
 - Penalties for Violations N.J.A.C. 7:14-8.1 et seq.
 - Incorporation by Reference N.J.A.C. 7:14A-2.3
 - Toxic Pollutants N.J.A.C. 7:14A-6.2(a)4i
 - Duty to Comply N.J.A.C. 7:14A-6.2(a)l & 4
 - Duty to Mitigate N.J.A.C. 7:14A-6.2(a)5, 6.2(a)11
 - Inspection and Entry N.J.A.C. 7:14A-2.11(e)
 - Enforcement Action N.J.A.C. 7:14A-2.9
 - Signatory Requirements for Applications and Reports N.J.A.C. 7:14A-4.9
 - Effect of Permit/Other Laws N.J.A.C. 7:14A-2.9(c), 6.2(a) 6&7
 - Severability N.J.A.C. 7:14A-2.2(b)
 - Administrative Continuation of Permits N.J.A.C. 7:14A-2.8
 - Permit Actions N.J.A.C. 7:14A-2.7(c)
 - Permit Duration N.J.A.C. 7:14A-2.7(a)
 - Confidentiality N.J.A.C. 7:14A-18.2 & 2.11 (g)
 - Treatment Works Approval N.J.A.C. 7:14A-22 & 23
 - General Permits N.J.A.C. 7:14A-6.13
- c. Operation and Maintenance
 - Need to Halt or Reduce not a Defense N.J.A.C. 7:14A-2.9(b)
 - Proper Operation and Maintenance N.J.A.C. 7:14A-6.12(a)
- d. Monitoring And Records
 - Monitoring N.J.A.C. 7:14A-6.5
 - Recordkeeping N.J.A.C. 7:14A-6.6
 - Signatory Requirements for Monitoring Reports N.J.A.C. 7:14A-6.9
- e. Reporting Requirements
 - Planned Changes N.J.A.C. 7:14A-6.7
 - Noncompliance Reporting N.J.A.C. 7:14A-6. 10
 - Hotline/Two Hour & Twenty-four Hour Reporting N.J.A.C. 7:14A-6.10(c) & (d)
 - Written Reporting N.J.A.C. 7:14A-6.10(e) &(f) & 6.8(h)
 - Duty to Provide Information N.J.A.C. 7:14A-2.11, 6.2(a)14 & 18.1
 - Transfer N.J.A.C. 7:14A-6.2(a)8, 6. 13(n), 16.1, 16.2

B. GENERAL REQUIREMENTS: DISCHARGE CATEGORY

1. Purpose

- a. The New Jersey Pollutant Discharge Elimination System (NJPDES) Discharge to Surface Water (DSW) General Permit for Hydrostatic Test Water Discharges authorizes the discharge of hydrostatic test water from storage tanks and/or pipelines consistent with the terms and conditions of this subject permit.

2. Discharge of Pollutants

- a. This permit is intended for short-term 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, chlorine and chlorine related compounds.
- b. 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 will result from the discharge.
- c. 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.

3. Eligible Discharge Types

- a. To be considered eligible under this general permit, a discharge to the surface waters of the State of New Jersey must result from the hydrostatic testing of tanks and/or pipelines that have been subjected to a recognized Federal, State or general industry cleaning procedures and BMPs.
- b. To be considered eligible under this general permit, the proposed discharge must be to a waterbody that is not specifically exempted at Part I.B.6, below.
- c. Scheduled multiple short-term discharges occurring over a period of time are eligible for authorization under this permit. In these instances, the Department requires the BG Supplemental Form (Clean Water Assurance Certification Form) to include a schedule of occurrence of all the discharges. Following receiving Authorization under this general permit, a BG Supplemental Form (Clean Water Assurance Certification Form) must be submitted to the Department at hydrostatictestgp@dep.nj.gov for each discharge prior to the expiration of the Master General Permit.
- d. For other discharge scenarios not already described in this general permit, the Department may authorize these other discharges, that are short-term in nature and “clean”, but that will occur over a period of time under this general permit, upon written approval. Other similar types of planned, non-continuous, short-term discharges may qualify for coverage under this permit on a case-by-case basis as long as the proposed discharge meets the intent of the master general permit.

