



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

MAIL CODE 401-02B

DIVISION OF WATER QUALITY

BUREAU OF GROUND WATER, RESIDUALS, AND PERMIT ADMINISTRATION

401 E. STATE STREET, P.O. BOX 420

TRENTON, NJ 08625-0420

www.state.nj.us/dep/dwq

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

SHAWN M. LATOURETTE
Acting Commissioner

Date: April 29, 2021

NJDEP DIVISION OF WATER QUALITY
401 E STATE ST
TRENTON, NJ 08625

Re: Residual Master General Permit Renewal
Cat: EG -Land Appl/Food Processing Res(GP)
NJPDES Permit No.: NJ0105767, Program Interest No.: 50577
NJPDES MASTER GENERAL PERMIT PROGRAM INTEREST
Trenton City, Mercer County

Dear Interested Party,

Enclosed is 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.

Notice of this draft permit action will appear in *Asbury Park Press*, *Burlington County Times*, *Courier Post*, *The Press of Atlantic City*, *The Star-Ledger*, *The Times of Trenton* and in the May 19, 2021 *DEP Bulletin*. The *DEP Bulletin* is available on the internet at www.state.nj.us/dep/bulletin. In accordance with N.J.A.C. 7:14A-15.10(c)1.i, the public comment period will close thirty (30) days after its appearance in the newspaper.

If you have questions regarding the draft action, please contact Fayard Ali at (609) 984-4428 or Fayard.Ali@dep.nj.gov.

Sincerely,

Patrick R. Brown, Environmental Specialist 3
Bureau of Ground Water, Residuals, and Permit Administration
Water Pollution Management Element

Enclosures
c: Distribution List

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New Jersey Department of Environmental Protection
Division of Water Quality
Water Pollution Management Element
Bureau of Ground Water, Residuals and Permit Administration

PUBLIC NOTICE

Notice is hereby given that the New Jersey Department of Environmental Protection (Department/NJDEP) proposes to renew New Jersey Pollutant Discharge Elimination System (NJPDES) Residuals Permit No. NJ0105767 in accordance with N.J.A.C. 7:14A, and by authority of the Water Pollution Control Act at N.J.S.A. 58:10A-1 et seq., for the following discharge:

Applicant or Permittee:

NJPDES MASTER GENERAL PERMIT –
CATEGORY EG
PER INDIVIDUAL NOTICE OF
AUTHORIZATION

Facility:

NJPDES MASTER GENERAL PERMIT –
CATEGORY EG
PER INDIVIDUAL NOTICE OF
AUTHORIZATION

This draft general permit renewal proposes to continue to control the land application of a class of materials generated by the food processing industry, namely, food processing by-products, and intends to reauthorize existing covered facilities. Food processing by-products include food processing residuals generated as a result of treatment of food processing wastewater and food processing vegetative wastes produced as a by-product of the food processing industry. Food processing byproducts have, in the past, been approved for land application as a soil conditioner and fertilizer under this general permit and individual NJPDES permits. Food processing by-products quality analyses presented to the NJDEP in the past indicate that these materials are generally suitable for land application. There are currently twenty (20) facilities that have a Notice of Authorization (NOA) to operate under this general permit.

The NJDEP has determined that this discharge category requires similar operating conditions, the same monitoring, and is more appropriately regulated under a general permit rather than individual permits. This single notice is issued pursuant to N.J.S.A. 58:10A-9.

A draft NJPDES Residual General Permit has been prepared based on the administrative record filed at the NJDEP, 401 East State Street, Trenton, New Jersey 08625. 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. If you are interested in scheduling an appointment, requesting specific information regarding the draft document, or requesting a free PDF version of the draft permit sent via email, contact Patrick R. Brown of the Bureau of Ground Water, Residuals and Permit Administration at (609) 984-4428 or by email at Pat.Brown@dep.nj.gov. This draft general permit can also be viewed or downloaded on the Division of Water Quality web site at www.state.nj.us/dep/dwq/.

Comments must be submitted in writing by certified mail (return receipt requested), or by email to Pat.Brown@dep.nj.gov or by other means which provides verification of the date of delivery to the Department, and should be addressed Attention: *Comments on Public Notice NJ0105767, NJDEP DWQ, Bureau of Ground Water, Residuals and Permit Administration, Mail Code 401-02B, P.O. Box 420, Trenton, NJ 08625- 0420* by the close of the public comment period, which closes thirty (30) calendar days after publication of this notice in the last newspaper. All persons, including the

permittee, 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 permit decision. Those permittees currently covered under Residuals General Permit No. NJ0105767 and each person who has submitted written comments or requested notice will receive notice of the Department's permit decision.

**New Jersey Department of Environmental Protection
Division of Water Quality
Water Pollution Management Element
Bureau of Groundwater, Residuals and Permit Administration**

FACT SHEET

This fact sheet sets forth the principal facts and the significant factual, legal, and policy considerations examined during preparation of the draft permit.

PERMIT ACTION: Residual Master General Permit Renewal

1. Name and Address of the Applicant:

NJPDES MASTER GENERAL PERMIT – CATEGORY EG
PER INDIVIDUAL NOTICE OF AUTHORIZATION
TRENTON, NJ 08625

2. Name and Address of the Facility/Site:

NJPDES MASTER GENERAL PERMIT – CATEGORY EG
PER INDIVIDUAL NOTICE OF AUTHORIZATION
TRENTON, NJ 08625

3. Description of the Facilities Covered by this Permit:

This general New Jersey Pollutant Discharge Elimination System (NJPDES) permit renewal is issued in accordance with N.J.A.C. 7:14A, and applies only to food processing operations generating food processing by-products (as defined in this general permit). The permit addresses the distribution and land application of food processing by-products. This general NJPDES permit does not supersede any existing permits that a food processing operation may currently possess. The general permit does not address and is not an approval of any past activity that the food processing operation conducted that has affected or may adversely affect the waters of the State.

