

RESOLUTION OF THE READINGTON-LEBANON SEWERAGE AUTHORITY

REGARDING PRETREATMENT RULES & REGULATIONS

WHEREAS, the Readington-Lebanon Sewerage Authority has previously reviewed and/or adopted tentative drafts of the Pretreatment Rules and Regulations; and,

WHEREAS, as a result of the said review and discussion the Authority has agreed upon and does hereby adopt the attached Pretreatment Rules and Regulations in final form and for submission to the New Jersey Department of Environmental Protection for its final review and approval;

NOW THEREFORE, be it Resolved by the Readington-Lebanon Sewerage Authority that upon the receipt of the comments and/or approval of the New Jersey Department of Environmental Protection the attached Pretreatment Rules and Regulations shall be adopted as the Pretreatment Rules and Regulations of the Readington-Lebanon Sewerage Authority.

READINGTON-LEBANON SEWERAGE AUTHORITY

BY: s/James Frazee
JAMES FRAZEE, VICE CHAIRMAN

Attest:

s/Kenneth J. Garvey
KENNETH J. GARVEY, SECRETARY

Adopted at the September 22, 1982 Meeting of the Readington-Lebanon Sewerage Authority.

READINGTON - LEBANON SEWERAGE AUTHORITY

PRETREATMENT RULES & REGULATIONS

WHEREAS, the Federal Clean Water Act Amendments of 1977, P.L. 95 -217, as amended, the N.J. Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq. and the N.J. Pretreatment Act, N.J.S.A. 58:11-49 et seq., 1972 have resulted in a program of cleaning up our Nation's waters; and,

WHEREAS, the Readington-Lebanon Sewerage Authority, hereinafter referred to as the "AUTHORITY", has already made and will continue to make a substantial financial investment in its wastewater treatment system to achieve the goals of the Acts; and,

WHEREAS, the "Authority" seeks to provide for the use of its treatment works by industries served by it without damage to the physical facilities, without impairment of their normal function of collection, treating and discharging domestic wastewater, and without the discharge by the "Authority's" treatment works of pollutants which would violate the discharge allowed under its New Jersey Pollutant Discharge Elimination System, hereinafter referred to as "NJPDDES", permit and the applicable rules of all governmental authorities with jurisdiction over such discharges.

NOW, THEREFORE, be it enacted by the Readington - Lebanon Sewerage Authority as follows:

SECTION 1 - GENERAL PROVISIONS

1.1 Purpose and Policy:

This Ordinance sets forth uniform requirements for industrial contributors into the wastewater collection and treatment system of the Readington-Lebanon Sewerage Authority and enables the Readington-Lebanon Sewerage

Authority to comply with all applicable State and Federal laws and regulations pertaining to wastewater treatment and industrial pretreatment.

The objectives of this Ordinance are:

- (A) To prevent the introduction of pollutants into the "Authority's" Treatment System which will interfere with the operation of the system or contaminate the resulting sludge;
- (B) To prevent the introduction of pollutants into the "Authority's" Treatment System which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system; and,
- (C) To improve the opportunity to recycle and reclaim wastewaters and sludges from the system.

This Ordinance authorizes monitoring and enforcement activities, requires user reporting, and provides for the regulation of indirect dischargers to the "Authority's" Treatment System through enforcement of general requirements for all users.

This Ordinance shall apply to the "Authority" and to persons outside of the "Authority" who are, by contract or agreement with the "Authority", users of the "Authority's" Treatment System. Except as otherwise provided herein, the "Authority" shall administer, implement and enforce the provisions of this Ordinance.

1.2 Definitions:

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Ordinance, shall have the meanings hereinafter designated:

- (1) Act or "the Act" The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq.
- (2) Approval Authority The Director of the Department's Division of Water Resources or his/her authorized representatives.
- (3) "Authority" The Readington - Lebanon Sewerage Authority.
- (4) "Authority's" Treatment System The Sewerage Treatment Plant and System owned and operated by the "Authority". For the purposes of these Regulations the "Authority's" Treatment System shall also include any connection lines, laterals or other methods of conveying wastewaters to the "Authority's" Sewerage Treatment Plant, including any sewers, connections or collection system not owned by the "Authority" but owned by other Authorities and Municipalities, Individuals, Corporations or any other entity whatsoever, which by contract or agreement is a user or customer of the "Authority's" Sewerage Treatment Works.
- (5) Authorized Representative of Industrial User An authorized representative of an industrial user may be: (A) A principal executive officer of at least the level of vice president, if the industrial user is a corporation; (B) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; (C) A duly authorized representative of

