



State of New Jersey

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Mail Code - 401-02B
Water Pollution Management Element
Bureau of Nonpoint Pollution Control
P.O. Box 420 – 401 E. State St.
Trenton, NJ 08625-0420
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http://www.state.nj.us/dep/dwq/bnpc_home.htm

CATHERINE R. McCABE
Commissioner

December 17, 2019

SENT VIA EMAIL to: albert.fralinger@drba.net

Albert Fralinger
DELAWARE RIVER & BAY AUTH
PO BOX 71
NEW CASTLE, DE 19720

Re: Stormwater Discharge General Permit Authorization Renewal
Category: R12 -Highway Agency Stormwater General Permit
NJPDES: NJG0155101 / PI ID #: 225789
DELAWARE RIVER & BAY AUTHORITY
Out Of State, <NO DATA FOUND> County

Dear Stormwater Program Coordinator:

Enclosed is New Jersey Pollutant Discharge Elimination System (NJPDES) Authorization to Discharge Renewal No. NJG0155101 (Category R12 -Highway Agency Stormwater General Permit) issued under the authority of Stormwater NJPDES Master General Permit No. NJ0141887 (Highway Agency Master GP).

The Highway Agency Master GP and associated documents are posted at <https://www.nj.gov/dep/dwq/highway.htm>, which includes a Response to Comments document that includes a summary of the significant and relevant comments received during the public comment period, the Department's responses, and an explanation of any changes from the draft action.

If you have any questions or comments regarding the above referenced action, please contact Sherry Preisig by telephone at 609-633-7021.

Sincerely,

Gabriel Mahon, Chief
Bureau of Nonpoint Pollution Control

C: Water Compliance and Enforcement Regional Office



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Bureau of Nonpoint Pollution Control
Water Pollution Management Element
PO Box 420
Trenton, NJ 08625-0420
Phone: (609) 633-7021
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AUTHORIZATION TO DISCHARGE
R12 -Highway Agency Stormwater General Permit

Facility Name: DELAWARE RIVER & BAY AUTHORITY

Permit Number: NJG0155101

Program Interest No.: 225789

Facility Address:

DELAWARE RIVER MEMORIAL BRG PLZ
RT 9
NEW CASTLE, DE 19720

Type of Activity: Stormwater Discharge General Permit Authorization Renewal

Owner:

DELAWARE RIVER & BAY AUTH
PO BOX 71
NEW CASTLE, DE 19720

Operating Entity:

DELAWARE RIVER & BAY AUTH
PO BOX 71
NEW CASTLE, DE 19720

Issuance Date:

12/17/2019

Effective Date:

01/01/2020

Expiration Date:

12/31/2024

Your Request for Authorization under NJPDES General Permit No. NJ0141887 has been approved by the New Jersey Department of Environmental Protection.

Date: 12/17/2019

Gabriel Mahon, Chief
Bureau of Nonpoint Pollution Control

(Terms, conditions and provisions attached hereto)

Division of Water Quality

PART I GENERAL REQUIREMENTS: NJPDES

A. General Requirements of 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 the final permit.
- b. General Conditions
 - Penalties for Violations N.J.A.C. 7:14-8.1 et seq.
 - Incorporation by Reference N.J.A.C. 7:14A-2.3
 - Toxic Pollutants N.J.A.C. 7:14A-6.2(a)4i
 - Duty to Comply N.J.A.C. 7:14A-6.2(a)1 & 4
 - Duty to Mitigate N.J.A.C. 7:14A-6.2(a)5 & 11
 - Inspection and Entry N.J.A.C. 7:14A-2.11(e)
 - Enforcement Action N.J.A.C. 7:14A-2.9
 - Duty to Reapply N.J.A.C. 7:14A-4.2(e)3
 - Signatory Requirements for Applications and Reports N.J.A.C. 7:14A-4.9
 - Effect of Permit/Other Laws N.J.A.C. 7:14A-6.2(a)6 & 7 & 2.9(c)
 - Severability N.J.A.C. 7:14A-2.2
 - Administrative Continuation of Permits N.J.A.C. 7:14A-2.8
 - Permit Actions N.J.A.C. 7:14A-2.7(c)
 - Reopener Clause N.J.A.C. 7:14A-6.2(a)10
 - Permit Duration and Renewal N.J.A.C. 7:14A-2.7(a) & (b)
 - Consolidation of Permit Process N.J.A.C. 7:14A-15.5
 - Confidentiality N.J.A.C. 7:14A-18.2 & 2.11(g)
 - Fee Schedule N.J.A.C. 7:14A-3.1
 - Treatment Works Approval N.J.A.C. 7:14A-22 & 23
- c. Operation And Maintenance
 - Need to Halt or Reduce not a Defense N.J.A.C. 7:14A-2.9(b)
 - Proper Operation and Maintenance N.J.A.C. 7:14A-6.12
- d. Monitoring And Records
 - Monitoring N.J.A.C. 7:14A-6.5
 - Recordkeeping N.J.A.C. 7:14A-6.6
 - Signatory Requirements for Monitoring Reports N.J.A.C. 7:14A-6.9
- e. Reporting Requirements
 - Planned Changes N.J.A.C. 7:14A-6.7
 - Reporting of Monitoring Results N.J.A.C. 7:14A-6.8
 - Noncompliance Reporting
 - N.J.A.C. 7:14A-6.10 & 6.8(h)
 - Hotline/Two Hour & Twenty-four Hour Reporting N.J.A.C. 7:14A-6.10(c) & (d)
 - Written Reporting N.J.A.C. 7:14A-6.10(e) & (f) & 6.8(h)
 - Duty to Provide Information N.J.A.C. 7:14A-2.11, 6.2(a)14 & 18.1
 - Schedules of Compliance N.J.A.C. 7:14A-6.4
 - Transfer N.J.A.C. 7:14A-6.2(a)8 & 16.2

PART II

GENERAL REQUIREMENTS: DISCHARGE CATEGORIES

A. Additional Requirements Incorporated By Reference

1. Additional Requirements Incorporated by Reference

- a. The Stormwater Management rules at N.J.A.C. 7:8.
- b. Conditions for General Permits at N.J.A.C. 7:14A-6.13, including the Department's authority to require, for due cause, a permittee to apply for and obtain a different stormwater permit for specific activities otherwise authorized under this permit.
- c. Additional Conditions applicable to UIC permits at N.J.A.C. 7:14A-8.9, UIC Corrective Action (N.J.A.C. 7:14A-8.11) and UIC Operating Criteria (N.J.A.C. 7:14A-8.16).
- d. Conditions for reopening and modification of small MS4 permits at N.J.A.C. 7:14A-16.4(b) and N.J.A.C. 7:14A-25.7(b).
- e. Requirements for Discharges to Ground Water at N.J.A.C. 7:14A-7.
- f. National Pollutant Discharge Elimination System (NPDES) Electronic Reporting rule at 40 CFR Part 127.

