

Appendix C

Excerpt of NJDES – SIU Permit



**State of New Jersey**  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 MAIL CODE 401-02B  
 DIVISION OF WATER QUALITY  
 BUREAU OF PRETREATMENT AND RESIDUALS  
 401 E. STATE STREET, P.O. BOX 420  
 TRENTON, NJ 08625-0420  
[www.state.nj.us/dep/dwg](http://www.state.nj.us/dep/dwg)

PHILIP D. MURPHY  
 Governor

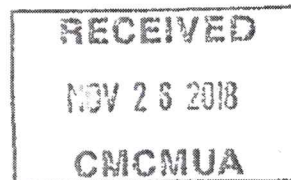
SHEILA Y. OLIVER  
 Lt. Governor

CATHERINE R. McCABE  
 Commissioner

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**  
 7014 0510 0000 9080 8313

November 16, 2018

Thomas J. LaRocco P.E., Chief Engineer  
 Cape May County Municipal Utilities Authority (CMCMUA)  
 1523 U.S. Route 9, P.O. Box 610  
 Cape May Court House, NJ 08210



Re: Significant Indirect User (SIU) Renewal Permit Action  
 Category L: Significant Indirect User  
 NJPDES Permit No.: NJ0085952, Program Interest No.: 46174  
 CMCMUA Secure Sanitary Landfill  
 Woodbine Borough, Cape May County

Dear Mr. LaRocco:

Enclosed is a final New Jersey Pollutant Discharge Elimination System (NJPDES) permit action identified above which has been issued in accordance with N.J.A.C. 7:14A.

On October 22, 2015, the U.S. Environmental Protection Agency (EPA) promulgated the final National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule (see Federal Register 80:204 p. 64064). Among other obligations, this rule requires entities regulated under the Clean Water Act NPDES program to report certain information electronically instead of filing paper reports. Consistent with this rule, please be advised that the existing reporting requirements contained within your permit have been moved and/or modified. Please refer to Parts II and IV of your permit for further details regarding the new reporting requirements. To view the final rule, please visit <https://www.gpo.gov/fdsys/pkg/FR-2015-10-22/pdf/2015-24954.pdf>.

A summary of the significant and relevant comments received on the draft action during the public comment period, the Department's responses, and an explanation of any changes from the draft action have been included in the Response to Comments document attached hereto as per N.J.A.C. 7:14A-15.16.

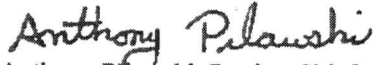
Any requests for an adjudicatory hearing shall be submitted in writing by certified mail, or by other means which provide verification of the date of delivery to the Department, within 30 days of receipt of this Significant Indirect User (SIU) Renewal Permit Action in accordance with N.J.A.C. 7:14A-17.2. You may also request a stay of any contested permit condition as per N.J.A.C. 7:14A-17.6 et seq. The adjudicatory hearing request must be accompanied by a completed Adjudicatory Hearing Request Form; the stay request must be accompanied by a completed Stay Request Form (forms enclosed).

As per N.J.A.C. 7:14A-4.2(e)3, any person planning to continue discharging after the expiration date of an existing NJPDES permit shall file an application for renewal at least 180 calendar days prior to the expiration of the existing permit.

cc JVR  
 TIL  
 JRC  
 JP  
 RLS

Questions or comments regarding the final permit action should be addressed to Andrew Doyle at (609) 984-4428 or via email at [andrew.doyle@dep.nj.gov](mailto:andrew.doyle@dep.nj.gov).

Sincerely,

  
Anthony Pilawski, Section Chief  
Bureau of Pretreatment and Residuals  
Water Pollution Management Element

Enclosures

cc: John R. Conturo P.E., Solid Waste Program Manager, CMCMUA  
Joshua Palombo, Wastewater Program Manager, CMCMUA  
William Pikolycky, Mayor, Borough of Woodbine [via email: [mayor@boroughofwoodbine.net](mailto:mayor@boroughofwoodbine.net)]  
Charles Bisese, NJDEP, WC&E Southern Region [via email: [charles.bisese@dep.nj.gov](mailto:charles.bisese@dep.nj.gov)]

**ADJUDICATORY HEARING REQUEST CHECKLIST AND TRACKING FORM  
FOR INDIVIDUAL NJPDES PERMITS\***

**I. Permit Being Appealed:**

Facility Name: CCMUA SECURE SANITARY LANDFILL  
 Masterfile Number: 9536 Program Interest (PI) Number: 46174  
 Issuance Date of Final Permit Decision: 11/16/2018 NJPDES Permit #: NJ0085952

Permitting Bureau (check one):

- |   |  |
|---|--|
| <input type="checkbox"/> Susan Rosenwinkel, Chief<br>Mail Code 401-02B<br>Bureau of Surface Water Permitting<br>Department of Environmental Protection<br>401 East State Street, P.O. Box 420<br>Trenton, NJ 08625-0420 | <input type="checkbox"/> Brian McLendon, Chief<br>Mail Code 401-02B<br>Bureau of Pretreatment and Residuals<br>Department of Environmental Protection<br>401 East State Street, P.O. Box 420<br>Trenton, NJ 08625-0420 |
| <input type="checkbox"/> Gabriel Mahon, Chief<br>Mail Code 401-02B<br>Bureau of Nonpoint Pollution Control<br>Department of Environmental Protection<br>401 East State Street, P.O. Box 420<br>Trenton, NJ 08625-0420   |  |

Permit Writer: Andrew Doyle

**II. Person Requesting Hearing:**

Name/Organization	Name of Attorney (if applicable)
Address	Address of Attorney
Telephone Number	Telephone Number of Attorney

**III. Status of Person Requesting Hearing (Check One):**

- Permittee under the permit number identified above.  
*Complete A. and C. through I. of Section IV. below.*
- Person seeking consideration as a party to the action.  
*Complete B. through I. of Section IV. below.*

**IV. Include the following information as part of your request:**

- A. If you are a permittee under the permit number identified above:
1. For the Office of Legal Affairs only, a copy of the permit clearly indicating the permit number and issuance date;
  2. A list of the specific contested permit condition(s) and the legal or factual question(s) at issue for each condition, including the basis of any objection;
  3. The relevance of the legal and/or factual issues to the permit decision;

\*For NJPDES permits, the procedures for requesting an adjudicatory hearing on a final permit decision and for the Department's evaluation and processing of such requests are set forth in N.J.A.C. 7:14A-17.

4. Suggested revised or alternative permit conditions and how they meet the requirements of the State or Federal Act; and
  5. Information supporting the request or other written documents relied upon to support the request, unless this information is already in the administrative record (in which case, such information shall be specifically referenced in the request).
- B. If you are a person seeking consideration as a party to the action:
1. A statement setting forth each legal or factual question alleged to be at issue;
  2. A statement setting forth the relevance of the legal or factual issue to the permit decision, together with a designation of the specific factual areas to be adjudicated;
  3. A clear and concise factual statement of the nature and scope of your interest which meets the criteria set forth at N.J.A.C. 7:14A-17.3(c)4;
  4. A statement that, upon motion by any party granted by the administrative law judge, or upon order of the administrative law judge's initiative, you shall make yourself, all persons you represent, and all of your officers, directors, employees, consultants, and agents available to appear and testify at the administrative hearing, if granted;
  5. Specific references to the contested permit conditions, as well as suggested revised or alternative permit conditions, including permit denials, which, in your judgment, would be required to implement the purposes of the State Act;
  6. Identification of the basis for any objection to the application of control or treatment technologies, if identified in the basis or fact sheets, and the alternative technologies or combination of technologies which, in your judgment, are necessary to satisfy the requirements of the State Act;
- C. The date you received notification of the final permit decision;
- D. The names and addresses of all persons whom you represent;
- E. A statement as to whether you raised each legal and factual issue during the public comment period in accordance with N.J.A.C. 7:14A-15.13 (and in accordance with repealed N.J.A.C. 7:14A-8.4, if the public comment period began or ended before May 5, 1997);
- F. An estimate of the amount of time required for the hearing;
- G. A request, if necessary, for a barrier-free hearing location for disabled persons;
- H. A clear indication of any willingness to negotiate a settlement with the Department prior to the Department's processing of your hearing request to the Office of Administrative Law; and
- I. This form, completed, signed and dated with all of the information listed above, including attachments, to:
1. Office of Legal Affairs  
ATTENTION: Adjudicatory Hearing Requests  
Department of Environmental Protection  
401 East State Street  
PO Box 402, Trenton, New Jersey 08625-04022.
  2. The permitting bureau at the address identified in Section I above.
  3. Any other person named on the permit (if you are a permittee under that permit).
  4. The permittee(s) (if you are a person seeking consideration as a party to the action). You must submit evidence that a copy of the request has been delivered to the applicant for which the permit is the subject of your hearing request (e.g. certified mail receipt).

V. Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*For NJPDES permits, the procedures for requesting an adjudicatory hearing on a final permit decision and for the Department's evaluation and processing of such requests are set forth in N.J.A.C. 7:14A-17.

## STAY REQUEST AND TRACKING FORM

### I. Permit Containing Condition(s) to Be Stayed:

Facility Name: CMC MUA SECURE SANITARY LANDFILL

Masterfile Number: 9536

Program Interest (PI) Number: 46174

Issuance Date of Final Permit Decision: 11/16/2018

NJPDES Permit #: NJ0085952

Permitting Bureau (check one):

Susan Rosenwinkel, Chief  
Mail Code 401-02B  
Bureau of Surface Water Permitting  
Department of Environmental Protection  
P.O. Box 420, 401 East State Street,  
Trenton, NJ 08625-0420

Brian McLendon, Chief  
Mail Code 401-02B  
Bureau of Pretreatment and Residuals  
Department of Environmental Protection  
P.O. Box 420, 401 East State Street  
Trenton, NJ 08625-0420

Gabriel Mahon, Chief  
Mail Code 401-02B  
Bureau of Nonpoint Pollution Control  
Department of Environmental Protection  
P.O. Box 420, 401 East State Street  
Trenton, NJ 08625-0420

Permit Writer: Andrew Doyle

### II. Person Requesting the Stay(s):

\_\_\_\_\_  
Name/Organization

\_\_\_\_\_  
Name of Attorney (if applicable)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address of Attorney

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Telephone Number of Attorney

N.J.A.C. 7:14A-17.6 provides for stays of contested permit conditions. In order for the Department to consider a request for stay, the person making the request must submit a written request to the Department by certified mail or other means which provides verification of the date of delivery. In the request for a stay of each permit condition, a written evaluation must be submitted which addresses each of the factors at N.J.A.C. 7:14A-17.6(c). Briefly stated, these factors include: 1) the permittee's ability to comply with the permit condition using existing treatment facilities, 2) the permittee's ability to comply with the permit condition by implementing low cost short-term modifications to the existing treatment facility, 3) the level of pollutant control actually achieved using short term modifications, 4) the cost to comply with the condition and 5) the environmental impacts granting a stay will have on the receiving waterbody.

This completed stay request form, along with the evaluations mentioned above, shall be submitted to 1) the permitting bureau at the address identified in Section I above and 2) Office of Legal Affairs, ATTENTION: Adjudicatory Hearing Requests, Department of Environmental Protection, 401 East State Street, PO Box 402, Trenton, New Jersey 08625-0402. A person seeking consideration as party to the action who has requested an adjudicatory hearing in accordance with N.J.A.C. 7:14A-17.2 may also request a stay provided notice of the request is also provided to the permittee(s). Such a stay request shall provide the demonstration as required in N.J.A.C. 7:14A-17.6(j).

### III. Signature

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\*For NJPDES permits, the procedures for requesting a stay of a final permit condition and for the Department's evaluation and processing of such requests are set forth in N.J.A.C. 7:14A-17.

New Jersey Department of Environmental Protection  
Division of Water Quality  
Bureau of Pretreatment and Residuals

**RESPONSE TO COMMENTS**

Comments were received on the Draft NJPDES Significant Indirect User Renewal Permit No. NJ0085952 issued on September 27, 2018. The thirty (30) day public comment period began on October 3, 2018 when the Public Notice was published in *The Press of Atlantic City*. It ended on November 2, 2018. The following person commented during the public comment period:

- A. Russell Smith, Project Engineer, Cape May County Municipal Utilities Authority (CMCMUA), in e-mails dated October 22, 2018 and October 23, 2018.

A summary of the timely and significant comments received, the New Jersey Department of Environmental Protection's (Department) response to these comments, and an explanation of any changes from the draft action have been included below:

1. **COMMENT:**

Part II *General Requirements: Discharge Categories*, Paragraph B. *General Conditions*, Sub-Paragraph 6. *Operator Notification*

We have reviewed the draft NJPDES-SIU Permit (Permit No. NJ0085952) for the Cape May County MUA that you sent us on 9/27/2018. The only comment that we have is that Item 6 "Operator Notification" in Section B "General Conditions" of Part II "General Requirements: Discharge Categories" be removed from the permit as it is not applicable to our facility. The reason it is not applicable is that the facility is not a wastewater system and does not produce wastewater, so a licensed wastewater operator is required at this facility.

2. **COMMENT:**

Part II *General Requirements: Discharge Categories*, Paragraph B. *General Conditions*, Sub-Paragraph 6. *Operator Notification*

We have reviewed the draft NJPDES-SIU Permit (Permit No. NJ0085952) for the Cape May County MUA that you sent us on 9/27/2018. The only comment that we have is that Item 6 "Operator Notification" in Section B "General Conditions" of Part II "General Requirements: Discharge Categories" be removed from the permit as it is not applicable to our facility. The reason it is not applicable is that the facility is not a wastewater system and does not produce wastewater, so a licensed wastewater operator is not required at this facility.

3. **COMMENT:**

Part II *General Requirements: Discharge Categories*, Paragraph B. *General Conditions*, Sub-Paragraph 6. *Operator Notification*

To clarify the last two (2) e-mails that you received from me regarding the review of the draft NJPDES-SIU Permit (Permit No. NJ0085952) for the Cape May County MUA, the facility is not a wastewater system and does not produce wastewater, so a licensed wastewater operator is not required at this facility.

RESPONSE:

Part II *General Requirements: Discharge Categories*, Paragraph B. *General Conditions*, Sub-Paragraph 6. *Operator Notification* as it pertains to this renewal permit action requires Indirect Dischargers with Industrial Wastewater Treatment Systems to have a licensed operator; and the licensed operator of an Industrial Wastewater Treatment System shall meet the Department's requirements pursuant to N.J.A.C. 7:10-1.1, and any amendments. Furthermore, Sub-Paragraph 6 requires that the name of the proposed operator, where required, shall be submitted to the Department, in order that his/her qualifications may be determined prior to initiating operation of the Industrial Wastewater Treatment System. Additionally, the Indirect Discharger shall notify the Department of any changes in the licensed operator within two weeks of the change.

In Comments 1 and 2, the commenter states that the language under Part II.B.6. *Operator Notification* "...be removed from the permit as it is not applicable to our facility". In Comments 1, 2 and 3, the commenter states that the reason it is not applicable is that "the facility is not a wastewater system". In Comments 2 and 3, the commenter states that "a licensed wastewater operator is not required at this facility".

As it pertains to this renewal permit action, the word "system" in Part II.B.6(a) means an Industrial Wastewater Treatment System in accordance with N.J.A.C. 7:10A-1.2. *Definitions*. Since the leachate that is discharged from the CMCMUA Secure Sanitary Landfill is currently not pretreated in an Industrial Wastewater Treatment System prior to discharge to either of the two (2) Publicly Owned Treatment Works (POTWs) authorized by the Department to receive this wastewater, the permittee is not required to have a licensed operator and the Operator Notification requirement in Part II.B.6. does not apply. However, should the permittee provide for any pretreatment of this wastewater during the term of the permit, then the permittee would be required to comply with the requirements of this Section.

In Comments 1, 2 and 3, the commenter further states that the facility "does not produce wastewater".

Based upon the monitoring period September 2012 through August 2017, approximately 48,800 gallons of leachate per day was discharged from the CMCMUA Secure Sanitary Landfill. Pursuant to 7:14A-1.2 *Definitions*, the definition of "process wastewater" includes leachate. Also, since the permittee's discharge consists of 25,000 gallons per day or more of process wastewater, and since the permittee is discharging leachate in an area of the State in which the Department is the Control Authority, the CMCMUA Secure Sanitary Landfill is considered to be a Significant Indirect User (SIU) in accordance with 7:14A-1.2 *Definitions*.

No changes to the final permit have been made as a result of these comments.





# NEW JERSEY POLLUTANT DISCHARGE ELIMINATION SYSTEM

The New Jersey Department of Environmental Protection hereby grants you a NJPDES permit for the facility/activity named in this document. This permit is the regulatory mechanism used by the Department to help ensure your discharge will not harm the environment. By complying with the terms and conditions specified, you are assuming an important role in protecting New Jersey's valuable water resources. Your acceptance of this permit is an agreement to conform with all of its provisions when constructing, installing, modifying, or operating any facility for the collection, treatment, or discharge of pollutants to waters of the state. If you have any questions about this document, please feel free to contact the Department representative listed in the permit cover letter. Your cooperation in helping us protect and safeguard our state's environment is appreciated.

