



State of New Jersey

PHIL MURPHY
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Mail Code – 401-02B
Water Pollution Management Element
Bureau of Surface Water & Pretreatment Permitting
P.O. Box 420 – 401 E State St
Trenton, NJ 08625-0420
Phone: (609) 292-4860 / Fax: (609) 984-7938

SHAWN M. LATOURETTE
Commissioner

SHEILA OLIVER
Lt. Governor

Via Email Only
August 30, 2023

Re: Draft NJPDES Discharge to Surface Water Master General Permit Renewal - Statewide
Category: BG - Hydrostatic Test Water Discharge General Permit
NJPDES Permit No. NJ0132993

Dear Interested Parties:

Enclosed is a **draft** New Jersey Pollutant Discharge Elimination System (NJPDES) permit action identified above which has been issued in accordance with N.J.A.C. 7:14A. This master general permit serves to renew the existing Master Hydrostatic Test Water Discharge general permit available at http://www.state.nj.us/dep/dwq/gp_hydrostatic.htm. This permit renewal authorizes the discharge to a surface waterbody resulting from hydrostatic testing water of storage tanks and/or pipelines.

Notice of this draft permit action will appear in the September 6, 2023 *DEP Bulletin*. The *DEP Bulletin* is available on the Department's website at <https://dep.nj.gov/bulletin/>. In addition, notice of this draft permit action will appear in the newspapers listed below. The public comment period will close on October 10, 2023.

Atlantic City Press

The Star Ledger

The Times

As detailed in the *DEP Bulletin* and aforementioned newspapers, written comments, or a request that the Department hold a non-adversarial public hearing on the draft document, must be submitted in writing to Susan Rosenwinkel, Assistant Director, Mail Code 401-02B, Water Pollution Management Element, Bureau of Surface Water and Pretreatment Permitting, P.O. Box 420, Trenton, NJ 08625-0420 or by email at hydrostatictestgp@dep.nj.gov by the close of the public comment period. All persons, including the applicant, who believe that any condition of this draft document is inappropriate or that the Department's tentative decision to issue this draft document is inappropriate, must raise all reasonable arguments and factual grounds supporting their position, including all supporting materials, during the public comment period.

The Department will respond to all significant and timely comments upon issuance of the final document. The permittee and each person who has submitted written comments will receive notice of the Department's final decision to issue, revoke, or redraft the document.

If you have any questions regarding the draft permit action, please contact Subarna Mozumder or Tara Klimowicz via e-mail at hydrostatictestgp@dep.nj.gov or by phone at (609) 292-4860.

Sincerely,

Robert Hall
Environmental Specialist 3

Bureau of Surface Water & Pretreatment Permitting
Enclosures
c: Permit Distribution List
Masterfile #: 39609; PI #: 50577

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

PUBLIC NOTICE

Notice is hereby given that the New Jersey Department of Environmental Protection (Department) proposes to renew the New Jersey Pollutant Discharge Elimination System (NJPDES) Discharge to Surface Water (DSW) Master Hydrostatic Test Water General Permit (Category - BG) NJ0132993 in accordance with N.J.A.C. 7:14A-1 et seq. of the NJPDES Regulations and by authority of the Water Pollution Control Act at N.J.S.A. 58:10-1 et seq.

This renewal Master Hydrostatic Test Water Discharge General Permit (BG) is issued on a Statewide basis to authorize discharges to a surface waterbody consisting of hydrostatic test water from storage tanks and/or pipelines. The Department has determined that these types of point sources require the same operating conditions and are more appropriately controlled under a general NJPDES permit as allowable under N.J.A.C. 7:14A-6.13. Individual authorizations for discharges that are issued under this master general permit must meet certain eligibility criteria.

This renewal draft NJPDES Master Hydrostatic Test Water Discharge General Permit (BG) has been prepared based on the administrative record which is on file at the offices of the Department, located at 401 East State Street, Trenton, New Jersey. It is available for inspection, by appointment, Monday through Friday, between 8:30 A.M. and 4:00 P.M. Appointment for inspection may be requested through the Records Access Program. Details are available online at www.nj.gov/dep/opra, or by calling (609) 341-3121.

Written comments or a request that the Department hold a non-adversarial public hearing on the draft document must be submitted in writing to Susan Rosenwinkel, Assistant Director, or Attention: Comments on Public Notice NJ0132993, Mail Code 401-02B, Division of Water Quality, Water Pollution Management Element, P.O. Box 420, Trenton, NJ 08625-0420 or by email to hydrostatictestgp@dep.nj.gov. Comments must be submitted by the close of the public comment period which is October 10, 2023. All persons, including the applicant, who believe that any condition of this draft document is inappropriate or that the Department's decision to issue this draft document is inappropriate, must raise all reasonable arguments and factual grounds supporting their position, including all supporting materials, during the public comment period.

The Department will respond to all significant and timely comments upon issuance of the final document. The permittee and each person who has submitted written comments will receive notice of the Department's permit decision.

New Jersey Department of Environmental Protection
Division of Water Quality
Bureau of Surface Water & Pretreatment Permitting

FACT SHEET

Masterfile #: 39609

PI #: 50577

This fact sheet sets forth the principle facts and the significant factual, legal, and policy considerations examined during preparation of the draft permit. This action has been prepared in accordance with the New Jersey Water Pollution Control Act and its implementing regulations at N.J.A.C. 7:14A-1 et seq. - The New Jersey Pollutant Discharge Elimination System.

PERMIT ACTION: Discharge to Surface Water Renewal
Master General Permit for Hydrostatic Test Water Discharge
Category BG – NJPDES # NJ0132993

The Department is proposing to renew the existing Master BG General Permit.

1 Description of the Master General Permit for Hydrostatic Test Water Discharge:

Hydrostatic tests are conducted to test the integrity of new and existing storage tanks and/or pipelines. All applicants that are responsible for this testing are required to comply with applicable tank and/or pipeline cleaning procedures and standards before conducting a hydrostatic test. These hydrostatic tests require the use of and subsequent discharge of hydrostatic test water. Given the volume of water associated with hydrostatic tests, a discharge to surface water is often the most viable discharge option either through a pipe, hose, or storm sewer.

All discharges to surface waters of the State of New Jersey are required to comply with the NJPDES discharge to surface water regulations, as per N.J.A.C. 7:14A. The NJPDES category for this master general permit is “BG”. The New Jersey Department of Environmental Protection (Department) has determined that the Hydrostatic Test Water Discharge category of point source discharges is more appropriately controlled under a general permit than under an individual permit, pursuant to N.J.A.C. 7:14A-6.13(b)4. Given that most water used for hydrostatic tests contains similar constituents, the Department has issued one master general permit to regulate these discharges. Issuance of a master general permit serves to simplify and streamline the NJPDES permitting process for these similar types of discharges.

This subject general permit renewal serves to continue to authorize the discharge of water from hydrostatic tests for new and existing storage tanks and/or pipelines. These discharges are temporary in nature. The majority of requests for authorization under this general permit, have come from refineries, fuel storage terminals, oil and gas pipeline companies and chemical companies.

