

Resolution 20-069

**RESOLUTION TO APPROVE VARIANCE OF CARBONACEOUS
BIOCHEMICAL OXYGEN DEMAND LOCAL LIMITATION FOR
ANTHONY & SONS BAKERY, INC.**

WHEREAS, the Rockaway Valley Regional Sewerage Authority (hereinafter "the Authority") is authorized by the Sewerage Authorities Law [N.J.S.A. 40:14A-7(11)] to make and enforce rules and regulations for the management and regulation of its business and affairs and/or the use, maintenance, and operation of the sewerage system and any other of its properties and to amend the same; and

WHEREAS, the Authority is a Delegated Local Agency of the New Jersey Department of Environmental Protection and administers an industrial pretreatment program within the service area of the Authority; and

WHEREAS, pursuant to N.J.A.C. 7:14A-19.7, and the terms of its NJPDES Discharge Permit, and in accordance with the "Guidance Manual on the Development and Implementation of Local Discharge Limitations under the Pretreatment Program" (December 1987, USEPA Office of Water Enforcement), RVRSA developed and approved local limitations to ensure compliance with (1) the numerical effluent limitations in RVRSA's NJPDES permit; (2) the RVRSA's process inhibition and upset criteria; (3) the RVRSA's worker health and safety protection criteria; and (4) the sludge quality criteria for RVRSA's chosen method(s) of sludge management; and

WHEREAS, after public notice and an opportunity to comment, RVRSA amended Section 203 of the RVRSA Service Rules Addendum by Resolution 17-153, adopted December 14, 2017, establishing updated Local Limits; a policy for future growth reserve and a policy applicable to high strength dischargers allowing for variances under proscribed circumstances. Additionally,

pursuant to the Service Contract between the Rockaway Valley Regional Sewerage Authority (“RVRSA”) and its Member Municipalities dated July, 1976, RVRSA held a public hearing thereon upon public notice prior to adoption. These amendments were also reviewed and approved by the Bureau of Pretreatment and Residuals, New Jersey Department of Environmental Protection prior to implementation; and

WHEREAS, consistent with amended Section 203 of the RVRSA Service Rules Addendum, Anthony & Sons Bakery, Inc., which is a commercial bakery which produces baked products such as breads, bagels, and rolls, submitted the attached Application for Variance, dated June 30, 2020, seeking a variance of RVRSA’s Carbonaceous Biochemical Oxygen Demand (“CBOD₅”) local limit in the amount of 3,000 mg/l per day (maximum daily concentration) in place of Anthony & Sons Bakery, Inc.’s CBOD₅ permit limitation of 500 mg/L (maximum daily concentration). Anthony & Sons Bakery, Inc. currently discharges high strength CBOD₅ wastewater in the range of 715 mg/l up to 2,340 mg/l, and submits that additional treatment of high CBOD₅ will require extensive process modifications for which space is not available, and would be cost prohibitive (“a high six figure cost number, with variations dependent on whether and interior or exterior device was to be implemented and installed”); and

WHEREAS, pursuant to the attached letter from Natalie Pisarcik, IPP Coordinator to JoAnn Mondsini, Executive Director dated July 16, 2020, and subject to public notice and comment relevant to the adoption of a final initial Industrial Sewer Connection Permit incorporating the variance request attached, RVRSA staff and Kleinfelder has determined that sufficient allowable industrial load exists to accommodate the request submitted by Anthony & Sons Bakery, Inc., for a variance for CBOD₅, and therefore recommends the issuance of a variance

to Anthony & Sons Bakery, Inc., and the establishment of the following CBOD₅ effluent limitations for Anthony & Sons Bakery, Inc.:

Daily Maximum Concentration, mg/l = 3,000 mg/l

Wastewater concentrations above 250 mg/l shall be subject to RVRSA Surcharge for Excessive Strength Wastewater in accordance with RVRSA Service Rules – Section 203.

NOW, THEREFORE, BE IT RESOLVED, by the Rockaway Valley Regional Sewerage Authority as follows:

1. The RVRSA hereby conditionally approves the attached Application for Variance, dated June 30, 2020, submitted by Anthony & Sons Bakery, Inc., relative to the CBOD₅ effluent limitations contained in Anthony & Sons Bakery, Inc.'s Industrial Sewer Connection Permit, subject to public notice and comment of the same as included in an initial Industrial Sewer Connection Permit for Anthony & Sons Bakery, Inc.

2. This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority held on August 13, 2020.

On motion of Commissioner Farrell

Seconded by Commissioner Andes

And a Roll Call Vote as Follows:

Yeas: (8) Andes, Cegelka, Guadagno, Isselin, Farrell, Recchia, Rossi, Zuppa

Nays: (0)

Abstain: (0)

Absent: (2) Corbett, Schorno


Michael Guadagno
Board Secretary