

**RESOLUTION AUTHORIZING EXECUTION OF AN
INDUSTRIAL SEWER CONNECTION PERMIT RENEWAL AND VARIANCE TO:
Anthony & Sons Bakery
Block 31601 / Lot 4.01
Township of Denville**

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, in accordance with the regulations governing industrial pretreatment programs established at N.J.S.A. 7:14A-1 et. seq., the Authority is required to issue permits and renew permits to industrial discharges within the RVRSA that discharge process wastewater to the Authority’s facility; 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, as part of its permit renewal application, Anthony & Sons Bakery, Inc., which is a commercial bakery which produces baked products such as breads, bagels, and rolls, submitted an Application for Variance, dated July 26, 2023, 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 500 mg/l up to 2,500 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 Mondini, Executive Director dated August 15, 2023, RVRSA staff and One Water 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

WHEREAS, in compliance with the regulations contained at N.J.A.C. 7:14A-15.10, public notice of the issuance of a draft Industrial Sewer Connection Permit, renewal and variance, to Anthony & Sons Bakery was published in the Daily Record on September 24, 2023, and a thirty (30) day public comment period commenced from the date of publication until October 23, 2023, wherein no comments were received.

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

1. The Executive Director, JoAnn Mondsinì, is hereby authorized and directed to execute an Industrial Sewer Connection Permit, renewal and variance, in accordance with the terms and conditions of the Industrial Sewer Connection Permit (ISCP), SIC Code 2051 dated December 1, 2023 marked Schedule "A" attached hereto and a part hereof, a copy of which is also on file at the offices of RVRSA, to Anthony & Sons Bakery, subject to compliance with any permit condition(s) which must be satisfied prior to issuance of this renewal permit including CBOD₅ variance, if any; and also subject to compliance with all remaining engineering requirements, if any.
2. This approval is subject to the payment of the appropriate RVRSA pretreatment annual permit fee.
3. This ISCP is subjected to a flow limitation not to exceed 6,000 gallons per day, monthly average.

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Authority held on November 9, 2023.

On motion of Commissioner Farrell

Seconded by Commissioner Howarth

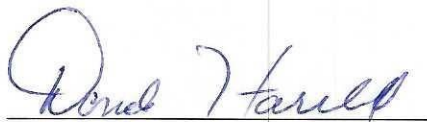
And a Roll Call Vote as Follows:

Yeas: (8) Andes, Cegelka, Corbett, Farrell, Howarth, Lavery, Schorno, and Zuppa.

Nays: (0) None

Abstain: (0) None

Absent: (2) Isselin and Potter.



Donald Farrell
Secretary