

PUBLIC NOTICE

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY INDUSTRIAL PRETREATMENT PROGRAM

PLEASE TAKE NOTICE that in accordance with Title 40 Code of Federal Regulations Part 403 et. seq., The New Jersey Clean Water Enforcement Act, and the Rules, Regulations, and Standards of the Northwest Bergen County Utilities Authority (NBCUA), the NBCUA has prepared DRAFT Industrial Wastewater Discharge Permits for the following facilities:

Xtreme Power Tech

Upper Saddle River

The above industrial facility have applied for permission to discharge or continue to discharge process wastewater into the NBCUA Wastewater Treatment Facility. Based upon the information submitted in the application packages submitted, and inspections conducted by NBCUA Industrial Pretreatment Program (IPP) personnel, the NBCUA proposes to issue the Industrial Wastewater Discharge Permits to those facilities. Copies of the DRAFT documents along with all supporting documents are obtainable on the NBCUA's website, nbcua.com, and are available for review at the Authority Offices located at 30 Wyckoff Avenue, Waldwick, New Jersey.

Comments on the DRAFT documents or a request the NBCUA hold a non-adversial public hearing on the documents must be submitted in writing, to the office specified below during the public comment period, which closes thirty (30) calendar days after publication of this notice. All persons who believe that any condition of the draft document or NBCUA's decision to issue these permit actions is inappropriate must raise all reasonable issues of concern and submit all arguments and factual materials supporting their position during the public comment period. Any request for a public hearing shall state the nature of the proposed issues to be raised in the hearing. A public hearing will be conducted if the NBCUA determines there is a significant degree of public interest. If a public hearing is held, the public comment period is automatically extended through the close of the hearing.

NBCUA will consider and respond to all timely submitted comments. The applicant, and each person who submitted written comments, will receive notice of NBCUA's final decision to issue, deny, or redraft the document in question.

Northwest Bergen County Utilities Authority
Industrial Pretreatment Program
30 Wyckoff Avenue
P.O. Box 255
Waldwick, NJ 07463



INDUSTRIAL PRETREATMENT PROGRAM

INDUSTRIAL WASTEWATER DISCHARGE PERMIT

DRAFT

Permit No.: 18-001

Effective Date: 11/01/2018

Expiration Date: 12/31/2023

Name and Address of Owner: Xtreme Power Tech
123 Pleasant Avenue
Upper Saddle River, NJ 07458

Location of Facility: 123 Pleasant Avenue
Upper Saddle River, NJ 07458

Type of Permit: Categorical Industrial User
Semiconductor – New Source
40 CFR 469.18 subpart (A)

Flow Limitations: 499 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 from **Xtreme Power Tech** (hereinafter, the "**Facility**") via the **Ramsey, 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. 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.

- 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 any 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.

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, enters into Significant Non-Compliance, or fails to submit any completed report, including periodic reports as required by the Authority, 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
 - (5) Failure to submit a completed discharge monitoring report in any two months of any consecutive six month period.

TABLE 1 - DISCHARGE LIMITATIONS & MONITORING SCHEDULE

Parameter ⁽¹⁾	Limitation		Sampling ⁽³⁾⁺⁽⁶⁾	
	Daily Maximum (mg/l)	Monthly Average ⁽²⁾ (mg/l)	Sample Quantity & Frequency	Sample Type
Arsenic	0.014	0.014	Not Required	Composite
Cadmium (T)	0.048	0.048	1 Semi-Annual ⁽⁷⁾	Composite
Chromium (T)	0.420	0.420	1 Semi-Annual ⁽⁷⁾	Composite
Copper (T)	2.200	2.07	1 Semi-Annual ⁽⁷⁾	Composite
Lead (T)	0.690	0.43	1 Semi-Annual ⁽⁷⁾	Composite
Mercury	0.079	0.079	Not Required	Composite
Nickel (T)	0.660	0.66	1 Semi-Annual ⁽⁷⁾	Composite
Silver (T)	0.430	0.24	1 Semi-Annual ⁽⁷⁾	Composite
Zinc (T)	1.170	1.17	1 Semi-Annual ⁽⁷⁾	Composite
Cyanide (T) ⁽⁸⁾	1.20	0.65	Not Required	Grab
Total Toxic Organics (TTO) ⁽⁸⁾	1.37	1.37	1 Semi-Annual ⁽⁷⁾	Grab
pH	5.5 – 9.5	-----	1 per Month	Grab
Total Suspended Solids ⁽⁵⁾		< 300	1 Semi-Annual ⁽⁷⁾	Composite
Biochemical Oxygen Demand ⁽⁵⁾		< 300	1 Semi-Annual ⁽⁷⁾	Composite
Total Kjeldhal Nitrogen ⁽⁵⁾		< 40	1 Semi-Annual ⁽⁷⁾	Composite
Phosphorous ⁽⁵⁾		< 15	1 Semi-Annual ⁽⁷⁾	Composite
<i>Oil or Grease</i> : Total		200	1 Semi-Annual ⁽⁷⁾	Grab
<i>Oil or Grease</i> : Petroleum Origin	150	100	1 Semi-Annual ⁽⁷⁾	Grab
Flow	Flow Meter Totalizer recorded daily, summarized monthly			