Any person may, in accordance with the procedures set forth in N.J.A.C. 7:14A-6.13(e) & (l), petition the Department to require a permittee authorized by this general permit to apply for and obtain an individual NJPDES permit.

Table 1 lists the names of the permittees currently authorized for authorization under this general permit. The facilities listed are hereby included, by virtue of NOA issuance, on Table K-7 Existing New Jersey Residual Management Operations of the Statewide Sludge Management Plan (Section K of the Statewide Solid Management Plan). Issuance of future NOA's to facilities qualified to operate under this master general permit amends and includes these facilities on Table K-7 of the Statewide Sludge Management Plan.

4. Specific Authorization Criteria:

The Department has determined that this activity requires similar operating conditions, requires the same monitoring, and is more appropriately regulated under a general permit rather than individual permits. The general permit does not address and is not an approval of any past activity that the facility conducted that has affected or may adversely affect the waters of the State.

This general permit renewal proposes to continue to control the land application of a class of materials generated by the food processing industry, namely, food processing by-products, and intends to reauthorize existing covered facilities. Food processing by-products include food processing residuals generated as a result of treatment of food processing wastewater and food processing vegetative wastes produced as a by-product of the food processing industry. Food processing by-products have, in the past, been approved for land application as a soil conditioner and fertilizer under this general permit and individual NJPDES permits. Food processing by-products quality analyses presented to the NJDEP in the past indicate that these materials are generally suitable for land application.

The Department will consider the following for coverage under this general permit:

- (1) Source must be a food processing by-product.
- (2) The quantity and/or quality of the discharge is more appropriately regulated under a general permit.
- (3) The source requires the same or substantially similar types of operating procedures.
- (4) The source requires the same or substantially similar monitoring.

Food processing by-products must benefit crop growth and soil productivity when applied to the land. Food processing by-product analyses will be required prior to and during operations occurring under the authority of this general permit. In order to qualify for coverage under this general permit a food processing by-product generator must first apply to the Department to demonstrate that no conditions exist that would necessitate consideration of individual permitting. Application requirements are explained in Part II, Condition B.9.a of this permit renewal. Conditions which preclude a food processing by-product from eligibility for coverage under this permit include, but are not limited to, excessive pollutant levels, pathogen contamination, and potential for nuisance conditions to occur upon land application. Also, process wastewater and other wastewater is not eligible for coverage under this general permit.

Food processing residuals and food processing vegetative wastes may be distributed to farms with suitable soils for land application. A NJPDES permit will not be required for each user site provided food processing by-products are utilized in accordance with the provisions specified in this general permit. It will be the responsibility of the permittee to ensure that food processing by-products are properly utilized at user sites. Food processing by-products will be land applied as a fertilizer and soil conditioner.

5. Request for Authorization:

Any food processing by-product generator not currently covered by the existing general permit or whose operations have changed who wish to be covered by this general permit must submit a complete

application to the Department. The Department will then make a determination based upon the permit application whether the applicant can be covered by the conditions of the general permit.

Application forms are available at the following address:

www.state.nj.us/dep/dwq/forms_residuals.htm or call (609) 984-4428.

All existing authorizations will be automatically renewed upon reissuance of this general permit. However, the renewal of an authorization either requires a notice to the Department that there are no changes or a new RFA to be submitted to update any information that is no longer true, accurate and/or complete.

6. Summary of Permit Conditions:

Permit conditions are listed in the attached documents.

The Department proposes the following major changes from the previous NJPDES permit:

- Permit cycling will now start and end based on the calendar year. The effective start date of the master general permit and individual authorizations will move from July 01 (start of fiscal year) to January 01 (start of calendar year). The effective end date of the master general permit and individual authorizations will move from June 30 (end of fiscal year) to December 31 (end of calendar year).
- The Department administers the NJPDES Electronic Data Interchange (EDI) reporting program, which is a fully operational electronic reporting system with all the necessary legal, security, and electronic signature functionalities that provide a completely paperless reporting system. N.J.A.C. 7:14C-1.7(b) requires mandatory electronic submittal of monitoring report forms. Mandating electronic reporting has improved reliability of data entry and has decreased the number of reports being submitted late or being lost. The Department's web-based system streamlines reporting, which improves the quality of data flow, reduces reporting costs, offers on-line availability of reports and their processing status, and improves the Department's efficiency in data analysis, compliance assessment, and decision-making.

For all Authorizations, the issuance of a Notice of Authorization under this permit will constitute written notification that a permittee must enroll in the Department's New Jersey Pollutant Discharge Elimination System (NJPDES) Monitoring Report Form (MRF) Electronic Submission Service to submit monitoring report forms electronically. Questions regarding the NJDEP EDI reporting program should be directed to the Permit Administration Section at (609) 984-4428, or by email to dwq_pas@dep.nj.gov. Additional information regarding the NJPDES MRF Service can be found at <http://www.nj.gov/dep/dwq/mrf.htm>.

7. Basis for Permit Conditions:

The documents listed below were instrumental in the Department's development of the permit conditions and monitoring requirements of this general permit:

1. New Jersey "Water Pollution Control Act" and amendments - N.J.S.A. 58:10A-1 et seq.
2. New Jersey "Solid Waste Management Act" and amendments - N.J.S.A. 13:1E-1 et seq.

