

**RESOLUTION AUTHORIZING EXECUTION OF AN
INDUSTRIAL SEWER CONNECTION PERMIT RENEWAL AND VARIANCE TO:
Refresco US, Inc. (Refresco)
Block 1101 / Lot 9
Borough of Wharton**

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, Refresco US, Inc., which produces juices, teas, sports drinks and other refreshment beverages, submitted the attached Application for Variance, dated June 24, 2024, seeking to continue a current variance of RVRSA's Carbonaceous Biochemical Oxygen Demand ("CBOD₅") local limit in the amount of 6,568 lbs/day (maximum daily load) and 4,379 lbs/day (monthly average load), in place of Refresco US Inc.'s prior CBOD₅ permit limitation of 2,681 mg/L (monthly average concentration). Refresco US Inc. currently removes high strength CBOD₅ wastewater to a frac tank, the contents of which are hauled off-site for disposal, and Refresco previously submitted that additional treatment of high CBOD₅ will require extensive process modifications for which space is not available, and would be cost prohibitive ("more than three times Refresco's 2018 Capital Budget" resulting in "increased Operating and Maintenance costs in excess of the plant's entire Net Earnings for 2017"); and

WHEREAS, pursuant to the attached letter from Natalie Pisarcik, IPP Coordinator to JoAnn Mondsini, Executive Director dated July 22, 2024, RVRSA staff and One Water has determined that sufficient allowable industrial load exists to accommodate the request submitted by Refresco for a variance for CBOD₅, and therefore recommends the issuance of a variance to Refresco and the establishment of the following CBOD₅ effluent limitations for Refresco:

Daily Maximum Concentration, mg/l = Monitor Only

Monthly Average Load = 4,379 lbs/day

Maximum Daily Load = 6,568 lbs/day.

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 (ISCP), renewal and variance, to Refresco was published in the Daily Record on August 15, 2024, and a thirty (30) day public comment period commenced from the date of publication until September 14, 2024, wherein no comments were received.

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

1. The Executive Director, JoAnn Mondsini, is hereby authorized and directed to execute an ISCP, renewal and variance, in accordance with the terms and conditions of the ISCP, SIC Code 2051 dated January 1, 2025 marked Schedule "A" attached hereto and a part hereof, a copy of which is also on file at the offices of RVRSA, to Refresco, 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 450,000 gallons per day, monthly average.

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Authority held on October 10, 2024.

On motion of Commissioner Corbett

Seconded by Commissioner Cegelka

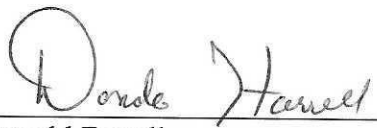
And a Roll Call Vote as Follows:

Yeas: (9) Andes, Cegelka, Corbett, Farrell, Howarth, Isselin, Lavery, Schorno, and Zuppa.

Nays: (0) None

Abstain: (0) None

Absent: (1) Commissioner of Randolph



Donald Farrell
Secretary



FACT SHEET Refresco US, Inc. (Refresco)

This fact sheet sets forth the principal facts and the significant factual, legal, and policy considerations examined during preparation of the draft permit.

PERMIT ACTION:	Renewal of Industrial Sewer Connection Permit Effective Date: 01/01/2025 Expiration Date: 12/31/2027
PERMITTEE NAME AND ADDRESS:	Refresco US, Inc. (Refresco) 92 North Main Street Wharton, NJ 07885 Phone No.: (973) 361-9794
FACILITY NAME AND ADDRESS:	Refresco US, Inc. (Refresco) 92 North Main Street Wharton, NJ 07885
FACILITY CONTACT INFORMATION:	Frank Gohl Operations Manager Cell No: (215) 962-0278 Office No.: (973) 537-5349 Frank.Gohl@refresco.com Charles Tuzzolo Environmental, Health & Safety (EHS) Office No.: (973) 537-5388 Charles.tuzzolo@refresco.com
RECEIVING LOCAL AGENCY:	Rockaway Valley Regional Sewerage Authority
RECEIVING COLLECTION SYSTEM:	Local collection system owned and operated by the Rockaway Valley Regional Sewerage Authority.

DESCRIPTION OF FACILITY OPERATIONS:

The Refresco US, Inc. (Refresco)'s primary activities conducted at the facility is the production and packaging of a variety of non-carbonated beverages, primarily consisting of fruit juices mixed with purified water. Refresco SIC code is 2086 (bottled & canned soft drinks & carbonated waters). This facility is classified as a Significant Industrial User (SIU), discharging **450,000** gallons per day (GPD) monthly average, 600,000 gallons per day (GPD) daily maximum of combined waste streams generated from its packaging facility and offices. The wastewater is being pretreated prior to discharge. Pretreatment includes pH correction, neutralization tanks and off-site disposal.