B. General Conditions

1. Notification of Non-Compliance

- a. The permittee shall notify the Department of any non-compliance when required by N.J.A.C. 7:14A-6.10 by contacting the DEP Hotline at 1-877-WARN-DEP.

2. Discharge of Pollutants

- a. For discharges authorized by this permit, the permittee is exempt from N.J.A.C. 7:14A-6.2(a)2. This exemption means that the discharge of any pollutant not specifically regulated in this NJPDES permit or listed and quantified in the Request for Authorization (RFA) shall not constitute a violation of the permit.

3. Standard Reporting Requirements – Electronic Reporting of NJPDES Information

- a. Unless already required by this permit to be submitted electronically by an earlier date, effective December 21, 2020 (for information on the NPDES eRule, see www.epa.gov/compliance/npdes-ereporting), the below identified documents and reports shall be electronically submitted via the Department's designated electronic submission service:
 - i. General permit authorization requests (i.e. RFAs);
 - ii. General permit termination/revocation requests; and
 - iii. Municipal separate storm sewer system (MS4) program reports (see Part IV.G).

4. Other Regulatory Requirements

- a. Permit conditions remain in effect and enforceable until and unless the permit is modified, renewed or revoked by the Department.
- b. The issuance of this permit shall not be considered as a waiver of any applicable federal, State or local rules, regulations and ordinances.
- c. In accordance with N.J.A.C. 7:14A-6.2(a)7, this permit does not authorize any infringement of State or local law or regulations, including, but not limited to, N.J.A.C. 7:50 (the Pinelands rules), N.J.A.C. 7:1-E (Discharges of Petroleum and other Hazardous Substances), regulations concerning threatened and endangered species and their designated critical habitat, and other Department rules. No discharge of hazardous substances (as defined in N.J.A.C. 7:1E-1.6) resulting from an onsite spill shall be deemed to be “pursuant to and in compliance with this permit” within the meaning of the Spill Compensation and Control Act at N.J.S.A. 58:10-23.11c.
- d. While the permittee is required to comply with applicable operation and maintenance requirements of N.J.A.C. 7:14A-6.12(a), the permittee is exempt from the operations and maintenance manual requirements of N.J.A.C. 7:14A-6.12(c). This exemption applies only to discharges authorized under this permit and does not alter the operation and maintenance requirements for stormwater facilities specified in this permit or N.J.A.C. 7:8.

C. Eligibility

1. Permit Scope

- a. This general permit applies to all stormwater discharges from small MS4s at highways or other thoroughfares that are owned or operated by a “Highway Agency” under N.J.A.C. 7:14A-25.2(a)3.
- b. For purposes of this permit and as described under N.J.A.C. 7:14A-25.2(a)3, a “Highway Agency” is a county, state, interstate or federal agency that operates a small MS4 at a “highway or other thoroughfare” (including a maintenance or service facility or rest area for such a thoroughfare). A “highway or other thoroughfare” does not include:
 - i. Any thoroughfare confined to the grounds of a single building, or of two or more buildings that are not a “public complex” as described in N.J.A.C. 7:14-A-25.2(a)2 (unless that building(s) is a maintenance or service facility for a highway or other thoroughfare not confined to such grounds);
 - ii. Any thoroughfare confined to the grounds of a “public complex” (each such thoroughfare is instead considered part of the “public complex”); or
 - iii. Any thoroughfare (other than the Palisades Interstate Parkway) confined to an officially designated park, forest, recreational area, natural area, wildlife management area, or area set aside for water supply protection.
- c. The short title of this permit is the “Highway Agency MS4 NJPDES permit.”

2. Authorized Discharges Under the Highway Agency MS4 NJPDES Permit

- a. Eligible Stormwater Discharges – Except as provided in Part II.C.3 below, this permit authorizes all new and existing stormwater discharges to surface water and groundwater from:
 - i. Small MS4s (as defined at N.J.A.C. 7:14A-1.2) that are owned or operated by a “Highway Agency”.

- ii. Maintenance yards and other ancillary operations (see Part IV.B.5.c) that are owned or operated by a “Highway Agency”.
- b. Eligible Non-Stormwater Discharges – Except as identified in Part II.C.3.e below, the following new and existing non-stormwater discharges from small MS4s owned or operated by Highway Agencies and from maintenance yards and other ancillary operations (see Part IV.B.5.c) owned or operated by Highway Agencies are eligible for authorization under this permit:
 - i. Potable water line flushing and discharges from potable water sources, excluding the discharge of filter backwash and first flush water from potable well development/redevelopment activities utilizing chemicals in accordance with N.J.A.C. 7:9D. The volume of first flush water, which is a minimum of three times the volume of the well water column, shall be handled and disposed of properly;
 - ii. Uncontaminated ground water (e.g. infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters);
 - iii. Air conditioning condensate (excluding contact and non-contact cooling water; and industrial refrigerant condensate);
 - iv. Irrigation water (including landscape and lawn watering runoff);
 - v. Flows from springs, riparian habitats, wetlands, water reservoir discharges and diverted stream flows;
 - vi. Residential car washing water; and dechlorinated swimming pool discharges from single family residential homes;
 - vii. Sidewalk, driveway and street wash water;
 - viii. Flows from firefighting activities;
 - ix. Flows from clean water rinsing of beach maintenance equipment immediately following use and only if the equipment is used for its intended purpose;
 - x. Flows from clean water rinsing of equipment and vehicles used in the application of salt and de-icing materials. Prior to rinsing, all equipment shall be cleaned using dry methods such as shoveling and sweeping. Recovered materials are to be returned to storage or properly discarded; and
 - xi. Rinsing of equipment in Part II.C.2.b.ix and x, above is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

3. Discharges Not Authorized Under the Highway Agency MS4 NJPDES Permit

- a. Stormwater Discharges Associated with Industrial Activity.
 - i. The Highway Agency MS4 NJPDES Permit does not authorize “stormwater discharge associated with industrial activity” as defined in N.J.A.C. 7:14A-1.2 except as otherwise specifically provided in this permit.
 - ii. Types of facilities that a permittee might operate and that are considered to be engaging in “industrial activity” include but are not limited to certain: 1) landfills; 2) transportation facilities (including certain local passenger transit and air transportation facilities); 3) facilities handling domestic sewage or sewage sludge; and 4) steam electric power generating facilities.

