



INDUSTRIAL PRETREATMENT PROGRAM
INDUSTRIAL WASTEWATER DISCHARGE PERMIT

Permit No.: **25-001**

Effective Date: [REDACTED]

Expiration Date: 12/31/2028

Name and Address of Owner: Minaris Regenerative Medicine, LLC
75 Commerce Drive
Allendale, NJ 07401

Location of Facility: 75 Commerce Drive
Allendale, NJ 07401

Type of Permit: Categorical - New Source
40 CFR Part 439.46 Subpart D
Mixing, Compounding, & Formulating

Flow Limitations: 99 GPD

***Northwest Bergen County
Utilities Authority***

***Robert M. Genetelli
Superintendent***

Section 1 - General Conditions & Definitions

- A. In accordance with all terms and conditions in the Rules, Regulations and Standards of the Northwest Bergen County Utilities Authority, (hereinafter, the "**RRS**") the provisions of which, including the definitions, with the exception of "RRS", "Permit", "Facility", "Municipality", and "Permittees" which are specifically defined herein, are incorporated into and expressly made a part of this Industrial Wastewater Discharge Permit (hereinafter, the "**Permit**") and applicable provisions of Federal and or State Regulations, permission is hereby granted to discharge Process Wastewater ***Minaris Regenerative Medicine, LLC*** (hereinafter, the "**Facility**") via the ***Allendale, N.J.*** collection system (hereinafter, the "**Municipality**", and collectively with the Facility, hereinafter being referred to as the "**Permittees**"), in accordance with Industrial Wastewater Discharge Limitations, interim Discharge Limitations, monitoring requirements, and other requirements set forth in the following tables hereof. To the extent this Permit conflicts with any of the terms, provisions or requirements of any other rule, regulation, law or the RRS, the Facility and the Municipality, by acceptance of this Permit, hereby acknowledge and agree to be bound by the terms, provisions and requirements of such other rules, regulations, and laws, including the RRS and this Permit, being bound to comply, in the event of a conflict, to whichever gives the greatest rights and protections to the Authority.

This Permit is granted in accordance with the Industrial Wastewater and/or the Treated Groundwater Discharge Permit Application and Questionnaire and accompanying documentation, filed with the Authority, and approved by the Municipality, all of which is expressly considered part of the Permit. This Permit is issued for the specific purposes and operation set forth herein. The Permittees shall promptly notify the Authority in advance of any changes in operation, flow, Discharge or any anticipated discharge limits as permitted.

Be advised that while the Permit is in force, additional information may be required to be submitted and/or Discharge Limitations may be changed to reflect changes in applicable Federal, State and local regulations. The Permittees hereby agree to the aforementioned.

- B. The Permittees shall not Discharge, cause to be Discharged or permit to be Discharged, directly or indirectly, into the local sewer system or the Authority Treatment Works, any wastes, wastewater, groundwater or treated groundwater which cause, threaten to cause, or are capable of causing alone or by interaction with any other substances a violation of any RRS of the Authority or any other rules and regulations of any local, state or federal governmental agency.
- C. The Permittees shall Discharge, cause to be Discharged, or permit to be Discharged only such Wastewater that:
1. Has been processed according to the procedures and standards required by the Authority; and

2. Has been Pretreated to standards and levels not in excess of the Discharge Limits and/or Interim Discharge Limits set forth in Table 1 herein.

D. All Discharge and continued Discharge permitted in paragraph C hereinabove shall be conditioned upon and subject to strict compliance with the Monitoring Schedule set forth in Table 1, and the Monitoring Requirements set forth in Table 2 hereof.

E. Other than the Discharge permitted in paragraphs C and D hereinabove, the Permittees shall not Discharge, cause to be Discharged, or permit to be Discharged any storm water, rain water, street drainage, untreated groundwater, subsurface drainage, floor or yard drainage, or water to any new direct or indirect connections to any separate sanitary Sewer in the local sewer system, or the Authority Sewage Works.

F. Connections to the local Sewer system shall be designed and constructed to conform to the requirements and procedures set forth by the Authority and all applicable State and local building and plumbing codes, and shall be approved by the Municipality herein mentioned. All such connections must first be approved by the Authority after written notification by the Permittees. Thereafter, the connections shall be subject to the inspection and final approval of the Authority. All Authority inspections and approvals shall be at the Facility's sole expense.