the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

- (6) Biochemical Oxygen Demand (BOD) The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure five (5) days at 20⁰ C expressed in terms of weight and concentration (milligrams per liter (mg/l)).
- (7) Categorical Standards Pretreatment Standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged or introduced to the "Authority" by existing or new industrial users in specific industrial sub-categories.
- (8) Commissioner The Commissioner of the New Jersey Department of Environmental Protection or his/her authorized representatives.
- (9) Compatible Pollutant Biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, and such additional pollutants as are now or may be in the future specified and controlled in the "Authority's" NJPDES permit, where the "Authority" is designed to treat such pollutants and, in fact, does treat such pollutants to the degree required by the NJPDES permit.
- (10) Composite Sample A sample consisting of several effluent portions collected during a specific time period and combined to make a representative sample.

- (11) Control Authority Refers to the "Approval Authority" defined hereinabove; or the Superintendent if the "Authority" has an approved Pretreatment Program under the provisions of 40 CFR 403.11.
- (12) Cooling Water Any water used for the purpose of carrying away excess heat, and which may contain biocides used to control biological growth.
- (13) Department The New Jersey Department of Environmental Protection.
- (14) Domestic Wastewater The liquid waste or liquid borne waste (A) resulting from the non-commercial preparation, cooking and handling of food and/or (B) consisting of human excrement and similar wastes from sanitary conveniences.
- (15) EPA The United States Environmental Protection Agency.
- (16) Garbage Solid wastes from the domestic and commercial preparation, cooking, dispensing, handling, storage and/or sale of food.
- (17) Grab Sample A sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.
- (18) Holding Tank Waste Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
- (19) Incompatible Pollutant Any pollutant which is not a "compatible pollutant" as defined in this section.
- (20) Indirect Discharge The discharge or the introduction of non-domestic pollutants from any source regulated under section

307(b) or (c) of the Act, (33 U.S.C. 1317) into the "Authority's" Treatment System (including holding tank waste discharged into the system).

- (21) Industrial Process Wastewater The liquid waste or liquid borne waste resulting from the processes employed by any user or users identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one of the following divisions:

Division A. Agriculture, Forestry and Fishing

Division B. Mining

Division D. Manufacturing

Division E. Transportation, Communications, Electric,
Gas and Sanitary Services

Division I. Services, and

which with any ground water, surface water, and storm water that may be present, whether treated or untreated, is discharged into a treatment works.

- (22) Interference Means (i) inhibiting or disrupting a domestic treatment works system or its treatment process or operation so as to contribute to, or cause a violation of any condition of a state or federal permit under which the domestic treatment works operates; or (ii) discharging industrial process wastewater which, in combination with existing domestic flows are of such volume and/or strength as to exceed the domestic treatment process design capacity; or (iii) preventing the use or disposal of sludge produced by the domestic treatment works in accordance with section 405 of the Federal Clean Water Act

of 1977 (33 U.S.C. 1251 et seq.) and the New Jersey Guidelines for the Utilization and Disposal of Municipal and Industrial Sludges and Septage; or any regulations or criteria or guidelines developed pursuant to the Federal Resource Conservation and Recovery Act of 1976 (42 U.S.C. 3251 et seq.), the Federal Clean Air Act (42 U.S.C. 7401 et seq), and the Federal Toxic Substances Control Act (15 U.S.C. 2601 et seq). Pursuant to 40 CFR 403.3(h), pollutants in the effluent from an industrial user shall not be considered to cause Interference where the industrial user is in compliance with specific prohibitions or standards developed by Federal, State or local governments.

- (23) New Jersey Pollutant Discharge Elimination System (NJPDDES) The New Jersey system for the issuing, modifying, suspending, revoking and reissuing, terminating, monitoring and enforcing, of discharge permits pursuant to the State Act. The term also includes discharge permits (NPDES) issued pursuant to section 402 of the Clean Water Act of 1977 (33 U.S.C. 1251 et seq).
- (24) Person Any individual, firm, company, partnership, corporation, association, group or society, including the State of New Jersey, and agencies, districts, commissions and political subdivisions created by or pursuant to State law, and Federal agencies, departments or instrumentalities thereof.
- (25) pH The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions in grams per liter of solution. Solutions with a pH greater than 7 are said to be basic; solutions with a pH less than 7 are said to be acidic; pH equal to 7 is considered neutral.