3. United States Environmental Protection Agency “Standards for the use or disposal of sewage sludge” (40 CFR Part 503).
4. “New Jersey Pollutant Discharge Elimination System” (N.J.A.C. 7:14A).
5. Technical Manual for Residuals Management, May 1998.
6. USEPA Part 503 Implementation Guidance, EPA 833-R-95-001, October 1995. This document is a compilation of federal requirements, management practices and EPA recommended permit conditions for sewage sludge use and management practices.
7. USEPA A Plain English Guide to the EPA Part 503 Biosolids Rule, EPA/832/R- 93/003, September 1994.
8. New Jersey “Statewide Sludge Management Plan”, January 2006.
9. New Jersey “Sludge Quality Assurance Regulations” (SQAR), N.J.A.C. 7:14C.
10. Technical Support Document for Land Application of Sewage Sludge, Volumes I and II, EPA 822/R-93-001a and 001b, November 1992.
11. USEPA Process Design Manual Land Application of Sewage Sludge and Domestic Septage, EPA/625/R-95/001, September 1995. This manual summarizes nationwide information concerning land application of sludges.
12. USEPA Environmental Regulations and Technology: Control of Pathogens and Vector Attraction in Sewage Sludge, EPA/625/R-92/013, revised October 1999.
13. USEPA Guide to the Biosolids Risk Assessments for the EPA Part 503 Rule, EPA-832-B-93-005, September 1995.
14. New Jersey Sludge Sampling and Analytical Guidance Document, April 2010, or as amended or supplemented.
15. Final General NJPDES Permit No. NJ0105767 for the land application of food processing by-products effective on July 01, 2016 and compliance monitoring reports submitted under that general permit.

8. Name, Bureau, and Phone Number of Contact Persons:

Fayard Ali, Bureau of Ground Water, Residuals, and Permit Administration, (609) 984-4428 or via email at fayard.ali@dep.nj.gov.

Table 1 - list of the permittees currently authorized for authorization under this general permit

NJPDES #	Facility Name	County	Municipality
NJG0107549	B&G FOODS N AMERICA INC VIOLET PACKING	Gloucester	Monroe Twp
NJG0140791	CAPE MAY FOODS DBA LAMONICA FINE FOOD	Cumberland	Millville City
NJG0146013	CUMBERLAND DAIRY LLC	Cumberland	Bridgeton City
NJG0245011	EASTERN PROPAK LLC	Gloucester	Glassboro Boro
NJG0138011	F&S PRODUCE	Cumberland	Deerfield Twp
NJG0154521	F&S PRODUCE PLANT 2	Cumberland	Deerfield Twp
NJG0275450	F&S PRODUCE CO INC PLANT 3	Cumberland	Vineland City
NJG0107719	GRASSO FOODS	Gloucester	Woolwich Twp
NJG0265519	GREEN CHEF CORP	Gloucester	Logan Twp
NJG0102814	JOHANNA FOODS INC	Hunterdon	Raritan Township
NJG0131997	LASSONDE PAPPAS CO INC	Cumberland	Upper Deerfield Twp
NJG0215449	LUCCA FREEZER AND COLD STORAGE	Cumberland	Vineland City
NJG0131806	NESTLE USA INC	Monmouth	Freehold Boro
NJG0302538	OATLY INC	Cumberland	Millville City
NJG0131849	RICH PRODUCTS	Cumberland	Vineland City
NJG0215422	SAFEWAY FRESH FOODS LLC	Cumberland	Vineland City
NJG0263435	SANTA SWEETS	Cumberland	Lawrence Twp
NJG0134767	SEABROOK BROTHERS & SONS	Cumberland	Upper Deerfield Twp
NJG0257028	TAYLOR FARMS	Gloucester	Logan Twp
NJG0138118	WWF OPERATING CO	Cumberland	Bridgeton City



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: NJ0105767

DRAFT: Residual Master General Permit Renewal

Permittee:
General Permit
Per Individual Notice of Authorization

Co-Permittee:

Property Owner:
NJDEP – Division of Water Quality
401 E. State Street
Trenton, NJ 08625

Location Of Activity:
General Permit
Per Individual Notice of Authorization

Authorization(s) Covered Under This Approval	Issuance Date	Effective Date	Expiration Date
EG -Land Appl/Food Processing Res(GP)			

By Authority of:
Commissioner's Office

DEP AUTHORIZATION
Patrick R. Brown, Environmental Specialist 3
Bureau of Ground Water, Residuals, and Permit Administration
Water Pollution Management Element

PI: 50577

(Terms, conditions and provisions attached hereto)

PART I GENERAL REQUIREMENTS: NJPDES

A. General Requirements of 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)1 & 4
 - Duty to Mitigate N.J.A.C. 7:14A-6.2(a)5 & 11
 - Inspection and Entry N.J.A.C. 7:14A-2.11(e)
 - Enforcement Action N.J.A.C. 7:14A-2.9
 - Duty to Reapply N.J.A.C. 7:14A-4.2(e)3
 - 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-6.2(a)6 & 7 & 2.9(c)
 - Severability N.J.A.C. 7:14A-2.2
 - Administrative Continuation of Permits N.J.A.C. 7:14A-2.8
 - Permit Actions N.J.A.C. 7:14A-2.7(c)
 - Reopener Clause N.J.A.C. 7:14A-6.2(a)10
 - Permit Duration and Renewal N.J.A.C. 7:14A-2.7(a) & (b)
 - Consolidation of Permit Process N.J.A.C. 7:14A-15.5
 - Confidentiality N.J.A.C. 7:14A-18.2 & 2.11(g)
 - Fee Schedule N.J.A.C. 7:14A-3.1
 - Treatment Works Approval N.J.A.C. 7:14A-22 & 23
- 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
- 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
 - Reporting of Monitoring Results N.J.A.C. 7:14A-6.8
 - Noncompliance Reporting
 - Hotline/Two Hour & Twenty-four Hour Reporting N.J.A.C. 7:14A-6.10 & 6.8(h)
 - 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
 - Schedules of Compliance N.J.A.C. 7:14A-6.4
 - Transfer N.J.A.C. 7:14A-6.2(a)8 & 16.2