G. Record Keeping

1. Permittees, and particularly the Facility, shall maintain records of all information resulting from any monitoring activities required by this Permit, or required by the Authority.
2. Permittees, and particularly the Facility, shall be required to retain for a minimum of five (5) years any records of monitoring activities and results (whether or not such monitoring activities are required by this Permit) and shall make such records available for inspection by the Authority and the NJDEP. This period of retention shall be extended during the course of any unresolved litigation regarding the Permittees or when requested by the Authority or NJDEP.

H. Notifications

1. Permittees shall notify the Authority immediately of any changes at its facility affecting the "potential" for a Slug Discharge pursuant to 403.8(f)(2)(vi) and Section 7.17 of the NBCUA Rules, Regulations and Standards.
2. Permittees shall notify the Authority immediately of all Discharges that could either singly or by interaction with other wastes, injure or cause Interference with

any Sewage Treatment Process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the Sewage Treatment Plant including any Slug Loading as defined in the RRS of the Authority.

A notice shall be permanently posted on the bulletin board or other prominent place advising all employees of the Facility of the responsible person to call in the event of an accidental or non-compliance Discharge. This person shall be responsible for initiating emergency notification procedures in accordance with this paragraph and paragraphs I through K. The Facility shall insure that all employees, who could cause such an accidental or non-compliance Discharge to occur are advised of the notification procedure.

2. Bypass:

- (a) If an Industrial User knows in advance of the need for a Bypass, it shall submit adequate and detailed advance notice to the Authority, at least ten days before the date of the Bypass, if possible.
- (b) In the event of an unanticipated Bypass, the Industrial User shall:
 - (1) notify the Authority of the unanticipated Bypass within twenty-four (24) hours of its occurrence;
 - (2) within five (5) days of the unanticipated Bypass, submit a written report along with supporting documentation (including properly signed contemporaneous operating logs, or other relevant evidence of the circumstances of the violation) which demonstrates that:
 - (i) the unanticipated Bypass occurred and describes the circumstances leading to the Bypass; the duration of the Bypass including exact dates and times; if the Bypass has not been corrected, the estimated period of time it is expected to continue along with the steps taken or planned to reduce or eliminate the Bypass; and the steps taken or planned to prevent recurrence of the Bypass;
 - (ii) the permitted facility was being properly operated at the time of the unanticipated Bypass;
 - (iii) the Person submitted notice of the unanticipated Bypass to the Authority as required by subsections (b)(1) of this section;
 - (iv) the Person complied with any remedial measures required by the Authority;

(v) the Bypass was unavoidable *or* was necessary to prevent loss of life, imminent personal injury, or severe property damage;

(vi) there was no feasible alternative to the Bypass, such as the use of auxiliary treatment facilities, retention of untreated Wastes, or maintenance during normal periods of equipment downtime, except that the provisions of this paragraph shall not apply to a Bypass occurring during normal periods of equipment downtime or preventative maintenance if, in the engineering judgment of the Authority, back-up equipment should have been installed to avoid the need for a Bypass.

3. Upset:

In the event of an Upset, the Industrial User shall:

- (a) notify the Authority of the Upset within twenty-four(24) hours of its occurrence or of becoming, or in the exercise of reasonable diligence should have become, aware of the occurrence;
- (b) within twenty-four (24) hours of becoming, or in the exercise of reasonable diligence should have become, aware of the Upset, submit a report to the Authority and the NJDEP describing;
 - (1) the Discharge and cause of non-compliance;
 - (2) the period of non-compliance, including exact dates and times;
 - (3) if the non-compliance has not been corrected, the estimated period of time it is expected to continue and the steps taken or planned to reduce or eliminate the non-compliance; and,
 - (4) the steps being taken or planned to prevent a recurrence of the non-compliance.
- (c) within five (5) days of the Upset, submit a written report with supporting documentation (including properly signed contemporaneous operating logs, or other relevant evidence on the circumstances of the violation), which demonstrates that:
 - (1) the Upset occurred, including the cause of the upset and, if possible, the identity of the Person or Persons causing the Upset;
 - (2) the permitted facility was being properly operated at the time of the Upset;

- (3) the Person submitted notice of the Upset to the Authority as required by subsection (a) of this section or in the case of an Upset resulting from the performance of maintenance operations, that the Permittee provided prior notice to the Authority and received the Authority's approval; and
- (4) the Person complied with any remedial measures required by the Authority.

