

PART I**HYDROSTATIC TEST WATER DISCHARGES GENERAL PERMIT****A. 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 this final renewal permit.
- b. General Conditions
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| 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 & 2.9(c). |
| 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 | N.J.A.C. 7:14A-2.7(a) |
| 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
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| 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
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| 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
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| 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 |

B. GENERAL REQUIREMENTS FOR HYDROSTATIC TEST WATER DISCHARGES**1. Purpose and Scope**

- a. The New Jersey Pollutant Discharge Elimination System (NJPDES) Discharge to Surface Water (DSW) General Permit for Hydrostatic Test Water Discharges authorizes the following discharges, without the submittal of a NJPDES permit application and without an individual permit from the Department of Environmental Protection (Department):
 - i. Hydrostatic test water from storage tanks and/or vessels.
 - ii. Hydrostatic test water from natural gas pipelines.
- b. Pollutants that may be present in these discharges include filterable or dissolved solids, suspended solids, chlorine and chlorine related compounds.
- c. This permit is intended for short-term Discharges containing de minimis amounts of pollutants. A de minimis discharge of pollutants for purposes of this general permit is defined as water, which complies with all of the conditions specified in this permit.
- d. This permit operates under the premise that if appropriate BMPs and TVCRs are implemented prior to discharge, and if necessary temporary treatment units are provided, no negative environmental impact should result from the discharge.
- e. If appropriate BMPs and TVCRs are not employed, and the discharge causes adverse environmental impacts to the receiving waters, the discharge is in violation of this permit. The entity authorizing the activity and certifying compliance with the requirements of this general permit would then be subject to enforcement action as deemed appropriate by the Department. If it is suspected at any time during or directly after a discharge event that a discharge is not being conducted or was not conducted in accordance with all applicable requirements of this permit, the local health officer or a regional representative from the Department's Bureau of Water Compliance and Enforcement may be contacted to investigate the situation.
- f. The entity responsible for the work that results in a discharge authorized by this permit is required to submit an original copy of the Clean Water Assurance Certification Form (Certification) certifying that the proposed discharge(s) will comply with all of the conditions of this permit. **The Department must receive the Certification at least 14 days prior to the proposed discharge.** Specific information regarding the required Certification and the additional information required to be submitted with the Certification are found in Section E of this permit. Certification forms are available from the Division of Water Quality. Fourteen (14) days after the Department receives the Certification, the Discharger becomes authorized to discharge under this general permit, unless the Department notifies the discharger that they are not eligible under this general permit.
- g. The certifying agent will be responsible for ensuring that the discharge meets all applicable requirements of this general permit during the discharge event.
- h. Discharges eligible for authorization under this permit may be discharged to all surface waters of the State of New Jersey (State), directly and via storm sewers, except for waters categorized as Category 1, and Shellfish waters in accordance with the requirements of N.J.A.C. 7:12.

- i. Category 1 waters are defined in N.J.A.C. 7:9B-1.4 as; "those waters designated in the tables in N.J.A.C 7:9B-1.15(c) through (h), 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 characteristics because of their clarity, color, scenic setting, other characteristic of aesthetic value, exceptional ecological significance, exceptional recreational significance, exceptional water supply significance, or exceptional fisheries resource(s)."
- j. Shellfish waters are defined in N.J.A.C. 7:9B as; "those waters classified as Approved, Seasonally Approved, Special Restricted, Seasonally Special Restricted or Condemned that support or possess the potential to support shellfish which are within the Coastal Area Facility Review Act (C.A.F.R.A.) zone as delineated in 1973." Shellfish waters exclusion locations shall be consistent with the *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 at any shellfish agency, shellfisheries office or from the marine police.
- k. For additional information pertaining to Category 1 waters or Shellfish waters, the permittee should contact the Department's Bureau of Water Quality Standards and Assessment at (609) 777-1753.
- l. The Department may authorize scheduled multiple short-term discharges occurring over a period of time. In these instances, the Department requires the Certification to include a schedule of occurrence of all of the discharges. If a discharge cited above exceeds a short-term nature due to unforeseen circumstances and it becomes necessary to extend the duration of the discharge, the certifying agent must submit a written request to the Department for a determination to continue to be authorized by this permit.