PART II

GENERAL REQUIREMENTS: DISCHARGE CATEGORIES

A. Additional Requirements Incorporated By Reference

1. Residuals Management

- a. The permittee shall comply with land-based sludge management criteria and shall conform with the requirements for the management of residuals and grit and screenings under N.J.A.C. 7:14A-6.15(a), which includes:
 - i. Standards for the Use or Disposal of Residual, N.J.A.C. 7:14A-20;
 - ii. Section 405 of the Federal Act governing the disposal of sludge from treatment works treating domestic sewage;
 - iii. The Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq., and the Solid Waste Management Rules, N.J.A.C. 7:26;
 - iv. The Sludge Quality Assurance Regulations, N.J.A.C. 7:14C;
 - v. The Statewide Sludge Management Plan promulgated pursuant to the Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., and the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq.; and
 - vi. The provisions concerning disposal of sewage sludge and septage in sanitary landfills set forth at N.J.S.A. 13:1E-42 and the Statewide Sludge Management Plan.
 - vii. Residual that is disposed in a municipal solid waste landfill unit shall meet the requirements in 40 CFR Part 258 and/or N.J.A.C. 7:26 concerning the quality of residual disposed in a municipal solid waste landfill unit. (That is, passes the Toxicity Characteristic Leaching Procedure and does not contain "free liquids" as defined at N.J.A.C. 7:14A-1.2.).

B. General Conditions

1. Standard Reporting Requirements – Monitoring Report Forms (MRFs)

- a. All MRFs shall be electronically submitted to the Department's MRF Submission Service.
- b. MRF data submission shall be in accordance with the guidelines and provisions outlined in the Department's Electronic Data Interchange (EDI) agreement with the permittee.
- c. MRFs shall be submitted at the frequencies identified in Part III of this permit.
- d. All MRFs shall be certified by the highest ranking official having day-to-day managerial and operational responsibilities for the discharging facility.
- e. The highest ranking official may delegate responsibility to certify the MRFs in his or her absence. Authorizations for other individuals to certify shall be made in accordance with N.J.A.C. 7:14A-4.9(b).

- f. Monitoring results shall be submitted in accordance with the current NJPDES MRF Reference Manual and any updates thereof.
- g. If monitoring for a parameter is not required in a monitoring period, the permittee must report "CODE=N" for that parameter.
- h. If, for a monitored location, there are no discharge events during an entire monitoring period, the permittee must notify the Department when submitting the monitoring results by checking the "No Discharge this monitoring period" box on the electronic version of the monitoring report submittal form.

2. Scope

- a. The issuance of this permit shall not be considered as a waiver of any applicable federal, state, and local rules, regulations and ordinances.

3. Notification of Non-Compliance

- a. The permittee shall notify the Department of all non-compliance when required in accordance with N.J.A.C. 7:14A-6.10 by contacting the DEP HOTLINE at 1-877-WARNDEP (1-877-927-6337).

4. Notification of Changes

- a. All permittees shall give written notice to the Department of any planned physical alterations or additions to the permitted facility when the alteration or addition is expected to result in a significant change in the permittee's discharge(s) and/or residual use or disposal practices.
- b. Prior to any change in ownership, the current permittee shall comply with the requirements of N.J.A.C. 7:14A-16.2, pertaining to the notification of change in ownership.

5. Permit Conditions Relating to Residuals Management

- a. If any applicable standard for residual use or disposal is promulgated under section 405(d) of the Federal Act and Sections 4 and 6 of the State Act and that standard is more stringent than any limitation on the pollutant or practice in the permit, the Department may modify or revoke and reissue the permit to conform to the standard for residual use or disposal.
- b. The permittee shall make provisions for storage, or some other approved alternative management strategy, for anticipated downtimes at a primary residual management alternative. The permittee shall not be permitted to store residual beyond the capacity of the structural treatment and storage components of the treatment works. N.J.A.C. 7:14A-20.8(a) and N.J.A.C. 7:26 provide for the temporary storage of residuals for periods not exceeding six months, provided such storage does not cause pollutants to enter surface or ground waters of the State. The storage of residual for more than six months is not authorized under this permit. However, this prohibition does not apply to residual that remains on the land for longer than six months when the person who prepares the residual demonstrates that the land on which the residual remains is not a surface disposal site or landfill. The demonstration shall explain why residual must remain on the land for longer than six months prior to final use or disposal, discuss the approximate time period during which the residual shall be used or disposed and provide documentation of ultimate residual management arrangements. Said demonstration shall be in writing, be kept on file by the person who prepares residual, and submitted to the Department.
- c. The permittee shall comply with the appropriate adopted District Solid Waste or Sludge Management Plan (which by definition in N.J.A.C. 7:14A-1.2 includes Generator Sludge Management Plans), unless otherwise specifically exempted by the Department.

6. Additional General Requirements

- a. This general permit may be issued, modified, revoked and reissued, or terminated in accordance with applicable requirements of N.J.A.C. 7:14A-15, 16 and 17.
- b. If a permittee authorized by this general permit discontinues the permitted activity, even if the permit is expiring, the permittee must:
 - i. Request termination, stating the reason for the request;
 - ii. If the food processing operation remains operational the permittee shall specify where the food processing by-products will be managed.
- c. This general permit, allowing the permittee to land apply food processing by-products shall in no way waive the Department's authority to regulate or permit other operations or discharges for which the permittee is responsible.
- d. In addition to the aforementioned conditions, applicable conditions in N.J.A.C. 7:14A-6.2 and 6.13 shall also apply to this general New Jersey Pollutant Discharge Elimination System (NJPDES) permit.

7. Requirements to Obtain an Individual Permit

- a. The Department may require any person authorized by this general NJPDES permit to apply for and obtain an individual NJPDES permit. Cases in which an individual NJPDES permit may be required include the following:
 - i. The quantity and/or quality of the discharge changes such that site specific requirements are necessary;
 - ii. The permittee is not in compliance with the conditions of the general NJPDES permit;
 - iii. A change has occurred such that the source does not involve the same or substantially similar types of operating procedures; or
 - iv. A change has occurred such that the source does not require the same or similar monitoring.
- b. The Department reserves the right to impose full NJPDES regulatory requirements on generators and/or user sites in cases of violations of the conditions of this general permit.
- c. The Department may require any owner, operator and/or discharger authorized by this general NJPDES permit to apply for an individual NJPDES permit as provided above, only if the owner, operator, or discharger has been notified in writing that a permit application is required. This notice shall include a statement establishing a deadline by which the owner, operator, and/or discharger is to file the application, and a statement that on the effective date of the individual NJPDES permit the general NJPDES permit as it applies to the individual permittee shall be revoked.

