



State of New Jersey

PHILLIP D MURPHY
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Mail Code - 401-02B

CATHERINE R. McCABE
Commissioner

SHEILA Y. OLIVER
Lt. Governor

Water Pollution Management Element
Bureau of Nonpoint Pollution Control
P.O. Box 420 – 401 E. State St.
Trenton, NJ 08625-0420
Tel: (609) 633-7021 / Fax: (609) 777-0432
<http://www.state.nj.us/dep/dwq/>

March 15, 2019

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

Re: Final Ground Water Master General Permit Renewal
Cat: LSI – Lined Surface Impoundment (GP)
NJPDES NJ0142051
Trenton City, Mercer County

Dear Permittee:

The **final** renewal of the LSI – Lined Surface Impoundment Permit (general permit) identified above has been issued in accordance with N.J.A.C. 7:14A. A complete copy of the general permit, which is effective May 1, 2019 and expires on April 30, 2024, can be viewed on the internet at www.state.nj.us/dep/dwq/ under “Featured Topics”.

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 you, or any third party, to contest the permit conditions in an adjudicatory hearing is hereby waived pursuant to N.J.A.C. 7:14A-15.13.

If you have any questions or comments regarding the final action, please contact Brian Sage at (609) 633-6021.

Sincerely,

Ron Bannister, P.G., Section Chief
Bureau of Nonpoint Pollution Control

Enclosures



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: NJ0142051

FINAL: Ground Water Master General Permit Renewal

Permittee:

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

Co-Permittee:

Property Owner:

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

Location Of Activity:

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

Authorization(s) Covered Under This Approval	Issuance Date	Effective Date	Expiration Date
LSI – Lined Surface Impoundment (GP)	03/15/2019	05/01/2019	04/30/2024

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

**DEP AUTHORIZATION
 Ron Bannister, P.G., Section Chief
 Bureau of Nonpoint Pollution Control
 Division of Water Quality**

(Terms, conditions and provisions attached hereto)

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This Permit Package Contains the Items Listed Below

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FACT SHEET
NJPDES-DGW GENERAL PERMIT FOR
LINED SURFACE IMPOUNDMENTS

DESCRIPTION OF FACILITIES COVERED BY THIS PERMIT

This New Jersey Pollutant Discharge Elimination System - Discharge to Ground Water (NJPDES-DGW) General Permit (NJ0142051) is issued in accordance with N.J.A.C. 7:14A-1 *et seq.*, and authorizes the operation of surface impoundments with liners.

For the basis of this permit “surface impoundment” or “impoundment” means a facility or part of a facility which is a natural topographic depression, man-made excavation, or diked area formed primarily of earthen materials (although it may include a liner) which is designed to hold an accumulation of liquid or solid wastes or wastes containing free liquids, and which is not an injection well. Examples of surface impoundments are holding, storage, settling, and aeration pits, ponds and lagoons. The term “liner” for the purpose of this permit means a continuous layer of soil or synthetic material which restricts the downward or lateral escape of any waste, waste constituents, or leachate. To be eligible for this general permit “liners” shall have a hydraulic conductivity of 1×10^{-7} centimeters per second or less.

This general permit does not address and is not an approval of any past activity which was conducted at the site that has or may have adversely affected the ground waters of the State.

GENERAL ELIGIBILITY CRITERIA

The group of dischargers can be authorized under this general permit as they involve the same or substantially similar operations with respect to the nature of the discharge activity, discharge the same type of wastes and engage in similar disposal practices, require the same operating conditions and standards for disposal, require the same monitoring and/or inspections of the system as a first defense against threat to human health and the environment and, in the opinion of the Department are more appropriately controlled under a general permit than under separate, individual permits.

SPECIFIC AUTHORIZATION CRITERIA

The eligible dischargers must meet the following criteria to qualify for authorization under this general permit: 1) have a surface impoundment with a liner which has a hydraulic conductivity of 1×10^{-7} centimeters per second or less 2) have an outfall from the impoundment such as a discharge to surface water or sanitary sewer. The outlet must either be permitted or is not required to be permitted.

REQUEST FOR AUTHORIZATION

A facility which has submitted a complete application for an individual discharge to ground water permit in accordance with N.J.A.C. 7:14A-4 or its regulatory precursors may, at the discretion of the Department, be authorized under this general permit without submission of a specific request for authorization (RFA). A complete application is considered to be the RFA. The decision to issue an authorization shall be based upon the applicability of the criteria, outlined in the paragraph above, to each individual facility. If it is determined that the facility meets the outlined criteria, the Department shall notify the permittee regarding the authorization under this general permit in accordance with N.J.A.C. 7:14A-6.13.