I. The permittee shall notify the Authority, the USEPA Regional Waste Management Division Director, and the NJDEP in writing of any discharge into the Authority's Treatment Works, Intercepting Sewer, or Local Sewer of any substance, which if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification shall include the name of the hazardous waste as set forth in 40 CFR, Part 261, the USEPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the facility discharges more than 100 kilo grams of such waste per calendar month to the Authority's Treatment Works, Intercepting Sewers or Local Sewers, the notification shall also contain, without limitation, the following information to the extent such information is known and available to the Permittee :

1. An identification of the hazardous constituents contained in the wastes;
2. An estimation of the mass and concentration of the constituents in the waste stream discharged that calendar month; and
3. An estimation of the mass of constituents in the waste stream expected to be during the following twelve months.

All notifications for existing sources must take place within one hundred eighty (180) days after the Discharge of the listed or characteristic hazardous waste. Any notification under this paragraph need be submitted only once for each hazardous waste Discharged. However, notifications of changed Discharges must be submitted in accordance with this Permit. The notification requirement in this section does not apply to pollutants already reported under the self-monitoring requirements set forth herein.

J. Dischargers are exempt from the requirements of paragraph I for any calendar month in which the Facility discharges no more than fifteen kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30 (d) and 261.33 (e). Discharges of more than fifteen kilograms of non-acute hazardous wastes in a calendar month, or of nay quantity of acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30 (d) and 261.33 (e) requires a one-time notification.

Subsequent months during which the Facility Discharges more than such quantities of any hazardous waste do not require additional notification.

- K. In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the Facility must notify the Authority, the EPA Regional Waste Management Waste Division Director, and NJDEP of the discharge of such substance within ninety (90) days of the effective date of such regulations.
- L. In the case of any notification made under paragraph J, the Facility shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree the Authority has required or indicated to the Permittees would be acceptable.
- M. Permittees shall provide, or require provision of, additional self monitoring as may be required by the Authority.
- N. The Authority shall have the right of entry to all premises in which a discharge source is or might be located, or which monitoring equipment or records required by a permit are kept, for the purposes of inspection, sampling, copying or photographing.
- O. The Authority shall have the right to perform an inspection and sample the effluent of the Permittees at such times and at the frequencies as the Authority deems necessary to confirm compliance with the Pretreatment standards and any other requirements, whether called for herein or to ensure compliance with the RRS.
- P. All Industrial Wastewater Discharge Permits issued to a particular user are void upon the issuance of a new Industrial Wastewater Discharge Permit.
- Q. The following additional general conditions shall also apply to all Industrial Wastewater Discharge Permits:
 - 1.) The permit holder must re-apply for a new permit no less than one hundred eighty (180) days prior to the expiration of the current annual permit.
 - 2.) If this permit should expire prior to the Authority issuing an updated or renewed permit, the Facility shall immediately and forever cease discharging to the Authority until and unless a new Permit is issued or Authorization from the Authority is received, in which case all conditions of this permit shall remain in effect and subject to enforcement actions due to any instance of non-compliance.
 - 3.) All Industrial Wastewater Dischargers, and in particular the Permittees herein mentioned, are required to immediately notify the Authority of any accidental discharge to the collection system, and are required to send

the Authority within five (5) days thereafter follow-up written notification describing the event and the remedy taken to correct the situation. This shall include but not be limited to any increase in flows and/or concentration of permitted or unknown Pollutant/waterstreams.

- 4.) This Permit is not transferable. Any change in ownership of the Facility must be documented to the Authority thirty (30) days prior to the change. The new owner/operator of the Facility must reapply for discharge permit and receive same from the Authority, if at all, in final form prior to commencement of operation.
- 5.) The Permittees are required to immediately notify the Authority of any process modifications and/or additions, which will change the volume and/or nature of the process wastewater discharge as regulated by this Permit. Additionally, and to further this requirement, the Facility is required to notify the Authority and the Municipality of any and all process modifications, additions, changes, volume of flow, nature of flow or other matter governed by or relating to this Permit or the RRS.
- 6.) All Industrial Wastewater Dischargers, and in particular the Facility herein mentioned, are required to maintain all records regarding the Industrial Pretreatment program for a period of (5) years.
- 7.) All Industrial Wastewater Dischargers, and in particular the Permittees herein mentioned, shall save, hold harmless, and indemnify the Authority from any violation and fines relating to Discharges, costs and expenses associated therewith, including but not limited to legal fees, which in the sole discretion of the Authority, are incurred as a direct or indirect result of the Permittees, this Permit, or the Facility's discharge under this Permit.
- 8.) The permittee is required at all times, to maintain in good working order and operate as effectively as possible, any facilities or systems of control installed to achieve compliance with the terms and conditions of this permit.
- 9.) The permittee is required at all times, to comply with the condition of their filed and approved slug discharge control plan, if applicable.