- (26) Pollutant Any dredged spoil, solid waste, incinerator residue, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, radioactive substance, thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal or agricultural waste or other residue discharged into the waters of the State.
- (27) Pretreatment The application of physical, chemical and biological processes to reduce the amount of pollutants in, or alter the nature of the polluting properties of, an industrial process wastewater prior to discharging such wastewater into the treatment works.
- (28) Pretreatment Standards All applicable Federal or State rules and regulations implementing Section 307 of the Clean Water Act of 1977 (33 U.S.C. 1251 et seq) or N.J.S.A. 58:11-49, as well as any non-conflicting State or local standards. In cases of conflicting standards or regulations, the more stringent thereof shall be applied.
- (29) Regional Administrator The Administrator of Region II of the United States Environmental Protection Agency or his/her authorized representative.
- (30) Significant Industrial User Any user who discharges, into the "Authority's" Treatment works, industrial process wastewater which either (A) exceeds 25,000 gallons per day, or (B) exceeds the mass equivalent of 25,000 gallons per day of the domestic waste of the "Authority's" treatment works based on its design values as filed with the Department for any one of

the following parameters: BOD, COD, Suspended Solids, or (C) exceeds five percent of the average daily flow of the treatment works, or (D) contributes five percent or more of the daily mass loading of any of the pollutants listed in Table(s) I (and II) and/or in Appendix A-1 and A-2, which are entering the treatment works. BOD, COD and Suspended Solids are defined in EPA's Manual of Methods for Chemical Analysis of Water and Wastes. Where the design values for BOD, COD or Suspended Solids have not been filed with the Department, the treatment works may use the influent BOD, COD or Suspended Solids for the purpose of these calculations.

- (31) State State of New Jersey.
- (32) State Act. The New Jersey "Water Pollution Control Act", N.J.S.A. 58:10A-1 et seq.
- (33) Standard Industrial Classification (SIC) A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.
- (34) Storm Water Any flow occurring during or immediately following any form of natural precipitation and resulting therefrom.
- (35) Superintendent The superintendent (of the wastewater treatment system/of water pollution control/of public works) of the "Authority" or his/her duly appointed deputy, agent or representative.
- (36) Suspended Solids The Total Nonfilterable Residue as defined in "Manual of Methods for Chemical Analysis of Water and Wastes".

- (37) Toxic Pollutant Those pollutants, or combinations of pollutants, including disease-causing agents, which after discharge into the environment in sufficient quantities and upon exposure, ingestion, inhalation or assimilation into any organism, either directly or indirectly by ingestion through food chains, will, on the basis of information available to the Commissioner, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformation, in such organisms or their offspring.
- (38) Treatment Works Any device or system, whether public or private, used in the storage, treatment, recycling, or reclamation of municipal or industrial waste of a liquid nature, including: intercepting sewers, outfall sewers, sewage collection systems, cooling towers and ponds, pumping, power and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; any other works including sites for the treatment process or for ultimate disposal of residues resulting from such treatment. Additionally, "treatment works" means any other method or system of preventing, abating, reducing, storing, treating, separating or disposing of pollutants, including storm water runoff, or industrial waste in combined or separate storm water and sanitary sewer systems.

- (39) Treatment Works Plant That portion of the treatment works designed to provide treatment to wastewater.
- (40) Unpolluted Water Water not containing any pollutants limited or prohibited by the effluent standard in effect, and/or water whose discharge will not cause any violation of receiving water quality standards or interference with their designated uses.
- (41) User Any person who discharges, causes, or permits the discharge of industrial process wastewater into the treatment works.
- (42) User Classification A Classification of users based on the 1972 (or subsequent) edition of the Standard Industrial Classification (SIC) Manual prepared by the Federal Office of Management and Budget.
- (43) Wastewater The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the "Authority's" treatment works.
- (44) Terms not otherwise defined herein shall be as adopted in the latest edition of Standard Methods for the Examination of Water & Wastewater, published by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation; the Federal Guidelines for State and Local Pretreatment Programs, EPA-430/9-76-017a, Volume 1, 1977; or the latest revision thereof; the Clean

Water Act N.J.S.A. 58:10A-1 et seq.; or N.J.S.A. 58:11-49 et seq., 1972.