C. CONDITIONS FOR AUTHORIZATION UNDER THE NJPDES GENERAL PERMIT FOR HYDROSTATIC TEST WATER DISCHARGES

1. Certification Requirements

- a. A completed and signed Clean Water Assurance Certification Form (Certification) shall be submitted to the Department at the address specified on the Certification.
- b. A copy of this Certification must also be submitted to the Department's appropriate Regional Enforcement Office, depending on the county where the discharge activity will occur, at the address specified below:
 - i. For Bergen, Essex, Hudson, Hunterdon, Morris, Passaic, Somerset, Sussex, and Warren Counties:

Northern Bureau of Water Compliance and Enforcement
7 Ridgedale Avenue Route 46, Building #2
Cedar Knolls, New Jersey 07927-1112

ii. For Mercer, Middlesex, Monmouth, Ocean and Union Counties:

Central Bureau of Water Compliance and Enforcement
300 Horizon Center
P.O. Box 407
Trenton, New Jersey 08625-0407

iii. For Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester and Salem Counties:

Southern Bureau of Water Compliance and Enforcement
One Port Center
2 Riverside Drive, Suite 201
Camden, New Jersey 08102

- c. A copy of this Certification must also be maintained on site during the discharge event. Where it is not practical to keep a copy of the Certification on site, a copy must be maintained in the business office of the certifying agent and a copy provided to the Clerk in the town or municipality where the discharge activity will occur or is occurring. The entity authorizing the work must maintain a copy of the Certification for a period of five years.

2. Other Authorization Requirements

- a. For scheduled multiple short-term discharges occurring over a period of time, the Department requires the Certification to include a schedule of occurrence of all of the discharges. If a discharge cited above exceeds a duration cited in the Certification due to unforeseen circumstances and it becomes necessary to extend the duration of the discharge, the Discharger may submit a written request to the Department for a determination of eligibility to continue to be authorized by this permit.
- b. Questions regarding discharges, which are similar to the discharges listed above but which are not specified, or questions regarding the eligibility of any discharge by this general permit, should be directed to the Division of Water Quality at (609) 292-4860 so that a permit determination can be made.
- c. 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 storm sewer or surface water conveyance, are also authorized under this general permit.
- d. 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.
- e. The Department may deny authorization under this permit and require submittal of an application for an individual DSW or another general permit or DGW permit.
- f. The permittee shall retain records of monitoring information, including the following:
- i. all calibration and maintenance records;

- ii. copies of all reports and/or data used to complete the Certification for a general permit for a period of at least 5 years, or longer as required by N.J.A.C. 7:14A-20, from the date of the application.
- g. 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.
- h. 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.
- i. Representatives of the Department shall have the right to enter and inspect any area associated with a discharge authorized under this permit.
- j. 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, or N.J.S.A. 58:10A-1 et seq., 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.) of the receiving water.
- k. 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.
- l. 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.
- m. The discharge shall not contain any scum, foam or other residual matter.
- n. The following pollutant-specific guidelines and requirements shall be employed, when necessary, to comply with the terms of this general permit. Best Management Practices (BMP) and Tank and Vessel Cleaning Requirements (TVCRs) appropriate to this type of discharge shall be employed at all times.
- o. 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.

- p. The permittee's discharge shall not produce objectionable color or odor in the receiving stream.
- q. The discharge shall not exhibit a visible sheen.
- r. 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 shall be utilized to reduce or eliminate the levels prior to discharge to the receiving water. These BMPs can include everything from increased retention time up to and including filtration devices (such as hay bales).
- s. There shall be no discharge of floating solids in other than trace amounts. The discharger shall use appropriate BMPs and TVCRs to eliminate floating debris, floatable or settleable solids, including construction or maintenance-related dirt, rust, or scale present in the waters prior to discharge.
- t. 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.
- u. Prior to discharging wastewater from a hydrostatic test, at a minimum, the proper cleaning of the tank, vessel and/or pipeline must be completed. For above ground storage tanks used for storing petroleum products defined as lubricant or fuel oil (unleaded automotive gasoline, aviation fuel, jet fuel, kerosene, diesel fuel, number 1 fuel oil, number 2 fuel oil, number 4 fuel oil, number 5 fuel oil, number 6 fuel oil or other distillates of crude oil that are used as a lubricant or fuel) and does not include other petroleum based chemicals, the tank cleaning must be completed according to the procedures outlined in the American Petroleum Institute (API) publication 2015, Cleaning Petroleum Storage Tanks, dated September 1985.
- v. Prior to discharging waste water from a hydrostatic test that contains a liquid other than the above referenced petroleum products, the tank, vessel and pipeline must be cleaned pursuant to a recognized federal, state or general industry documented procedure similar to the American Petroleum Institute (API) publication 2015, Cleaning Petroleum Storage Tanks. A description of "cleaning procedure" shall be submitted to the Department as an attachment with the Certification that is submitted to the Department and the entity authorizing the work shall retain a copy along with the Certification for a period of five years.
- w. The following statement shall be signed by the authorized agent and submitted to the Department: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designated to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for purposely, knowingly, recklessly, or negligently submitting false information."