By renewing this general permit, the Department intends to continue to effectively regulate such discharges without setting unreasonable or unnecessarily burdensome conditions or requirements for the discharger/applicant and without creating an undue administrative burden for the Department. In accordance with N.J.S.A. 58:10A, the Department is renewing this general permit to allow permittees to continue to operate with Best Management Practices (BMPs), as necessary to protect the integrity and the designated uses of the receiving waters. If appropriate BMPs are not employed, and the discharge causes adverse environmental impacts to the receiving water, the discharge is in violation of this permit, and the entity authorizing the activity and certifying compliance with the requirements of this general permit could be subject to enforcement action.

2 Conditions for Eligibility:

To be considered eligible under this general permit, a discharge to surface waters of the State of New Jersey must result from the hydrostatic testing of tanks and/or pipelines that have been subjected to a recognized Federal, State or general industry cleaning procedures as well as BMPs.

This general permit is being renewed in order to authorize planned hydrostatic test water discharges into surface waters of the State of New Jersey where the discharge of water contains de minimis amounts of pollutants. A de minimis discharge of pollutants, for the purposes of this general permit, is defined as water that complies with all the conditions specified in this permit. These discharges are not associated with industrial processes, site remediation activities, and/or sanitary sewerage systems as described later in this Fact Sheet. The types of discharges that are subject to this general permit are typically of a short duration.

Scheduled multiple short-term discharges occurring over a period of time are eligible for authorization under this permit. In these instances, the Department requires the BG Supplemental Application Form to include a schedule of occurrence of all the discharges.

Following receiving Authorization under this general permit, a BG Supplemental Application Form must be submitted to the Department at hydrostatictestgp@dep.nj.gov for each discharge prior to the expiration of the Master General Permit.

Hydrostatic test water discharges eligible for authorization under this permit may be discharged to Freshwater 2 (FW2) - Category 2 (C2), Saline Estuary 1 (SE1) - C2, SE2 - C2, SE3 - C2, and SC - C2 waters of the State. Waterbody classifications are defined in N.J.A.C. 7:9B-1.4 and can be found online at http://www.nj.gov/dep/rules/rules/njac7_9b.pdf. All individual stream classifications are designated in tables located at N.J.A.C. 7:9B-1.15 (c) through (j). For those receiving waters not listed, the applicable classification is that of the waterbody into which the immediate receiving water empties. Note that discharges to Category 1 (C1) designated receiving waters are not eligible as noted below.

Incidental discharges to groundwaters of the State, which may result from a discharge authorized by this permit, such as from overland flow on the way to the surface water conveyance, are also authorized under this general permit.

For other discharge scenarios not already described in this general permit, the Department may authorize other discharges that are short-term in nature and “clean” but that will occur over a period of time under this general permit upon written approval. Other similar types of planned, non-continuous, short-term discharges may qualify for coverage under this permit on a case-by-case basis as long as the proposed discharge meets the intent of the master general permit, NJ0132993.

3 Conditions for Ineligibility or Denial under this Permit:

The following types of discharges are specifically not eligible for authorization under this permit:

- a. Discharge of tank bottom water accumulated at the bottom of the tank during its operations;
- b. Emergency discharges of polluted waters;
- c. Dewatering from construction activities, including contaminated water resulting from construction dewatering activities;
- d. Discharges in any way associated with site remediation activities, including water from well construction and development;

- e. Water from monitoring well construction and development or capping;
- f. Discharges resulting from water main breaks and water distribution system infrastructure failures;
- g. Discharges from domestic, publicly or privately owned, and industrial treatment works;
- h. Discharges from water and wastewater treatment system bench scale and pilot testing;
- i. All discharges of non-contact cooling water and industrial process wastewater including contact cooling water;
- j. Combined sewer or sanitary sewer overflows;
- k. Sanitary sewer flushing;
- l. Discharges from mining operations;
- m. Discharges that are solely to groundwater;
- n. All stormwater discharges; and
- o. Discharges that are regulated under the Municipal Stormwater Permit (Tier A MS4 - NJ0141852) and the Public Complex Permit (NJ0141879).

Any proposed discharges to the following waterbody types are specifically not eligible for Authorization under this permit:

- *Outstanding National Resource Waters (ONRW)*: refers to high quality waters that constitute an outstanding national resource (for example, waters of National/State Parks and Wildlife Refuges and waters of exceptional recreational or ecological significance). ONRW waters are afforded the highest level of protection afforded to the surface waters under the New Jersey Surface Water Quality Standards (SWQS).
- *FWI Waters*: refers to those fresh waters, as designated in N.J.A.C. 7:9B-1.15(j), that are to be maintained in their natural state of quality (set aside for posterity) and not subjected to any man-made wastewater discharges or increases in runoff from anthropogenic activities. Activities that might alter existing water quality in FWI waters are prohibited. These waters are set aside for posterity because of their clarity, color, scenic setting, other characteristic of aesthetic value, unique ecological significance, exceptional recreational significance, exceptional water supply significance or exceptional fisheries resource(s).
- *Pinelands (PL) waters*: refers to all waters within the boundaries of the Pinelands Area, except those waters designated as FWI in N.J.A.C. 7:9B-1.15(j), as established in the Pinelands Protection Act (N.J.S.A. 13:18A-1 et seq.) and shown on Plate 1 of the "Comprehensive Management Plan" adopted by the New Jersey Pinelands Commission in November 1980. PL waters are maintained in their natural state and changes are allowed only toward natural water quality.

Additionally, this general permit does not authorize discharges into certain Shellfish waters, to be determined by the Department on a case-by-case basis. Furthermore, any discharge to a Shellfish water must receive approval from the Bureau of Marine Water Monitoring prior to submitting the Certification to be authorized under this permit. For further clarification and/or information, please contact the Bureau of Marine Water Monitoring at (609) 748-2000.

- *Shellfish waters* exclusion locations are consistent with the current Shellfish Growing Water Classification Charts, which are updated annually in accordance with N.J.A.C. 7:12-1 et seq. These charts may be obtained from the Bureau of Marine Water Monitoring, PO Box 405, Stoney Hill Road, Leeds Point, NJ 08220 or from

any shellfish agency, shellfisheries office, or the marine police. This information is also available online at the Department's website at <http://www.nj.gov/dep/bmw/waterclass.htm>.

Finally, this general permit does not authorize discharges into receiving waters classified as C1:

- *Category 1 or C1* waters shall be protected from any measurable changes to the existing water quality pursuant to N.J.A.C. 7:9B-1.5(d). If the receiving waterbody is classified as C1, an alternative disposal method will need to be pursued.

Additional information regarding receiving waters and designated uses is included later in this document.

4 Administrative Processes:

Applicants are required to notify the Department of their intent to request coverage under this general permit by submitting a completed and signed application electronically to hydrostatictestgp@dep.nj.gov. Application forms to request authorization under this Master BG Permit are available at: http://www.state.nj.us/dep/dwq/gp_hydrostatic.htm.

The NJPDES Form-1 and BG Supplemental Application Form shall include specific information regarding the applicant and the discharge including the projected timeframe and schedule of occurrence of all of the proposed discharge event(s), location, estimated duration, rate of flow, conveyance, receiving water, and all BMPs employed. A listing of all tank and pipeline cleaning methods used (list procedures, source and publication) shall also be included.