1.3 Abbreviations:

The following abbreviations shall have the designated meanings:

<u>BOD</u>	Biochemical Oxygent Demand.
<u>CFR</u>	Code of Federal Regulations.
<u>COD</u>	Chemical Oxygen Demand.
<u>EPA</u>	Environmental Protection Agency.
<u>l</u>	Liter.
<u>mg</u>	Milligrams
<u>mg/l</u>	Milligrams per liter.
<u>N.J.A.C.</u>	New Jersey Administrative Code.
<u>N.J.S.A.</u>	New Jersey Statutes Annotated.
<u>NJPDES</u>	New Jersey Pollutant Discharge Elimination System
<u>NPDES</u>	National Pollutant Discharge Elimination System.
<u>POTW</u>	Publicly Owned Treatment Works.
<u>SIC</u>	Standard Industrial Classification.
<u>USC</u>	United States Code.
<u>TSS</u>	Total Suspended Solids.

SECTION 2 - PROHIBITIONS & LIMITATIONS ON WASTEWATER DISCHARGES

2.1 Prohibitions on Wastewater Discharges:

No person shall discharge, deposit, cause or allow to be discharged or deposited into the "Authority's" treatment works any wastewater which signif-

icantly contributes to a violation of any of the parameters in the "Authority's" NJPDES permit, or which contains any of the following:

- (A) Oil and Grease (1) oil and grease from industrial facilities, in concentrations or amounts violating pretreatment standards; this includes petroleum based hydrocarbons as determined by silica gel absorption; (2) wastewater from industrial facilities containing floatable fats, wax, grease, or oil;
- (B) Explosive and/or Flammable Mixtures liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the treatment works or to the operation of the works; at no time shall two successive readings on an explosion hazard meter, at the point of discharge into the treatment works, be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (L.E.L.) of the meter; such materials include, but are not limited to: gasoline, kerosene, naptha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides;
- (C) Noxious Materials pollutants which, either singly or by interaction with other wastes, are malodorous, are capable of creating a public nuisance or hazard to life or health, or are present in sufficient concentrations to prevent entry into the treatment works for its maintenance and repair;
- (D) Improperly Shredded Garbage garbage that has not been ground or comminuted to such a degree that all particles will be

carried freely in suspension under flow conditions normally prevailing in the treatment works, with no particle greater than one-half (1/2) inch in any dimension; the discharge of any improperly shredded garbage by a user, as defined herein, is prohibited;

- (D) Radioactive Wastes radioactive wastes of any type in any concentration;
- (F) Solid or Viscous Wastes solid or viscous wastes which will or may cause obstruction to the flow in a sewer, or otherwise interfere with the proper operation of the treatment works; prohibited materials include, but are not limited to: grease, improperly shredded garbage, animal guts or tissues, diseased human organs or tissue, fluids, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, and similar substances. (Other materials may be specified at the discretion of the Superintendent);
- (G) Excessive Discharge wastewater at a flow rate that exceeds for any time period longer than fifteen (15) minutes more than five (5) times the average daily flow rate of the user during normal operation, or containing such concentrations or quantities of pollutants that would cause a treatment process upset and subsequent loss of treatment efficiency;

- (H) Toxic Pollutants any toxic pollutant in amounts exceeding standards promulgated by the Administrator of the EPA pursuant to section 307(a) of the Clean Water Act of 1977, including, but not limited to, those listed in Table I (and Table II) and Appendix A-1 and A-2, and those chemical elements or compounds, phenols or other taste or odor-producing substances, or any other substances normally not found in unpolluted waters which are not susceptible to treatment or which may interfere with the biological processes or efficiency of the treatment works or which will pass through the system;
- (I) Stormwater discharge of stormwater including surface and ground water from sump pumps and cellar drains, into the treatment works from any source;
- (J) Discolored Materials wastes with color not removable by the treatment works;
- (K) Substances Interfering with Sludge Management Any substance which may cause the "Authority's" sludge to be unsuitable for reclamation and reuse or to interfere with the reclamation process where the "Authority" is pursuing a reuse and reclamation program. In no case shall a substance discharged to the "Authority" cause the "Authority" to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or the "New Jersey Guidelines for the Utilization and Disposal of Municipal and Industrial Sludges and Septage";

- (L) Corrosive Wastes any waste which will cause corrosion or deterioration of the treatment works; all wastes discharged to the treatment works must have a pH value in the range of (5) to (10) standard units; prohibited materials include, but are not limited to: acids, alkalies, sulfides, concentrated chloride and fluoride compounds, and substances which will react with water to form acidic or alkaline products;
- (M) Heat heat in amounts which will inhibit biological activity in the treatment works, resulting in interference or causing damage, but in no case heat in such quantities that the temperature exceeds 65° C (150° F) at the treatment works and 40° C (104° F) at the treatment works plant, unless the Department, upon request of the "Authority" approves alternate temperature limits.