Section 2 - Payment of Fees

The Facility shall pay all fees as required by the Authority and in accordance with the Fee Schedule herein below. The following fees are due and payable to the Authority and do not include any surcharges or fees the Municipality may charge the Facility for any Discharge to or through any Municipality Sewer System or Sewage Works. Any such surcharges or fees are separate and apart from the Fee Schedule below :

Industrial Pretreatment Program Fee Schedule

APPLICATION FEE		
<u>Flow Range</u>	<u>Non-Categorical</u>	<u>Categorical</u>
< 499 gpd	\$ 400.00	\$ 750.00
500 - 4,999 gpd	\$ 500.00	\$ 1,000.00
5,000-24,999 gpd	\$ 750.00	\$ 1,250.00
> 25,000 gpd	\$ 1,000.00	\$ 1,500.00

ANNUAL INDUSTRIAL WASTEWATER DISCHARGE PERMIT FEE

<u>Flow Range</u>	<u>Non-Categorical</u>	<u>Categorical</u>
< 99 gpd	\$ 300.00	\$ 2,750.00
100-499 gpd	\$ 400.00	\$ 3,450.00
500-999 gpd	\$ 500.00	\$ 4,150.00
1,000-1,999 gpd	\$ 750.00	\$ 4,850.00
2,000-4,999 gpd	\$ 1,000.00	\$ 5,540.00
5,000-9,999 gpd	\$ 1,250.00	\$ 6,230.00
10,000-24,999 gpd	\$ 1,500.00	\$ 6,930.00
> 25,000 gpd	\$ 2,000.00	\$ 7,620.00

Section 3 - Violations

The Authority may take any and all actions and pursue any and all remedies permitted by federal law or the laws of the State of New Jersey to enforce the provisions of the RRS and/or this Permit including any applicable grace period in accordance with N.J.A.C. 7:14-8.18.

These actions and remedies shall include, but not necessarily be limited to, those set forth in the Interim Guidelines for the Enforcement of the Industrial Pretreatment Program and § 9.2 or 9.4 of the RRS. The Executive Director of the Authority shall at all times have the right to undertake any actions and pursue any remedies in connection with any violation of this Permit and shall have the right to authorize other Authority officials or employees to undertake such delegated duties in his stead.

Enforcement Actions available to the Authority include, but are not necessarily limited to, the following:

- (A) Issue an order to comply in accordance with the provisions of Section 10 of P.L. 1977, c.74 (N.J.S.A. 58:10A-10);
- (B) Bring a civil action in accordance with the provisions of Section 10 of P.L. 1977, c.74 (N.J.S.A. 58:10A-10);
- (C) Issue a summons in accordance with the provisions of Section 1 of P.L. 1991, c.8 (N.J.S.A. 58:10A-10.4);
- (D) Issue a civil administrative penalty in accordance with the provisions of Section 2 of P.L. 1991, c.8 (N.J.S.A. 58:10A-10.5);
- (E) Bring an action for a civil penalty in accordance with the provisions of Section 10 of P.L. 1977, c.74 (N.J.S.A. 58:10A-10);
- (F) Petition for the commencement of a criminal action in accordance with the provisions of Section 10 of P. 1977, c.74 (N.J.S.A. 58:10A-10);
- (G) Seek injunctive relief against a violation or threatened violation in accordance with the provisions of Section 7 of P.L. 1972, c.42, as amended by Section 18 of P.L. 1990, c. 28 (N.J.S.A. 58:11-55);
- (H) Seal or close off sewerage connections in accordance with the provisions of Section 8 of P.L. 1972, c.42 (N.J.S.A. 58:11-56) or the RRS of the Authority; and/or Revoke this Permit.

Section 3 - Violations (cont.)