- iii. Yard Trimmings and Wood Waste Management Sites that are not owned and operated by the permittee.
 - iv. The Highway Agency MS4 NJPDES Permit does not authorize the discharge of stormwater that comes in contact with source material from Yard Trimmings and Wood Waste Management Sites that are owned or operated by the Highway Agency to storm sewer inlets or to surface waters of the State.
 - v. Any permittee that operates an industrial facility with such a discharge must submit a separate Request for Authorization (RFA) or individual permit application for that discharge. An RFA submitted for the Highway Agency MS4 NJPDES Permit does not qualify as an RFA for such a discharge.
- b. Stormwater Discharges Associated with Construction Activity
- i. The Highway Agency MS4 NJPDES Permit does not authorize “stormwater discharges associated with construction activity” as described in N.J.A.C. 7:14A-24.10(a). In general, this is the discharge to surface water of stormwater from construction activity that disturbs at least one acre.
 - ii. Any permittee that operates a construction site with such a discharge shall submit a separate RFA under NJPDES Permit No. NJ0088323 (General Stormwater Permit Construction Activity, see www.nj.gov/dep/dwq/5g3.htm), or an application for an individual permit for that discharge. An RFA submitted for the Highway Agency MS4 NJPDES Permit does not qualify as an RFA for such a discharge. See Part IV.B.3 of the Highway Agency MS4 NJPDES Permit.
- c. Stormwater Discharges Authorized under Another NJPDES Permit
- i. The Highway Agency MS4 NJPDES Permit does not authorize any stormwater discharge that is authorized under another NJPDES permit.
 - ii. A permittee does not have to implement measures contained in this NJPDES permit for stormwater discharges at facilities owned or operated by that Highway Agency that are regulated under a separate NJPDES stormwater permit authorizing those discharges.
- d. Stormwater Discharges that Conflict with a Water Quality Management Plan
- i. The Highway Agency MS4 NJPDES Permit does not authorize stormwater discharges from projects or activities that conflict with an adopted Areawide or Statewide Water Quality Management Plan.
- e. Non-Stormwater Discharges that are Contributors of Pollutants
- i. If any of the discharges listed in Part II.C.2.b above are identified by the permittee as a significant contributor of pollutants to or from the MS4, the permittee must address the discharge as an illicit connection or as an improper disposal of waste as specified in Part IV.B.6 of this permit.

4. Exclusions

- a. Any owner, operator, and/or discharger authorized by this general permit may request to be excluded from the coverage of the general NJPDES permit by applying for an individual permit. The owner, operator, and/or discharger shall submit an application in accordance with N.J.A.C. 7:14A-4, with reasons supporting the request, to the NJDEP. The request shall be processed under N.J.A.C. 7:14A-15, 16 and 17. The request shall be granted by the issuance of an individual permit if the reasons cited by the owner, operator and/or discharger are adequate to support the request.

- b. An owner, operator, and/or discharger excluded from this general NJPDES permit solely because of an existing individual permit, may request that the individual permit be revoked or modified, as appropriate, and that the discharge be authorized by the general NJPDES permit. Upon revocation or modification of the individual permit, the permittee shall be authorized under the general permit.

D. Administrative Process

1. Automatic Renewal of Authorizations

- a. Upon reissuance of this general permit, existing authorizations shall be automatically renewed as provided by N.J.A.C. 7:14A-6.13(d)9 and 25.4(a)3 using the information provided in the permittees' most recently submitted RFA.

2. Notification of Changes

- a. A permittee shall provide a corrected RFA to the Department within 90 days of the effective date of a renewed authorization under this general permit if any information in its most recently submitted RFA is no longer true, accurate, and/or complete.
- b. The permittee shall notify the Department of any changes of its Stormwater Program Coordinator information within 30 days of such change through the online MSRP Annual Report or using the Information Update Sheet posted at www.nj.gov/dep/dwq/pdf/msrp_update_form.pdf as specified in Part IV F.3.d. of this permit.
- c. A permittee that already has authorization to discharge from a small MS4 under the Highway Agency MS4 NJPDES permit does not need to submit an RFA for the expansion (e.g. new building, new parking lot) of an existing small MS4.

3. Requests for Authorization

- a. New RFAs under the Highway Agency MS4 permit
 - i. A single RFA is required for the entire eligible discharge from an entire small MS4 owned or operated by a Highway Agency, or the Highway Agency may divide the small MS4 into smaller regions and submit a separate RFA for each of these smaller regions.
 - ii. The Department may choose to issue single or multiple authorizations under this permit to a Highway Agency regardless of whether the Highway Agency submitted a single or multiple RFAs.
 - iii. An RFA under this general permit shall include the following: A completed NJPDES 1 Form, a completed R12 Supplemental Application Form, and any other information as required by the Department.
- b. Upon receipt of an RFA the Department may, in accordance with N.J.A.C. 7:14A-6.13, do one of the following:
 - i. Issue notification of authorization under this permit;
 - ii. Deny authorization under this permit and require submittal of an application for an individual permit; or
 - iii. Deny authorization under this permit and require submittal of an RFA for another general permit.

- c. The Department may notify a person that the discharge is authorized by a general permit, even if the person has not submitted an RFA. A person so notified may nonetheless request an individual permit under C.4 above.

PART III

Recordkeeping and Reporting

The permittee shall keep records necessary to document, in the Annual Report and Certification, the status of compliance with the conditions of this permit. The requirement to keep records is found at Part IV.F of this permit, and the requirement to submit an Annual Report and Certification is found at Part IV.G of this permit.

PART IV

SPECIFIC REQUIREMENTS: NARRATIVE

Notes and Definitions

A. Footnotes

1. Acronyms

- a. Stormwater acronyms included in this permit are as follows:
 - i. "BMP" - Best Management Practice
 - ii. "CFR" - Code of Federal Regulations
 - iii. "EDPA" - Effective Date of Permit Authorization
 - iv. "EPA" - United States Environmental Protection Agency
 - v. "GIS" – Geographic Information System
 - vi. "MS4" - Municipal Separate Storm Sewer System
 - vii. "MSRP" - Municipal Stormwater Regulation Program
 - viii. "MTD" - Manufactured Treatment Device
 - ix. "N.J.A.C." - New Jersey Administrative Code
 - x. "NJPDES" - New Jersey Pollutant Discharge Elimination System
 - xi. "N.J.S.A." - New Jersey Statutes Annotated
 - xii. "RFA" - Request for Authorization
 - xiii. "SPPP" - Stormwater Pollution Prevention Plan
 - xiv. "TMDL" - Total Maximum Daily Load

2. Internal Cross References

- a. For the purposes of this permit:
 - i. References to Part IV Notes and Definitions are preceded with the words "Notes and Definitions" (e.g. Notes and Definitions Part IV.A.1 refers to Acronyms).
 - ii. References to Part IV Highway Agency MS4 NJPDES Permit are not preceded by descriptive text (e.g. Part IV.A.1 refers to Stormwater Program).