Permit Number: NJ0085952

Final: Significant Indirect User (SIU) Renewal Permit Action

**Permittee:**

Cape May County Municipal Utilities Authority  
P.O. Box 610  
Cape May Court House, NJ 08210

**Co-Permittee:**

**Property Owner:**

Cape May County Municipal Utilities Authority  
P.O. Box 610  
Cape May Court House, NJ 08210

**Location Of Activity:**

CMCMUA Secure Sanitary Landfill  
2050 Route 610  
Woodbine, NJ 08270

Authorization(s) Covered Under This Approval	Issuance Date	Effective Date	Expiration Date
L -Significant Indirect User	11/16/2018	01/01/2019	12/31/2023

Discharge To: CMCMUA's Seven Mile Beach/Middle Regional and Ocean City Regional wastewater treatment plants

By Authority of:  
Commissioner's Office

*Anthony Pilawski*

DEP AUTHORIZATION  
Anthony Pilawski, Section Chief  
Bureau of Pretreatment and Residuals  
Water Pollution Management Element

(Terms, conditions and provisions attached hereto)

## PART I GENERAL REQUIREMENTS: NJPDES

### A. General Requirements of all NJPDES Permits

#### 1. Requirements Incorporated by Reference

- a. The permittee shall comply with all conditions set forth in this permit and with all the applicable requirements incorporated into this permit by reference. The permittee is required to comply with the regulations, including those cited in paragraphs b. through e. following, which are in effect as of the effective date of the final permit.
- b. General Conditions
  - Penalties for Violations N.J.A.C. 7:14-8.1 et seq.
  - Incorporation by Reference N.J.A.C. 7:14A-2.3
  - Toxic Pollutants N.J.A.C. 7:14A-6.2(a)4i
  - Duty to Comply N.J.A.C. 7:14A-6.2(a)1 & 4
  - Duty to Mitigate N.J.A.C. 7:14A-6.2(a)5 & 11
  - Inspection and Entry N.J.A.C. 7:14A-2.11(e)
  - Enforcement Action N.J.A.C. 7:14A-2.9
  - Duty to Reapply N.J.A.C. 7:14A-4.2(e)3
  - Signatory Requirements for Applications and Reports N.J.A.C. 7:14A-4.9
  - Effect of Permit/Other Laws N.J.A.C. 7:14A-6.2(a)6 & 7 & 2.9(c)
  - Severability N.J.A.C. 7:14A-2.2
  - Administrative Continuation of Permits N.J.A.C. 7:14A-2.8
  - Permit Actions N.J.A.C. 7:14A-2.7(c)
  - Reopener Clause N.J.A.C. 7:14A-6.2(a)10
  - Permit Duration and Renewal N.J.A.C. 7:14A-2.7(a) & (b)
  - Consolidation of Permit Process N.J.A.C. 7:14A-15.5
  - Confidentiality N.J.A.C. 7:14A-18.2 & 2.11(g)
  - Fee Schedule N.J.A.C. 7:14A-3.1
  - Treatment Works Approval N.J.A.C. 7:14A-22 & 23
- c. Operation And Maintenance
  - Need to Halt or Reduce not a Defense N.J.A.C. 7:14A-2.9(b)
  - Proper Operation and Maintenance N.J.A.C. 7:14A-6.12
- d. Monitoring And Records
  - Monitoring N.J.A.C. 7:14A-6.5
  - Recordkeeping N.J.A.C. 7:14A-6.6
  - Signatory Requirements for Monitoring Reports N.J.A.C. 7:14A-6.9
- e. Reporting Requirements
  - Planned Changes N.J.A.C. 7:14A-6.7
  - Reporting of Monitoring Results N.J.A.C. 7:14A-6.8
  - Noncompliance Reporting
    - Hotline/Two Hour & Twenty-four Hour Reporting N.J.A.C. 7:14A-6.10 & 6.8(h)
    - Written Reporting N.J.A.C. 7:14A-6.10(c) & (d)
    - N.J.A.C. 7:14A-6.10(e) & (f) & 6.8(h)
  - Duty to Provide Information N.J.A.C. 7:14A-2.11, 6.2(a)14 & 18.1
  - Schedules of Compliance N.J.A.C. 7:14A-6.4
  - Transfer N.J.A.C. 7:14A-6.2(a)8 & 16.2

## PART II

# GENERAL REQUIREMENTS: DISCHARGE CATEGORIES

### A. Additional Requirements Incorporated By Reference

#### 1. Incorporation by Reference

- a. In addition to conditions in Part I of this permit, the conditions in this section are applicable to activities at the permitted location and are incorporated by reference. The permittee is required to comply with the regulations in effect as of the effective date of the final permit.
  - i. Statewide Water Quality Management Planning Rules N.J.A.C. 7:15
  - ii. Treatment Works Approvals N.J.A.C. 7:14A-22 and 23
- b. Indirect User Requirements
  - i. Prohibited Discharge; State Pretreatment Standards; Local Limits N.J.A.C. 7:14A-21.2(a)
  - ii. Notification of Problems N.J.A.C. 7:14A-21.2(b)
  - iii. Pretreatment System Bypass N.J.A.C. 7:14A-21.6
  - iv. Additional Requirements for all Significant Indirect Users N.J.A.C. 7:14A-21.3

### B. General Conditions

#### 1. Scope

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

#### 2. Permit Renewal Requirement

- a. Permit conditions remain in effect and are enforceable until and unless the permit is modified, renewed or revoked by the Department.
- b. Submit a complete permit renewal application: 180 days before the Expiration Date.

#### 3. Notification of Non-Compliance

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

#### 4. Notification of Changes

- a. The permittee shall give written notification to the Department of any planned physical or operational alterations or additions to the permitted facility when the alteration is expected to result in a significant change in the permittee's discharge and/or residuals use or disposal practices including the cessation of discharge in accordance with N.J.A.C. 7:14A-6.7.
  - b. Prior to any change in ownership, the current permittee shall comply with the requirements of N.J.A.C. 7:14A-16.2, pertaining to the notification of change in ownership.
- 5. Access to Information**
- a. The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to enter upon a person's premises, for purposes of inspection, and to access / copy any records that must be kept under the conditions of this permit.
- 6. Operator Notification**
- a. Pursuant to N.J.A.C. 7:10A-1.1 et seq. every wastewater system not exempt pursuant to N.J.A.C. 7:10A-1.1(b) requires a licensed operator. The operator of a system shall meet the Department's requirements pursuant to N.J.A.C. 7:10-1.1 and any amendments. The name of the proposed operator, where required, shall be submitted to the Department at the address below, in order that his/her qualifications may be determined prior to initiating operation of the treatment works.
    - i. Notifications shall be submitted to:  
NJDEP  
Bureau of Licensing and Pesticides Operation  
Mail Code 401-04E  
P.O. Box 420  
Trenton, New Jersey 08625  
(609) 984-6507
  - b. The permittee shall notify the Department of any changes in licensed operator within two weeks of the change.
- 7. Requirements for SIUs**
- a. The permittee shall promptly notify the Department and the local agency in advance of any substantial change in the volume or character of pollutants in their discharge.
  - b. Fulfillment of these notice requirements does not relieve the applicant of the responsibility to obtain any applicable approvals or permits.
  - c. Prior to the due date of a renewal application, the permittee may submit:
    - i. A statement that the permittee does not intend to discharge after the expiration date.
    - ii. A request for redetermination of SIU applicability in accordance with N.J.A.C. 7:14A-21.9(c).
    - iii. Submittal of a request for redetermination of SIU applicability does not relieve the permittee from the requirement to submit a renewal application if a determination is not reached prior to its due date.
  - d. This permit does not relieve the permittee of the obligation of obtaining any other required Federal, State or Local government consent.
  - e. All violations reportable under N.J.A.C. 7:14A-6.10 shall be reported to the Local Agency receiving the discharge by telephone within two hours, and in writing within five days, of the commencement of the discharge or of the permittee becoming aware of the discharge.