8. Exclusions

- a. Any owner, operator, and/or discharger authorized by this general permit may request to be excluded from the coverage of the general NJPDES permit by applying for an individual permit. The owner, operator, and/or discharger shall submit an application in accordance with N.J.A.C. 7:14A, with reasons supporting the request, to the NJDEP. The request shall be processed under N.J.A.C. 7:14A-15, 16 and 17. The request shall be granted by the issuance of an individual permit if the reasons cited by the owner, operator and/or discharger are adequate to support the request.

- b. An owner, operator, and/or discharger excluded from this general NJPDES permit solely because of an existing individual permit, may request that the individual permit be terminated, and that the subject discharge be covered by the general NJPDES permit. Upon termination of the individual permit, the general NJPDES permit shall apply to the discharge.

9. Administrative Requirements

- a. A request for authorization under this general permit shall include the following: A completed NJPDES 1 Form, a completed Form R, and proof via copies of certified mail return receipts or other means of verification that the local municipality and affected sewerage authority were notified, in accordance with N.J.A.C. 7:14A-4.3(a)13, of the request. This request shall be submitted for new authorizations under the general permit and is not required for renewal of existing authorizations.
- b. Authorizations under this general permit shall become effective upon receipt of notification of authorization by the Department as allowed pursuant to N.J.A.C. 7:14A-6.13(d)5.iii.
- c. Upon reissuance of this general permit, authorizations shall be automatically renewed as allowed pursuant to N.J.A.C. 7:14A-6.13(d)9. However, the renewal of an authorization either requires a notice to the Department that there are no changes or a new RFA to be submitted to update any information that is no longer true, accurate, and/or complete.

10. Access

- a. The permittee shall allow an authorized representative of the Department, upon the presentation of credentials to enter upon a person's premises, for purposes of inspection, and to access/copy any records that must be kept under the conditions of this permit. The Department or its designated agent may take samples of sludge to verify the reported analytical data and to determine if the permittee is in compliance with this permit.

PART III

LIMITS AND MONITORING REQUIREMENTS

MONITORED LOCATION:

EG01 Food Proc. Residual

DISCHARGE CATEGORY(IES):

EG - Land Appl/Food Processing
Res(GP)

Location Description

A representative sample of the food processing residual shall be taken pursuant to the Sludge Quality Assurance Regulations (SQAR, N.J.A.C. 7:14C).

Contributing Waste Types

Ind Residual-Food Proc

Residuals DMR Reporting Requirements:

Submit a Monthly DMR: due 60 calendar days after the end of each calendar month.

Comments:

The permittee must ensure compliance with the SQAR (N.J.A.C. 7:14C) reporting requirements for the Residuals DMR, monthly Residuals RTR, and annual Residuals WCR, even if food processing residuals are not being land applied under this permit.

Table III - A - 1: Residuals DMR Limits and Monitoring Requirements

PHASE: Final

PHASE Start Date:

PHASE End Date:

Parameter	Sample Point	Limit	Limit	Units	Limit	Limit	Limit	Units	Frequency	Sample Type
pH	Industrial Residuals	*****	*****	*****	*****	REPORT Monthly Median	*****	SU	1/Month	Grab
	January thru December	QL	***	***	***	***	***			
Solids, Total	Industrial Residuals	*****	*****	*****	*****	REPORT Monthly Average	*****	%TS	1/Month	Composite
	January thru December	QL	***	***	***	***	***			
Nitrate Nitrogen, Dry Weight	Industrial Residuals	*****	*****	*****	*****	REPORT Monthly Average	*****	MG/KG	1/Month	Composite
	January thru December	QL	***	***	***	***	***			
Nitrogen, Kjeldahl Total, Dry Wt	Industrial Residuals	*****	*****	*****	*****	REPORT Monthly Average	*****	MG/KG	1/Month	Composite
	January thru December	QL	***	***	***	***	***			

Residuals DMR Reporting Requirements:

Submit a Monthly DMR: due 60 calendar days after the end of each calendar month.

Comments:

The permittee must ensure compliance with the SQAR (N.J.A.C. 7:14C) reporting requirements for the Residuals DMR, monthly Residuals RTR, and annual Residuals WCR, even if food processing residuals are not being land applied under this permit.

Table III - A - 1: Residuals DMR Limits and Monitoring Requirements

PHASE: Final

PHASE Start Date:

PHASE End Date:

Parameter	Sample Point	Limit	Limit	Units	Limit	Limit	Limit	Units	Frequency	Sample Type
Potassium Dry Weight	Industrial Residuals	*****	*****	*****	*****	REPORT Monthly Average	*****	MG/KG	1/Month	Composite
January thru December	QL	***	***		***	***	***			
Nitrogen, Ammonia Dry Weight	Industrial Residuals	*****	*****	*****	*****	REPORT Monthly Average	*****	MG/KG	1/Month	Composite
January thru December	QL	***	***		***	***	***			
Phosphorus Dry Weight	Industrial Residuals	*****	*****	*****	*****	REPORT Monthly Average	*****	MG/KG	1/Month	Composite
January thru December	QL	***	***		***	***	***			

Residuals WCR - Annual Reporting Requirements:

Submit an Annual WCR: due 60 calendar days after the end of each calendar year.