3. Department Resources for Guidance Relating to MS4 Issues

- a. MS4 main website and related links: https://www.nj.gov/dep/dwq/msrp_home.htm

- b. MS4 Highway Agency Guidance document: https://www.nj.gov/dep/dwq/highway_guidance.htm
- c. Construction Site Stormwater Runoff: <https://www.nj.gov/dep/dwq/5g3.htm>
- d. Snow Removal and Disposal Policy: https://www.nj.gov/dep/dwq/bnpc_home.htm
- e. Green Infrastructure and related links: <https://www.nj.gov/dep/gi/>
- f. Stormwater management information and training tools: <https://www.nj.gov/dep/stormwater/>
- g. Public education for stormwater pollution: <https://www.cleanwaternj.org>
- h. Clean Communities, a statewide litter abatement program: <https://www.njclean.org>
- i. Total Maximum Daily Load (TMDL) information: <https://www.nj.gov/dep/dwq/msrp-tmdl-rh.htm>

4. EPA Resources for Guidance Relating to MS4 Issues

- a. EPA's MS4 website and related links:
www.epa.gov/npdes/stormwater-discharges-municipal-sources
- b. EPA's National Menu of Stormwater Best Management Practices:
www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater
- c. EPA's guidance for Green Infrastructure:
<http://water.epa.gov/infrastructure/greeninfrastructure/index.cfm>
- d. EPA's Trash Free Waters resource page: www.epa.gov/trash-free-waters
- e. Illicit Discharge Detection and Elimination Guidance
www3.epa.gov/npdes/pubs/idde_manualwithappendices.pdf

B. Definitions

1. Definitions

- a. All words and terms used in this permit shall have meanings as defined in the "Regulations Concerning the New Jersey Pollutant Discharge Elimination System" (N.J.A.C. 7:14A), unless otherwise stated or unless the context clearly requires a different meaning.
- b. "Catch Basin" means a cistern, vault, chamber or well that is usually built along a street as part of the storm sewer system to capture sediment, debris, and pollutants.
- c. "Effective Date of Permit Authorization" means the date the permittee's authorization to discharge under this Highway Agency MS4 NJPDES permit becomes effective. This date may be found on the permittee's Authorization to Discharge page.
- d. "Existing permittee" means a permittee that held an authorization to discharge under the Highway Agency MS4 NJPDES permit the day before the effective date of this permit.
- e. "Green infrastructure" means methods of stormwater management that reduce wet weather/stormwater volume, flow, or changes the characteristics of the flow into combined or separate sanitary or storm sewers, or surface waters, by allowing the stormwater to infiltrate, to be treated by vegetation or by soils, or to be stored for reuse. Green infrastructure includes, but is not limited to, pervious paving, bioretention basins, vegetated swales, and cisterns.

- f. "Illicit connection" means any physical or non-physical (i.e. leak, flow, or overflow into the municipal separate storm sewer system) connection that discharges the following to a municipal separate storm sewer system (unless that discharge is authorized under a NJPDES permit other than this Highway Agency MS4 NJPDES permit):
 - i. Domestic sewage;
 - ii. Non-contact cooling water, process wastewater, or other industrial waste (other than stormwater);
or
 - iii. Any category of non-stormwater discharges that a permittee for the MS4 identifies as a source or significant contributor of pollutants pursuant to 40 C.F.R. 122.34(b)(3)(iii).
- g. "Limited-access highway" means every highway, street, or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street, or roadway; and includes any highway designated as a "freeway" or "parkway" by authority of law.
- h. "Maintenance plan" means a maintenance plan pursuant to N.J.A.C. 7:8-5.2(b) and 5.8 prepared by the design engineer for the stormwater management measures incorporated into the design of a major development.
- i. "Major development" means any development that provides for ultimately disturbing one or more acres of land and any additional development defined as "major development" by a permittee's stormwater program. Disturbance is the placement of impervious surface or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Projects undertaken by any government agency which otherwise meet the definition of "major development" but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered "major development."
- j. "Manufactured treatment device" means a pre-fabricated stormwater treatment structure utilizing settling, filtration, absorptive/adsorptive materials, vortex separation, vegetative components, and/or other appropriate technology to remove pollutants from stormwater runoff.
- k. "New permittee" means a permittee that obtains its first authorization to discharge under the Highway Agency MS4 NJPDES permit on or after the effective date of this permit.
- l. "Permanent structure" means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (a door is recommended, but not required). A fabric frame structure is a permanent structure if it meets the following specifications:
 - i. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
 - ii. The design shall prevent stormwater run-on and run through and the fabric cannot leak;
 - iii. The structure shall be erected on an impermeable slab;
 - iv. The structure cannot be open sided; and
 - v. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.

- m. "Regulatory mechanism" means an ordinance, permit, standard, contract language, or any other procedure, that will be enforced by the permittee.
- n. "Small MS4" means all municipal separate storm sewers systems (other than "large" or "medium" municipal separate storm sewer systems as defined in N.J.A.C. 7:14A-1.2) that are:
 - i. Owned or operated by municipalities described under N.J.A.C. 7:14A-25.1(b);
 - ii. Owned or operated by county, State, interstate, or Federal agencies, and located at public complexes as described under N.J.A.C. 7:14A-25.2(a)2;
 - iii. Owned or operated by county, State, interstate, or Federal agencies, and located at highways and other thoroughfares as described under N.J.A.C. 7:14A-25.2(a)3; or
 - iv. Owned or operated by county, State, interstate, Federal, or other agencies, and receive special designation under N.J.A.C. 7:14A-25.2(a)4.
 - v. Note that all MS4s covered under the Highway Agency MS4 NJPDES permit are "small MS4s".
- o. "Solids and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids as defined at N.J.A.C. 7:14A-25.6(b)3iii.
- p. "Storm drain inlet" means the point of entry into the storm drain system.
- q. "Stormwater" means water resulting from precipitation (including rain and snow) that runs off the land's surface; is transmitted to the subsurface; is captured by separate storm sewers or other sewerage or drainage facilities; or is conveyed by snow removal equipment.
- r. "Stormwater facility" includes, but is not limited to: catch basins, detention basins, retention basins, filter strips, riparian buffers, infiltration trenches, sand filters, constructed wetlands, wet basins, bioretention systems, low flow bypasses, and stormwater conveyances. Stormwater facilities include structural stormwater management measures.
- s. "Stormwater management basin" means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management basin may either be normally dry (that is, a detention basin or infiltration basin), retain water in a permanent pool (a retention basin or wet pond), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).
- t. "Stormwater management measure" means any structural or nonstructural strategy, practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances. Stormwater management measures include stormwater facilities.
- u. "Stormwater runoff" means water flow on the surface of the ground or in storm sewers, resulting from precipitation.
- v. "Stream scouring" means the erosion or removal of streambed or bank material by the physical action of flowing water and the sediment that it carries.
- w. "Subsurface infiltration/detention system" means a vault, perforated pipe, and/or stone bed that is located entirely below the ground surface and that temporarily stores and attenuates stormwater runoff."
- x. "Wood waste" means source separated whole trees, tree trunks, tree parts, tree stumps, brush and leaves provided that they are not composted, and lumber (non-chemically treated and unpainted).