2.2 Limitations on Wastewater Discharges:

Table I (and Table II) present(s) the maximum concentrations of certain pollutants allowable in wastewater discharges to the treatment works by any user. Dilution of any wastewater discharge for the purpose of satisfying these requirements shall be considered a violation of this Ordinance.

The limits on certain pesticides, benzidine, and PCB's in Table I are in conformance with the Final Toxic Effluent Standards published in the Federal Register as follows:

Polychlorinated Biphenyls (PCB's)

February 2, 1977

Standard for Aldrin/Dieldrin,
Benzidine DDT (DDD, DDE), Endring
and Toxaphene

January 12, 1972

All users are limited by restrictions and prohibitions set forth in applicable State and Federal Regulations, including categorical Pretreatment Standards, as promulgated.

TABLE I

Maximum Permissible Concentration (mg/l)

<u>Pollutant</u>	<u>1 Day Max.</u>	<u>30 Day Avg.</u>
Aldrin	*	*
Dieldrin	*	*
DDE	*	*
DDD	*	*
DDT	*	*
PCB	*	*
Endrin		
(Manufacturer)	.0075	.0015
(Formulator)	*	*
Toxaphene		
(Manufacturer)	.0075	.0015
(Formulator)	*	*
Benzidine		
(Manufacturer)	.050	.010
(Dye Applicators)	.025	.010

*prohibited from discharge

TABLE II

MAXIMUM PERMISSIBLE CONCENTRATION (mg/l)

<u>Pollutant</u>	<u>Maximum Concentration</u>
ABS/L.A.S.	0.5
Arsenic	0.05
Barium	4.0
Boron	1.0
Cadmium	0.02
Chlorinated Hydrocarbons	0.25
Chromium (total)	0.50
Chromium (trivalent)	0.044
Chromium (hexavalent)	0.0003
Copper	1.0
Cyanide	1.0
Fluoride	4.0
Iron	0.3
Lead	0.1
Manganese	0.05
Mercury	0.005
Nickel	0.056
Phenolic Compounds	0.20
Phosphorus	10.0
Selenium	
Selenite	0.035
Selenate	0.760
Silver	0.05
Zinc	2.0

2.3 Federal Categorical Pretreatment Standards:

Upon the effective date of the Federal Categorical Pretreatment Standard for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under this Ordinance for sources in that subcategory, shall immediately supersede the limitations imposed under this Ordinance. The Superintendent shall notify all affected Users of the applicable reporting requirements under 40 CFR, Section 403.12.

2.4 Modification of Federal Categorical Pretreatment Standards:

Where the "Authority's" wastewater treatment system achieves consistent removal of pollutants limited by Federal Pretreatment Standards, the Authority may apply to the Approval Authority for modification of specific limits in the Federal Pretreatment Standards. "Consistent removal" shall mean reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system as measured according to the procedures set forth in Section 403.7(c)(2) of the "General Pretreatment Regulations for Existing and New Sources of Pollution" (40 CFR, Part 403), promulgated pursuant to the Act. The Authority may modify pollutant discharge limits in the Federal Pretreatment Standards if the requirements contained in 40 CFR, Section 403.7, are fulfilled and prior approval from the Approval Authority is obtained.

2.5 State Requirements:

State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those in this Ordinance.

2.6 "Authority's" Right of Revision:

The "Authority" reserves the right to establish by Ordinance more stringent limitations or requirements on discharges to the treatment works if deemed necessary to comply with objectives presented in Section 1.1 of this Ordinance.

2.7 Excessive Discharge:

No user shall ever increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, or in any other pollutant specific limitation developed by the "Authority" or the State.

SECTION 3 - CONTROL OF PROHIBITED WASTES

3.1 Regulatory Actions:

If wastewaters containing any substance prohibited, exceeding prescribed limits, or violating restrictions imposed by Section 2 of this Ordinance are discharged into the treatment works of the "Authority", the Superintendent shall take all actions necessary to:

- (A) Prohibit the discharge of such wastewater;
- (B) Require a user to demonstrate that in-plant modifications will reduce or eliminate the discharge of such substances so as to be in conformance with this Ordinance;
- (C) Require pretreatment, including storage facilities, or flow equalization necessary to ensure complete compliance with this Ordinance;

- (D) Require the user making, causing or allowing the discharge to pay all the additional cost or expense incurred by the "Authority" for any damages caused by excess loads imposed on the treatment works; and,
- (E) Take such other remedial action including discontinuation of service as may be deemed to be desirable or necessary to achieve the purpose of this Ordinance.