The authorized agent signing the application will also be responsible for ensuring that the discharge meets all applicable requirements of this general permit during the discharge event. The BG application must be signed in accordance with the Signatory Requirements described in N.J.A.C. 7:14A-4.9. The authorized agent, besides submitting the application to the Department as described above, must maintain a copy of the BG application on-site.

Any individual authorization issued under the Master BG General Permit will be given two NJPDES numbers. The NJPDES number on the individual authorization page is specific to the individual facility whereas the NJPDES number of NJ0132993 is for the Master BG General Permit. Upon finalization of this Master General Permit, all applicants will have the same expiration date in their individual authorizations and will follow the same permit cycle. In accordance with N.J.A.C. 7:14A-2.7., all NJPDES permits shall be issued for fixed terms not to exceed five (5) years.

A permit renewal application shall be submitted 180 days before the expiration date. All outfall designations for renewal authorizations have been retained from the previous individual general permit authorization.

A general permit revocation request shall be submitted to the Department if the permittee no longer requires authorization under this permit.

This permit does not automatically grant permission to use publicly or privately owned storm sewers or conveyances. The discharge is responsible for obtaining permission from the appropriate entity for such use shall be indicated on the applicable application form.

The Department may deny authorization under this permit and require submittal of an application for an individual NJPDES discharge to surface water permit, another NJPDES general permit, or a NJPDES discharge to ground water permit, if deemed appropriate.

5 Summary of Permit Conditions:

A. Basis for Permit Conditions - General:

In accordance with N.J.A.C. 7:14A-2.3 and 6.1(b), specific rules from the New Jersey Administrative Code have been incorporated either expressly or by reference in Part I.A.

Permit conditions have been developed in consideration of the following, as applicable:

1. NJPDES Regulations (N.J.A.C. 7:14A),
2. New Jersey Surface Water Quality Standards (N.J.A.C. 7:9B),
3. New Jersey's 2018/2020 Integrated Water Quality Monitoring and Assessment Report (includes 305(b) Report and 303(d) List),
4. Requirements of the Delaware River Basin Commission (N.J.A.C. 7:9B-1.5(b)1),
5. Requirements of the Interstate Environmental Commission (N.J.A.C. 7:9B-1.5(b)2),
6. Requirements of the Pinelands Commission (N.J.A.C. 7:50-6.81 to 6.87),
7. Requirements of the Highlands Commission (N.J.S.A. 13:20-1 et seq),
8. Permit limitations in accordance with N.J.A.C. 7:9B-1.5(d) (antidegradation requirements),
9. Statewide Water Quality Management Planning Rules (N.J.A.C. 7:15).

All conditions in this permit action are equal to or more stringent than those contained in the existing permit. As a result, this permit action satisfies the federal and state anti-degradation regulations at 40 CFR 131.12 and N.J.A.C. 7:9B-1.5(d), and no further anti-degradation analysis is necessary.

B. Basis and Derivation for Permit Conditions - Specific:

Flow: This permit does not include a numerical limitation for flow. However, the approximate quantity or flow rate of the discharge, and the duration of the discharge must be provided on the BG Supplemental Application Form for authorization under this master general permit.

Hydrostatic Test Water Discharges such as those regulated under this general permit are not included in area-wide Water Quality Management Plans and/or Wastewater Management Plans.

C. Discharge Requirements:

To ensure compliance with relevant water quality standards, this permit contains the following narrative discharge requirements:

- Prior to discharging wastewater from a hydrostatic test, at a minimum, the tank and/or pipeline must be cleaned pursuant to a recognized Federal, State or general industry documented procedure. A description of the "cleaning procedure" shall be included on the BG Supplemental Application Form.
- BMPs appropriate to this type of discharge shall be employed at all times, where necessary. Examples of BMPs include: increased retention time, filter fabric, hay bales, silt fences, filter bag, frac tanks and holding tanks.
- The discharger shall minimize the amount of suspended solids or turbidity in the discharge so as to not cause adverse impacts or be detrimental to the natural aquatic biota, or cause instream exceedances of the New Jersey Surface Water Quality Criteria (N.J.A.C. 7:9B-1.14 et seq.) of the receiving water. If the discharge contains suspended solids, BMPs, as described above, shall be utilized to reduce or eliminate the levels prior to discharge to the receiving water. For example, BMPs can include increased retention time and/or filtration devices (such as hay bales and/or filter bags).
- There shall be no discharge of floating solids in other than trace amounts. The discharger shall use

appropriate BMPs to eliminate floating debris, floatable or settleable solids, including construction or maintenance-related dirt, rust, or scale present in the waters prior to discharge.

- The discharge shall not contain any scum, foam or other residual matter.
- The permittee shall not discharge foam or cause foaming of the receiving water that forms objectionable deposits on the receiving water; forms floating masses producing a nuisance; or interferes with a designated use of the waterbody.
- The permittee's discharge shall not contain any color or odor that would render the water unsuitable for the designated uses. Color shall not be noticeable in the receiving water. Odors shall not be offensive to humans and shall not have a negative impact on water supplies.
- The discharge shall not exhibit a visible sheen.
- Incidental discharges to groundwaters of the State which may result from a discharge authorized by this permit, such as from overland flow on the way to the storm sewer or surface water conveyance, are also authorized under this general permit.
- When chlorinated waters are utilized for hydrostatic testing (e.g., discharges of chlorinated potable water) the discharge shall be aerated and/or treated in such a way that the chlorine level is reduced or dissipated prior to discharging to the receiving waters. If necessary, the water to be discharged shall be directed through hay bales, over grassy areas or rip rap, and/or otherwise sufficiently aerated, bypassing several storm sewer inlets as necessary, to dissipate the chlorine prior to discharging to a storm sewer or the receiving waterbody. A pool chlorination kit can be used to confirm that there is no detectable level of chlorine in the water prior to discharge.
- The discharge shall not contain toxic pollutants in toxic amounts, as defined under 33 U.S.C. 1251 et seq., the Federal Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq., and the New Jersey Water Pollution Control Act. The discharge shall not contain other pollutants, including temperature and pH, in mass, concentration, or other measures, which could cause adverse impacts or be detrimental to the natural aquatic biota, or which could cause instream exceedances of the Federal Water Quality Criteria in 40 CFR, Part 131 or New Jersey Surface Water Quality Criteria (N.J.A.C. 7:9B-1.14 et seq.) in the receiving water.

D. Discharge Requirements Related to Erosion Control:

To ensure that the discharge does not cause erosion, this permit contains the following narrative discharge requirements:

- The discharge shall not cause or result in erosion to the area of the discharge or the surrounding stream banks. Adequate dewatering structures and velocity dissipation devices should be used when necessary to prevent and minimize erosion, stream scouring, and increases in turbidity. Dischargers may refer to "Standards for Soil Erosion and Sediment Control in New Jersey", as promulgated by the State Soil Conservation Committee and N.J.A.C. 2:90-1.3 et seq. In addition, the Regional Soil Conservation District office (organized by county) may be contacted for guidance on soil erosion control.
- The discharger shall take into account the conveyance capacity of the discharge outlet structure and/or conveyance structure prior to discharge and shall manage or control the flow of the discharge accordingly. The discharge shall not cause or create downstream flooding conditions.