DESCRIPTION OF SAMPLING LOCATION (see attached Figure 1):

Name: 001A
Latitude: 40° 53' 53.56" N
Longitude: 74° 34' 26.96" W
Description: Stationary Composite Sampler located inside facility

SUMMARY OF PERMIT CONDITIONS (see attached Table 1):

The following parameters are regulated: CBOD₅, BOD₅, COD, Total Suspended Solids (TSS), Total Dissolved Solids (TDS), pH, Oil & Grease (HEM), Total Petroleum Hydrocarbon (TPHC), Phosphorus, Ammonia-Nitrogen (NH₃-N), Chromium, Copper, Nickel, Zinc, PFAS, and flow.

The basis for the limitations established is summarized in the local limits evaluation report entitled RVRSA Local Limit Study, prepared by Kleinfelder, dated November 2014, last revised December 2016, including April 14, 2017 Addendum; approved by the NJDEP on April 24, 2017, and approved by the RVRSA board on August 10, 2017 and December 14, 2017.

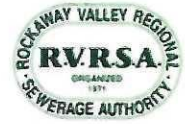
Below is a summary of key aspects of this renewal application.

1. Flow: Flow limitations are carried over from the previous permit and are based upon allocations granted by RVRSA. Note that both monthly average (**450,000 gpd**) and daily maximum (**600,000 gpd**) limitations are contained within the permit
2. CBOD₅ Concentration: The sampling frequency for CBOD₅, shall continue to be two (2) times per week. Refresco shall commence composite sampling on **Monday mornings and collect the composite sample on Tuesday mornings**; and again commence composite sampling on **Wednesday mornings and collect the composite sample on Thursday mornings**. If the scheduled sampling shall fall on a holiday, then sampling shall occur within forty-eight (48) hours of said holiday. Refresco is permitted to sample CBOD₅ more frequently if desired.
3. Parameters of Concern: Due to compliance issues with CBOD₅, the monitoring frequency has been increased to twice per week, or more if Refresco desires.
4. Other parameters: PFAS: Due to ongoing regulatory restrictions of PFAS in water supplies, as a precautionary measure, RVRSA is requiring Refresco to sample and analyze for PFAS, "Monitor Only".

VARIANCES OR ALTERNATIVES TO PERMIT CONDITIONS:

As per RVRSA resolution # xx-xxx, approved on Month XX, 2024 the RVRSA has approved the following variances for this permit:

- Daily maximum concentration for CBOD₅, mg/L = Monitor only
- Monthly average loading for CBOD₅, lbs/day = 4,379 lbs/day
- Daily maximum loading for CBOD₅, lbs/day = 6,568 lbs/day



REGULATIONS APPLICABLE TO THIS PERMIT ACTION:

This permit is issued in accordance with N.J.S.A 58:10A-6f, N.J.A.C. 7:14A-19.8, and 40 CFR Part 403.8. Requirements for the contents of this Fact Sheet are in accordance with N.J.A.C. 7:14A-15.8.

INDUSTRIAL PRETREATMENT PROGRAM CONTACT PERSON:

Additional information concerning this permit may be obtained from Natalie Pisarcik, RVRSA IPP Coordinator, at 973-263-1555, ext. 213.

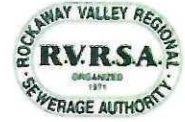


TABLE 1: DISCHARGE LIMITATIONS
REFRESCO US, INC. (Refresco)

Sample Locations: Stationary composite sampler located inside facility

Parameter	Daily Max. Limit	Mo. Avg. Limit	Sample Frequency	Type
Flow	600,000 GPD (1)	450,000 GPD (1)	Continuous	Metered
CBOD ₅ (conc.)	Monitor (3) (9)		Semi-Weekly (6)	Composite (5)
CBOD ₅ (loading)	6,568 lbs/day (3) (9)	4,379 lbs/day (3) (9)	Semi-Weekly (6)	Composite (5)
pH	5.5 - 9.5 SU (2) (4)		Weekly	Grab
BOD ₅	Monitor		Monthly	Composite (5)
COD	Monitor		Monthly	Composite (5)
TDS	Monitor		Monthly	Composite (5)
TSS	500 mg/L (2) (3)		Quarterly (7)	Composite (5)
O&G (HEM)	350 mg/L (2)		Quarterly (7)	Grab
Phosphorus (Total)	Monitor		Quarterly (7)	Composite (5)
NH ₃ -N	80 mg/L (2) (3)		Annually (8)	Composite (5)
Chromium	1.3 mg/L (2)		Annually (8)	Composite (5)
Copper	1.7 mg/L (2)		Annually (8)	Composite (5)
Nickel	0.8 mg/L (2)		Annually (8)	Composite (5)
Zinc	2.1 mg/L (2)		Annually (8)	Composite (5)
TPHC	150 mg/L (2)	100 mg/L (2)	Annually (8)	Grab
PFAS (10)	Monitor		Annually (8)	Grab

Notes:

- (1) Monthly average flow of not more than 450,000 gallons per day (GPD), with maximum one-day flow of 600,000 gallons per day (GPD).
- (2) Discharge limits are based upon limits established in the local limits evaluation report entitled RVRSA Local Limit Study, prepared by Kleinfelder, dated November 2014, last revised December 2016, including April 14, 2017 Addendum; approved by the NJDEP on April 24, 2017, and approved by the RVRSA board on August 10, 2017 and December 14, 2017.
- (3) CBOD₅ or TSS concentration exceeding 250 mg/L and NH₃-N concentration exceeding 40 mg/L are subject to the Surcharge for Wastewaters of Excessive Strength as per Section 8B of this ISCP. Any discharge over the CBOD₅ Loading Daily maximum limit of 6,568 lbs/day and CBOD₅ Loading monthly average limit of 4,379 lbs/day, TSS limit of 500 mg/L or the NH₃-N of 80 mg/L will be considered a permit violation and subject to applicable enforcement actions. If discharge is greater than local limit, permittee MUST apply for a variance.



