

POTW PRETREATMENT PROGRAM

GRACE PERIOD

ANNUAL REPORT

GUIDELINES

This report must be submitted to the
NJDEP no later than
March 1st

PREPARED FOR THE CALENDAR YEAR 20XX ANNUAL REPORT





INTRODUCTION

The New Jersey Department of Environmental Protection (Department) is responsible for overseeing the development, implementation, and continued effectiveness of local delegated pretreatment programs. One of the requirements of a local agency with a State-approved industrial pretreatment program (i.e., a delegated local agency, DLA), pursuant to the Grace Period Law, N.J.S.A. 13:1D-125 et seq., and the New Jersey Administrative Code, N.J.A.C. 7:14A-19.6(h), is that the DLA submit a Grace Period Annual Report for the period of January to December.

These guidelines are provided for use in preparation of the required Grace Period Annual Report. **Two Copies** of the Grace Period Annual Report must be submitted on standard-size 8½ x 11 inch paper. Use of legal size paper or large-size computer printouts is discouraged. Submission of computer printouts reduced to standard size is satisfactory. Forms may be altered or adapted to fit any word processing capabilities of the DLA, as long as the same information is included.

The Grace Period Annual Report must be submitted to the Department no later than **March 1** of each year. Failure to comply with this submission requirement is a violation of the New Jersey Water Pollution Control Act and subjects the permittee to civil administrative penalties.

Should you have any questions regarding the content of the Grace Period Annual Report Guidelines, you may contact Valentin Kouame or Paul DeSantis, Bureau of Pretreatment and Residuals, at (609) 984-4428.

When completed, please submit the report to:

State of New Jersey
Department of Environmental Protection
Division of Water Quality
Bureau of Pretreatment and Residuals
Mail Code 401-02B
P.O. Box 420
Trenton, New Jersey 08625-0420



GRACE PERIOD ANNUAL REPORT GUIDELINES

- I. **General Information Page:** This standard page provides basic information on the delegated local agency (DLA) submitting the Grace Period Annual Report, including the person to contact regarding information contained in the report. The official signing the certification on this page must be the Executive Director or General Manager of the DLA, or a person of equivalent or higher position.
- II. **Report Contents:** The Grace Period Annual Report is a short report. This Report, in tabulated form, provides the information as required by the Grace Period Law and NJPDES regulations under N.J.A.C. 7:14A-19.6(h).

For clarification, the following terms are defined:

- *Cat/Sig/Maj* - means categorical/significant/major indirect user as defined by the DLA
- *Enforcement Actions* - means administrative actions (i.e., notices of violations, issuance of compliance schedule, IU control mechanism modification, IU control mechanism revocation, or other), and legal/ judicial actions (i.e., show cause hearing, orders, injunction, civil actions, penalty including summons, criminal prosecution, or other).
- *Grace Period* – means the period of time afforded under N.J.S.A. 13:1D-125 et seq., commonly known as the Grace Period Law, for a person to correct a minor violation in order to avoid imposition of a penalty that would be otherwise applicable for such violation.
- *Minor Violation* – (1) The violation is not the result of the purposeful, knowing, reckless, or criminally negligent conduct of the person responsible for the violation;
(2) The activity or condition constituting the violation has existed for less than 12 months prior to the date of discovery by the DLA;
(3) In the case of a violation that involves a permit, the person responsible for the violation has not been identified in a previous enforcement action by the DLA as responsible for a violation of the same permit within the preceding 12-month period;
(4) In the case of a violation that does not involve a permit, the person responsible for the violation has not been notified in a previous enforcement action by the DLA as responsible for the same or substantially similar violation as the same facility within the preceding 12-month period; and
(5) In the case of any violation, the person responsible for the violation has not been identified by the DLA as responsible for the same or substantially similar violations at any time that reasonably indicate a pattern of illegal conduct and not isolated incidents on the part of the person responsible.
- *Other Reg.* - means other regulated indirect user as defined by the DLA. Such a user is not a categorical, significant, or major indirect user but is nonetheless regulated by the DLA through a control mechanism.



Additional instructions and information for completing the Grace Period Annual Report tables:

<u>Question #</u>	<u>Comment</u>
1.	The total number of regulated (i.e., <i>permitted</i>) industries discharging to the DLA's treatment works as of the end of the 2016 calendar year.
2.	This number must represent the total number of facilities that were inspected during calendar year 2016. "Inspected" facilities are those facilities that were both sampled <i>and</i> inspected during the calendar year.
3a.	This number represents the total number of violations that meet the <i>minor violation</i> definition, as indicated on Page ii.
3b.	This is the total number of facilities responsible for the minor violations noted in 3a above.
4a.	This number represents the total number of <i>minor violations</i> noted in 3a above, that were <i>corrected</i> within a specified grace period.
4b.	This is the total number of facilities responsible for correcting the minor violations noted in 4a above.
5a.	This number represents the total number of <i>minor violations</i> noted in 3a above, that were <i>NOT corrected</i> within a specified grace period.
5b.	This is the total number of facilities responsible for NOT correcting the minor violations noted in 5a above.
6.	This number represents the total number of enforcement actions, where a penalty was assessed, for one or more <i>minor violations not corrected</i> within a specified grace period.
7a.	This number represents the total number of violations that do not meet the <i>minor violation</i> definition, as indicated on Page ii.
7b.	This is the total number of industrial users responsible for the non-minor violations noted in 7a above.
8.	This number represents the total number of enforcement actions, where a penalty was issued, for one or more non-minor violations.