In the event the Permittees, or either of them, violates any rule, regulation or pretreatment standard adopted by the Authority, the Authority shall take one or more of the enforcement actions set forth above or obtain injunctive relief against and/or prohibit the recurrence of the violation. If applicable, the Authority shall assess civil administrative penalties in amounts no less than the minimums set forth in P.L. 1990, c.28, section 6 (N.J.S.A. 58:10-10.1) or the RRS of the Authority. Nothing contained in this section shall be construed to prohibit or otherwise limit the Authority from pursuing any other remedy permitted by federal law or the laws of the State of New Jersey, including seeking compensatory and punitive damages.

If sampling indicates a violation, the Facility must notify the Authority verbally within twenty-four (24) hours of becoming aware of same and with written notification within the following five (5) days. In addition, sampling and analysis must be repeated for those pollutants found to be in violation within thirty (30) days from receipt of the original analytical report.

Additionally, if in any month an industrial user commits a Serious Violation or enters into Significant Non-Compliance monthly monitoring shall be initiated and continued until the Industrial User has demonstrated compliance for six (6) consecutive months.

By definition, "Serious Violation " means an exceedance, at a discharge point source, of an effluent limitation, except color, set forth in a permit, administrative order, or administrative consent agreement, including interim enforcement limits, as follows:

1. For effluent limitations for pollutants that are measured by concentration or mass, except for whole effluent toxicity;
 - i. Violations of an effluent limitation that is expressed as a monthly average :
 - (1) By 20 percent or more for a hazardous pollutant; and
 - (2) By 40 percent or more for a nonhazardous pollutant,
 - ii. Violations of an effluent limitation that is expressed as a daily maximum or daily minimum without a monthly average :
 - (1) By 20 percent or more of the average of all of the daily maximum or minimum values for a hazardous pollutant; and
 - (2) By 40 percent or more of the average of all of the daily maximum or minimum values for a nonhazardous pollutant, and
2. The greatest violation of a pH effluent range in any one calendar day which violation deviates from the midpoint of the range by at least 40 percent of the midpoint of the range excluding the excursions specifically excepted by a permit

with continuous pH monitoring.

For example: Assuming that a permittee's effluent limitation range for pH is 5.5 to 9.5, the midpoint would be 7.5.

If five separate readings of pH during a given day were 4.3, 5.2, 6.5, 10.0, and 6.5, the reading of 4.3 would be a serious violation as follows:

$$\frac{7.5 \text{ (midpoint)} - 4.3 \text{ (greatest exceedance)}}{7.5 \text{ (midpoint)}} \times 100 = 42.7\%$$

For example: Using the same information as above;

Forty percent of 7.5 is 3; therefore, if the greatest violation of a pH effluent range for any calendar day has a pH value of 4.5 or less or a pH value of 10.5 or greater, the violation would be a "serious violation".

3. "Significant noncomplier" or "SNC" means any person, except a for an exceedance of an effluent limitation for flow, who commits any of the violations described below, unless the Authority uses, on a case by case basis, a more stringent frequency or factor of exceedance to determine a significant noncomplier and the Authority states the specific reasons therefore, which may include the potential for harm to human health or the environment. Violations which cause a person to become or remain an SNC include :
 - (1) A serious violation for the same pollutant, at the same discharge point source, in any two months of any consecutive six month period;
 - (2) Exceedance of an effluent limitation expressed as a monthly average, for the same pollutant, at the same discharge point source, by any amount in any four months of any consecutive six month period;
 - (3) If there is not an effluent limitation for a particular pollutant expressed as a monthly average, exceedance of the monthly average of the daily maximums for the the effluent limitation, for the same pollutant, at the same discharge point source, by any amount in any four months of any consecutive six month period;
 - (4) Any exceedance of an effluent for pH by any amount, excluding the excursions specifically excepted by a permit with continuous pH monitoring, at the same discharge point source in any four months of any consecutive six month period; or

Failure to submit a completed discharge monitoring report in any two months of any consecutive six month period.