E. Other Regulatory Requirements:

This permit contains the following narrative discharge requirements:

- This permit is subject to modification, revocation, or change at any time, pursuant to the applicable regulations, when in the judgment of the Department such revocation, modification or change is deemed necessary.
- The Department may, on a case-by-case basis, authorize other similar uncontaminated discharges. Although this Master General Permit is specifically designed for hydrostatic test discharges, the Department reserves the right to include, as deemed appropriate, other similar, uncontaminated, clean water discharges.
- This permit does not waive the requirement to obtain any other necessary Federal, State or Local government consents or approvals. No work shall be undertaken until such time as all other required approvals and permits have been obtained.
- This permit does not grant permission to use publicly or privately owned storm sewers or conveyances. The discharger is responsible for obtaining permission from the appropriate entity for such use.
- In accordance with N.J.A.C. 7:14A-6.2(a)7, this permit does not authorize any infringement of State or local law or regulations, including, but not limited to, N.J.A.C. 7:50 (the Pinelands rules), N.J.A.C. 7:1-E (Discharges of Petroleum and other Hazardous Substances), regulations concerning threatened and endangered species and their designated critical habitat, and other Department rules. No discharge of hazardous substances (as defined in N.J.A.C. 7:1E-1.6) resulting from an onsite spill shall be deemed to be “pursuant to and in compliance with this permit” within the meaning of the Spill Compensation and Control Act at N.J.S.A. 58:10-23.11c.

F. Electronic Reporting Requirements:

The following documents shall be electronically submitted to the Department via the Department’s designated Electronic Submission Service:

- Requests for authorization (i.e., RFAs) under this general permit
- Requests for termination/revocation under this general permit

6 Receiving Water Discharge Location Information:

A. Waterbody Classifications and Designated Uses as per the SWQS

Waterbodies are classified in the SWQS at N.J.A.C. 7:9B-1.1 et seq. with various waterbody designations. The designated uses for the following waterbody designations (FW2, SE1, SE2, SE3, SC and PL) are as follows:

Freshwater 2 or FW2:

1. Maintenance, migration and propagation of the natural and established biota;
2. Primary and secondary contact recreation;
3. Industrial and agricultural water supply;
4. Public potable water supply after conventional filtration treatment (a series of processes including filtration, flocculation, coagulation, and sedimentation, resulting in substantial particulate removal but no consistent removal of chemical constituents) and disinfection; and
5. Any other reasonable uses.

Saline Estuary 1 or SE1:

1. Shellfish harvesting in accordance with N.J.A.C. 7:12;
2. Maintenance, migration and propagation of the natural and established biota;
3. Primary and secondary contact recreation; and
4. Any other reasonable uses.

Saline Estuary 2 or SE2:

1. Maintenance, migration and propagation of the natural and established biota;
2. Migration of diadromous fish;
3. Maintenance of wildlife;
4. Secondary contact recreation; and
5. Any other reasonable uses.

Saline Estuary 3 or SE3:

1. Secondary contact recreation;
2. Maintenance and migration of fish populations;
3. Migration of diadromous fish;
4. Maintenance of wildlife; and
5. Any other reasonable uses.

Saline Coastal or SC:

1. Shellfish harvesting in accordance with N.J.A.C. 7:12;
2. Primary and secondary contact recreation;
3. Maintenance, migration and propagation of the natural and established biota; and
4. Any other reasonable uses.

Pinelands or PL:

1. Cranberry bog water supply and other agricultural uses;
2. Maintenance, migration and propagation of the natural and established biota indigenous to this unique ecological system;
3. Public potable water supply after conventional filtration treatment (a series of processes including filtration, flocculation, coagulation, and sedimentation, resulting in substantial particulate removal but no consistent removal of chemical constituents) and disinfection;
4. Primary and secondary contact recreation; and
5. Any other reasonable uses.

Also, consistent with N.J.A.C. 7:9B -1.4, the definitions for C1 Waters, C2 Waters, as associated with the waterbody classifications are as follows:

Category One Waters or C1:

Refers to those waters designated in the tables in N.J.A.C. 7:9B-1.15(c) through (i), for purposes of implementing the antidegradation policies set forth at N.J.A.C. 7:9B-1.5(d). This includes protection from measurable changes in water quality based on exceptional ecological significance, exceptional recreational significance, exceptional water supply significance or exceptional fisheries resource(s) to protect their aesthetic value (color, clarity, scenic setting) and ecological integrity (habitat, water quality and biological functions).

Category Two or C2 Waters:

Refers to those waters at N.J.A.C. 7:9B-1.15 that are not designated as ONRW or Category One for purposes of implementing the antidegradation policies set forth at N.J.A.C. 7:9B-1.5(d).

B. Waterbody Classifications and Designated Uses as per the DRBC Water Quality Regulations

The designated uses for the mainstem Delaware River and Delaware Bay are those contained in the "Delaware River Basin Commission, Water Quality Regulations, Administrative Manual - Part III," Article 3, dated December 4, 2013, including all amendments and future supplements thereto and are described below:

Zones 1C, 1D and 1E:

Zone 1C is that part of the Delaware River extending from the U.S. Routes 6 and 209 bridge at Port Jervis, New York, R.M. 254.75, to Tocks Island Dam, 217.0 (proposed axis of dam).

Zone 1D is that part of the Delaware River extending from Tocks Island Dam, R.M. 217.0 (proposed axis of dam), to the mouth of the Lehigh River at Easton, Pennsylvania, R.M. 183.66.

Zone 1E is that part of the Delaware River extending from the mouth of the Lehigh River at Easton, Pennsylvania, R.M. 183.66, to the head of tidewater at Trenton, New Jersey, R.M. 133.4 (Trenton-Morrisville Toll Bridge).

The quality of Zone 1C, 1D and 1E waters shall be maintained in a safe and satisfactory condition for the following uses:

1. a. public water supplies after reasonable treatment,
b. industrial water supplies after reasonable treatment,
c. agricultural water supplies;
2. a. maintenance and propagation of resident game fish and other aquatic life,
b. spawning and nursery habitat for anadromous fish,
c. passage of anadromous fish,
d. wildlife;
3. recreation.

Zone N2:

Zone N2 is: Clove Brook extending from its source in Steeny Kill Lake in New Jersey to its mouth in New York at R.M. 0.5 on the Neversink River; an unnamed tributary of Clove Brook extending from its source in New York to its mouth in New Jersey at R.M. 1.0 on Clove Brook; an unnamed tributary to the above unnamed tributary of Clove Brook extending from its source in New York to its mouth in New Jersey at R.M. 0.7 on the unnamed tributary of Clove Brook.

The quality of Zone N2 waters shall be maintained in a safe and satisfactory condition for the following uses:

1. a. public water supplies after reasonable treatment,
b. industrial water supplies after reasonable treatment,
c. agricultural water supplies;
2. a. maintenance and propagation of resident game fish and other aquatic life,
b. maintenance and propagation of trout,
c. wildlife;
3. recreation.