Table III - A - 3: Residuals WCR - Annual Limits and Monitoring Requirements

PHASE: Final

PHASE Start Date:

PHASE End Date:

Parameter	Sample Point	Compliance Quantity	Units	Sample Type	Monitoring Period
Amt Sludge Rmvd, Wet Cubic Yards	Industrial Residuals	REPORT	WCY/YR	Calculated	January thru December
Amt Sludge Rmvd, Wet Metric Tons	Industrial Residuals	REPORT	WMT/YR	Calculated	January thru December
Amt Sludge Rmvd, Gallons	Industrial Residuals	REPORT	GAL/YEAR	Calculated	January thru December
Total Amount of Sludge Removed	Industrial Residuals	REPORT	DMT/YR	Calculated	January thru December
Solids, Total	Industrial Residuals	REPORT	%TS	Composite	January thru December

Residuals Transfer Reporting Requirements:

Submit a Monthly RTR: due 60 calendar days after the end of each calendar month.

MONITORED LOCATION:

EG02 Food Proc. Veg. Waste

DISCHARGE CATEGORY(IES):

EG - Land Appl/Food Processing
Res(GP)

Location Description

Samples shall be taken for analyses from the vegetative waste solids discharge point that is most representative of the physical state and quality of the vegetative wastes to be land applied. Analytical results do not need to be submitted to NJDEP but shall be retained by the permittee as specified in this general permit.

Contributing Waste Types

Vegetative waste

Residuals DMR Reporting Requirements:

Submit a Monthly DMR: due 0 calendar day after the end of each calendar month.

Table III - B - 1: Residuals DMR Limits and Monitoring Requirements

PHASE: Final

PHASE Start Date:

PHASE End Date:

Parameter	Sample Point	Limit	Limit	Units	Limit	Limit	Limit	Units	Frequency	Sample Type
pH January thru December	Vegetative Waste	*****	*****	*****	*****	REPORT Monthly Median	*****	SU	1/Month	Grab
	QL	***	***		***	***	***			
Solids, Total January thru December	Vegetative Waste	*****	*****	*****	*****	REPORT Monthly Average	*****	%TS	1/Month	Composite
	QL	***	***		***	***	***			
Nitrate Nitrogen, Dry Weight January thru December	Vegetative Waste	*****	*****	*****	*****	REPORT Monthly Average	*****	MG/KG	1/Month	Composite
	QL	***	***		***	***	***			
Nitrogen, Kjeldahl Total, Dry Wt January thru December	Vegetative Waste	*****	*****	*****	*****	REPORT Monthly Average	*****	MG/KG	1/Month	Composite
	QL	***	***		***	***	***			

Residuals DMR Reporting Requirements:

Submit a Monthly DMR: due 0 calendar day after the end of each calendar month.

Table III - B - 1: Residuals DMR Limits and Monitoring Requirements

PHASE: Final

PHASE Start Date:

PHASE End Date:

Parameter	Sample Point	Limit	Limit	Units	Limit	Limit	Limit	Units	Frequency	Sample Type
Potassium Dry Weight	Vegetative Waste	*****	*****	*****	*****	REPORT Monthly Average	*****	MG/KG	1/Month	Composite
January thru December	QL	***	***		***	***	***			
Nitrogen, Ammonia Dry Weight	Vegetative Waste	*****	*****	*****	*****	REPORT Monthly Average	*****	MG/KG	1/Month	Composite
January thru December	QL	***	***		***	***	***			
Phosphorus Dry Weight	Vegetative Waste	*****	*****	*****	*****	REPORT Monthly Average	*****	MG/KG	1/Month	Composite
January thru December	QL	***	***		***	***	***			

Residuals Transfer Reporting Requirements:

Submit an Annual RTR: due 60 calendar days after the end of each calendar year.

PART IV

SPECIFIC REQUIREMENTS: NARRATIVE

Notes and Definitions

A. Footnotes

1. Food Processing Residuals Table

- a. The permittee shall sample food processing residuals according to the Part III table. Samples shall be taken for analyses pursuant to the requirements of the Sludge Quality Assurance Regulations (SQAR, N.J.A.C. 7:14C).
- b. Analytical results shall be reported in mg/kg (dry weight basis, total analysis) unless otherwise specified.
- c. Unless otherwise required by the Sludge Quality Assurance Regulations (SQAR, 7:14C) sampling for the parameters on the Part III table is not required during months where food processing residuals are not applied to the land.

2. Food Processing Vegetative Wastes Table

- a. The permittee shall sample food processing vegetative wastes according to the Part III table. Samples shall be taken for analyses from the vegetative waste solids discharge point that is most representative of the physical state and quality of the vegetative wastes to be land applied. All equipment used for sampling shall be thoroughly cleaned prior to sampling to prevent contamination. Each sample shall be labeled and stored in a glass or polyethylene container for transport to the laboratory. Samples shall be chilled at 4 degrees C for transport to the laboratory.
- b. Analytical results shall be reported in mg/kg (dry weight basis, total analysis) unless otherwise specified.
- c. Sampling is not required during months when food processing vegetative wastes are not generated due to seasonal fluctuations in production of the processing facility, or during months when food processing vegetative wastes are generated but not applied to the land.

B. Definitions

1. Definitions

- a. All words and terms used in this permit shall have meanings as defined in the "Regulations Concerning the New Jersey Pollutant Discharge Elimination System" (N.J.A.C. 7:14A), unless otherwise stated or unless the context clearly requires a different meaning.
- b. "Department" means the New Jersey Department of Environmental Protection.
- c. "Dewatered Residuals" means residuals which are not pumpable with conventional pumping equipment and which can be handled using solids handling equipment.
- d. "Field Office Technical Guide (FOTG)" means the Natural Resource Conservation Service's primary technical reference, customized for the local geographic area, prescribing practices and standards for the conservation and management of soil, water and related natural resources.