TABLE 1A - DISCHARGE LIMITATIONS & MONITORING SCHEDULE

Monitoring Point 01 – Categorical Discharge

Parameter ⁽¹⁾	Limitation		Sampling ⁽³⁾⁺⁽⁶⁾	
	Daily Maximum (mg/l)	Monthly Average ⁽²⁾ (mg/l)	Sample Quantity & Frequency	Sample Type (Analytical Method)
Arsenic	0.014	0.014	Not Required	Composite
Cadmium (T)	0.048	0.048	Not Required	Composite
Chromium (T)	0.420	0.420	Not Required	Composite
Copper (T)	2.200	2.07 ⁽¹⁰⁾	Not Required	Composite
Lead (T)	.690	0.430 ⁽¹⁰⁾	Not Required	Composite
Mercury	0.079	0.079	Not Required	Composite
Nickel (T)	0.660	0.660	Not Required	Composite
Silver (T) ⁽⁴⁾		0.240	Not Required	Composite
Zinc (T)	1.170	1.170	Not Required	Composite
Cyanide (T)	1.20	0.650	1 Monthly ⁽⁸⁾	Grab
Acetone ⁽⁹⁾	20.7	8.2	1 Semi-Annual ⁽⁷⁾	Grab (524.4)
n-Amyl acetate ⁽⁹⁾	20.7	8.2	1 Semi-Annual ⁽⁷⁾	Grab (1666)
Ethyl acetate ⁽⁹⁾	20.7	8.2	1 Semi-Annual ⁽⁷⁾	Grab (1666)
Isopropyl acetate ⁽⁹⁾	20.7	8.2	1 Semi-Annual ⁽⁷⁾	Grab (1666)
Methylene chloride ⁽⁹⁾	3.0	0.7	1 Semi-Annual ⁽⁷⁾	Grab (502.2 / 524.2)
pH	5.5 – 9.5	-----	1 Monthly	Grab
Total Suspended Solids ⁽⁵⁾		< 300	1 Semi-Annual ⁽⁷⁾	Grab
Biochemical Oxygen Demand ⁽⁵⁾		< 300	1 SemiAnnual ⁽⁷⁾	Grab
Ammonia ⁽⁵⁾		< 40	1 Semi-Annual ⁽⁷⁾	Grab
Phosphorous ⁽⁵⁾		< 15	1 Semi-Annual ⁽⁷⁾	Grab
Oil or Grease : Total		200	1 Semi-Annual ⁽⁷⁾	Grab
Oil or Grease : Petroleum Origin	150	100	1 Semi-Annual ⁽⁷⁾	Grab
Phenols			1 Semi-Annual ⁽⁷⁾	Grab
Flow	Daily Flow meter totalizer readings summarized & reported monthly			

Notes:

1. (T) = Total
2. The term Monthly Average shall mean the monthly average of all daily results.
3. The Facility shall monitor its effluent waste stream per the above schedule. All sampling and analysis shall be performed in accordance with 40 CFR Part 136, or the approved equivalent method
4. Monitor only parameter at the present time.
5. Exceedances of these parameters are surchargeable in accordance with NBCUA Rules & Regulations.
6. Samples taken in compliance with the specified monitoring requirements shall be taken at the following location(s): **Wastewater at the final discharge.**

7. Semi-Annual shall be done in the following months: **April & October.**
8. In lieu of monitoring for Cyanide, the following certification of non-use may be submitted :
Based on my inquiry of the persons directly responsible for managing the compliance with the permit limitation for Cyanide, I certify that to the best of my knowledge and belief, no dumping of cyanide containing compounds into the wastewater has occurred since the filing of the last discharge monitoring report”
9. Additional Parameters in accordance with 40 CFR 439.46 Subpart D (PSES).
10. Federal standard

Table 2 - Monitoring Requirements

The facility shall install, use and maintain such monitoring equipment and methods, to sample in accordance with such methods, to maintain and retain such records of information from monitoring activities, and to submit to the Authority reports of monitoring results for wastewater, as may be stipulated in this permit, or required by the Authority pursuant to the Rules Regulations and Standards of the Northwest Bergen County Utilities Authority.

Significant Industrial Users, Major Industrial Dischargers, and Categorical Industrial Users shall report the monitoring results for wastewater discharges on a monthly basis to the pretreatment coordinator.

Discharge monitoring reports for discharges to the Authority shall be signed by the highest ranking official having day-to-day managerial and operational responsibilities for the discharging facility, who may, in his absence, authorize another responsible high ranking official to sign a monthly monitoring report if a report is required to be filed during that period of time.

The highest ranking official shall, however, be liable in all instances for the accuracy of all the information provided in the monitoring report provided, however, that the highest ranking official may file, within seven days of his return, amendments to the monitoring report to which he was not a signatory.