COMPLIANCE WITH GROUND WATER QUALITY STANDARDS

Based on additional data and information regarding the contravention of the Ground Water Quality Standards, N.J.A.C.7:9-6, the Department also reserves the right to revoke a facility's authorization under this permit and regulate a facility under a more appropriate permit document, such as an individual NJPDES permit or authorization under another general permit, pursuant to N.J.A.C. 7:14A-6.13 and 16.4.

PLANNED CHANGES

Any alteration or addition to the facility that may change the nature of the discharge, which results in a discharge in accordance with N.J.A.C.7:14-1.2 may subject said facility to stricter regulatory oversight by the Department. Such oversight can include, imposition of a discharge and ground water quality monitoring program through issuance of an individual permit or another general permit or any other federal, state or local permits or approvals. Any planned change, which may result in noncompliance with the permit, must be proposed to the Department for approval prior to implementation.

CONTENTS OF THE ADMINISTRATIVE RECORD

The following items were used to formulate the basis of the draft permit:

- N.J.S.A. 58:10A-1-1 et seq., New Jersey Water Pollution Control Act *
- N.J.A.C. 7:14A-1 et seq., New Jersey Pollutant Discharge Elimination System Regulations *

*These documents are part of the administrative record but not physically included in it.

DEP CONTACT

Additional information concerning the permit may be obtained between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday from the Bureau of Nonpoint Pollution Control at (609) 292-0407.

PART I

NARRATIVE REQUIREMENTS

Lined Surface Impoundment (GP)

A. GENERAL REQUIREMENTS

1. Eligibility Criteria

- a. The category of discharges which can be authorized on a state-wide basis under this general permit are surface impoundments that are lined (as defined in N.J.A.C. 7:14A), or will be lined as outlined in the specific authorization criteria below. For new construction the impoundment must be constructed with the liner prior to operation. For existing facilities the liner must be installed within 18 months of authorization. The installation of the liner may require a Treatment Works Approval (TWA), pursuant to N.J.A.C. 7:14A-22, and the submission of certification that the liner was constructed as approved in the TWA. The permit will not require discharge or ground water monitoring and will not include Sludge Quality Assurance Regulations (SQAR) requirements. Facilities that are regulated by another industry specific general permit (such as quarry, water treatment plant, asphalt, concrete, etc.) are not eligible for this permit.

B. AUTHORIZATION REQUIREMENTS

1. Specific Criteria

- a. The lined impoundment must have an outlet structure with a discharge to a surface water body or sanitary sewer or incorporate a closed-loop recycling system that allows for reuse of accumulated pollutants. The outlet must have a NJPDES permit, or not be required to have a permit (example - storm water that does not come into contact with source material, is not a significant contributor and is not a regulated SIC code). If the impoundment has an outlet structure with a discharge to the ground via a ditch, swale or other regulated structure that relies entirely on percolation for disposal, an individual NJPDES-DGW permit is required. This permit is available to facilities that also hold other NJPDES permits (such as surface water, stormwater, residuals or SIU NJPDES permits)
- b. Examples of wastes that are eligible to be authorized under the lined impoundment general permit are storm water that comes into contact with source material, non contact cooling water, treated sanitary wastewater, boiler blow down, backwash, car/bus/truck wash water (no engine cleaning, etc).

C. SPECIFIC REQUIREMENTS RELATED TO SURFACE IMPOUNDMENTS

1. General Provisions

- a. For the purpose of this permit, a lined surface impoundment is a term used to describe a topographic depressions or bermed areas designed to hold, treat and/or transmit pollutants via an outlet structure that has a liner with a permeability no faster than 10⁻⁷ cm/s. The liner material must be compatible with the types of wastes held, treated or transmitted.
- b. For newly constructed facilities, the impoundment must be constructed with a liner prior to commencement of the regulated discharge to the lined surface impoundment regulated herein.