- e. "Food Processing By-Product" means food processing vegetative wastes and/or food processing residuals generated from food processing and packaging operations or similar industries that process food products.
- f. "Food Processing Residuals" means residuals resulting from the physical, chemical, and/or biological treatment of wastewater generated in food processing and packaging operations or similar industries that process food products, whose application to lands would benefit crop growth and soil productivity. Food processing residuals do not include process wastewaters.
- g. "Food Processing Vegetative Waste" means material generated in trimming, reject sorting, cleaning, pressing, cooking, and filtering operations from the processing of fruits and vegetables and the like in food processing and packaging operations or similar industries that process food products. Vegetative wastes include, but are not limited to, tomato skins and seeds, pepper cores, potato peels, cabbage, onion skins, celery pieces, cranberry hulls, cranberry tailings, rice hulls, carrot stems, and coffee grounds.
- h. "Liquid Residuals" means residuals which are pumpable with conventional pumping equipment and which cannot be handled using solids handling equipment. Liquid residuals do not include process wastewaters.
- i. "Natural Resources Conservation Service (NRCS)" means the technical agency of the U.S. Department of Agriculture, authorized by Public Law 46 of the 74th Congress, to develop and implement, in cooperation with the State Soil Conservation Committee and the soil conservation districts, a permanent national soil and water conservation program.
- j. "Rutgers New Jersey Agricultural Experiment Station" means an agency of Rutgers the State University of New Jersey, providing extension educational services in agriculture.
- k. "Soil Conservation District (SCD)" means a governmental subdivision of this state and a public body corporate and politic established in accordance with the Soil Conservation Act N.J.S.A. 4:24-1 et seq.
- l. "User Site" means farm land on which food processing by-products are to be land applied.

Land Appl/Food Processing Res(GP)

A. Monitoring

1. Food Processing Vegetative Wastes

- a. The quality of food processing vegetative wastes land applied under this permit shall be determined in accordance with the requirements specified in the Part III table. The Part III table indicates the minimum scheduled testing frequency for food processing vegetative wastes. Monitoring results do not need to be submitted to the Department, but shall be retained by the generator for a period of no less than five years.
- b. All monitoring required by this permit shall be performed by a laboratory certified by the Department for the analysis of those specific parameters in accordance with N.J.A.C. 7:18.

2. Food Processing Residuals

- a. The quality of food processing residuals land applied under this permit shall be determined according to the requirements of the Sludge Quality Assurance Regulations (SQAR, N.J.A.C. 7:14C) and as noted in the Part III table where not already required by SQAR.
- b. All monitoring required by this permit shall be performed by a laboratory certified by the Department for the analysis of those specific parameters in accordance with N.J.A.C. 7:18.

3. User Site Information

- a. Records shall be kept for a period of no less than five (5) years providing the dates and the amounts of food processing by-products delivered to each user site.

B. Reporting

1. Distribution Conditions and Procedures

- a. A NJPDES permit shall not be required for each user site provided food processing by-products are managed in accordance with all procedures and provisions specified.
- b. Prior to the distribution of food processing by-products at any user site, the permittee shall submit to the address given in Condition B.1.c of this part the following documentation on each site:
 - i. Form RMS-1E, Distribution Site Information Sheet (enclosed).
 - ii. Form RMS-2E, Property Owner's Certification (enclosed).
 - iii. A copy of the Natural Resources Conservation Service approved agricultural conservation or soil erosion and sediment control plan for the site, or written determination from the Natural Resources Conservation Service that no agricultural conservation or soil erosion and sediment control plan is necessary for the site.
- c. Documentation on user sites pursuant to Condition B.1.b above shall be updated and resubmitted as needed during the term of of this permit when property ownership changes; subdivision of property results; real property improvements are made; and /or lots are consolidated to the following address: Division of Water Quality, Bureau of Ground Water, Residuals, and Permit Administration, Mail Code 401-02B, P.O. Box 420, Trenton, NJ 08625-0420.

Land Appl/Food Processing Res(GP)

- d. Land application of food processing by-products shall only proceed on a particular site or part thereof, if the agricultural conservation or soil erosion and sediment control plan on file with the local Natural Resources Conservation Service is implemented in accordance with the time schedule set out therein for the site or part of the site, affected by the application activity.
- e. If food processing by-products are to be distributed outside of New Jersey, the permittee shall submit to the Department, written proof that all applicable statutes, regulations, and guidelines of that state have been satisfied prior to any distribution to that state.

2. Monitoring Report Submission

- a. The permittee shall report monitoring results on the Discharge Monitoring Reports (DMR) or other monitoring report forms where forms are specified, and all applicable information required on the forms shall be entered in the manner specified therein before submission. Equivalent report forms may be submitted with prior written Department approval. Any information not in compliance with this condition shall not be deemed to fulfill the reporting requirements of this permit.
- b. If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR Part 503 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted. Such increased frequency shall also be indicated.

C. Operation and Management

1. Requirement to Comply

- a. Food processing by-products generated by a food processing facility shall be land applied and/or stored at a user site in accordance with all provisions specified under this general permit.
- b. The generator of the food processing by-products shall be responsible to ensure that all food processing by-products are stored and land applied at user sites in conformance with all provisions specified herein.
- c. It is the responsibility of the generator to monitor and certify the quality of food processing by-products land applied under this general permit.
- d. The Department reserves the right to revoke a general permit authorization issued under this permit and/or impose full NJPDES regulatory requirements on generators or user sites in cases of violations of the conditions of this permit.

2. Provisions for the Distribution and Land Application of Food Processing By-Products

- a. Food processing by-products shall be land applied in accordance with all requirements and stipulations provided in any required plan as may be applicable under Condition B.1.b.iii of this part and as specified in the "Rutgers Production Recommendations for New Jersey Field Crops" or as otherwise recommended by the Natural Resources Conservation Service Field Office Technical Guide.
- b. Application of food processing by-products shall not exceed the annual nitrogen requirement of the crop to be established as specified in the "Rutgers Production Recommendations for New Jersey Field Crops" or as otherwise recommended by the Natural Resources Conservation Service.
- c. For land application of liquid food processing residuals, the maximum application per day for each individual application event shall not exceed the hydraulic loading rate capacity.