- y. "Yard trimmings" means grass clippings, leaves, wood chips from tree parts, and brush.
- z. "Yard waste" means loose leaves and grass clippings.

Highway Agency Stormwater General Permit

A. Stormwater Management Program

1. Stormwater Program Requirements

- a. The permittee shall develop, update, implement and enforce an MS4 stormwater program. A primary objective of the MS4 stormwater program shall be to implement best management practices and other measures that are designed to reduce the discharge of pollutants from the permittee's MS4, maintenance yards and other ancillary operations, to the maximum extent practicable pursuant to N.J.A.C. 7:14A-25.6(a)1 and 40 CFR 122.34(a), to protect water quality and to satisfy the applicable water quality requirements of the Clean Water Act.
- b. The permittee shall modify its stormwater program (including necessary modification to applicable plans and appropriate regulatory mechanisms) to conform with applicable new legislation, or new or amended regulations. Such modification shall be completed and effective within 12 months of notification by the Department of the need for modification.
- c. The permittee shall develop, update, implement, and maintain a written Stormwater Pollution Prevention Plan (SPPP) for each authorization issued under the Highway Agency MS4 NJPDES permit that meets the requirements in Part IV.A.2 below (see the Highway Agency Guidance document https://www.nj.gov/dep/dwq/highway_guidance.htm).
- d. The permittee shall designate a Stormwater Program Coordinator (Stormwater Coordinator) who has overall responsibility for the operation of the permittee's stormwater facilities or environmental matters as follows:
 - i. The Stormwater Coordinator shall be either a principal executive officer or a duly authorized representative, as allowed by N.J.A.C. 7:14A-4.9(b); and
 - ii. If an assignment under i. above changes, then a new assignment of responsibility shall be submitted to the Department within 30 days of such change taking place. This is accomplished through completion of the online MSRP Annual Report (see Part IV.G Annual Report and Certification below) or the Stormwater Program Coordinator Information Update Sheet posted at https://www.nj.gov/dep/dwq/pdf/msrp_update_form.pdf.
- e. The Stormwater Coordinator shall be responsible for the following:
 - i. Coordinating the permittee's implementation of the Highway Agency MS4 NJPDES permit conditions and the SPPP;
 - ii. Signing and dating the SPPP; and
 - iii. Coordinating the completion and submittal of the MSRP Annual Report, consistent with Part IV.G.

2. Stormwater Pollution Prevention Plan (SPPP) Requirements

- a. The permittee's SPPP shall include, at a minimum, information that:
 - i. Identifies the person designated as the Stormwater Coordinator per Part IV.A.1.d above;
 - ii. Identifies the members of the SPPP Team, which is comprised of the person or persons responsible for implementing or coordinating the SPPP activities;

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- iii. Identifies each individual maintenance yard to be covered under each permit authorization, including the geographic region and site specific details of each yard. At a minimum, the SPPP for permittees with multiple yards must include an individual Form 10 (Maintenance Yards and Other Ancillary Operations) for each yard, as well as any other site specific SPPP Forms for each yard, where applicable;
 - iv. Describes the measures necessary for compliance with all components of this permit including all measures described in Parts IV.B, C, D, E and F below;
 - v. Documents the permittee's MS4 Stormwater Program including a description of shared or contracted services as allowed under Part IV.A.3 (Implementation of SPPP Conditions through Shared or Contracted Services), below; and
 - vi. Reflects the measurable goals, implementation schedules, recordkeeping and other requirements in Attachment A (Measurable Goals and Implementation Schedule).
- b. The permittee's Stormwater Coordinator shall sign and date the SPPP per Part IV.A.1.e., above.
 - c. The permittee shall review the SPPP at least annually and update it as often as necessary to reflect changes related to the permittee's MS4 Stormwater Program. Any amendments to the SPPP:
 - i. Shall continue to meet the requirements of this permit;
 - ii. Shall be incorporated into the SPPP and recorded on the SPPP revisions page; and
 - iii. Shall be signed and dated by the Stormwater Coordinator.
 - d. The SPPP shall note the location of all records / documentation required by this permit (See Attachment A- Measurable Goals and Implementation Schedule for additional detail).
 - e. The Department may notify the permittee at any time that the SPPP does not meet one or more of the minimum requirements. Within thirty (30) days after receiving such notification unless otherwise specified by the Department, the permittee shall amend the SPPP to adequately address all deficiencies.
 - f. The current SPPP shall be posted on the permittee's website no later than EDPA + 90 days with updates posted annually thereafter. The version posted on the website can exclude:
 - i. Inspection logs and other required record keeping; and
 - ii. The names of SPPP Team members, but must include the name of the Stormwater Coordinator.
 - g. The SPPP shall be made available to the Department and public upon request pursuant to N.J.A.C. 7:14A-25.6(j)2.
 - h. New Permittee: A new permittee shall develop, implement, maintain, and post on the permittee's website a written SPPP as required by this section on or before EDPA + 12 months.

3. Implementation of Permit Conditions through Shared or Contracted Services

- a. The permittee may rely on another governmental, private, or nonprofit entity to satisfy one or more of the permit conditions, or component thereof, through the implementation of best management practices or control measures, provided that:
 - i. The other entity implements the best management practice(s) or control measure(s);

- ii. The particular best management practice(s) or control measure(s), or component(s) thereof, is at least as stringent or as frequent as the corresponding permit requirement;
 - iii. The other entity agrees in writing or is required by law to implement the measure(s), or component(s) thereof, in such a manner that is in compliance with the permit on the permittee's behalf; and
 - iv. The permittee specifies in its SPPP (1) which permit conditions will be implemented by another entity and (2) the name of the responsible entity.
- b. For any projects or activities which the permittee assigns to another entity which is a private contractor, the awarded contract shall require the contractor to conduct such projects or activities in such a manner that is in compliance with this permit.
 - c. The permittee is responsible for compliance with this permit if the other entity fails to implement the measure(s) or component(s), thereof.

B. Statewide Basic Requirements and Associated Conditions

1. Minimum Standards for Public Involvement and Participation Including Public Notice

- a. The permittee shall comply with applicable State and local public notice requirements when providing for public participation in the development and implementation of an MS4 stormwater program. Requirements include but are not limited to:
 - i. The Open Public Meetings Act ("Sunshine Law," N.J.S.A. 10:4-6 et seq.); and
 - ii. Statutory procedures for the enactment of ordinances or other regulatory mechanisms (e.g., N.J.S.A. 40:49-2, 40:41A-101, or 52:14B-1 et seq., where applicable), adopted to comply with Part IV of this permit.
- b. The permittee shall make the following elements of its MS4 stormwater program available to the public:
 - i. Provide the current SPPP upon request as required by Part IV.A.2.g (SPPP); and
 - ii. Post the current SPPP on its website to the extent required by Part IV.A.2.f (SPPP); and
 - iii. Post all regulatory mechanisms required by this permit (see Part IV.B.5.a) on its website.
- c. The permittee shall meet the minimum standards of this permit, and the measurable goals (including any recordkeeping) and implementation schedules for Public Involvement and Participation Including Public Notice specified in Attachment A (Measurable Goals and Implementation Schedule).