4. Ineligible Discharge Types

- a. The following types of discharges are specifically NOT ELIGIBLE for Authorization under this permit because they are either regulated under other NJPDES permits (see www.state.nj.us/dep/dwq), are outside the scope of this permit, or the discharge may cause adverse environmental impact to the receiving waters:
- i. Discharge of tank bottom water accumulated at the bottom of the tank during its operations;
 - ii. Emergency discharges of polluted waters;
 - iii. Dewatering from construction activities, including contaminated water resulting from construction dewatering activities;
 - iv. Discharges in any way associated with site remediation activities, including water from well construction and development;
 - v. Water from monitoring well construction and development or capping;
 - vi. Discharges resulting from water main breaks and water distribution system infrastructure failures;
 - vii. Discharges from domestic, publicly or privately owned, and industrial treatment works;
 - viii. Discharges from water and wastewater treatment system bench scale and pilot testing;
 - ix. All discharges of non-contact cooling water and industrial process wastewater including contact cooling water;
 - x. Combined sewer or sanitary sewer overflows;
 - xi. Sanitary sewer flushing;
 - xii. Discharges from mining operations;
 - xiii. Discharges that are solely to groundwater;
 - xiv. All stormwater discharges;
 - xv. Draining of and filter backwash from municipal, commercial, or other non-residential swimming pools; and
 - xvi. Discharges that are already regulated under the Municipal Stormwater Permit (Tier A-NJ0141852 and Tier B - NJ0141861) and the Public Complex Permit (NJ0141879).

5. Eligible Waterbody Types

- a. Hydrostatic test water 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 discharges to C1 designated receiving waters are not eligible as described in Part I.B.6.c, below.
- b. Waterbody 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.

6. Ineligible Waterbody Types

- a. Any proposed discharges to the following waterbody types are specifically NOT ELIGIBLE for Authorization under this permit. This includes discharges into Outstanding National Resource Waters (ONRW) which is the highest level of protection afforded to surface waters under the New Jersey Surface Water Quality Standards (SWQS). ONRW refers to 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). ONRW includes FW1 waters and PL waters:
 - i. FW1 Waters: refers to 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. Activities that might alter existing water quality in FW1 waters are prohibited. 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).
 - ii. Pinelands (PL) waters: refers to 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. PL waters are maintained in their natural state and changes are allowed only toward natural water quality.
- b. This general permit does not authorize discharges into certain Shellfish waters, to be determined by the Department on a case-by-case basis. Furthermore, any discharge to a Shellfish water must receive approval from the Bureau of Marine Water Monitoring prior to submitting the Certification to be authorized under this permit. For further clarification and/or information, please contact the Bureau of Marine Water Monitoring at (609) 748-2000.
 - i. 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>.
- c. This general permit does not authorize discharges into receiving waters classified as C1:
 - i. Category 1 or C1 waters shall be protected from any measurable changes to the existing water quality pursuant to N.J.A.C. 7:9B-1.5(d). C1 means those waters designated in the tables at 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).

7. Administrative Process

- a. Application forms are available at: http://www.state.nj.us/dep/dwq/gp_hydrostatic.htm. The permittee is required to complete a NJPDES Form-1 and BG Supplemental Form (Clean Water Assurance Certification Form).

- b. The applicant/operating entity is required to notify the Department of their intent to request coverage under this general permit by submitting a completed and signed NJPDES Form-1 and BG Supplemental Form (Clean Water Assurance Certification Form) electronically to hydrostatictestgp@dep.nj.gov at least fourteen (14) calendar days prior to discharge. Following receiving Authorization under this general permit, a BG Supplemental Form (Clean Water Assurance Certification Form) must be submitted to the Department at hydrostatictestgp@dep.nj.gov for each discharge prior to the expiration of the Master General Permit.
- c. The applicant/operating entity signing the NJPDES Form-1 and BG Supplemental Form (Clean Water Assurance Certification 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 BG Supplemental Form (Clean Water Assurance Certification Form) must be signed in accordance with the Signatory Requirements described in N.J.A.C. 7:14A-4.9.
- d. This permit does not automatically 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.
- e. The Department may deny authorization under this permit and require submittal of an application for an individual NJPDES discharge to surface water permit, another NJPDES general permit, or a NJPDES discharge to ground water permit, if deemed appropriate.

