



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

TAHESHA L. WAY
Lt. Governor

Email Only
October 19, 2023

To: Distribution List

Re: Final Renewal Discharge to Surface Water (DSW) Master General Permit (GP)
Category: BG - Hydrostatic Test Water Discharge GP
NJPDES Permit No. NJ0132993
NJPDES Master General Permit Program Interest

Dear Interested Parties:

Enclosed is a **final** NJPDES permit action identified above which has been issued in accordance with N.J.A.C. 7:14A. 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 that have been cleaned pursuant to recognized federal, state or general industry documented procedures.

The thirty (30) day public comment period began on September 6, 2023 when the public notice was published in the *DEP Bulletin* and the following newspapers *Atlantic City Press*, *The Star Ledger*, *The Times*. It ended on October 10, 2023. No written comments were received on the draft action during the comment period, and no provisions of the draft permit have been changed in the final permit. Therefore, the right by you, or any third party, to contest the permit conditions in an adjudicatory hearing has been waived pursuant to N.J.A.C. 7:14A-15.13.

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.

Questions or comments regarding the final action should be addressed to Subarna Mozumder or Tara Klimowicz either by phone at (609) 292-4860 or email at hydrostatictestgp@dep.nj.gov.

Sincerely,

Susan Rosenwinkel
Assistant Director
Water Pollution Management Element

Enclosures

cc: Permit Distribution List
Masterfile #: 39609; PI #: 50577

Table of Contents for the Final Permit

This permit package contains the items below:

- 1. Cover Letter**
- 2. Table of Contents**
- 3. NJPDES Permit Authorization Page – Master Permit Page**
- 4. Part I – General Requirements: NJPDES**



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

Final: 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	10/19/2023	11/01/2023	10/31/2028

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 (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 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 will 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 Form to include a schedule of occurrence of all the discharges. Following receiving Authorization under this general permit, a BG Supplemental 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 a case-by-case basis as long as the proposed discharge meets the intent of the master general permit, NJ0132993.

4. Ineligible Discharge Types

- a. The following types of discharges are not eligible 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;
 - 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. 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.

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 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 also 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 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.
- 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 discharge shall not exhibit a visible sheen.
- h. 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.
- i. Incidental discharges to ground waters 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.
- 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, or 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 Conditions 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. Permit conditions remain in effect and enforceable until and unless the permit is modified, renewed or revoked by the Department. 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. 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.
- c. 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 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. This permit does not automatically 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.

- f. 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.
- g. 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.
- h. 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.
- i. A general permit authorization renewal application shall be submitted 180 days before the expiration date.
- j. A general permit revocation request shall be submitted to the Department if the permittee no longer requires authorization under this permit.
- k. 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, BG Supplemental 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 copies of all reports and/or data used to complete the NJPDES Form-1 and BG Supplemental Form for authorization for a period of at least five (5) years, or longer as required by N.J.A.C. 7:14A-6.6.

2. Inspection

- a. If the BG application is not submitted as specified above 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 facility is located, 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, 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 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 subject 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