2. Minimum Standards for Local Public Education and Outreach

- a. Highway Agencies that own or operate rest areas and/or service areas shall implement a Local Public Education and Outreach Program that focuses on educational and pollution prevention activities to involve the public in reducing pollutants in stormwater and mitigating flow. The permittee shall:
 - i. Annually conduct activities that total at least 5 (five) points as set forth in Attachment B (Points System for Public Education Activities) of this permit; and

- ii. Keep records to demonstrate compliance with this requirement, including date of activities and any other relevant documentation.
- b. All other permittees not identified in 2.a above may satisfy the educational component of the permit through the implementation of an employee training program pursuant to Part IV.B.5.d (Employee Training) of this permit.
- c. The permittee shall meet the minimum standards of this permit, and the measurable goals (including any recordkeeping) and implementation schedules for Local Public Education and Outreach specified in Attachment A (Measurable Goals and Implementation Schedule).

3. Minimum Standards for Construction Site Stormwater Runoff

- a. Construction site stormwater runoff activities are authorized under a separate NJPDES permit, generally the Construction Activity Stormwater General Permit No. NJ0088323 pursuant to N.J.A.C. 7:14A-25.6(b)2 (or an individual permit pursuant to N.J.A.C. 7:14A-24.7(a)2). See Part II.C.3.b and <https://www.nj.gov/dep/dwq/5g3.htm>. Pursuant to N.J.A.C. 7:14A-25.7(b), the permittee is not required to reference construction site stormwater runoff control in its SPPP.

4. Minimum Standards for Post Construction Stormwater Management in New Development and Redevelopment

- a. The permittee shall develop, update, implement and enforce its stormwater management program to address post construction stormwater runoff in new development and redevelopment projects owned or operated by the permittee, and to ensure compliance with the Stormwater Management rules at N.J.A.C. 7:8 et seq.
- b. The permittee shall address stormwater runoff from the following types of major development through a post construction stormwater management program, unless any additional development is defined as “major development” by the permittee’s stormwater program:
 - i. New development and redevelopment projects that disturb one acre or more and are owned or operated by the permittee; and
 - ii. All new development and redevelopment projects that are less than one acre that are part of a larger common plan of development that ultimately disturbs one acre or more.
- c. The permittee shall ensure, through a post construction stormwater management program, compliance with the applicable design, performance and maintenance standards established under N.J.A.C. 7:8 et seq. for major development as defined in this permit.
- d. The permittee shall review and analyze development plans for compliance with N.J.A.C. 7:8 et seq. The permittee’s review engineer shall be independent from the design engineer and shall not have been involved in the design of the development plans. The permittee shall review and analyze development plans for compliance with N.J.A.C. 7:8 et seq. even if a permit is required by the Department for the same or similar activity (e.g. a Land Use permit).
- e. The design and performance standards for stormwater management measures can be met at an alternative location or by alternative means provided the permittee has a mitigation plan which meets the following requirements:

- i. The mitigation plan shall identify measures that are necessary to offset the deficit created by the alternate location or design. The mitigation plan must satisfy the same criteria that a mitigation plan prepared in accordance with the Stormwater Management Rule N.J.A.C. 7:8-4.6 must satisfy. See Chapter 3 of the NJ Stormwater BMP Manual at <https://www.njstormwater.org> for guidance; and
 - ii. The permittee submits, within 30 days after approving an alternate location or design, a written report to the Department describing the alternate location or design and the required mitigation. Submit the written report to the Department at:
NJDEP-DWQ-BNPC
Mail Code 401-02B
PO Box 420
Trenton, NJ 08625-0420
- f. The permittee shall comply with the standards set forth in Attachment C (Design Standards for Storm Drain Inlets) of this permit to control passage of solid and floatable materials through storm drain inlets.
- g. The permittee shall ensure adequate long-term cleaning, operation and maintenance of stormwater management measures, pursuant to Part IV.C.2. (Stormwater Facilities Maintenance), owned or operated by the permittee.
- h. For each structural and non-structural stormwater measure (e.g. stormwater management basin, subsurface infiltration/detention system, manufactured treatment device, green infrastructure), the permittee shall:
- i. Update and maintain a Major Development Project List (included as Attachment D of this permit and posted on the Department's website at <https://www.nj.gov/dep/dwq/highway.htm>); and
 - ii. Submit the Major Development Project List to the Department annually with the MSRP Annual Report.
- i. Major development that does not require any Department permits listed under N.J.A.C. 7:8-1.6(c) and has received Federal or State authorization to initiate final design as of the operative date of amendments to the Stormwater Management Rules at N.J.A.C. 7:8, shall be subject to the Stormwater Management Rules in effect one day before the operative date of the rule amendments.
- j. The Stormwater Management rules N.J.A.C. 7:8 apply to all areas owned or operated by the permittee.
- k. The permittee shall meet the minimum standards of this permit, and the measurable goals (including any recordkeeping) and implementation schedules for Post Construction Stormwater Management in New Development and Redevelopment specified in Attachment A (Measurable Goals and Implementation Schedule).

5. Minimum Standards for Pollution Prevention / Good Housekeeping

- a. Regulatory Mechanisms: The permittee shall adopt and enforce the following regulatory mechanisms to address improper disposal of waste:
 - i. Pet Waste Control: Adopt and enforce an appropriate regulatory mechanism that requires pet owners or their keepers to immediately and properly dispose of their pet's solid waste deposited on any part of the Highway Agency property;