8. Other Regulatory Requirements

- a. Permit conditions remain in effect and enforceable until and unless the permit is modified, renewed or revoked by the Department. 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. 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.
- c. In accordance with N.J.A.C. 7:14A-6.2(a)7, this permit does not authorize any infringement of State or local law or regulations, including, but not limited to, N.J.A.C. 7:50 (the Pinelands rules), N.J.A.C. 7:1-E (Discharges of Petroleum and other Hazardous Substances), regulations concerning threatened and endangered species and their designated critical habitat, and other Department rules. No discharge of hazardous substances (as defined in N.J.A.C. 7:1E-1.6) resulting from an onsite spill shall be deemed to be "pursuant to and in compliance with this permit" within the meaning of the Spill Compensation and Control Act at N.J.S.A. 58:10-23.11c.

C. RECORDKEEPING AND INSPECTION

1. Recordkeeping and Inspection

- a. The applicant/operating entity must maintain a copy of the NJPDES Form-1, BG Supplemental Form (Clean Water Assurance Certification Form) and the permit authorization on-site.
- b. The applicant/operating entity conducting the activity must maintain a copy of the NJPDES Form-1, BG Supplemental Form (Clean Water Assurance Certification Form) and the permit authorization for a period of five (5) years, as per N.J.A.C. 7:14A-6.6.

- c. The applicant/operating entity shall retain copies of all reports and/or data used to complete the NJPDES Form-1 and BG Supplemental Form (Clean Water Assurance Certification 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.
- d. If the NJPDES Form-1 and BG Supplemental Form (Clean Water Assurance Certification Form) is 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. 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 facility is located, for purposes of inspection, and to access/copy any records that must be kept under the conditions of the permit.

2. Reporting

- a. If it is suspected at any time during or directly after a discharge, 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).
- b. 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 Hydrostatic Test Water 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).
- c. 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 subject to enforcement action as deemed appropriate by the Department.

D. SPECIFIC REQUIREMENTS: NARRATIVE

1. Narrative Discharge Requirements

- a. Prior to discharging wastewater from a hydrostatic test, at a minimum, the tank and/or pipeline must be cleaned pursuant to a recognized Federal, State or general industry documented procedure. A description of the "cleaning procedure" shall be included on the BG Supplemental Form (Clean Water Assurance Certification Form).
- b. BMPs appropriate to this type of discharge shall be employed at all times, where necessary. Examples of BMPs include: increased retention time, filter fabric, hay bales, silt fences, filter bag, frac tanks and holding tanks.

- c. 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, as described above, shall be utilized to reduce or eliminate the levels prior to discharge to the receiving water.
- d. 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.
- e. 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.
- f. The discharge shall not contain any scum, foam or other residual matter.
- g. 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.
- h. The discharge shall not exhibit a visible sheen.
- i. When chlorinated waters are utilized for hydrostatic testing (e.g. discharges of chlorinated potable water) the discharge shall be aerated and/or treated in such a way that the chlorine level is reduced or dissipated prior to discharging to the receiving waters. If necessary, the water to be discharged shall be directed through hay bales, over grassy areas or rip rap, and/or otherwise sufficiently aerated, bypassing several storm sewer inlets as necessary, to dissipate the chlorine prior to discharging to a storm sewer or the receiving waterbody. A pool chlorination kit can be used to confirm that there is no detectable level of chlorine in the water prior to discharge.

2. Discharge Conditions Associated with Erosion Control

- a. 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.
- b. 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.
- c. Incidental discharges 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 surface water conveyance, are also authorized under this general permit.

NJPDES MASTER GENERAL PERMIT PROGRAM INTEREST, Trenton

Permit No.NJ0132993
DSW110005 Surface Water Master General Permit Renewal