Notes:

1. (T) = Total
2. The term Monthly Average shall mean the monthly average of all daily maximum 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): : **discharge side of wastewater treatment system.**
7. Semi-Annual shall be done in the following months: **April & October.**
8. * Total Toxic Organics (TTO) includes the following:
 - EPA Method 624 Volatiles
 - EPA Method 625 Base Neutrals/ Acid Extractables
 - EPA Method 608 Pesticides and PCB's

* If Total Toxic Organics, as defined in 40 CFR 433.11, are not used in any form at this facility, **Xtreme Power Tech** may include with each report submittal in lieu of monitoring for Total Toxic Organics, a non-use statement which certifies that **Xtreme Power Tech** does not generate, use, or store any organics on-site as part of their process operations.

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.

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.”

Emergency Discharge Limitation Plan

All Categorical and Significant 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 of this permit.

Attachment 1

Details of IPP Modification

The SIU permittee is required to prepare and maintain an up-to-date plan specifically intended to limit discharges to the POTW during an emergency to mitigate damage to waters of the State arising from an emergency (N.J.A.C. 7:14A-6.12). At a minimum, the SIU shall address the elements listed below in the development of their Emergency Discharge Limitation Plan. Please note that if any element does not apply, the reason for the non-applicability shall also be noted in the Emergency Discharge Limitation Plan.

1. **Water Conservation**: Water conservation that results in reduction of wastewater discharges to the POTW should be a routine part of normal operations and must be maximized during an emergency.
2. **Alterations or Reduction of Operations**: Temporary alteration or reduction of facility operations that result in reduction of wastewater discharges to the POTW shall be implemented during an emergency. For example, the SIU could submit NJPDES permit applications for alternate disposal options for non-contact cooling water, with or without commingled stormwater, by obtaining a General Permit Authorization for Non-contact cooling water only, commingled Non-contact cooling water and storm water, or for other eligible wastewaters under the other General Permits in accordance with N.J.A.C. 7:14A-1 et seq.
3. **On-site Storage**: Identify existing capacity to safely store wastewater until the emergency passes. Existing in-house wastewater storage capacity shall be maximized prior to the onset of a predictable emergency. Addition of new storage capacity should be considered to support operations during an emergency. Any wastewater voided from storage to make room for emergency purposes, or wastewater discharged following the emergency, must be discharged at rates and at times that comply with the other conditions of the SIU's indirect discharge permit. If the SIU generates wastewater that is deemed to be hazardous waste, the SIU permittee is responsible for on-site accumulation time limit requirements under the RCRA Regulations, 40 CFR 262, for small quantity generators and large quantity generators, and 40 CFR 261.5 for conditionally exempt small quantity generators, adopted by reference by the NJDEP in N.J.A.C. 7:26G-6.1 et seq. See Hazardous Waste Generators and Transporters and Facilities - Inspection Checklists and Compliance Assistance Packet for Hazardous Waste Generators.
4. **Hauling**: Identify the practicality of hauling wastewater to a facility unaffected by the emergency. The SIU shall develop and maintain standing approvals for trucking and off-site receiving facility approval for disposal of wastewater. Wastewater must be discharged at rates and at times that comply with the all other conditions of the SIU's existing indirect discharge permit, unless otherwise directed by the Department or by the receiving facility. If the SIU

produces a wastewater, which would be deemed to exhibit a characteristic of a hazardous waste, or which is a listed hazardous waste under N.J.A.C. 7:26G, must comply with the applicable hauling and disposal requirements for that waste.

5. **Cessation of Operations**: In an extreme emergency, when specifically notified by the Department or the Local Agency, the SIU shall, as an option of last resort, plan for the safe and efficient reduction or cessation of operations to the maximum practicable extent.

6. **Preparedness**: The SIU must include preparedness planning as part of the Emergency Discharge Limitation Plan. In addition to the strategies as already noted above, preparedness planning shall include, at a minimum:

- a) Develop and maintain 24/7 contact information for primary and secondary emergency response personnel and after-hours, on-site personnel (if different from emergency response personnel) and supply the same to your local agency;
- b) Develop and maintain contact information for all vendors necessary to support discharge reduction (example: trucking companies; potential receiving sites);
- c) Implement the appropriate components of the preparedness plan when forecasts predict a potential emergency (e.g. flooding rains, damaging winds, crippling snows) and, specifically, if notified of an emergency by the Department or the Local Agency.

The SIU permittee shall prioritize the components of its Emergency Discharge Limitation Plan to reflect its critical business operations. The SIU shall be prepared to implement the Emergency Discharge Limitation Plans in whole or in part upon receiving notification from the DLA or the Department of either an anticipated or unexpected emergency.