- (4) The pH sample shall be analyzed by an NJDEP certified lab, within 15 minutes of collection of the sample. Refresco must keep records of continuous pH monitoring and this information shall be provided to the RVRSA upon request.
- (5) The composite sampling shall be referred to as "Flow-Proportionate-Composite" over a 24 hour period.
- (6) "Semi-Weekly" sampling of the CBOD₅ shall correspond to sampling TWICE during the week as per the "Stipulation of Settlement" executed between Refresco (formally Whitlock Packaging) and the RVRSA. Refresco shall commence composite sampling on Monday mornings and collect the composite sample on Tuesday mornings; and again commence composite sampling on Wednesday mornings and collect the composite sample on Thursday mornings. If the scheduled sampling shall fall on a holiday, then sampling shall occur within 48 hours of said holiday. RVRSA reserves the right to increase the sampling frequency of CBOD₅ in the future. Refresco is permitted to sample CBOD₅ more frequently if desired.
- (7) The "Quarterly" testing shall be conducted in a different month of each quarter, of each year, so that tests are conducted in of the four (4) permit quarters of the permit cycle. Testing may be conducted during ANY month of the permit quarters, however, may not be repeated the following year. (i.e. if permittee samples the quarterly testing for 2024 during the month of January, in the year 2025, the permittee can only test the quarterly sampling during the months of February and March, and so on and so forth).
- (8) The "Annually" sample period shall correspond to the January – December calendar year and shall be sampled in a different QUARTER each year of the permit.
- (9) Limits approved as per variance request and by RVRSA resolution #xx-xxx, approved on Month XX, 2024. Permittee may not discharge over the CBOD load limit of 6,567 lbs/day (daily max.) and 4,379 lbs/day (monthly avg.), the TSS limit of 500 mg/L, or the NH₃-N limit of 80 mg/L.
- (10) Per-and Polyfluoroalkyl Substances (PFAS) – the following PFAS compounds are required to be reported using EPA method 1633 by a New Jersey certified laboratory:
 - Perfluorobutanoic acid (PFBA)
 - Perfluoropentanoic acid (PFPeA)
 - Perfluorohexanoic acid (PFHxA)
 - Perfluoroheptanoic acid (PFHpA)
 - Perfluorooctanoic acid (PFOA)
 - Perfluorononanoic acid (PFNA)
 - Perfluorodecanoic acid (PFDA)
 - Perfluoroundecanoic acid (PFUnA)
 - Perfluorododecanoic acid (PFDoA)
 - Perfluorotridecanoic acid (PFTriA)
 - Perfluorotetradecanoic acid (PFTeA)
 - Perfluorobutanesulfonic acid (PFBS)



- Perfluorohexanesulfonic acid (PFHxS)
- Perfluorooctanesulfonic acid (PFOS)
- Hexafluoropropylene oxide dimer acid (HFPO-DA or GenX)

Additional Notes:

The Self-Monitoring Report (SMR) is due and shall be received by the RVRSA office on or before the 21st day of the month following the sampling month, or next business day (if date falls on a weekend and/or holiday).

Parameters shall be tested according to monitoring frequency and submitted in accordance with the SMR along with copies of analytical results and the chain of custody. All SMR's submitted must comply and contain the signatory requirements as required under 40 CFR § 403.6 (a)(2)(ii) and it must be signed by a responsible corporate officer as required under 40 CFR § 403.12(l).

If the industry splits samples with different laboratories, ALL results and chain of custody must be submitted. An average of the sampling event may be taken if the laboratories used the same analytical method (EPA method, etc.) to sample for the parameter. If the laboratories use different methods, then the highest result must be used.

Copies of manifests for process wastewater trucked offsite for disposal shall be made available for review by our offices.

As per Section 9A of the ISCP, in the event the Permittee does not comply with or will be unable to comply with, any effluent limitation or prohibition in this Permit, the Permittee shall immediately telephone and notify the RVRSA of such noncompliance or accidental discharge. The notification shall include the location of the discharge, type of waste, concentration and volume. The permittee shall notify the following personnel:

1. Industrial Pretreatment Coordinator: 973-263-1555 ext. 213
2. Licensed Operator/Plant Manager: 973-263-1555 ext. 232
3. Plant Operators: 973-464-8001 (Off-Hours: 3:30pm – 7:00am, M-F & weekends)



FIGURE 1: Facility Schematic and Discharge Location

REFRESCO US, INC. (Refresco)

SAMPLE LOCATION (Discharge location: 001A)
Stationary Composite Sampler located inside facility