3.2 Submission of Plans:

Where pretreatment or equalization of wastewater flows prior to discharge into any part of the treatment works is required, plans, specifications, and other pertinent data or information relating to such pretreatment or flow-control facilities shall first be submitted by the user to the Superintendent for review and approval. Such approval shall not exempt the discharge of such facilities from compliance with any applicable code, ordinance, rule, regulation or order of any governmental authority. Any subsequent modifications to such pretreatment or flow-control facilities shall not be made without due notice to and prior approval of the Superintendent.

3.3 Pretreatment Facilities Operations:

Pretreatment facilities shall be maintained in good working order and operated efficiently by the owner or operator at his/her own costs and expense, subject to the requirements of this Ordinance and all other applicable State and Federal codes, ordinances, and laws.

3.4 Admission to Property:

Whenever it shall be necessary for the purpose of this Ordinance, the Superintendent, the Commissioner and/or the Regional Administrator upon the presentation of credentials, may enter upon any property or premises at reasonable times for the purpose of inspecting/copying any records required to be kept under the provisions of this Ordinance.

The Superintendent, the Commissioner, and/or the Regional Administrator upon presentation of credentials, may enter upon any property or premises at any time for the purpose of inspecting any monitoring equipment or method, and/or measuring, sampling, and/or testing any discharge of wastewater to the treatment works.

3.5 Accidental Discharges:

Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Ordinance. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Superintendent for review, and shall be approved by him/her prior to construction of the facility. All existing users shall complete such a plan by (January 1, 1983). No user who commences contribution to the "Authority" after the effective date of this Ordinance shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the Superintendent. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility of modifying his/her facility as necessary to meet the requirements of this Ordinance.

- (A) Telephone Notice: In the case of an accidental discharge, or, if for any reason a user does not comply, or will be unable to comply, with any prohibition or limitation in this Ordinance, the user responsible for such discharge shall immediately telephone and notify the "Authority" of the incident. The notification shall include location of discharge, type of waste, concentration and volume. Furthermore, such user shall take immediate action to prevent interference with the treatment process and/or damage to the treatment works.
- (B) Written Notice: Within five (5) days following an accidental or noncomplying discharge, the user shall submit to the Superintendent a detailed written report describing the date, time and cause of the discharge, the quantity and characteristics of the discharge and corrective action taken at the time of the discharge, and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the "Authority", fish kills, or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this article or other applicable law.
- (C) Notice to Employees: A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall insure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

SECTION 4 - INDUSTRIAL WASTEWATER MONITORING AND REPORTS

4.1 Reporting Requirements for Industrial Users:

- (A) Reporting: All industrial users shall, at a minimum, comply with the reporting requirements contained in 40 CFR 303.12.
- (B) Compliance Date Report: Within 90 days following the date for final compliance with applicable pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the "Authority", any user subject to pretreatment standards shall submit to the Superintendent a report indicating the average and maximum daily flows and the nature and concentration of all pollutants discharged from the process units which are regulated by such pretreatment standards. The report shall state whether the applicable pretreatment standards are being met on a consistent basis and, if not, what additional operation and maintenance (O&M) work and/or pretreatment is necessary to bring the user into compliance with the applicable pretreatment standards. This statement shall be signed by an authorized representative of the industrial user, and certified to by a qualified professional.
- (C) Periodic Discharge Reports: Every significant industrial user shall submit a periodic discharge report to the Superintendent during the months of June and December, unless required more frequently in a pretreatment standard or by the Superintendent or Approval Authority. At the discretion of the Superinten-

dent and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Superintendent may agree to alter the months during which the above reports are to be submitted. The Superintendent may require any other industrial users discharging or proposing to discharge into the treatment works to file such periodic reports.

The discharge report shall include, but not be limited to: nature of process, volume, rates of flow, concentrations of incompatible pollutants, total mass of each incompatible pollutant discharged, hours of operation, and other information which relates to the generation of waste. Such reports may also include the chemical constituents and quantity of liquid materials stored on site even though they are not normally discharged. In addition to discharge reports, the Superintendent may require information in the form of Industrial Discharge Permit Applications and self-monitoring reports.

4.2 Records and Monitoring:

- (A) All industrial users who discharge or propose to discharge wastewaters to the treatment works shall maintain such records of production and related factors, effluent flows, and pollutant amounts or concentrations as are necessary to demonstrate compliance with the requirements of this Ordinance and any applicable State or Federal pretreatment standards or requirements.

