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ENVIRONMENTAL PROTECTION

WATER RESOURCES MANAGEMENT

DIVISION OF WATER QUALITY

Notice of Readoption

Water Pollution Control Act

Readoption: N.J.A.C. 7:14

Authority: N.J.S.A. 13:1B-3 et seq., 13:1D-1 et seq., 13:1E-1 et seq., 58:10-23.11 et seq., 58:10A-1 et seq., 58:11-49 et seq., 58:11A-1 et seq., and 58:12A-1 et seq.

Authorized By: Shawn M. LaTourette, Commissioner, Department of Environmental Protection.

Effective Date: July 2, 2024.

New Expiration Date: July 2, 2031.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the Water Pollution Control Act rules at N.J.A.C. 7:14 are readopted and shall continue in effect for a seven-year period. The rules had been scheduled to expire on August 31, 2024. The Department of Environmental Protection (Department) has reviewed these rules and has determined that the rules should be readopted because they are necessary, reasonable, and proper for the purpose for which they were originally promulgated. In accordance with N.J.S.A. 52:14B-5.1.c(1), timely filing of this notice extended the expiration date of the chapter seven years from the date of filing.

Subchapter 2 establishes construction standards for wastewater treatment facilities and defines the roles and responsibilities of the owner, the owner's representative or engineer, and the construction contractor. The rules address such items as mobilization costs, payments to

contractors, and eligibility of certain items for projects that receive Federal construction grant assistance.

Subchapter 8 sets forth the procedures for assessment, payment, and settlement of civil administrative penalties for violations of the Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq., the Act Concerning Pretreatment of Industrial Wastewater, N.J.S.A. 58:11-64 et seq., and the New Jersey Underground Storage of Hazardous Substances Act, N.J.S.A. 58:10A-21 et seq. In addition, it governs the Department's administrative assessment of costs pursuant to N.J.S.A. 58:10A-10d(1)(c), and the procedure for requesting an adjudicatory hearing on a notice of civil administrative penalty assessment or administrative order.

The rules proposed for readoption include two appendices. N.J.A.C. 7:14 Appendix A sets forth the wording of financial assurance documents, including the Letter of Credit, Surety Bond, Standby Trust Agreement, and Fully Funded Trust required at N.J.A.C. 7:14-8.3(h). N.J.A.C. 7:14 Appendix B-3 sets forth a list of pollutants that are inhibitory to biological treatment processes.

Any further action proposing amendments to the Water Pollution Control Act rules would be the subject of a separate notice in the New Jersey Register.