Zone 2 and 3:

Zone 2 is that part of the Delaware River extending from the head of tidewater at Trenton, New Jersey, R.M. (River Mile) 133.4 (Trenton-Morrisville Toll Bridge) to R.M. 108.4 below the mouth of Pennypack Creek, including the tidal portions of the tributaries thereof.

Zone 3 is that part of the Delaware River extending from R.M. 108.4 to R.M. 95.0 below the mouth of Big Timber Creek, including the tidal portions of the tributaries thereof.

The quality of Zones 2 and 3 waters shall be maintained in a safe and satisfactory condition for the following uses:

1. a. public water supplies after reasonable treatment,
b. industrial water supplies after reasonable treatment,
c. agricultural water supplies;
2. a. maintenance and propagation of resident fish and other aquatic life,
b. passage of anadromous fish,
c. wildlife;
3. recreation (Zone 2); recreation – secondary contact (Zone 3);
4. navigation.

Zone 4:

Zone 4 is that part of the Delaware River extending from R.M. 95.0 to R.M. 78.8, the Pennsylvania-Delaware boundary line, including the tidal portions of the tributaries thereof.

The quality of Zone 4 waters shall be maintained in a safe and satisfactory condition for the following uses:

1. industrial water supplies after reasonable treatment;
2. a. maintenance of resident fish and other aquatic life,
b. passage of anadromous fish,
c. wildlife;
3. a. recreation - secondary contact above R.M. 81.8,
b. recreation below R.M. 81.8;
4. navigation.

Zone 5:

Zone 5 is that part of the Delaware River extending from R.M. 78.8 to R.M. 48.2, Liston Point, including the tidal portions of the tributaries thereof.

The quality of waters in Zone 5 shall be maintained in a safe and satisfactory condition for the following uses:

1. industrial water supplies after reasonable treatment;
2. a. maintenance of resident fish and other aquatic life,
b. propagation of resident fish from R.M. 70.0 to R.M. 48.2,
c. passage of anadromous fish,
d. wildlife;
3. recreation;
4. navigation.

Zone 6:

Zone 6 is Delaware Bay extending from R.M. 48.2 to R.M. 0.0, the Atlantic Ocean, including the tidal portions of the tributaries thereof.

The quality of Zone 6 waters shall be maintained in a safe and satisfactory condition for the following uses:

1. industrial water supplies after reasonable treatment,
2. a. maintenance and propagation of resident fish and other aquatic life,
b. maintenance and propagation of shellfish,
c. passage of anadromous fish,
d. wildlife;
3. recreation;
4. navigation.

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

A complete copy of this subject permit renewal has been posted on the Division's website at www.nj.gov/dep/dwq/gp_hydrostatic.htm . Public notice procedures are described in the *DEP Bulletin* as well as in the following newspapers:

Atlantic City Press

The Star Ledger

The Times

8 Contact Information

If you have any questions regarding this permit action, please contact Subarna Mozumder or Tara Klimowicz, Bureau of Surface Water Pretreatment Permitting at (609) 292-4860 or via email at hydrostatictestgp@dep.nj.gov.

9 Contents of the Administrative Record

The following items are used to establish the basis of the Draft Permit:

Rules and Regulations:

1. 33 U.S.C. 1251 et seq., Federal Water Pollution Control Act. [B]
2. 40 CFR Part 131, Federal Water Quality Standards. [B]
3. 40 CFR Part 122, National Pollutant Discharge Elimination System. [B]
4. N.J.S.A. 58:10A-1 et seq., New Jersey Water Pollution Control Act. [A]
5. N.J.A.C. 7:14A-1 et seq., NJPDES Regulations. [A]
6. N.J.A.C. 7:9B-1 et seq., New Jersey SWQS. [A]
7. N.J.A.C. 7:15, Statewide Water Quality Management Planning Rules. [A]
8. DRBC: Administrative Manual – Part III Water Quality Regulations.
10. Interstate Environmental Commission Regulations, N.J.S.A. 32:18-1 et seq.
11. Requirements of the Pinelands Commission (N.J.A.C. 7:50-6.81 to 6.87).
12. Requirements of the Highlands Commission (N.J.S.A. 13:20-1 et seq.).

Permits / Applications:

1. Existing NJPDES/DSW Permit NJ0132993, issued August 15, 2018, effective September 1, 2018, and expiration date of August 31, 2023.
2. Original "Hydrostatic Test Water Discharge" NJPDES/DSW general permit, issued April 27, 1999, effective June 1, 1999 and expiration date of May 31, 2004.

| NJPDES Permit Number | Facility Name | Municipality | County | Date Renewal Application was Received |
|----------------------|---|------------------|------------|---------------------------------------|
| NJG0287202 | Colonial Pipeline Co Woodbury Junction | West Deptford | Gloucester | 2/28/2023 |
| NJG0287288 | Kinder Morgan Liquids Terminals LLC | Carteret Borough | Middlesex | <i>Pending</i> |
| NJG0288497 | Bayway Refinery Complex - Four Landfills Area | Linden | Union | 8/2/2023 |
| NJG0289345 | Kinder Morgan Liquids Terminals LLC | Carteret Borough | Middlesex | <i>Pending</i> |
| NJG0290297 | Buckeye Port Reading Terminal | Woodbridge | Middlesex | 6/15/2023 |

| NJPDES Permit Number | Facility Name | Municipality | County | Date Renewal Application was Received |
|-----------------------------|---|--------------------------------------|---------------|--|
| NJG0290441 | Middlesex Water Co Western Transmission Main | Edison | Middlesex | <i>Pending</i> |
| NJG0290700 | McMaster-Carr Supply Company | Robinsville | Mercer | 6/9/2023 |
| NJG0293415 | Citgo Linden Terminal - Tremley Tank Farm | Linden | Union | <i>Pending</i> |
| NJG0293423 | Compressor Station 240 LNG Plant | Carlstadt Borough | Bergen | <i>Pending</i> |
| NJG0294314 | Williams Transcontinental Gas Pipe Line Co | Paramus Borough | Bergen | <i>Pending</i> |
| NJG0294675 | Compressor Station 303 Construction | Roseland Borough | Essex | <i>Pending</i> |
| NJG0295213 | Johnson & Johnson Aviation Dept | Ewing Township | Mercer | <i>Pending</i> |
| NJG0299367 | Phillips 66 Pipeline Tremley Point Terminal | Linden | Union | <i>Pending</i> |
| NJG0303844 | Kinder Morgan Liquid Terminals LLC | Carteret Borough | Middlesex | <i>Pending</i> |
| NJG0308366 | IMTT-Bayonne | Bayonne | Hudson | 8/18/23 |
| NJG0313777 | Excavating Materials And Equipment | Plumsted Township | Ocean | <i>Pending</i> |
| NJG0316059 | Middlesex Extension Project | Metuchen Borough and Edison Township | Middlesex | Pending Revocation |
| NJG0318264 | Garden State Exp. Station 203-Compressor Stat | Chesterfield Township | Burlington | <i>Pending</i> |
| NJG0318272 | Gulf Oil Limited Partnership | Linden City | Union | <i>Pending</i> |
| NJG0318817 | PBF Logistics Products Terminals, LLC | Paulsboro Township | Gloucester | <i>Pending</i> |
| NJG0320072 | 14" Water Main Installation (Pressure Test) | Logan Township | Gloucester | <i>Pending</i> |
| NJG0320081 | ISPC Jacksonville Tank Farm | Bordentown City | Burlington | <i>Pending</i> |
| NJG0325848 | AR 20, LLC@Morristown Airport | Morristown | Morris | <i>Pending</i> |
| NJG0330451 | PSE&G Burlington LNG Plant | Burlington City | Burlington | 3/01/2023 |
| NJG0335037 | Buckeye Bayonne Terminal LLC | Bayonne | Hudson | 6/15/2023 |
| NJG0335649 | Sayreville Seaport Associates LP | South Amboy | Middlesex | <i>Pending</i> |
| NJG0339555 | Buckeye Pipe Line Co LP | Linden | Union | 6/15/2023 |
| NJG0339563 | Buckeye Pennsauken Terminal LLC | Pennsauken | Camden | 6/15/2023 |
| NJG0339571 | Buckeye First Reserve Terminal LLC | Perth Amboy | Middlesex | <i>Pending</i> |
| NJG0339580 | Buckeye Trenton Terminal | Trenton City | Mercer | 6/15/2023 |
| NJG0339598 | Buckeye Perth Amboy Terminal LLC | Perth Amboy | Middlesex | 6/15/2023 |
| NJG0347507 | Horizontal Directional Drill U/ Raritan River | New Brunswick | Middlesex | 7/12/2023 |