- (B) Such records shall be made available upon request by the Superintendent. All such records relating to compliance with pretreatment standards shall be made available to officials of the Department and the EPA upon demand. A summary of such data indicating the industrial user's compliance with this Ordinance shall be prepared quarterly and submitted to the Superintendent. All records shall be retained for a minimum of 3 years.
- (C) The owner or operator of any premises of facility discharging industrial wastes into the treatment works shall install at his/her own costs and expense suitable monitoring equipment to facilitate the accurate observation, sampling, and measurement of wastes. Such equipment shall be maintained in proper working order and kept safe and accessible at all times.
- (D) Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with the "Authority's" requirements and all applicable construction standards and specifications. Plans and specifications for all such work will be submitted to the Superintendent for approval prior to construction.

4.3 Inspection, Sampling and Analysis:

- (A) Representative Sampling Point All users proposing to connect to or continue to discharge to any part of the treatment works

must make available a sampling point representative of the discharge which is acceptable to, and approved by, the Superintendent. This point must be available to the "Authority", the Department, or EPA for purposes of conducting sampling inspections, compliance monitoring and/or metering operations.

- (B) Compliance Determination Compliance determinations by the Superintendent, the Commissioner, and/or the Regional Administrator, with respect to Section 2 prohibitions and limitations, shall be made on the basis of either instantaneous grab samples or 24 hour composite samples of wastewater, or as otherwise may be determined by the Department or the EPA.
- (C) Analysis of Industrial Wastewaters Laboratory analyses of industrial wastewater samples shall be performed in accordance with EPA "Guidelines Establishing Test Procedures for the Analysis of Pollutants", published in the Federal Register, Vol. 41, No. 232, 12/1/76 and subsequent revisions. Analysis of those pollutants not covered by the publications referred to therein shall be performed in accordance with procedures approved by the Department.
- (D) Sampling Frequency Sampling of industrial wastewater for the purpose of compliance determinations with respect to Section 2 prohibitions and limitations will be done at such intervals as the Superintendent, the Commissioner, and/or the EPA Regional

Administrator may designate. However, it is the intention of the Superintendent to conduct compliance sampling or to cause such sampling to be conducted for all significant industrial users at least once in every 1 year period.

4.4 Pretreatment:

Users shall provide necessary wastewater treatment as required to comply with this Ordinance and shall achieve compliance with all Federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations. Any facilities required to pretreat wastewater to a level acceptable to the "Authority" shall be provided, operated, and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the "Authority" for review and shall be acceptable to the "Authority" before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the "Authority" under the provisions of this Ordinance. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the "Authority" prior to the user's initiation of the changes.

The "Authority" shall annually publish in the Hunterdon County Democrat a list of the users which, during the previous 12 months, were significantly violating (as defined by 40 CFR 403.8(f)(2)(vii)) applicable Categorical Pretreatment Standards or other pretreatment requirements. The notification shall also summarize any enforcement actions taken against the user(s) during the same 12 months.

4.5 Confidential Information:

Information and data on a user obtained from reports, questionnaires, permit applications, permits, and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the "Authority" that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user.

When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to the EPA and/or the Department for uses related to this Ordinance, the New Jersey Pollutant Discharge Elimination System (NJPDDES) and/or the State or Federal Pretreatment Programs; provided, however, that such portions of a report shall be available for use by the State in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

Information accepted by the "Authority" as confidential, shall not be transmitted to any governmental agency by the "Authority" until and unless a 10 day notification is given to the user.

SECTION 5 - INDUSTRIAL DISCHARGE PERMIT SYSTEM

All users shall apply to the Superintendent for an Industrial Discharge Permit within days after enactment of this Ordinance.

SECTION 6 - PUBLIC PARTICIPATION

Where an Industrial Discharge Permit System is developed and implemented, a public participation section must be included.

SECTION 7 - ENFORCEMENT PROCEDURES

7.1 Harmful Contributions:

The "Authority" may suspend the wastewater treatment service (and/or an Industrial Discharge Permit) when such suspension is necessary, in the opinion of the "Authority", in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, causes interference to the "Authority's Treatment System or causes the "Authority" to violate any conditions of its NJPDES Permit.

Any person notified of a suspension of the wastewater treatment service (and/or Industrial Discharge Permit) shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the "Authority" shall take such steps as deemed necessary including immediate severance of the sewer connection, to prevent or minimize damage to the "Authority's" Treatment System or endangerment to any individuals. The "Authority" shall reinstate (the Industrial Discharge Permit and/or) the wastewater treatment service upon proof of elimination of the non-complying discharge. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the "Authority" within 15 days of the date of occurrence.