- f. **National Pretreatment Standards: Categorical Standards**
- i. National Pretreatment Standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged to a local agency's treatment works by existing or new "Indirect Users" in specific industrial subcategories will be established as separate regulations under the appropriate subpart of 40 CFR chapter I, subchapter N. These Standards, unless specifically noted otherwise, shall be in addition to all applicable pretreatment standards and requirements. (See 40 CFR 403.6).
  - ii. If Categorical Pretreatment Standards applicable to one or more of the operations at the subject facility are promulgated, which are effective subsequent to the issuance of this permit, then within 180 days of the effective date of the applicable Categorical Pretreatment Standard(s) the permittee must submit a Baseline Report (BR) in accordance with 40 CFR 403.12(b). The permittee shall conform to the applicable standards within the compliance period provided for in the regulations. The BMR shall be submitted to the NJDEP, Bureau of Pretreatment and Residuals, at the address in Part IV.
- g. This permit does not waive compliance with any applicable rules, regulations and/or ordinances of the local agency responsible for conveyance and/or treatment of the facility's wastewater. No person or user of a local agency's treatment works shall discharge into the treatment works without the written authorization by the responsible local agency. Any permit, user agreement or like document issued by the local agency shall not constitute a waiver of any portion of this permit.
8. **Standard Reporting Requirements – Monitoring Report Forms (MRFs)**
- a. Except as noted below, all MRFs shall be electronically submitted to the Department's MRF Submission Service.
    - i. Significant Industrial User (SIU) permits are required to submit MRFs electronically after December 21, 2020.
  - b. MRF data submission shall be in accordance with the guidelines and provisions outlined in the Department's Electronic Data Interchange (EDI) agreement with the permittee.
  - c. MRFs shall be submitted at the frequencies identified in Part III of this permit.
  - d. All MRFs shall be certified by the highest ranking official having day-to-day managerial and operational responsibilities for the discharging facility.
  - e. The highest ranking official may delegate responsibility to certify the MRFs in his or her absence. Authorizations for other individuals to certify shall be made in accordance with N.J.A.C. 7:14A-4.9(b).
  - f. Monitoring results shall be submitted in accordance with the current NJPDES MRF Reference Manual and any updates thereof.
  - g. If monitoring for a parameter is not required in a monitoring period, the permittee must report "CODE=N" for that parameter.
  - h. If, for a monitored location, there are no discharge events during an entire monitoring period, the permittee must notify the Department when submitting the monitoring results by checking the "No Discharge this monitoring period" box on the paper or electronic version of the monitoring report submittal form.

## PART III LIMITS AND MONITORING REQUIREMENTS

**MONITORED LOCATION:**

001L Disc. to Seven Mile Beach

**RECEIVING POTW:**

CAPE MAY CNTY MUA 7 MILE  
BEACH MIDDLE RGNL WTF  
1304 1306 MOORE RD  
Cape May Court House, NJ 08210-

**DISCHARGE CATEGORY(IES):**

L - Significant Indirect User

**Location Description**

Discharge Location 001L is located at the CMCMUA Secure Sanitary Landfill's Leachate Storage Tanks truck filling station. Discharge Location 001L represents that leachate that is trucked to and ultimately discharged at the CMCMUA's Seven Mile Beach/Middle Regional Wastewater Treatment Plant.

**Contributing Waste Types**

Process Water

**SIU DMR Reporting Requirements:**

Submit a Monthly DMR: Within twenty-five days after the end of every month beginning from the effective date of the permit (EDP)..

**Comments:**

Composite and Grab samples shall be representative of the permittee's discharge from DSN-001L to the CMCMUA's Seven Mile Beach/Middle Regional wastewater treatment plant. All samples taken for monitoring and reporting shall be taken during the filling operations of the tanker trucks at the landfill.

**Table III - A - 1: SIU DMR Limits and Monitoring Requirements**

PHASE: Final PHASE Start Date: 01/01/2019 PHASE End Date:

Parameter	Sample Point	Limit	Limit	Units	Limit	Limit	Units	Limit	Frequency	Sample Type
Flow, In Conduit or Thru Treatment Plant	Effluent Gross Value	REPORT Monthly Average	0.200 Daily Maximum	MGD	*****	*****	*****	*****	1/Day	Estimated
		***	***							
January thru December BOD, 5-Day (20 oC)	Effluent Gross Value	*****	*****	*****	*****	30239 Monthly Average	MG/L	REPORT Daily Maximum	1/Quarter	Composite
		***	***		***					
January thru December pH	Effluent Gross Value	*****	*****	*****	5.0 Instant Minimum	*****	SU	REPORT Instant Maximum	1/Quarter	Grab
		***	***		***					
January thru December	QL	***	***							

**SIU DMR Reporting Requirements:**

Submit a Monthly DMR: Within twenty-five days after the end of every month beginning from the effective date of the permit (EDP)..

**Comments:**

Composite and Grab samples shall be representative of the permittee's discharge from DSN-001L to the CMCMUA's Seven Mile Beach/Middle Regional wastewater treatment plant. All samples taken for monitoring and reporting shall be taken during the filling operations of the tanker trucks at the landfill.

**Table III - A - 1: SIU DMR Limits and Monitoring Requirements**

PHASE: Final PHASE Start Date: 01/01/2019 PHASE End Date:

Parameter	Sample Point	Limit	Limit	Units	Limit	Limit	Units	Limit	Limit	Units	Frequency	Sample Type
Petrol Hydrocarbons, Total Recoverable	Effluent Gross Value	*****	*****	*****	*****	*****	*****	100 Monthly Average	150 Daily Maximum	MG/L	1/Quarter	Grab
	QL	***	***					***	***			
Cyanide, Total (as CN)	Effluent Gross Value	*****	*****	*****	*****	*****	*****	11.68 Monthly Average	*****	MG/L	1/Quarter	Grab
	QL	***	***					***	***			
Cadmium, Total (as Cd)	Effluent Gross Value	*****	*****	*****	*****	*****	*****	1.46 Monthly Average	*****	MG/L	1/Quarter	Composite
	QL	***	***					***	***			
Mercury, Total (as Hg)	Effluent Gross Value	*****	*****	*****	*****	*****	*****	0.87 Monthly Average	*****	MG/L	1/Quarter	Composite
	QL	***	***					***	***			

**MONITORED LOCATION:**  
002L Disc. to Ocean City

**RECEIVING POTW:**  
CAPE MAY CNTY MUA OCEAN  
CITY WWTP  
4500 SIMPSON AVE  
& 45TH ST  
Ocean City, NJ 08226-

**DISCHARGE CATEGORY(IES):**  
L - Significant Indirect User

**Location Description**

Discharge Location 002L is located at the CMCMUA Secure Sanitary Landfill's Leachate Storage Tanks truck filling station. Discharge Location 002L represents that leachate that is trucked to and ultimately discharged at the CMCMUA's Ocean City Regional Wastewater Treatment Plant.  
**Contributing Waste Types**  
Process Water

**SIU DMR Reporting Requirements:**

Submit a Monthly DMR: Within twenty-five days after the end of every month beginning from the effective date of the permit (EDP)..

**Comments:**

Composite and Grab samples shall be representative of the permittee's discharge from DSN-002L to the CMCMUA's Ocean City Regional wastewater treatment plant. All samples taken for monitoring and reporting shall be taken during the filling operations of the tanker trucks at the landfill.

**Table III - B - 1: SIU DMR Limits and Monitoring Requirements**

**PHASE: Final**      **PHASE Start Date: 01/01/2019**      **PHASE End Date:**

Parameter	Sample Point	Limit	Limit	Units	Limit	Limit	Units	Limit	Frequency	Sample Type
Flow, In Conduit or Thru Treatment Plant	Effluent Gross Value	REPORT Monthly Average	*****	MGD	*****	*****	*****	*****	1/Day	Estimated
	QL	Maximum	***							
BOD, 5-Day (20 oC)	Effluent Gross Value	*****	*****	*****	4098 Monthly Average	REPORT Daily Maximum	MG/L	REPORT Instant Maximum	1/Quarter	Composite
	QL	***	***		***	***		***		
pH	Effluent Gross Value	*****	5.0 Instant Minimum	*****	*****	*****	SU	*****	1/Quarter	Grab
	QL	***	***		***	***		***		



**SIU DMR Reporting Requirements:**

Submit a Monthly DMR: Within twenty-five days after the end of every month beginning from the effective date of the permit (EDP)..

**Comments:**

Composite and Grab samples shall be representative of the permittee's discharge from DSN-002L to the C/MC/MUA's Ocean City Regional wastewater treatment plant. All samples taken for monitoring and reporting shall be taken during the filling operations of the tanker trucks at the landfill.

**Table III - B - 1: SIU DMR Limits and Monitoring Requirements**

**PHASE: Final PHASE Start Date: 01/01/2019 PHASE End Date:**

Parameter	Sample Point	Limit	Limit	Units	Limit	Limit	Limit	Units	Frequency	Sample Type
Petrol Hydrocarbons, Total Recoverable	Effluent Gross Value	*****	*****	*****	*****	100 Monthly Average	150 Daily Maximum	MG/L	1/Quarter	Grab
	QL	***	***				***			
Cyanide, Total (as CN)	Effluent Gross Value	*****	*****	*****	*****	11.55 Monthly Average	*****	MG/L	1/Quarter	Grab
	QL	***	***				***			
January thru December Cadmium, Total (as Cd)	Effluent Gross Value	*****	*****	*****	*****	4.83 Monthly Average	*****	MG/L	1/Quarter	Composite
	QL	***	***				***			
January thru December Mercury, Total (as Hg)	Effluent Gross Value	*****	*****	*****	*****	2.51 Monthly Average	*****	MG/L	1/Quarter	Composite
	QL	***	***				***			
January thru December		***	***				***			

## PART IV

# SPECIFIC REQUIREMENTS: NARRATIVE

### Notes and Definitions

#### A. Footnotes

##### 1. Resampling and Violations

- a. Except for parameters otherwise required to be monitored once per month, the permittee shall repeat sampling and analysis for any parameter within 30 days of becoming aware of any violation of pretreatment standards for that parameter, in accordance with N.J.A.C. 7:14A-21.3(g)2.
- b. For any parameter with a daily maximum limitation but no monthly average limitation stated in Part III, the daily maximum limitation shall also be construed as a monthly average limitation for purposes of penalty assessment under the Clean Water Enforcement Act.