Footnotes:

- [A] Denotes items that may be found on the Department's website located at "<http://www.state.nj.us/dep/>".
[B] Denotes items that may be found on the USEPA website at "<http://www.epa.gov/>".



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: NJ0132993

DRAFT: Surface Water Master General Permit Renewal

Permittee:

NJPDES Master General Permit Program Interest
Category BG
Per Individual Notice of Authorization
Division of Water Quality
Mail Code: 401-02B
P.O. Box 420
401 East State Street
Trenton, NJ 08625-0420

Property Owner:

NJPDES Master General Permit Program Interest
Category BG
Per Individual Notice of Authorization
Division of Water Quality
Mail Code: 401-02B
P.O. Box 420
401 East State Street
Trenton, NJ 08625-0420

Location of Activity:

NJPDES Master General Permit Program Interest
Category BG
Per Individual Notice of Authorization
Division of Water Quality
Mail Code: 401-02B
P.O. Box 420
401 East State Street
Trenton, NJ 08625-0420

| Authorization(s) Covered Under This Approval | Issuance Date | Effective Date | Expiration Date |
|--|---------------|----------------|-----------------|
| BG - Hydrostatic Test Water (GP) - Renewal | Pending | Pending | Pending |

By Authority of:
Commissioner's Office

DEP AUTHORIZATION
Susan Rosenwinkel
Assistant Director
Water Pollution Management Element

(Terms, conditions and provisions attached hereto)

PART I

NARRATIVE REQUIREMENTS

Hydrostatic Test Water Discharges General Permit (GP)

A. GENERAL REQUIREMENTS FOR HYDROSTATIC TEST WATER DISCHARGE

1. Purpose

- a. The New Jersey Pollutant Discharge Elimination System (NJPDES) Discharge to Surface Water (DSW) General Permit for Hydrostatic Test Water Discharges authorizes the discharge of hydrostatic test water from storage tanks and/or pipelines consistent with the terms and conditions of this subject permit.

2. Scope

- a. This permit is intended for short term discharges containing de minimis amounts of pollutants. A de minimis discharge of pollutants for purposes of this permit is defined as a discharge containing a relatively insignificant amount of pollutants that complies with all of the conditions specified in this permit. De minimis amounts of pollutants that may be present in these discharges include filterable or dissolved solids, suspended solids, chlorine levels and chlorine related compounds.
- b. This permit operates under the premise that if appropriate Best Management Practices (BMPs) are implemented prior to discharge and temporary treatment is provided (if necessary) then no negative environmental impact should result from the discharge.

3. Eligible Discharge Types

- a. The following discharges are eligible for authorization under this permit:
 - i. A discharge to the surface waters of the State of New Jersey must result from the hydrostatic testing of tanks and/or pipelines that have been subjected to a recognized Federal, State or general industry cleaning procedures and BMPs.
 - ii. The proposed discharge must be to a waterbody that is not specifically exempted at Part I.A.6., below.
 - iii. Scheduled multiple short-term discharges occurring over a period of time are eligible for authorization under this permit. In these instances, the Department requires the BG Supplemental Application Form to include a schedule of occurrence of all the discharges. Following receiving Authorization under this general permit, a BG Supplemental Application Form must be submitted to the Department at hydrostatictestgp@dep.nj.gov for each discharge prior to the expiration of the Master General Permit.
 - iv. For other discharge scenarios not already described in this general permit, the Department may authorize these other discharges, that are short-term in nature and “clean”, but that will occur over a period of time under this general permit, upon written approval. Other similar types of planned, non-continuous, short-term discharges may qualify for coverage under this permit on case-by-case basis as long as the proposed discharge meets the intent of this master general permit, NJ0132993.

4. Ineligible Discharge Types

- a. The following discharges are not eligible for authorization under this permit for Authorization under this permit:
 - i. Discharge of tank bottom water accumulated at the bottom of the tank during its operations;

- ii. Emergency discharges of polluted waters;
- iii. Dewatering from construction activities, including contaminated water resulting from construction dewatering activities;
- iv. Discharges in any way associated with site remediation activities, including water from well construction and development;
- v. Water from monitoring well construction and development or capping;
- vi. Discharges resulting from water main breaks and water distribution system infrastructure failures;
- vii. Discharges from domestic, publicly or privately owned, and industrial treatment works;
- viii. Discharges from water and wastewater treatment system bench scale and pilot testing;
- ix. All discharges of non-contact cooling water and industrial process wastewater including contact cooling water;
- x. Combined sewer or sanitary sewer overflows;
- xi. Sanitary sewer flushing;
- xii. Discharges from mining operations;
- xiii. Discharges that are solely to groundwater;
- xiv. All stormwater discharges; and
- xv. Discharges that are already regulated under the Municipal Stormwater Permit (MS4 Tier A-NJ0141852) and the Public Complex Permit (NJ0141879).

5. Eligible Waterbody Types

- a. Discharges to the following waterbodies are eligible for authorization under this permit:
 - i. Hydrostatic test water discharges eligible for authorization under this permit may be discharged to FW2(C2), SE1(C2), SE2(C2), SE3(C2) and SC(C2) waters of the State. Note that discharges to C1 designated receiving waters are not eligible.
 - ii. Water body classifications are defined in N.J.A.C. 7:9B-1.4 and can be found online at: http://www.nj.gov/dep/rules/rules/njac7_9b.pdf. All individual stream classifications are designated in tables located at N.J.A.C. 7:9B-1.15 (c) through (j). For those receiving waters not listed, the applicable classification is that of the waterbody into which the immediate receiving water empties.

