

**Resolution 22-045**

**RESOLUTION TO APPROVE VARIANCE OF CARBONACEOUS  
BIOCHEMICAL OXYGEN DEMAND AND TOTAL SUSPENDED  
SOLIDS LOCAL LIMITATIONS FOR ROCKAWAY CENTER  
ASSOCIATES (RCA), DBA: ROCKAWAY TOWNSQUARE MALL**

**WHEREAS**, the Rockaway Valley Regional Sewerage Authority (hereinafter "the Authority" or "RVRSA") 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 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, Rockaway Townsquare Mall, which produces wastewater from a mixture of retail, office and restaurant space contained within approximately 29 acres of floor space within approximately 225 acres of overall development, submitted the attached Application for Variance, dated February 17, 2022, seeking a variance of RVRSA's Carbonaceous Biochemical Oxygen Demand ("CBOD<sub>5</sub>") local limit in the amount of 1,848 lbs/day (maximum daily load) and 1232 lbs/day (monthly average load). Rockaway Townsquare Mall currently removes oil and grease (HEM) via grease traps, the contents of which are hauled off-site for disposal, and submits that additional treatment of high CBOD<sub>5</sub> and TSS would be cost prohibitive; and

**WHEREAS**, pursuant to email from the attached memo from Natalie Pisarcik, IPP Coordinator to JoAnn Mondsini, dated March 22, 2022, RVRSA staff determined that sufficient allowable industrial load exists to accommodate the request submitted by Rockaway Center Associates (RCA), dba: Rockaway Townsquare Mall, for a variance for CBOD<sub>5</sub> and TSS, and therefore recommends the issuance of a variance to Rockaway Center Associates (RCA), dba: Rockaway Townsquare Mall, and the establishment of the following CBOD<sub>5</sub> and TSS effluent limitations for Rockaway Center Associates (RCA), dba: Rockaway Townsquare Mall:

CBOD and TSS monitoring frequency: Weekly

Daily Maximum Concentration, mg/l = Monitor Only

Monthly Average Load = 1,232 lbs/day

Maximum Daily Load = 1,848 lbs/day

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

1. The RVRSA hereby approves the attached Application for Variance, February 17, 2022, submitted by Rockaway Center Associates (RCA), dba: Rockaway Townsquare Mall, relative to the CBOD<sub>5</sub> and TSS effluent limitations contained in Rockaway Center Associates (RCA), dba: Rockaway Townsquare Mall's Industrial Sewer Connection Permit.

2. The Executive Director is hereby authorized and directed to issue an Industrial Sewer Connection Permit to Rockaway Center Associates (RCA), dba: Rockaway Townsquare Mall, with the following CBOD<sub>5</sub> and TSS effluent limitations: Daily Maximum CBOD<sub>5</sub> and TSS Concentration, mg/l is Monitor Only; Monthly Average CBOD<sub>5</sub> and TSS Load effluent limitation of 1,232 lbs/day and Daily Maximum CBOD<sub>5</sub> and TSS Load effluent limitation of 1,848 lbs/day and CBOD<sub>5</sub> and TSS; monitoring frequency: Weekly.

3. 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 April 14, 2022.

On motion of Commissioner Corbett

Seconded by Commissioner Schorno


And a Roll Call Vote as Follows:

Yeas: (7) Andes, Cegelka, Corbett, Guadagno, Isselin, Lavery, and Schorno.

Nays: (0)

Abstain: (0)

Absent: (3) Farrell, Howarth, and Zuppa.

  
Michael Guadagno  
Board Secretary