#### B. Definitions

##### 1. Regulatory Definitions

- a. "Interference" means
  - i. Inhibiting or disrupting the operation of a DTW or its treatment processes so as to contribute to, or cause a violation of any condition of a State or Federal permit;
  - ii. Discharging industrial process wastewater which, in combination with existing domestic flows, is of such quantity and/or quality as to exceed the treatment process design capacity; or
  - iii. Preventing the use or disposal of sludge produced by the DTW in accordance with Section 405 of the Federal Act, the Federal Resource Conservation and Recovery Act (42 U.S.C. 3251 et seq.), the Federal Clean Air Act (42 U.S.C. 7401 et seq.), the Federal Toxic Substances Control Act (15 U.S.C. 2601 et seq.), the Marine Protection, Research and Sanctuaries Act (33 U.S.C. 1401 et seq. and 16 U.S.C. 1431 et seq.), Sections 2, 4 and 6 of the State Act, and any regulations, criteria, or guidelines developed pursuant thereto, including, but not limited to, N.J.A.C. 7:14A-20, and the Statewide Sludge Management Plan.
- b. "Pass through" means a discharge which exits the POTW into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NJPDES permit (including an increase in the magnitude or duration of a violation).

## Significant Indirect User

### A. Monitoring

#### 1. General

- a. All monitoring shall be conducted as specified in Part III.
- b. All sample frequencies expressed in Part III are minimum requirements. If the permittee monitors any parameter more frequently than required by this permit and uses the test procedures contained herein, the results of this monitoring shall be included in the calculation and reporting of the data submitted. Such increased frequency shall also be indicated.
- c. The monitoring location shall not be modified without the specific written approval of the Department.

#### 2. Sampling Methods

- a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- b. All sampling shall be conducted in accordance with the Department's current Field Sampling Procedures Manual, or an alternate method approved by the Department in writing.

#### 3. Analysis Methods

- a. The permittee shall perform all water/wastewater analyses in accordance with the analytical test procedures specified in 40 CFR 136 unless other test procedures have been approved by the Department in writing or as otherwise specified in the permit.
- b. Each analysis required by this permit shall be performed by a New Jersey Certified Laboratory that is certified to perform that analysis.

### B. Recordkeeping

#### 1. Retention

- a. The permittee shall retain copies of all reports required by a NJPDES permit and records of all data used to complete the application for a NJPDES permit for a period of at least 5 years.

### C. Reporting

#### 1. Addresses

- a. Reports required in Part III hereof, which are not otherwise required to be submitted electronically, shall be submitted to: Mail Code 401-02B, Division of Water Quality, Permit Administration Section, Attn: Monitoring Report Forms, P.O. Box 420, 401 E State St 3rd Fl East (for hand delivery), Trenton NJ 08625-0420.
- b. Unless otherwise required, all other reports required in this permit shall be submitted to the following address: Mail Code 401-02B, Division of Water Quality, Bureau of Pretreatment and Residual, SIU Permitting Program, P.O. Box 420, 401 E State St 3rd Fl East (for hand delivery), Trenton, NJ 08625-0420.

## Significant Indirect User

- c. A copy of all reports required in this permit shall be submitted to the local agency at the following address:

Cape May County MUA  
P.O. Box 610  
Cape May Court House, NJ 08210.

- d. Attachments and certifications as required by this permit shall be submitted with each DMR unless otherwise stated.

### 2. Special Instructions for Reporting Sampling

- a. Except for continuously monitored parameters, if any parameter in Part III is sampled more than once during any month at the location and using the sampling protocol given in Part III, the permittee shall submit to the Department in January and July of each year the result of each individual sample which did not appear on the DMRs submitted with respect to the preceding six month period.

## D. Submittals

### 1. Operation & Maintenance (O&M) Manual

- a. Submit a certification that an Operations and Maintenance (O&M) Manual has been prepared: within 90 days from the effective date of the permit (EDP). The O&M Manual shall include the required Emergency Plan components in E.2 below, and the certification shall be submitted on the form provided by the Department.

### 2. Notification of Discharge of Specific Substances

- a. When required by N.J.A.C. 7:14A-21.3(i) the permittee shall make a one-time notification to the local agency responsible for conveyance and/or treatment of the permittee's wastewater, and to the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing to the following addresses of any discharge into the local agency's treatment works of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR part 261.
- b. This notification shall be submitted to the addresses in C.1.b and c. above and to: Director, Clean Air & Sustainability Division, US Environmental Protection Agency, 290 Broadway, New York, NY 10007-1866, and to: Mail Code 401-02C, Director, Solid and Hazardous Waste Management, New Jersey Department of Environmental Protection, P.O. Box 420, Trenton NJ 08625-0420.

## E. Facility Requirements

### 1. Treatment Works

- a. Treatment Works Approval - When Required
- i. All permittees who operate or propose to operate a treatment works to achieve compliance with the terms and conditions of this permit shall conform to the requirements of N.J.A.C. 7:14A Subchapters 22 and 23.



- vi. **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 this permit. If the permittee generates wastewater that is deemed to be hazardous waste, the 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 at N.J.A.C. 7:26G-6.
  - vii. **Hauling:** Identify the practicality of hauling wastewater, as well as developing and maintaining standing approvals for trucking and off-site receiving, to a facility unaffected by the emergency. Wastewater must be discharged at rates and at times that comply with all other conditions of this permit, unless otherwise directed by the Department or by the receiving facility. If the permittee 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, the permittee must comply with the applicable hauling and disposal requirements for that waste.
  - viii. **Cessation of Operations:** In an extreme emergency, when specifically notified by the Department or the Local Agency, the permittee shall, as an option of last resort, plan for the safe and efficient reduction or cessation of operations to the maximum practicable extent.
- c. The permittee shall prioritize the components of its Emergency Plan to reflect its critical business operations. The permittee shall be prepared to implement the Emergency Plan in whole or in part upon receiving notification from the Local Agency or the Department of either an anticipated or unexpected emergency.

## **F. Modifications to Permit**

### **1. Reopener**

- a. The Department shall reopen the permit by modification or revocation and reissuance, at a minimum, if an applicable standard or limitation is promulgated under Sections 301(b)(2)(C) and (D), 302, 304(b)(2), or 307(a)(2), (b), (c) and (d) of the Federal Act and that effluent standard or limitation is more stringent than any effluent limitation in the permit or controls a pollutant or pollutant parameter not limited in the permit.
- b. The Department may reopen the permit if the local agency develops limitations in accordance with N.J.A.C. 7:14A-19.7.

### **2. Actions Allowable as Minor Modifications**

- a. Reduction in frequency of monitoring in accordance with N.J.A.C. 7:14A-14.3
- b. Treatment Works Modification
- c. Any approval by the Department of a Toxic Organics Management Plan or approval of a modification of any previously approved Toxic Organics Management Plan submitted by the permittee; and

- d. Where the permittee receives a Treatment Works Approval from the Department, this permit shall be considered to have been modified to incorporate a requirement for relevant procedures to be incorporated in an Operation and Maintenance Manual.

## **G. Federal Categorical Pretreatment Standards**

### **1. Applicability**

- a. No applicable Federal Categorical Pretreatment Standards were identified for this permittee for inclusion in the permit.
- b. In the event that standards are identified or promulgated which are applicable to the permittee's existing or proposed activities, the permittee shall inform the Department upon becoming aware of this fact. If the permittee is uncertain whether a standard is applicable, a request for an applicability determination pursuant to N.J.A.C.7:14A- 21.3(a) shall be deemed to fulfil this requirement.

CMCMUA SECURE SANITARY LANDFILL, Woodbine

Permit No. NJ0085952  
SIU170001 Significant Indirect User (SIU) Renewal Permit Action



New Jersey Department of Environmental Protection  
Division of Water Quality  
Bureau of Pretreatment & Residuals - SIU

## FACT SHEET

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

**PERMIT ACTION:** Significant Indirect User (SIU) Renewal Permit Action

The permittee has applied for a New Jersey Pollutant Discharge Elimination System (NJPDES) SIU Renewal Permit Action through an application dated February 16, 2017.

**1 Name and Address of the Applicant:**

Cape May County Municipal Utilities Authority (CMCMUA)  
P.O. Box 610  
Cape May Court House, NJ 08210

**2 Name and Address of the Facility/Site:**

CMCMUA Secure Sanitary Landfill  
2050 Route 610  
Woodbine, NJ 08270

**3 Name of the Receiving Local Agency:**

- (1) CMCMUA's Seven Mile Beach/Middle Regional Wastewater Treatment Plant; and
- (2) CMCMUA's Ocean City Regional Wastewater Treatment Plant.