Composite” samples taken for various pollutants are required to be 24-hour composite samples obtained through flow-proportional composite sampling techniques unless time-proportional composite sampling or grab sampling is authorized by the Control Authority pursuant to 40 CFR 403.12(g)3 and Section 7.13(1)(e) of the NBCUA Rules, Regulations and Standards

The Chain-of-Custody forms from the IU's Self-Monitoring reports must provide adequate documentation by specifying the start date/time and stop date/time for composite samples collection.

Not later than fourteen (14) days following each month in the Monitoring Schedule, or as the Authority may direct, the Facility shall submit to the Authority a periodic report utilizing the supplied Self Monitoring Report form as a cover sheet and consisting, at a minimum, of the following items:

- (1) The company name, ownership, contact person or authorized representative.
- (2) Average and maximum daily regulated wastewater flow, with an explanation of how obtained (flow meter, volume displacement, water bill, etc.)
- (3) An accounting of each regulated pollutant by analysis.
- (4) A copy of Chain of Custody form shall be included, as well as the date and time of initiation of analysis.
- (5) The name of the certified laboratory that performed the analysis.
- (6) A statement of consistent compliance or a compliance schedule.
- (7) The signature of an authorized representative along with the following certification.

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

Sampling Waivers for Categorical pollutants

- (1) Except in the case of Non-Significant Categorical Users, the Authority may authorize the Industrial User subject to a categorical Pretreatment Standard to forego sampling of a pollutant regulated by a categorical Pretreatment Standard if the Industrial User has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the Discharge, or is present only at background levels from intake water and without

any increase in the pollutant due to activities of the Industrial User. This authorization is subject to the following conditions:

- (i) The Authority may authorize a waiver where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical Standard and otherwise includes no process wastewater.
- (ii) The monitoring waiver is valid only for the duration of the effective period of the Permit or other equivalent individual control mechanism, but in no case longer than 5 years. The User must submit a new request for the waiver before the waiver can be granted for each subsequent control mechanism.
- (iii) In making a demonstration that a pollutant is not present, the Industrial User must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.

The request for a monitoring waiver must be signed in accordance with *Sections 7.18(2) and 7.18(1)* and include the certification statement in *7.18(1) of the RRS*. Non-detectable sample results may only be used as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.

- (iv) Any grant of the monitoring waiver by the Authority must be included as a condition in the User's control mechanism. The reasons supporting the waiver and any information submitted by the User in its request for the waiver will be maintained by the Authority for 5 years after expiration of the waiver.
- (v) Upon approval of the monitoring waiver and revision of the User's control mechanism by the Industrial User must certify on each report with the statement below, that there has been no increase in the pollutant in its waste stream due to activities of the Industrial User:

Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR 433.15, I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report under *Section 7.11 of the RRS*.

- (vi) In the event that a waived pollutant is found to be present or is expected to be present based on changes that occur in the User's operations, the User

must immediately: Comply with the monitoring requirements of *Section 7.11* of the RRS or other more frequent monitoring requirements imposed by the Authority; and notify the Authority.

- (vii) This provision does not supersede certification processes and requirements established in categorical Pretreatment Standards, except as otherwise specified in the categorical Pretreatment Standard.

Emergency Discharge Limitation Plan

All Categorical and Significant Users shall prepare an Emergency Discharge Limitation Plan and implement it during emergency situations. An emergency is an event, whether natural or man-made, that diminishes the ability of a treatment works to convey and/or treat wastewater and presents or may present imminent endangerment to public health and the environment. The Emergency Discharge Limitation Plan specifically requires each significant/major indirect user to limit discharges during an emergency and to mitigate damage to waters of the State of New Jersey arising from an emergency in accordance with N.J.A.C. 7:14A-6.12. This plan requirement is being issued in accordance with N.J.A.C. 7:14A-6.12, and is further explained in the New Jersey Department of Environmental Protection's "Guidance for Pretreatment Programs During Emergency Situations" which is available at <http://www.nj.gov/dep/dwq/pdf/emergency-guidance-for-pretreatment.pdf>.

The specific elements that are required to be addressed in the Emergency Discharge Limitation Plan are attached in Attachment 1

Each significant/major indirect user shall notify the Authority in writing that the Emergency Discharge Limitation Plan has been completed. This notification shall be provided within 12 months of the effective date