- d. Food processing by-products shall not be land applied:
 - i. Ten meters (33 feet) or less from surface waters of the State, as defined in N.J.A.C. 7:14A-1.2;
 - ii. During and/or after periods of precipitation, on ground where water is ponded, and/or soils saturated with water within two (2) feet of the ground surface;
 - iii. On lands with slopes greater than twelve (12) percent;
 - iv. When the ground is flooded, frozen, or snow covered;
- e. Food processing by-products shall be:
 - i. Spread evenly over the site without overlap and along topographic contours;
 - ii. Incorporated into the soil within forty-eight (48) hours of application, unless said materials are land applied on sites that have slopes of five percent (5%) or less, or have crop residue or vegetative cover of seventy-five percent (75%) or greater to prevent run-off.
- f. Liquid food processing residuals shall be applied in such a manner as to prevent movement, run-off, or ponding of residuals.
- g. Liquid food processing residuals shall not be stored at any user site, and shall not remain in any collection, haulage or spreading vehicles at any user site, in excess of twenty-four (24) hours, unless conditions such as inclement weather, equipment breakdowns, or accidents warrant. In such cases no additional residuals shall be delivered until these conditions are remedied.
- h. Dewatered food processing residuals and food processing vegetative wastes shall not be stored:
 - i. All dewatered food processing residuals and food processing vegetative wastes distributed to user sites shall have a minimum total solids content of 15% by weight.
 - ii. On lands which lie within fifty meters (165 feet) of permanent and intermittent surface water bodies;
 - iii. Within ten meters (33 feet) of a drainage ditch;
 - iv. Within ten meters (33 feet) of adjacent properties which are not part of the user site;
 - v. Within fifty meters (165 feet) of occupied residential and commercial buildings not located on the site;
 - vi. On lands with slopes greater than five percent (5%); and
 - vii. For greater than one hundred eighty (180) days.
 - viii. In such a manner that creates a nuisance situation, including but not limited to, generation of malodors and vector attraction.
- i. A crop shall be grown on fallow fields in the growing season immediately following the termination of food processing by-products application.
- j. The quantity of food processing by-products hauled to a site for storage or land application shall not exceed the quantity of by-products that can be land applied at the site in a single cropping season pursuant to Conditions C.2.b and C.2.c of this part.

- k. Transportation, storage, and land application of food processing by-products creating malodors off-site which results in a verification of an odor complaint pursuant to N.J.A.C. 7:25-5 et seq. (Air Pollution Control Regulations) may result in cessation of land application activities and/or revocation of the general permit authorization.
- l. Land application of food processing by-products shall not create vector attraction (i.e. flies, rodents) as verified by the Department.
- m. The Department may impose additional requirements on the storage and land application of food processing by-products at user sites to ensure compliance with the conditions of this permit.

3. Contingency Plan

- a. If the permittee produces/collects food processing by-products in excess of that which can be land applied at the user site(s) according to the conditions of this permit, or cannot be land applied due to inclement weather, the food processing by-products must be removed from the site and managed in a legally permitted manner.

4. Inspection and Entry

- a. The Department shall have access to all generator and user sites for purposes of inspection and sampling, and shall have right of entry to all premises in which generator and user site records required by this general permit are kept, for the purpose of inspection, examination, and copying.

NJPDES MASTER GENERAL PERMIT PROGRAM INTEREST, Trenton

Permit No.NJ0105767
RES210001 Residual Master General Permit Renewal

FORM RMS-1E: DISTRIBUTION SITE INFORMATION SHEET

Permittee: _____ NJPDES No. _____

USER INFORMATION:

1. Name: _____

2. Address: _____

3. Phone No.: _____

4. Location of site (street address, block number, lot number, county, municipality) where land application will occur:

5. Total acreage to be utilized for land application: _____

6. Affix hereon a U.S. Department of Agriculture, Soil Conservation Service Soil Survey Map (clear copy or original) for the area of the proposed site identified above.

- Delineate thereon the property boundaries for the site and the areas where food processing by-products are to be land applied.

- The map portion is from the _____ County Soil Survey.

- The map portion is from the sheet number _____ of the above Soil Survey.

7. Affix hereon a municipal tax map (clear copy or original) for the area of the site where food processing by-products are to be land applied.

- Delineate thereon the property boundaries for the site and the areas where food processing by-products are to be land applied. Indicate tax identification, Lot numbers, and Block numbers.

8. Describe specifically how the subject property is zoned:

I certify that to the best of my knowledge the above information on this site is accurate. I also certify I have read the permittee's New Jersey Pollutant Discharge Elimination System (NJPDES) permit and agree to comply with the conditions listed therein.

Name of Permittee: _____
(Please print or type) _____

Permittee Signature: _____ Date _____

Name of User: _____

User Signature: _____ Date _____

FORM RMS-2E: PROPERTY OWNER'S CERTIFICATION

Facility from which the food processing by-products will be obtained:

I hereby certify that I, _____ am the property owner identified on Form RMS-1E, Distribution Site Information Sheet. This endorsement is certification that I have read and understand the conditions contained in the permittee's New Jersey Pollutant Discharge Elimination System (NJPDES) permit and hereby grant permission for the use of the food processing by-products on the subject property. This permission may be withdrawn at any time during the life of the project.

In addition, the aforementioned property owner shall certify:

1. Whether any food processing by-products are to be land applied within an easement.
Yes _____ No. _____
(Initial) (Initial)

If yes, what type of easement. _____

2. Whether any food processing by-products are to be land applied within areas under the jurisdiction of the Pinelands Development Commission.

Yes _____ No. _____
(Initial) (Initial)

Type or Print Name and Address of Owner

Phone Number of Owner

Date

Signature of Owner