**4 Name of the Receiving Collection System:**

Not Applicable. Leachate is conveyed via 6000 gallon tanker trucks from the CMCMUA Secure Sanitary Landfill to the two authorized publicly owned treatment works (POTWs) identified above in Section 3.

**5 Description of the Facility/Site:**

The CMCMUA Secure Sanitary Landfill is constructed on 450 acres of land in Upper Township and in the Borough of Woodbine, and has a NAICS Code of 562212 (Solid Waste Landfill). Leachate from the landfill is collected and stored in two 750,000 gallon above-ground storage tanks at the landfill. On a daily basis (usually Monday through Friday excluding weekends and holidays), leachate is conveyed by 6,000 gallon tanker trucks from the storage tanks at the landfill to the CMCMUA's Seven Mile Beach/Middle Regional Wastewater Treatment Plant or to the CMCMUA's Ocean City Regional Wastewater Treatment Plant for treatment.

Based upon the monitoring period September 2012 through August 2017, approximately 48,800 gallons of leachate per day was discharged to the CMCMUA's Seven Mile Beach/Middle Regional Wastewater Treatment Plant. During the same monitoring period, no leachate was discharged to the CMCMUA's Ocean City Regional Wastewater Treatment Plant. The CMCMUA's Ocean City Regional Wastewater Treatment Plant primarily serves as a backup location for receiving and treating the leachate should the CMCMUA's Seven Mile Beach/Middle Regional Wastewater Treatment Plant be unable to receive or treat this wastewater.

Since the average volume of leachate discharged from the facility exceeds 25,000 gallons per day (GPD), the permittee is considered to be a Significant Indirect User in accordance with N.J.A.C. 7:14A-1.2 *Definitions*.

#### **6** Description of Discharge Locations:

Discharge Location 001L and 002L are both located at the CMCMUA Secure Sanitary Landfill's Leachate Storage Tanks truck filling station. Discharge Location 001L represents that leachate that is trucked to and ultimately discharged at the CMCMUA's Seven Mile Beach/Middle Regional Wastewater Treatment Plant, and Discharge Location 002L represents that leachate that is trucked to and ultimately discharged at the CMCMUA's Ocean City Regional Wastewater Treatment Plant.

All of the samples taken for monitoring and reporting as required by Part III of this permit shall be taken during the filling operations of the tanker trucks at the landfill.

#### **7** Summary of Permit Conditions:

##### Flow:

In the previous permit, the permittee was required to monitor and report Monthly Average Flow, and to meet a Daily Maximum Flow limitation of 0.130 million gallons per day (MGD) at each of its discharge locations. In a letter dated September 5, 2018, the permittee requested an increase in the Daily Maximum Flow limitation from 0.130 MGD to 0.200 MGD due to an increase in the size of the landfill. Since both of the permittee's receiving POTWs have adequate capacity to treat the additional flow of leachate, the Department approves the permittee's request for an increase of 0.070 MGD in the Daily Maximum Flow limitation.

The permittee shall be required to continue to monitor and report Monthly Average Flow, and to meet the revised Daily Maximum Flow limitation of 0.200 MGD at a monitoring frequency of 1/DAY with an ESTIMATED sample type, since the permittee determines the flow based upon the number of 6,000 gallon tanker trucks that are filled at the landfill, and which are subsequently discharged at either of the permittee's two discharge locations. Flow shall be reported in MGD.

##### pH:

The Instantaneous Minimum limitation for pH of 5.0 Standard Units (SU) and the requirement to monitor and report the Instantaneous Maximum for pH at each of its discharge locations, are carried forward from the previous permit. The Instantaneous Minimum limitation for pH of 5.0 SU is consistent with N.J.A.C. 7:14A-21.2, and 40 CFR 403.5(b).

The monitoring frequency for pH is proposed to be decreased from 1/MONTH to 1/QUARTER with a GRAB sample type, in accordance with N.J.A.C. 7:14A-14.3, since the permittee has demonstrated consistent compliance with the existing permit limitation over the review period September 2012 through August 2017.

##### Petroleum Hydrocarbons:

The Monthly Average limitation for Petroleum Hydrocarbons of 100 mg/L, and the Daily Maximum limitation for Petroleum Hydrocarbons of 150 mg/L at each of its discharge locations, are carried forward from the previous permit, and are in accordance with N.J.A.C. 7:14A-12.8(d).

The monitoring frequency for Petroleum Hydrocarbons is proposed to be decreased from 1/MONTH to 1/QUARTER with a GRAB sample type, in accordance with N.J.A.C. 7:14A-14.3, since the permittee has demonstrated consistent compliance with the existing permit limitations over the review period September 2012 through August 2017. Petroleum Hydrocarbons shall be reported in milligrams per liter (mg/L).

Cyanide, Cadmium, Mercury, and Biochemical Oxygen Demand 5-Day (BOD5):

Since there hasn't been any significant change in the operation at the landfill or at the receiving POTWs, or any significant change in the characteristics of the leachate from the landfill, the Monthly Average limitations for Cyanide, Cadmium, and Mercury at each of its discharge locations, are carried forward from the previous permit.

The Monthly Average limitation for BOD5 at Discharge Location 002L is also carried forward from the previous permit; however, after reviewing the local limitation calculation for BOD5 at Discharge Location 001L in the Fact Sheet for the permittee's July 2002 NJPDES-SIU permit, which had been previously developed by the Department in accordance with N.J.A.C. 7:14A-19.7 to prevent pass through and/or interference at the CCMUA's treatment works using the Guidance Manual on the Development and Implementation of Local Discharge Limitations under the Pretreatment Program, a mistake was noted. In this Fact Sheet, the local limitation for BOD5 at Discharge Location 001L had been calculated to be 30,239 mg/L, but had been incorrectly entered into Part III of the July 2002 NJPDES-SIU permit as 32,039 mg/L. This mistake was then carried forward through the permittee's July 2007 and September 2012 NJPDES-SIU permit renewals. The BOD5 local limitation at Discharge Location 001L has been corrected in this renewal permit action.

The monitoring frequency for Cyanide is 1/QUARTER with a GRAB sample type, and the monitoring frequency for Cadmium and Mercury is 1/QUARTER with a COMPOSITE sample type.

The monitoring frequency for BOD5 is proposed to be decreased from 1/MONTH to 1/QUARTER with a COMPOSITE sample type, in accordance with N.J.A.C. 7:14A-14.3, since the permittee has demonstrated consistent compliance with the existing permit limitation over the review period September 2012 through August 2017.

Cyanide, Cadmium, Mercury, and BOD5 shall be reported in mg/L.

Slug Control Plan:

Due to the fact that the leachate from the landfill is conveyed to the receiving POTWs via 6,000 gallon tanker trucks and not through the collection system, the Department is not requiring the permittee to submit a Slug Control Plan since there is no potential for a slug discharge.

Electronic Reporting Requirements:

On October 22, 2015, the U.S. Environmental Protection Agency (EPA) promulgated the final National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule (see Federal Register 80:204 p. 64064). Among other obligations, this rule requires entities regulated under the Clean Water Act NPDES program to report certain information electronically instead of filing paper reports.

In accordance with this rule, starting December 21, 2020, all required monitoring results reported on Monitoring Report Forms (MRFs) shall be electronically submitted to the Department via NJDEP's Electronic Monitoring Report Form (MRF) Submission Service. Prior to this date, monitoring results reported on MRFs may be submitted to the appropriate addresses identified in this permit using the paper forms provided to the permittee.

Consistent with the provisions of the final rule, the permittee may seek a waiver from the mandatory electronic reporting of the above identified documents and reports for just cause. Such a request shall be made in accordance with the provisions of 40 CFR 127.15 and submitted to the Department at the address identified below:

Mail Code 401-02B  
NJDEP: Division of Water Quality  
Permit Administration Section

P.O. Box 420  
401 E. State Street  
Trenton, NJ 08625-0420

Additionally, pursuant to N.J.A.C. 7:14A-6.12(c), this permit requires the permittee to submit a written certification to the Department that an Operation and Maintenance (O&M) manual has been completed by the effective date of the permit plus 90 days (Part IV.D.1.). Among the items specified in N.J.A.C. 7:14A-6.12(c) is the inclusion of an Emergency Plan. The Department has prepared and published a guidance document (see link below) in order to help indirect users in their preparation of an Emergency Plan to be used in emergency situations. The requirements specified in Part IV.E.2 (*Operation, Maintenance, Emergency Conditions & Preparedness*) of the permit are in accordance with N.J.A.C. 7:14A-6.12(c).

<http://www.nj.gov/dep/dwq/pdf/emergency-guidance-for-pretreatment.pdf>

**8 Variances or Alternatives to Permit Conditions:**

None

**9 Description of Procedures for Reaching a Final Decision on the Draft Action:**

Procedures for decision making are described in N.J.A.C. 7:14A-15. Additional procedures for permit issuance are described in N.J.A.C. 7:14A-16.