6. Ineligible Waterbody Types

- a. Discharges to the following waterbodies are not eligible for authorization under this permit:
 - i. This general permit does not authorize discharges into Outstanding National Resource Waters (ONRW) which is the highest level of protection afforded to the surface waters under the New Jersey Surface Water Quality Standards (SWQS). ONRW refers to high quality waters that constitute an outstanding national resource (for example, waters of National/State Parks and Wildlife Refuges and waters of exceptional recreational or ecological significance). ONRW includes FW1 waters and PL waters:
 - ii. FW1 waters: refers to those fresh waters, as designated in N.J.A.C. 7:9B-1.15(j), that are to be maintained in their natural state of quality (set aside for posterity) and not subjected to any man-made wastewater discharges or increases in runoff from anthropogenic activities.

Activities that might alter existing water quality in FW1 waters are prohibited. These waters are set aside for posterity because of their clarity, color, scenic setting, other characteristic of aesthetic value, unique ecological significance, exceptional recreational significance, exceptional water supply significance or exceptional fisheries resource(s).

- iii. Pinelands (PL) waters: refers to all waters within the boundaries of the Pinelands Area, except those waters designated as FW1 in N.J.A.C. 7:9B-1.15(j), as established in the Pinelands Protection Act (N.J.S.A. 13:18A-1 et seq.) and shown on Plate 1 of the "Comprehensive Management Plan" adopted by the New Jersey Pinelands Commission in November 1980. PL waters are maintained in their natural state and changes are allowed only toward natural water quality.
- b. This general permit does not authorize discharges into certain Shellfish waters, to be determined by the Department on a case-by-case basis.
 - i. Shellfish waters exclusion locations are consistent with the current Shellfish Growing Water Classification Charts, which are updated annually in accordance with N.J.A.C. 7:12-1 et seq. This information is available online at the Department's website at <http://www.nj.gov/dep/bmw/waterclass.htm>.
- c. This general permit does not authorize discharges into receiving waters classified as C1:
 - i. Category 1 or C1 waters shall be protected from any measurable changes to the existing water quality pursuant to N.J.A.C. 7:9B-1.5(d). C1 means those waters designated in the tables at N.J.A.C. 7:9B-1.15 (c) through (i), for purposes of implementing the antidegradation policies set forth at N.J.A.C. 7:9B-1.5(d), for protection from measurable changes in water quality based on exceptional ecological significance, exceptional recreational significance, exceptional water supply significance or exceptional fisheries resource(s) to protect their aesthetic value (color, clarity, scenic setting) and ecological integrity (habitat, water quality and biological functions).

B. CONDITIONS FOR AUTHORIZATION UNDER THE NJPDES MASTER HYDROSTATIC TEST DISCHARGE GENERAL PERMIT

1. Discharge Requirements

- a. Prior to discharging wastewater from a hydrostatic test, at a minimum, the tank and/or pipeline must be cleaned pursuant to a recognized Federal, State or general industry documented procedure. A description of the "cleaning procedure" shall be included on the BG Supplemental Application Form.
- b. BMPs appropriate to this type of discharge shall be employed at all times, where necessary. Examples of BMPs include: increased retention time, filter fabric, hay bales, silt fences, filter bag, frac tanks and holding tanks.
- c. The discharger shall minimize the amount of suspended solids or turbidity in the discharge so as to not cause adverse impacts or be detrimental to the natural aquatic biota, or cause instream exceedances of the New Jersey Surface Water Quality Criteria (N.J.A.C. 7:9B-1.14 et seq.) of the receiving water. If the discharge contains suspended solids, BMPs, as described above, shall be utilized to reduce or eliminate the levels prior to discharge to the receiving water. For example, BMPs can include increased retention time and/or filtration devices (such as hay bales and/or filter bags).
- d. There shall be no discharge of floating solids in other than trace amounts. The discharger shall use appropriate BMPs to eliminate floating debris, floatable or settleable solids, including construction or maintenance-related dirt, rust, or scale present in the waters prior to discharge.
- e. The discharge shall not contain any scum, foam or other residual matter.
- f. The permittee shall not discharge foam or cause foaming of the receiving water that:

- i. forms objectionable deposits on the receiving water;
 - ii. forms floating masses producing a nuisance; or
 - iii. interferes with a designated use of the waterbody.
- g. The permittee's discharge shall not contain any color or odor that would render the water unsuitable for the designated uses. Color shall not be noticeable in the receiving water. Odors shall not be offensive to humans and shall not have a negative impact on water supplies.
- h. The discharge shall not exhibit a visible sheen.
- i. Incidental discharges to groundwaters of the State which may result from a discharge authorized by this permit, such as from overland flow on the way to the storm sewer or surface water conveyance, are also authorized under this general permit.
- j. When chlorinated waters are utilized for hydrostatic testing (e.g., discharges of chlorinated potable water) the discharge shall be aerated and/or treated in such a way that the chlorine level is reduced or dissipated prior to discharging to the receiving waters. If necessary, the water to be discharged shall be directed through hay bales, over grassy areas or rip rap, and/or otherwise sufficiently aerated, bypassing several storm sewer inlets as necessary, to dissipate the chlorine prior to discharging to a storm sewer or the receiving waterbody. A pool chlorination kit can be used to confirm that there is no detectable level of chlorine in the water prior to discharge.
- k. The discharge shall not contain toxic pollutants in toxic amounts, as defined under 33 U.S.C. 1251 et seq., the Federal Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq., and the New Jersey Water Pollution Control Act. The discharge shall not contain other pollutants, including temperature and pH, in mass, concentration, or other measures, which could cause adverse impacts or be detrimental to the natural aquatic biota, or which could cause instream exceedances of the Federal Water Quality Criteria in 40 CFR, Part 131 or New Jersey Surface Water Quality Criteria (N.J.A.C. 7:9B-1.14 et seq.) in the receiving water.

2. Discharge Requirements Related to Erosion Control

- a. The discharge shall not cause or result in erosion to the area of the discharge or the surrounding stream banks. Adequate dewatering structures and velocity dissipation devices should be used when necessary to prevent and minimize erosion, stream scouring, and increases in turbidity. Dischargers may refer to "Standards for Soil Erosion and Sediment Control in New Jersey", as promulgated by the State Soil Conservation Committee and N.J.A.C. 2:90-1.3 et seq. In addition, the Regional Soil Conservation District office (organized by county) may be contacted for guidance on soil erosion control.
- b. The discharger shall take into account the conveyance capacity of the discharge outlet structure and/or conveyance structure prior to discharge and shall manage or control the flow of the discharge accordingly. The discharge shall not cause or create downstream flooding conditions.

3. Other Regulatory Requirements

- a. This permit is subject to modification, revocation, or change at any time, pursuant to the applicable regulations, when in the judgment of the Department such revocation, modification or change is deemed necessary.
- b. The Department may, on a case-by-case basis, authorize other similar uncontaminated discharges. Although this Master General Permit is specifically designed for hydrostatic test discharges, the Department reserves the right to include, as deemed appropriate, other similar, uncontaminated, clean water discharges.
- c. This permit does not waive the requirement to obtain any other necessary Federal, State or Local government consents or approvals. No work shall be undertaken until such time as all other required approvals and permits have been obtained.