D. EXCLUSIONS

1. The Following Discharges Are Specifically Excluded From Authorization Under This Permit

- a. All discharges of industrial process wastewater including contact and non-contact cooling water;
- b. Sanitary sewer flushing;
- c. Discharges from domestic, publicly or privately owned, and industrial treatment works;
- d. Combined sewer overflow;
- e. Sanitary sewer overflow;
- f. All stormwater discharges;
- g. Discharges in any way associated with site remediation activities, including water from well construction and development;
- h. Contaminated water from monitoring well construction and development or capping;
- i. Discharges from water and wastewater treatment system bench scale and pilot testing;
- j. Discharges resulting from filter backwash operations;
- k. Draining of and filter backwash from municipal, commercial, or other non-residential swimming pools;
- l. Water used to clean and rinse storage tanks, natural gas pipelines, or other vessels;
- m. Contaminated waters resulting from construction dewatering activities;
- n. Discharges resulting from water main breaks and water distribution system infrastructure failures;
- o. Emergency discharges of polluted waters;
- p. Dewatering from construction activities;
- q. Tank and vessel bottom water;
- r. Discharges from the disinfection of newly constructed or repaired potable water mains;
- s. Discharges resulting from fire hydrant flushing;
- t. This permit does not authorize the discharge of tank or vessel bottom water accumulated at the bottom of the tank/vessel during its operations;

E. CLEAN WATER ASSURANCE CERTIFICATION FORM (Certification)**1. Form Requirements**

- a. The company or entity authorizing the activity which will result in the discharge to be authorized by this permit, must designate an agent. The agent will be responsible for ensuring that the discharge complies with all applicable requirements of this permit and must certify this compliance in writing.
- b. An original Certification, legally executed by the designated agent, shall be submitted to the Department's Division of Water Quality, Point Source Permitting Region 2, P.O. Box 029, Trenton, NJ 08625, 14 days prior to discharging. A copy shall be maintained for a period of five (5) years by the entity authorizing the work. A copy of the Certification shall also be submitted to the corresponding NJDEP Regional Water Compliance and Enforcement Office, 14 days prior to discharging. A copy of the Certification shall also be kept on site. Where this is impractical, a copy shall be kept at the business office of the designated agent and a copy of this Certification should be sent to the Clerk in the town or municipality in which the discharge will occur. A copy of this Certification shall be available so that it may be provided to a Department representative, or other person or persons, upon request. The Certification shall contain all of the following information (printed or typed):
 - i. name of entity authorizing the work (company, town or municipality) resulting in the discharge to surface water. Name and title of a principal officer in the company or of a specified official in the town or municipality other than the designated agent and the business address and telephone number of same;
 - ii. name and title of designated agent, affiliation, address and telephone number;
 - iii. the scheduled date(s) of the discharge event(s);
 - iv. source of the water being discharged (e.g., ground water, potable water);
 - v. approximate quantity or flow rate, as appropriate, of the discharge;
 - vi. approximate duration of the discharge;
 - vii. describe the designated discharge point;
 - viii. location(s) (street name(s) or street address (as appropriate), municipality, and county) of the discharge;
 - ix. receiving waters to which the discharge is directed, including the method of the receiving waters to which the discharge is directed, including the method of transport (i.e., via storm sewer, ditch, tributary, etc.);
 - x. best management practices to be used (including any chemical dechlorination agents);
 - xi. the Tank and Vessel Cleaning Requirements (TVCRs) implemented including the source of approved cleaning methods (ex: American Petroleum Institute (API) publication 2015, Cleaning Petroleum Storage Tanks);

- c. If this Certification 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 actions. In addition, the certifying agent shall maintain the Certification for a period of five (5) years following the last discharge event authorized by this certification pursuant to this general permit.
- d. 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 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 short-term Discharges or of the Federal or New Jersey Water Pollution Control Act. Discharges, which are not conducted in accordance with all applicable conditions of this permit and, which therefore may result in adverse environmental impacts, including, but not limited to a fish kill, may subject the authorizing entity to enforcement actions.

2. Signatory Requirements

- a. For a corporation, a responsible corporate officer: a responsible corporate officer is;
 - i. a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function or any other person who performs similar policy or decision making functions for the corporation; or
 - ii. a manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having a gross annual sales or expenditures exceeding \$25 million (in the second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b. For a corporation, a duly authorized representative: a duly authorized representative is;
 - i. a named person or generic position having overall responsibility for facility operation or the permittee's environmental matters, by a responsible corporate officer, general partner, proprietor, principal executive officer of a public agency or ranking elected official who assigns his or her signatory authority by submitting a letter to the Department stating said authority and naming the person or position.
- c. For a partnership or sole proprietorship: either a;
 - i. a duly authorized representative; or
 - ii. a general partner or sole proprietor
- d. For a municipality, state, federal or other public agency, either a;
 - i. a principal executive officer or ranking elected official; or
 - ii. duly authorized representative.