**10 Name, Bureau, and Phone Number of Contact Person:**

Additional information concerning the permit may be obtained from Andrew Doyle, Bureau of Pretreatment & Residuals at (609) 984-4428.

**11 Limitation Derivation Worksheets:**

None

**12 Permit Summary Table:**

COMPANY: CMCMUA Secure Sanitary Landfill  
LOCATION: 2050 Route 610  
Woodbine, NJ 08270

DSN-001L and DSN-002L: Latitude: 39° 14' 39.8"N  
Longitude: 74° 46' 51.8"W

RECEIVING POTW: 7-Mile Beach/Middle Region STP (001L)  
Ocean City Region STP (002L)

INDUSTRY TOTAL FLOW: 48,800 GPD  
POTW NJPDES: 7-Mile STP: NJ0052990

REVIEW ENGINEER: Andrew Doyle

Ocean City STP: NJ0035343  
POTW DESIGN FLOW: 7-Mile STP: 7.67 MGD  
Ocean City STP: 8.24 MGD

PARAMETER (1)	Wastewater Data (2)	Existing Permit Limits 001L (3)	Existing Permit Limits 002L (3)	Proposed Permit Limits 001L	Proposed Permit Limits 002L
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**A. Monthly Average/**

<u>Daily Maximum:</u>	<u>MOAV/DAMX</u>	<u>MOAV/DAMX</u>	<u>MOAV/DAMX</u>	<u>MOAV/DAMX</u>	<u>MOAV/DAMX</u>
Flow (MGD)	0.087/0.180	NL/0.130	NL/0.130	NL/0.200	NL/0.200
BOD5	166/166	32039/NL	4098/NL	30239/NL	4098/NL
Petroleum Hydrocarbons	7.7/7.7	100/150	100/150	100/150	100/150
Cyanide, Total	0.022/NR	11.68/NA	11.55/NA	11.68/NA	11.55/NA
Mercury, Total	0.00012/NR	0.87/NA	2.51/NA	0.87/NA	2.51/NA
Cadmium, Total	<0.040/NR	1.46/NA	4.83/NA	1.46/NA	4.83/NA

**B. Instantaneous Minimum/Maximum:**

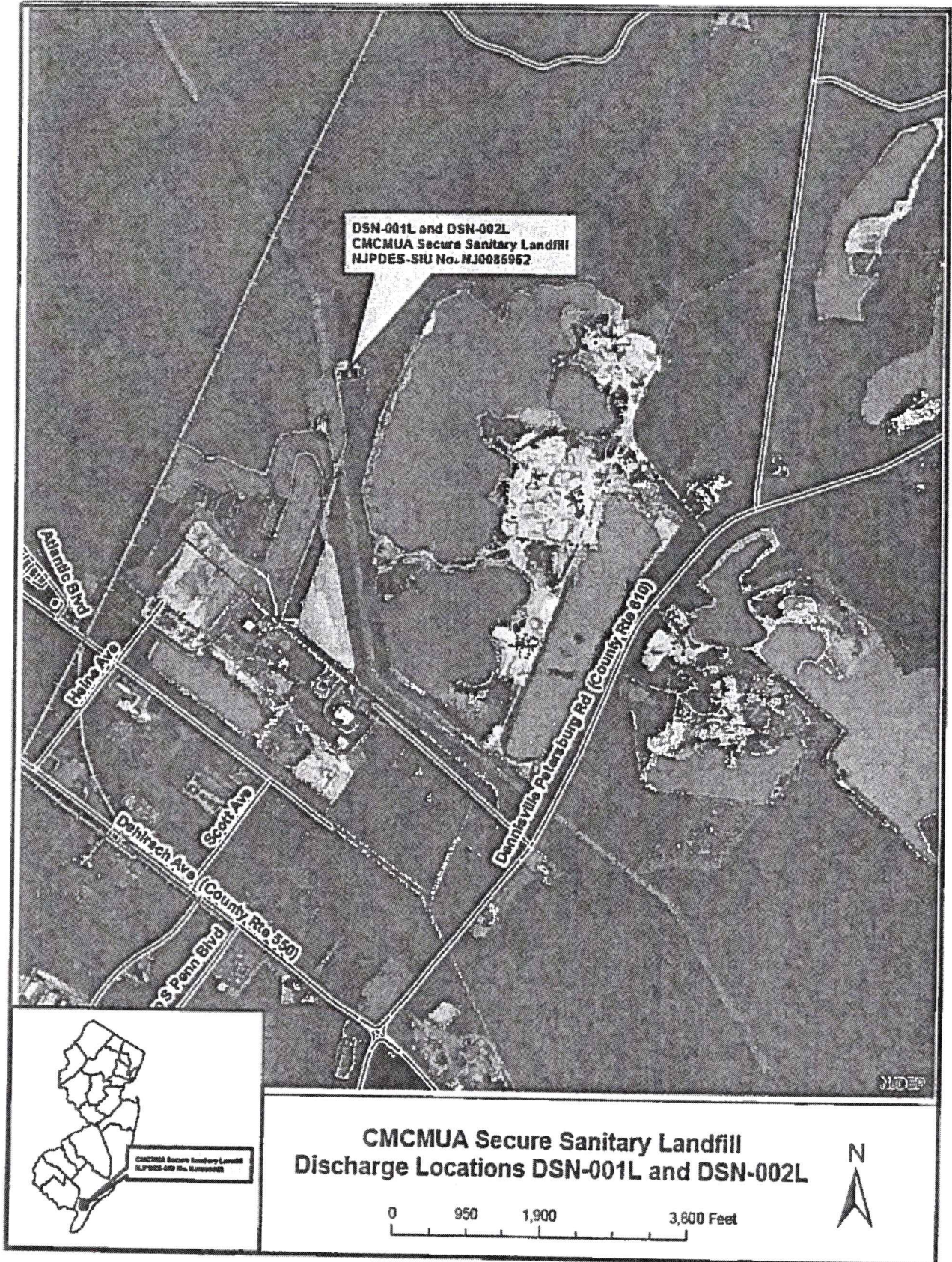
	<u>Min/Max</u>	<u>Min/Max</u>	<u>Min/Max</u>	<u>Min/Max</u>	<u>Min/Max</u>
pH (SU)	7.22/8.28	5.0/NL	5.0/NL	5.0/NL	5.0/NL

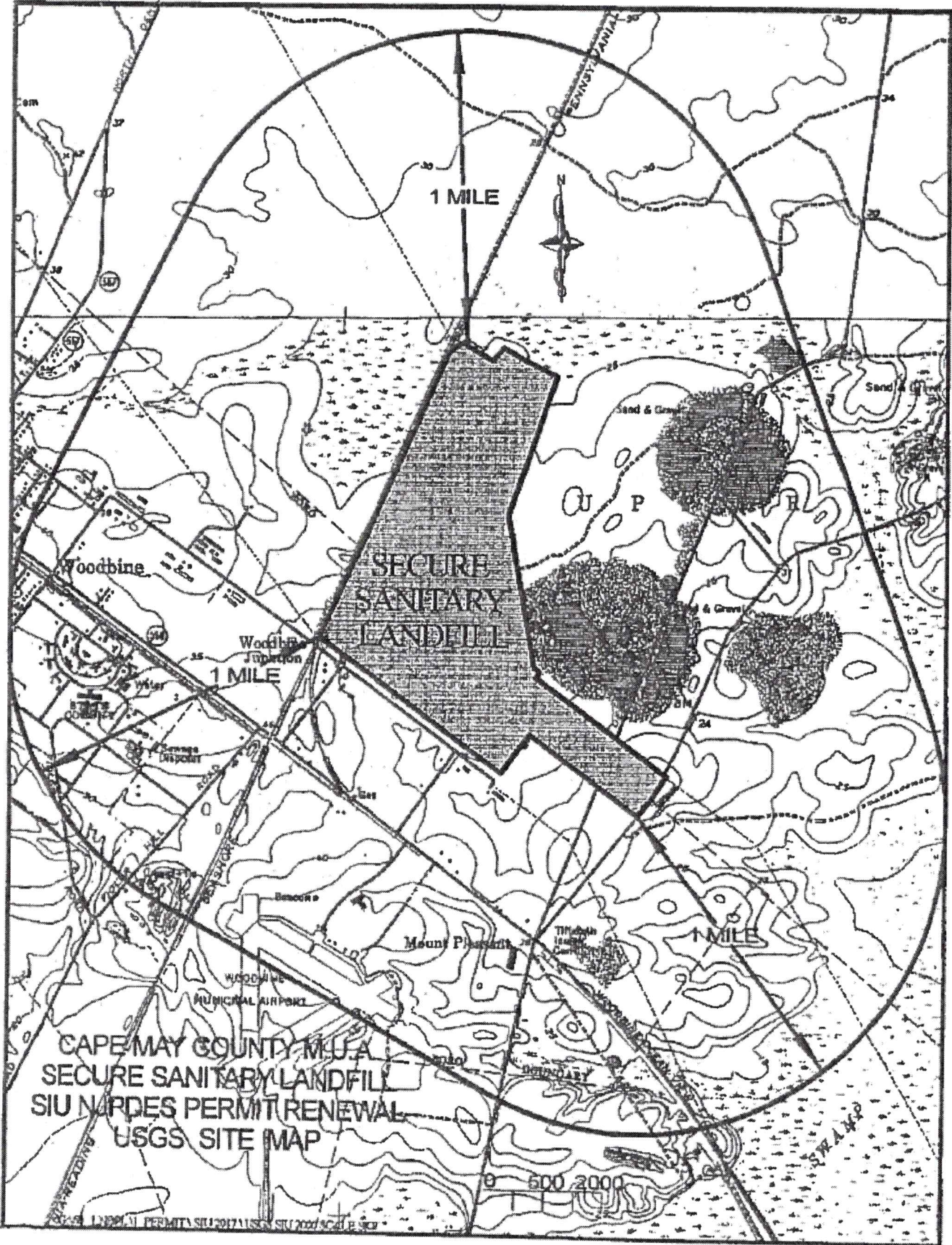
- (1) All units in milligrams/liter (mg/L) unless otherwise specified.
- (2) Wastewater data originates from information submitted on the Discharge Monitoring Report forms from September 2012 through August 2017. MOAV values represent the maximum MOAV values obtained during this monitoring period.
- (3) Existing NJPDES-SIU permit had an Effective Date of September 1, 2012.