7.2 Termination of Service:

Any user who violates the following conditions of this Ordinance, or applicable State and Federal Regulations, is subject to having his/her or its service terminated in accordance with the procedures of Section 7 of this Ordinance:

- (A) Failure of a user to factually report the wastewater constituents and characteristics of his/her/its discharge;
- (B) Failure of the user to report significant changes in operations, or wastewater constituents and characteristics;
- (C) Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or,
- (D) Violation of provisions of this Ordinance.

7.3 Notification of Violation:

Whenever the Superintendent finds that any person has violated or is violating this Ordinance, or any prohibition, limitation or requirement contained herein, he/she may serve upon such person a written notice stating the nature of the violation and providing a reasonable time, not to exceed 30 days, for the satisfactory correction thereof.

7.4 Show Cause Hearing:

- (A) If the violation is not corrected by timely compliance, the Superintendent may order any person who causes or allows an unauthorized discharge to show cause before the hearing

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authority why service should not be terminated. A notice shall be served on the offending party, specifying the time and place of a hearing to be held by the hearing authority regarding the violation, and directing the offending party to show cause before said authority why an order should not be made directing the termination of service. The notice of the hearing shall be served personally or by registered or certified mail, return receipt requested at least 10 days before the hearing. Service may be made on any agent or officer of a corporation.

(B) The hearing authority may itself conduct the hearing and take the evidence or may designate any of its members or any officer or employee of the assigned department to:

(1) Issue in the name of the hearing authority notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in any such hearings.

(2) Take the evidence.

(3) Transmit a report of the evidence and hearing, including transcripts/records and other evidence, together with recommendations to the hearing authority for action thereon.

(C) At any public hearing, testimony taken before the hearing authority or any person designated by it, must be under oath and recorded either by the hearing officer in a summary manner or stenographically. In the latter case, the transcript, so

recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges therefor.

- (D) After the hearing authority has reviewed the evidence, it may issue an order to the party responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed or existing treatment facilities, devices or other related appurtenances are properly operated, and such further orders and directives as are necessary and appropriate.

7.5 Legal Action:

Any discharge in violation of the substantive provisions of this Ordinance or an Order of the hearing authority shall be considered ground for legal action. If any person discharges sewage, industrial wastes or other wastes to the treatment works contrary to the substantive provisions of this Ordinance or any Order of the hearing authority, the Superintendent shall commence an action for injunctive relief and appropriate legal damages in the Superior Court of this County.

SECTION 8 - PENALTIES, COSTS

8.1 Civil Penalties:

Any person who is found to have violated an Order of the hearing authority or who willfully or negligently failed to comply with any provisions

of this Ordinance, and the orders, rules and regulations issued hereunder, shall be fined not more than Five Thousand Dollars (\$5,000.00) for each offense. Each day in which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the treatment works may recover reasonable attorneys' fees, court costs, court reporter's fees and other expenses of litigation by appropriate suit at law against the person found to have violated this Ordinance or the orders, rules and regulations issued hereunder.

8.2 Falsifying Information:

Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Ordinance, (or Industrial Discharge Permit) or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or sampling methodology required under this Ordinance, shall upon conviction, be punished by a fine of not more than Ten Thousand Dollars (\$10,000.00) or by imprisonment for not more than 6 months per violation, or by both.

SECTION 9 - FEES

9.1 Purpose:

It is the purpose of this section to establish fees for users of the "Authority's" wastewater disposal system for activities not included in the "Authority's" annual operating budget. The applicable charges or fees shall be set forth in the "Authority's" Schedule of Charges and Fees.

9.2 Charges and Fees:

The "Authority" may adopt charges and fees which may include:

- (A) Fees for reviewing accidental discharge procedures and construction;
- (B) Fees for Permit Applications;
- (C) Fees for filing appeals;
- (D) Fees for consistent removal by the "Authority" of pollutants otherwise subject to Federal Pretreatment Standards;
- (D) Other fees as the "Authority" may deem necessary to carry out the requirements contained herein.

These fees relate solely to the matters covered by this Ordinance and are separate from all other fees chargeable by the "Authority".

SECTION 10 - SEVERABILITY

If any provisions, paragraph, word, section or article of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and articles shall not be affected and shall continue in full force and effect.

SECTION 11 - CONFLICT

All other ordinances and part of other ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 12 - EFFECTIVE DATE

This Ordinance shall be in full force and effect from its date of passage as provided by law.

READINGTON-LEBANON SEWERAGE AUTHORITY

BY: _____

Secretary

ADOPTED: _____