- d. This permit does not grant permission to use publicly or privately owned storm sewers or conveyances. The discharger is responsible for obtaining permission from the appropriate entity for such use.
- e. In accordance with N.J.A.C. 7:14A-6.2(a)7, this permit does not authorize any infringement of State or local law or regulations, including, but not limited to, N.J.A.C. 7:50 (the Pinelands rules), N.J.A.C. 7:1-E (Discharges of Petroleum and other Hazardous Substances), regulations concerning threatened and endangered species and their designated critical habitat, and other Department rules. No discharge of hazardous substances (as defined in N.J.A.C. 7:1E-1.6) resulting from an onsite spill shall be deemed to be "pursuant to and in compliance with this permit" within the meaning of the Spill Compensation and Control Act at N.J.S.A. 58:10-23.11c.

C. ADMINISTRATIVE PROCESS

1. Application Requirements

- a. The BG checklist and application forms are available on the Department's website at: http://www.nj.gov/dep/dwq/gp_hydrostatic.htm.
- b. The operating entity authorizing the activity which will result in the discharge to be authorized by this permit must sign the NJPDES Form-1 and BG Supplemental Application Form certifying that the proposed discharge(s) will comply with all of the conditions of this permit.
- c. A complete and signed application shall be electronically submitted to the Department's Bureau of Surface Water and Pretreatment Permitting via email to hydrostatictestgp@dep.nj.gov.
- d. The applicant becomes authorized to discharge under this general permit once a final individual general permit authorization has been issued by the Department.
- e. Authorizations under the Master Hydrostatic Test Discharge General Permit will be given two NJPDES numbers. Applicants will be given a specific individual NJPDES general permit authorization number in addition to the Master Hydrostatic Test Discharge General Permit NJPDES number, NJ0132993.
- f. All applicants will have the same expiration date and will follow the same permit cycle. In accordance with N.J.A.C. 7:14A-2.7, all NJPDES permits shall be issued for fixed terms not to exceed five (5) years.
- g. The Department may deny authorization under this permit and require submittal of an application for an individual NJPDES discharge to surface water permit, another NJPDES general permit, or a NJPDES discharge to ground water permit, if deemed appropriate.
- h. A general permit authorization renewal application shall be submitted 180 days before the expiration date.
- i. A general permit revocation request shall be submitted to the Department if the permittee no longer requires authorization under this permit.
- j. Questions regarding this general permit, should be directed to the Bureau of Surface Water and Pretreatment Permitting at (609) 292-4860 or via email at hydrostatictestgp@dep.nj.gov.

D. RECORDKEEPING, INSPECTION, REPORTING AND ELECTRONIC SUBMISSION OF NJPDES INFORMATION

1. RECORDKEEPING

- a. The applicant/operating entity must maintain a copy of the NJPDES Form-1, the BG Supplemental Application Form, and the permit authorization on-site for a period of five (5) years, as per N.J.A.C. 7:14A-6.6.
- b. The applicant/operating entity shall retain records of all data used to complete the application for a NJPDES permit and copies of all reports for a period of five (5) years, as per N.J.A.C. 7:14A-6.6.

2. Inspection

- a. If the BG application is not submitted as specified per the instructions on the forms or cannot be produced upon request of a Department or other government or jurisdictional representative, the discharger may be subject to enforcement action(s).
- b. The discharger and/or operating entity shall allow an authorized representative of the Department, upon the presentation of credentials, to enter the premises where the regulated hydrostatic test is being conducted, for purposes of inspection, and to access/copy any records that must be kept under the conditions of the permit.

3. Reporting

- a. If it is suspected at any time during or directly after a discharge even that a discharge is not being conducted or was not conducted in accordance with all applicable requirements of this permit, the discharger shall call the Department's Environmental Action Hotline at 1-877-WARN-DEP (1-877-927-6337).
- b. If the conditions of this permit are not met, the Department reserves the right to require the discharger to cease discharging and obtain an individual or other general NJPDES permit or to utilize other alternate disposal methods. The Department also reserves the right to enforce all applicable NJPDES regulations should there be a suspected or confirmed violation of the conditions of the General Permit for Hydrostatic Test Discharges or of the Federal or New Jersey Water Pollution Control Act.
- c. If the discharge causes adverse environmental impacts to the receiving water, including, but not limited to a fish kill, the discharge is in violation of this permit. The operating entity authorizing the activity and certifying compliance with the requirements of this permit would then be subjected to enforcement action as deemed appropriate by the Department.

4. Electronic Submission of NJPDES Information

- a. The below identified documents and reports, if required to be submitted by this permit, shall be electronically submitted to the NJDEP via the Department's designated Electronic Submission Service once available.
 - i. General permit authorization requests (i.e., NJPDES applications)
 - ii. General permit termination/revocation requests

E. GENERAL REQUIREMENTS FOR 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
 - i. Penalties for Violations - N.J.A.C. 7:14-8.1 et seq
 - ii. Incorporation by Reference - N.J.A.C. 7:14A-2.3
 - iii. Toxic Pollutants - N.J.A.C. 7:14A-6.2(a)4i
 - iv. Duty to Comply - N.J.A.C. 7:14A-6.2(a)1 & 4
 - v. Duty to Mitigate - N.J.A.C. 7:14A-6.2(a)5, 6.2(a)11
 - vi. Inspection and Entry - N.J.A.C. 7:14A-2.11(e)
 - vii. Enforcement Action - N.J.A.C. 7:14A-2.9

- viii. Signatory Requirements for Applications and Reports - N.J.A.C. 7:14A-4.9
- ix. Effect of Permit/Other Laws - N.J.A.C. 7:14A-2.9(c), 6.2(a)6&7
- x. Severability - N.J.A.C. 7:14A-2.2(b)
- xi. Administrative Continuation of Permits - N.J.A.C. 7:14A-2.8
- xii. Permit Actions - N.J.A.C. 7:14A-2.7(c)
- xiii. Permit Duration and Renewal - N.J.A.C. 7:14A-2.7(a)&(b)
- xiv. Confidentiality - N.J.A.C. 7:14A-18.2 & 2.11(g)
- xv. Treatment Works Approval - N.J.A.C. 7:14A-22 & 23
- xvi. General Permits - N.J.A.C. 7:14A-6.13
- c. Operation and Maintenance
 - i. Need to Halt or Reduce not a Defense - N.J.A.C. 7:14A-2.9(b)
 - ii. Proper Operation and Maintenance - N.J.A.C. 7:14A-6.12(a)
- d. Monitoring And Records
 - i. Monitoring - N.J.A.C. 7:14A-6.5
 - ii. Record Keeping - N.J.A.C. 7:14A-6.6
 - iii. Signatory Requirements for Monitoring Reports - N.J.A.C. 7:14A-6.9
- e. Reporting Requirements
 - i. Planned Changes - N.J.A.C. 7:14A-6.7
 - ii. Noncompliance Reporting - N.J.A.C. 7:14A-6.10
 - iii. Hotline/Two Hour & Twenty-four Hour Reporting - N.J.A.C. 7:14A-6.10(c) & (d)
 - iv. Written Reporting - N.J.A.C. 7:14A-6.10(e) & (f) & 6.8(h)
 - v. Duty to Provide Information - N.J.A.C. 7:14A-2.11, 6.2(a)14 & 18.1
 - vi. Transfer - N.J.A.C. 7:14A-6.2(a)8, 6.13(n), 16.1, 16.2