**Abbreviations:**

MOAV: Monthly Average	DAMX: Daily Maximum	SU: Standard Units
MGD: million gallons per day	NL: No limitation but monitoring required	NR: No Result
NA: Not Applicable		

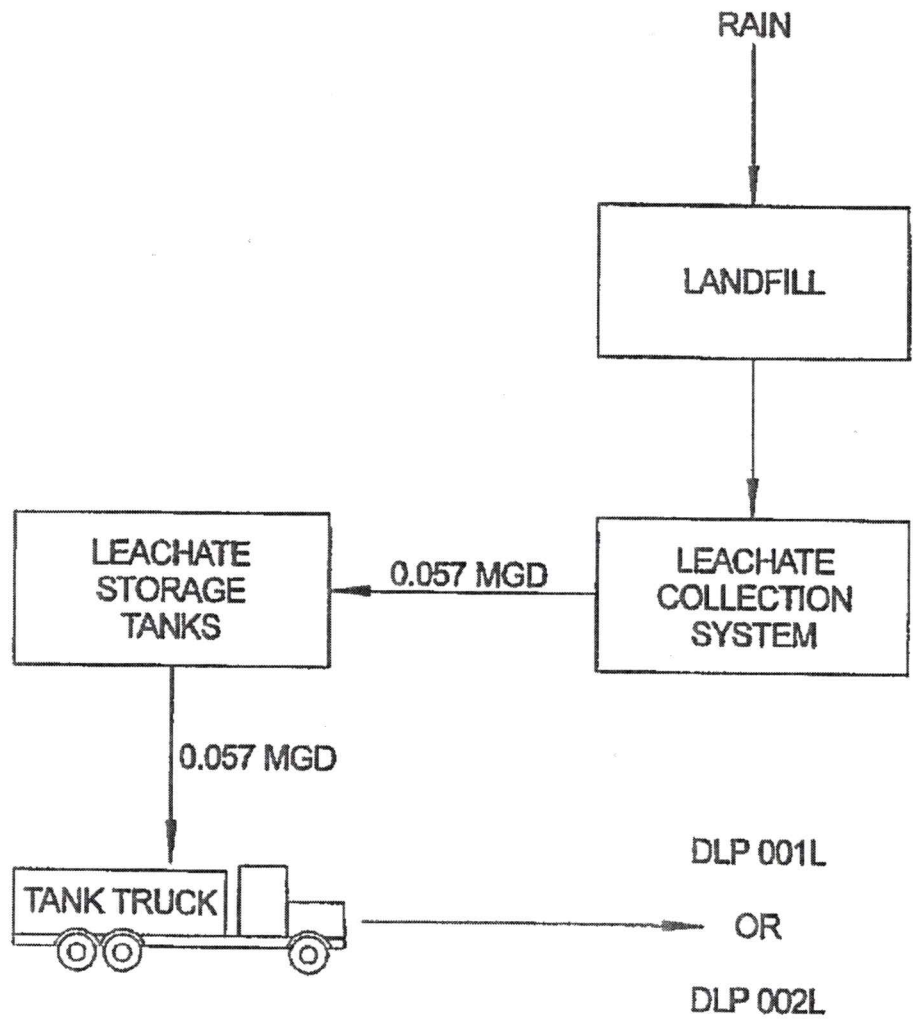
This action does not waive any other applicable Federal, State, and Cape May County Municipal Utilities Authority limitations and conditions.





# CAPE MAY COUNTY M.U.A. SECURE SANITARY LANDFILL SIU NJPDES PERMIT RENEWAL

## LINE FLOW DIAGRAM





## **CONTENTS OF THE ADMINISTRATIVE RECORD**

The discharge described above is a regulated activity under the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 *et seq.*, and its implementing regulations, the New Jersey Pollutant Discharge Elimination System (NJPDES) N.J.A.C. 7:14A-1 *et seq.* The permit has been developed pursuant to these regulations and is based on the administrative record, which contains any permit application submitted, correspondence concerning the permit, the Fact Sheet and documents cited therein, the results of any past monitoring, the draft permit, and any past permits issued to the facility under these regulations. This NJPDES permit is the Department's determination that, if this activity is conducted in accordance with the terms and conditions of the permit, there will be no significant environmental or public health impacts. The documents listed below have been used to establish the conditions of the Permit.

### **Rules and Regulations:**

1. New Jersey "Water Pollution Control Act" and amendments (N.J.S.A. 58:10A-1 *et seq.*). [A]
2. New Jersey "Solid Waste Management Act" and amendments (N.J.S.A. 13:1E-1 *et seq.*). [A]
3. United States Environmental Protection Agency "General Pretreatment Regulations for Existing and New Sources of Pollution" (40 CFR Part 403). [B]
4. "Guidance Manual on the Development and Implementation of Local Discharge Limitations Under the Pretreatment Program, USEPA."
5. National Pretreatment Standards "Effluent Guidelines and Standards" (40 CFR Chapter I, Subchapter N).
6. United States Environmental Protection Agency "Standards for the Use or Disposal of Sewage Sludge" (40 CFR Part 503). [B]
7. "New Jersey Pollutant Discharge Elimination System" (N.J.A.C. 7:14A). [A]
8. New Jersey "Statewide Sludge Management Plan", January 2006. [A]
9. New Jersey "Sludge Quality Assurance Regulations" (SQAR), N.J.A.C. 7:14C. [A]

### **Guidance Documents / Reports:**

1. SIU Discharge Monitoring Reports under NJPDES-SIU Permit NJ0085952 for the period September 2012 through August 2017.
2. Discharge to Surface Water monitoring and sampling data for the receiving POTW submitted under NJPDES permit NJ0052990 for the period September 2012 through August 2017.
3. USEPA Guide to the Biosolids Risk Assessments for the EPA Part 503 Rule, EPA-832-B-93-005, September 1995. [B]
4. "NJPDES Monitoring Report Form Reference Manual", updated December 2007, and available on the web at [http://www.state.nj.us/dep/dwq/pdf/MRF\\_Manual.pdf](http://www.state.nj.us/dep/dwq/pdf/MRF_Manual.pdf). [A]
5. Technical Manual for Residuals Management, May 1998. [A]
6. USEPA Part 503 Implementation Guidance, EPA 833-R-95-001, October 1995. This document is a compilation of federal requirements, management practices and EPA recommended permit conditions for sewage sludge use and management practices. [B]
7. USEPA A Plain English Guide to the EPA Part 503 Biosolids Rule, EPA/832/R-93/003, September 1994. [B]

### **Permits / Applications:**

1. NJPDES Permit Application for renewal of NJPDES-SIU Permit NJ0085952 submitted by Cape May County Municipal Utilities Authority, dated February 16, 2017.
2. Existing NJPDES-SIU Permit NJ0085952 issued August 15, 2012 and effective September 1, 2012.

### **Correspondences / Other:**

1. Site visit on August 30, 2018.

**Footnotes:**

[A] Denotes items that may be found on the New Jersey Department of Environmental Protection (NJDEP) website located at <http://www.state.nj.us/dep/>.

[B] Denotes items that may be found on the United States Environmental Protection Agency (USEPA) website at <http://www.epa.gov/>.