- c. For existing facilities with basins that are presently unlined or inadequately lined, a liner must be installed within 18 months of authorization. Failure to install a liner within the specified timeframe may result in the revocation of an authorization under this general permit and issuance of an individual NJPDES-DGW permit and enforcement action.
- d. For existing facilities with basins that are presently lined, a valid liner integrity test must be performed within 18 months of authorization. Alternately, a valid liner integrity test which has been performed within three (3) years of authorization will satisfy this requirement.
- e. The permittee must obtain a TWA, if required pursuant to N.J.A.C. 7:14A-22, for the installation of any liner prior to construction of the lined surface impoundment regulated herein.
- f. Failure to operate and maintain treatment works and facilities which are installed or used by the permittee to achieve compliance with the terms and conditions of the permit as specified in the O&M Manual is a violation of this permit.
- g. The permittee shall notify the Department in writing whenever there is a change in operation that could potentially affect the characteristics of a regulated discharge.
- h. When a regulated unit poses a potential health risk or hazard, measures must be taken to restrict unauthorized access to the site or unit and to minimize the potential for contact with the pollutants.
- i. Unauthorized discharges from lined surface impoundments are prohibited.
- j. No lined surface impoundment that was removed from service due to structural collapse, overtopping or nonuse may be restored to service unless that portion of the surface impoundment which failed was repaired.
 - i. If the surface impoundment was removed from service due to actual or imminent bank or side wall failure, a New Jersey licensed Professional Engineer shall certify by signature and seal the structural integrity of the bank and side wall prior to the redirection of flow to the surface impoundment. Said certification shall be received by the Department prior to the resumption of discharge to the surface impoundment.
 - ii. If a surface impoundment was inactive for more than six months due to structural collapse or overtopping, the permittee shall obtain a certification from a New Jersey licensed Professional Engineer that it is structurally sound. The certification shall be signed and sealed by the New Jersey licensed Professional Engineer and shall establish that the banks, dikes, and foundation of the surface impoundment will withstand the physical and chemical stresses of resumed operation. If the surface impoundment is lined, the certification shall also state that the lined surface impoundment will not discharge to ground water.
 - iii. If the original surface impoundment system or portions thereof were insufficient or inadequate, the permittee shall propose a new upgraded system. The new surface impoundment system will be installed upon issuance of a TWA from the Department. A new site plan shall be submitted along with any necessary revisions to the O & M Manual.
 - iv. The surface impoundment may not become operational unless all inspections and necessary repairs have been completed and have been certified and sealed by NJ licensed professional engineer.
- k. In lined surface impoundments with double liners, the permittee shall collect and remove pumpable liquids in the sumps of the leachate collection system to minimize the head on the bottom liner.

D. RECORD KEEPING

1. Specific Requirements

- a. The permittee shall retain records of all inspection and/or monitoring information including all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies of all reports, and all data used to complete the application for this permit.
- b. Records of inspection and/or monitoring information shall be kept in accordance with the NJPDES permit requirements.
- c. The permittee shall retain copies of all reports required by a NJPDES permit and records of all data used to complete the application for a NJPDES permit for a period of at least 5 years unless otherwise required by 40 CFR Part 503
- d. The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to enter a persons premises for the purpose of inspection and to access /copy any records that must be kept under the conditions of this permit.

E. SUBMISSION REQUIREMENTS

1. Liner Certifications

- a. For new facilities, the permittee must submit certification by a NJ licensed professional engineer that the liner has been constructed to meet the requirements of this permit, and in accordance with the approved TWA (if required), prior to discharge.
- b. For repairs to liners, the permittee must submit certification by a NJ licensed professional engineer that the liner has been repaired to meet the requirements of this permit, and in accordance with the approved TWA (if required), prior to resumption of discharge.
- c. For existing facilities with unlined or inadequately lined basins, the permittee must submit certification by a NJ licensed professional engineer that the liner has been constructed to meet the requirements of this permit, and in accordance with the approved TWA (if required), within 18 months of permit authorization.
- d. For existing facilities with lined basins, the permittee must submit certification of a valid liner integrity test within 18 months of permit authorization. The integrity test must have been conducted within three (3) years of authorization under this general permit.
- e. All facilities must submit liner re-certifications within 18 months of re-authorization of the permit.

2. Plot Plan

- a. A plot plan shall be completed and kept onsite within 90 days of authorization under the General Permit and thereafter when site conditions change. The plot plan shall include:
 - i. A generalized site layout which includes the property boundary and any other information deemed pertinent concerning the facility.
 - ii. The location of all regulated units. Each regulated unit shall be identified as Unit #1, Unit #2, etc. The plot plan shall include all pertinent information about the regulated unit.

3. Operations & Maintenance Manual:

- a. Prepare an Operation and Maintenance (O & M) Manual within 180 days of authorization under the General Permit.
- b. If the items required in the O & M Manual are addressed in another document which has been approved by the Department, the permittee may submit a letter to the BNPC referencing which document contains the applicable information.
- c. The most recent version of the O & M Manual as well as all records of maintenance and inspections must be kept on-site at all times and be available for inspection upon request by the Department.
- d. The permittee must educate all appropriate personnel and licensed operators (as applicable) as to the contents and procedures of the O & M Manual to ensure proper implementation.
- e. The O & M Manual shall, at a minimum, include and address the following:
 - i. A list of all pollutants generated and/or discharged to all units regulated by this permit.
 - ii. A schedule of maintenance and inspections of the processes including the pollutant conveyance and the lined surface impoundment(s).
 - iii. Assessment of emergency situations which affect the discharge activities as outlined in N.J.A.C. 7:14A-6.12(d)3. Emergency procedures in the O & M Manual shall not create an unpermitted discharge or contravene any rules or regulations. If the discharge flows to the regulated units without the aid of pumps, the emergency plan only needs to address equipment and emergency procedures.
 - iv. Procedures for correcting emergency situations.
 - v. Procedures for notifying the appropriate agencies.
 - vi. Location of any onsite temporary or permanent pollutant storage areas.
 - vii. Provisions for utilizing previously approved and constructed diversion mechanisms, if applicable. These provisions shall include the ability to monitor for permit compliance.
 - viii. A schedule of physical inspections of all visible portions and areas surrounding the surface impoundment unit(s) to Ensure that the liner material and berms have remained structurally sound; Detect evidence of any deterioration, breakout, malfunctions or improper operation of the over-topping control system; Detect sudden drops in the level of the surface impoundment contents not associated with normal operation of the regulated unit; Detect erosion or other signs of deterioration in berms or other containment devices; Detect the presence of liquids in the leak detection system, if employed.
 - ix. A protective cover shall be maintained on earthen dikes to prevent erosion and maintain integrity. However, the dikes shall be free of vegetation having invasive root systems that could displace the earthen materials upon which the structural integrity of the dike is dependent.
 - x. A course of action shall be outlined for procedures to be implemented in the event the surface impoundment(s) must be removed from service for reasons other than routine maintenance and/or scheduled rotation of permitted discharge areas. This course of action must address how the discharge will be handled which can include diversion of the discharge to a previously approved reserved disposal area.
 - xi. Repaired or replaced liners must be tested for integrity prior to resuming discharge.

- f. After an emergency situation has been corrected, the permittee shall review the emergency procedures in place and submit, if necessary, an updated O & M Manual.
- g. The permittee shall notify in writing the appropriate Bureau of Water Compliance and Enforcement office no less than 180 days prior to the expected closure of the regulated unit requesting current closure requirements. The permittee, upon receipt of these requirements, shall submit a closure plan the permit issuing bureau for review and approval.

4. General Administrative Provisions

- a. All the above referenced materials shall be submitted, as applicable, to the following address:
Mail Code 401-02B
Division of Water Quality
Bureau of Nonpoint Pollution Control
401 E. State Street - P.O. Box 420
Trenton, New Jersey 08625
- b. When the general permit is reissued, and the discharge authorized under this general permit remains eligible, the most recently submitted RFA is considered to be a timely and complete RFA.

5. Request For Authorization

- a. An RFA consists of a standard NJPDES-1 application form, a topographic map depicting the location of the facility, and a plot plan.
- b. A facility which has submitted a complete application for an individual discharge to ground water permit in accordance with N.J.A.C. 7:14A-4 or its regulatory precursors may, at the discretion of the Department, be authorized under this general permit without submission of a specific request for authorization (RFA). A complete application is considered to be the RFA.
- c. The decision to issue an authorization shall be based upon the applicability of the criteria, outlined above, to each individual facility. If it is determined that the facility meets the outlined criteria, the Department may notify the permittee regarding the authorization under this general permit in accordance with N.J.A.C. 7:14A-6.13.

6. Automatic Renewal of Authorization

- a. Renewal of this authorization shall be automatic upon reissuance of the permit provided the authorized discharge continues to meet the eligibility criteria. The most recently submitted RFA shall be considered a timely and complete RFA. However, if the information provided in the RFA is no longer accurate, a new RFA must be submitted.

NJPDES MASTER GENERAL PERMIT PROGRAM INTEREST, Trenton

Permit No.NJ0142051
DGW190001 Ground Water Master General Permit Renewal

**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER QUALITY**

PROFESSIONAL ENGINEER CERTIFICATION FORM

FACILITY NAME: _____

NJPDES NUMBER: _____

Facilities discharging to existing lined impoundment(s) (as defined in Part I, Section C, Part 1 - DGW) authorized under the New Jersey Pollutant Discharge Elimination System (NJPDES) Discharge to Ground Water (DGW) Lined Surface Impoundment General Permit (NJ0142051) (*Category LSI*) must, as a requirement of this permit, have the liner of each impoundment certified in accordance with the requirements outlined below.

For existing facilities with impoundment(s) that are presently unlined or inadequately lined, a liner must be installed and certified within 18 months of authorization.

For newly constructed facilities, the impoundment(s) must be adequately constructed with a liner and certified prior to commencement of the regulated discharge to the lined surface impoundment(s).

Description of Lined Surface Impoundment(s) regulated by NJ0142051:

I certify that the impoundment(s) identified above has/ all have a continuous layer of natural or man-made materials on the bottom and sides which restricts the downward and lateral transmittal of pollutants to less than 10^{-7} cm/s. At the time of this inspection, the impoundment(s) and the liners have sufficient structural integrity to withstand the stresses of normal operation. This is based on a complete inspection and testing either witnessed or performed by me.

Signature of New Jersey Licensed Professional Engineer
(Affix Seal)

Printed Name/Company

Date