- ii. **Wildlife Feeding Control:** Adopt and enforce an appropriate regulatory mechanism that prohibits the feeding of any wildlife (e.g. Canada Geese) on any property owned or operated by the permittee. Exclusions include wildlife confined in zoos, parks, or rehabilitation centers as well the following unconfined animals: (1) wildlife at environmental education centers; (2) feral cats as part of an approved Trap-Neuter-Release program; and (3) other kinds of unconfined animals, if any, that the regulatory mechanism specifically lists and excludes for reasons set forth in the regulatory mechanism;
 - iii. **Litter Control:** Enforce the existing State litter statute at N.J.S.A 13:1E-99.3, or adopt and enforce an appropriate regulatory mechanism that is at least as stringent as the State litter statute;
 - iv. **Improper Disposal of Waste:** Adopt and enforce an appropriate regulatory mechanism prohibiting the improper spilling, dumping, or disposal of materials other than stormwater into the MS4 system excluding those discharges as allowable under Part II.C.2.b;
 - v. Model regulatory mechanism language for the above requirements can be found in the Highway Agency Guidance document at <https://www.nj.gov/dep/dwq/highway.htm>; and
 - vi. An additional requirement for the adoption and enforcement of an appropriate regulatory mechanism is found at Part IV.B.6.d (Illicit Connection Prohibition) of this permit.
- b. **Control Measures:** The permittee shall develop and continue to implement the following measures to control solids and floatables:
- i. **Litter Pick-Up Program:** The permittee shall develop and implement a litter pick up program that includes roadside clean-up of trash and debris and regular collection of refuse from litter and recycling receptacles owned and operated by the permittee, including those located at rest areas and service areas. The permittee shall maintain records of roadside clean-ups and estimates of the total amount of trash and debris collected;
 - ii. **Quarterly Street Sweeping:** The permittee shall sweep, at a minimum of once every three months, or more frequently as necessary to eliminate recurring problems, all segments of limited-access highways (including ramps and parking areas) that are owned or operated by the permittee and have storm drain inlets or discharge directly to surface water;
 - iii. **Triannual Street Sweeping:** The permittee shall sweep, at a minimum of once every four months, or more frequently as necessary to eliminate recurring problems, all segments of streets, ramps, and parking areas that are owned or operated by the permittee and have storm drain inlets or discharge directly to surface water but are not limited-access highways;
 - iv. **Annual Street Sweeping:** The permittee shall sweep, at a minimum of once per year, or more frequently as necessary to eliminate recurring problems, all segments of streets, ramps and parking areas that are owned or operated by the permittee but do not have storm drain inlets or discharge directly to surface water;
 - v. **Storm Drain Inlet Inspection:** The permittee shall inspect, at a minimum of once per year, all storm drain inlets that it owns or operates. Documentation of inspections shall include: inlet location, date visited, observations of the inlet's structural integrity, and if maintenance or repairs are required;

- vi. Storm Drain Inlet Cleaning: The permittee shall develop, update, and implement a storm drain inlet cleaning program. The program shall establish when a storm drain inlet must be cleaned and shall be implemented as frequently as necessary to ensure, at a minimum, that sediment, trash, or other debris is removed as necessary to control it from entering the waters of the State, to eliminate recurring problems and maintain proper function. This program shall be described in the written SPPP, as required in Part IV.A.2. (SPPP);
- vii. Catch Basin Inspection: The permittee shall inspect and document inspections of all catch basins that it owns or operates. At a minimum, permittees who own or operate less than 2,500 catch basins shall inspect those basins once per year. Permittees who own or operate 2,500 catch basins or more shall inspect a minimum of 20% of the total or 2,500 per year, whichever is greater, rotating the schedule in such a way that all catch basins are inspected at least once every five years on approximately the same frequency. Documentation of inspections shall include: catch basin location, date visited, observations of the catch basin's structural integrity, and if maintenance or repairs are required;
- viii. Catch Basin Cleaning: The permittee shall develop, update, and implement a catch basin cleaning program. The program shall establish when a catch basin must be cleaned, include procedures for cleaning, and shall be implemented as frequently as necessary to ensure, at a minimum, that sediment, trash, or other debris is removed as necessary to control it from entering the waters of the State, to eliminate recurring problems and maintain proper function. For guidance related to catch basin cleaning, refer to the EPA Catch Basin Technology Overview and Assessment in the Highway Agency Guidance document (https://www.nj.gov/dep/dwq/highway_guidance.htm). This program shall be described in the written SPPP, as required in Part IV.A.2. (SPPP).
- ix. Storm Drain Inlet Labeling: The permittee shall label all storm drain inlets for those drains that do not have permanent wording cast into the structure of the inlet, which are located at rest areas, service areas, maintenance facilities, and along streets with sidewalks. See the Highway Agency Guidance document (https://www.nj.gov/dep/dwq/highway_guidance.htm) for additional information;
- x. Storm Drain Inlet Label Maintenance: The permittee shall maintain the legibility of storm drain inlet labels and replace any labels that are missing or not legible. See the Highway Agency Guidance document (https://www.nj.gov/dep/dwq/highway_guidance.htm) for additional information;
- xi. Storm Drain Inlet Retrofit: The permittee shall retrofit existing storm drain inlets that are: (1) in direct contact with any repaving, repairing (excluding individual pothole repair), or resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen); or (2) in direct contact with any reconstruction or alteration of facilities. Storm drain inlet retrofits shall meet the standard in Attachment C (Design Standards for Storm Drain Inlets);
- xii. Herbicide Application Management: The permittee shall restrict the application of herbicides to prevent herbicides from being washed into the waters of the State and to prevent erosion caused by de-vegetation, as follows: (1) The permittee shall not apply herbicides on or adjacent to storm drain inlets, or on steeply sloping ground; (2) The permittee shall only apply herbicides along curb lines, highway median barriers, and unobstructed shoulders that contain unwanted vegetation; and (3) The permittee shall only apply herbicides within a 2-foot radius around structures where overgrowth presents a safety hazard and where it is unsafe to mow;

- xiii. **Excess De-icing Material Management:** The permittee shall remove, within 72 hours after the end of the storm event, conditions permitting, piles of excess salt and de-icing materials that have been deposited during spreading operations (e.g., piles resulting from accidental spillage or when spreading equipment is started or stopped) on all streets, ramps, and parking areas owned or operated by the permittee. Excess de-icing material removed from streets, ramps, and parking areas may be returned to storage or properly managed if unsuitable for reuse.
 - xiv. **Roadside Vegetative Waste Management:** The permittee shall ensure the proper pickup, handling, storage and disposal of wood waste and yard trimmings generated by the Highway Agency. Wood waste and yard trimmings shall be managed to minimize the impact of vegetative maintenance activities on stormwater discharge quality, and shall be prohibited from being blown or deposited into storm drain inlets and stormwater facilities; and
 - xv. **Refuse Containers and Dumpsters:** The permittee shall ensure that dumpsters (including tire) and other refuse containers that are outdoors or exposed to stormwater, are covered at all times. This serves to prevent the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers. This measure is not intended for permitted temporary demolition containers or containers that hold large bulky items (e.g., furniture, clean car parts, and other large items recovered from the roadway), provided they do not contain putrescible waste.
- c. **Maintenance Yards and Other Ancillary Operations:** The permittee shall implement the best management practices described in Attachment E (Best Management Practices for Maintenance Yards and Other Ancillary Operations) for maintenance yards and other ancillary operations owned or operated by the permittee. Ancillary operations include but are not limited to impound yards, permanent and mobile fueling locations, and yard trimmings and wood waste management sites. Best Management Practices shall be implemented for the following activities, whenever such activities occur:
- i. Inventory of Material and Machinery;
 - ii. Inspections and Good Housekeeping;
 - iii. Fueling Operations;
 - iv. Discharge of Stormwater from Secondary Containment;
 - v. Vehicle Maintenance;
 - vi. On-Site Equipment and Vehicle Washing and Wash Wastewater Containment;
 - vii. Salt and De-icing Material Storage and Handling;
 - viii. Aggregate Material and Construction Debris Storage;
 - ix. Street Sweepings, Catch Basin Clean Out, and Other Material Storage; and
 - x. Yard Trimmings and Wood Waste Management.
- d. **Employee Training:** The permittee shall develop, update and implement an employee training program to address permit components and SPPP requirements. All Highway Agency employees shall receive training on those stormwater topics applicable to their title and duties within 3 months of commencement of duties. In addition, follow-up training shall occur as specified below:

- i. Maintenance Yard Operations (including Ancillary Operations) - the permittee shall provide training annually on inventory of materials and machinery, inspections and good housekeeping; fueling operations; discharge of stormwater from secondary containment; vehicle maintenance; on-site equipment and vehicle washing and wash wastewater containment; salt and de-icing material storage and handling; aggregate material and construction debris storage; street sweeping and catch basin clean out material storage; yard trimmings and wood waste management sites. See Part IV.B.5.c (Maintenance Yards and Other Ancillary Operations).
- ii. Stormwater Facility Maintenance – the permittee shall provide training annually on inventory and mapping of stormwater facilities, maintenance of inventoried stormwater facilities, catch basin and inlet cleaning methods, and herbicide application management. See Part IV.C.1 and 2 (Stormwater Facilities Map and Maintenance), Part IV.B.5.b.v-viii (Storm Drain Inlets and Catch Basins), and Part IV.B.5.b.xii (Herbicide Application Management).
- iii. The permittee shall provide general training annually on the Highway Agency’s SPPP, applicable recordkeeping requirements, and detailed training on any component applicable to an employee’s title and duties. See Part IV.A.2 (SPPP).
- iv. Street Sweeping - the permittee shall provide training once every two years on sweeping schedules and proper management of materials collected. See Part IV.B.5.b.ii-iv (Street Sweeping).
- v. Illicit Connection Elimination and Outfall Pipe Mapping - the permittee shall provide training once every two years on the impacts associated with illicit connections and details of the program including investigation techniques, physical observations, field sampling, and mapping procedures. See Part IV.B.6.a and c (Outfall Pipe Mapping, and Illicit Discharge) and the National Menu of Stormwater Best Management Practices at www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater.
- vi. Outfall Pipe Stream Scouring Detection and Control - the permittee shall provide training once every two years on how to identify outfall pipe stream scouring and contributing factors. See Part IV.B.6.b (Stream Scouring).
- vii. Waste Disposal Education - the permittee shall provide training once every two years on the impacts associated with improper waste disposal, how to respond to inquiries regarding improper waste disposal, and appropriate enforcement authority.
- viii. Regulatory Mechanisms - the permittee shall provide training once every two years on the regulatory mechanisms identified in Part IV.B.5.a, above. Training shall include an overview of the requirements, enforcement, and the repercussions of non-compliance.
- ix. Construction Activity/Post-Construction Stormwater Management in New Development and Redevelopment - the permittee shall provide general training once every two years on the permitting requirements for construction activity and Post-Construction Stormwater Management in New Development and Redevelopment. See Part IV.B.3 Construction Site Runoff) and B.4 (Post Construction).
- x. Training may also be conducted on stormwater-related topics that serve an educational purpose for employees.
- xi. The location of records including sign in sheet(s), date(s) of training, and training agenda(s) shall be noted in the SPPP.

- e. Stormwater Management Design Review Training: The permittee shall ensure that all engineers, and other individuals that review the stormwater management design for development and redevelopment projects for the Highway Agency, complete the Department approved Stormwater Management Design Review Course (see <https://www.nj.gov/dep/stormwater/training.htm>) once every five years. Individuals that will review stormwater management design and have not completed this course within the past five years must attend the next scheduled course offering. If unable to attend, the permittee must notify the Department in writing no later than thirty days after the missed course explaining why attendance was not possible and what alternate arrangements are being made. Training obtained within five calendar years prior to EDPA qualifies towards this requirement. The permittee is required to maintain a list of the dates and names of training program participants.
- f. The permittee shall meet the minimum standards of this permit, and the measurable goals (including any recordkeeping) and implementation schedules Pollution Prevention / Good Housekeeping specified in Attachment A (Measurable Goals and Implementation Schedule).

6. Minimum Standards for MS4 Outfall Pipe Mapping, and Illicit Discharge and Scouring Detection and Control

- a. Outfall Pipe Mapping: The permittee shall develop, update and maintain an outfall pipe map showing the location of the end of all MS4 outfall pipes (in tidal and non-tidal receiving waters) owned or operated by the permittee which discharge to a surface water body. The outfall pipe map shall also:
 - i. Show the location and name of all surface water bodies receiving discharges from those outfall pipes;
 - ii. Be included in the SPPP (if providing access to map via a link, include URL address in SPPP);
 - iii. Be updated annually to include, at a minimum, the location of the end of any new or newly identified MS4 outfall pipes;
 - iv. Be provided to the Department on or before EDPA + 12 months; and
 - v. Be submitted electronically by December 21, 2020 via the Department's designated electronic submission service.
- b. Stream Scouring: The permittee shall develop, update and implement a program to detect, investigate and control any localized stream scouring from stormwater outfall pipes owned or operated by the permittee. This program shall be described in the written SPPP, as required in Part IV.A.2., above. See the Highway Agency Guidance document (https://www.nj.gov/dep/dwq/highway_guidance.htm) for additional information. The permittee shall, at a minimum:
 - i. Inspect and document inspections of each outfall pipe which discharges to a stream for localized stream scouring in the vicinity of the outfall pipe, at least once every five years, with a minimum of 20% of the total number of outfalls or 100 per year, whichever is greater;
 - ii. Inspect, within 30 days of identification, any outfall pipes newly identified per Part IV.B.6.a for localized stream scouring in the vicinity of the outfall pipe;
 - iii. When localized stream scouring is detected, identify sources of stormwater that contribute to the scouring from the outfall pipe within 3 months;

- iv. Each identified stormwater source shall be investigated;
 - v. Where identified sources are located on property owned or operated by the permittee, corrective action shall be taken by the permittee to reduce stormwater rate or volume when feasible;
 - vi. Prioritize, schedule and complete remediation of identified localized stream scouring and take action based upon the requirements of Part IV.B.6.b.iii, above. If not completed within 12 months, a schedule for completion shall be maintained as required in Part IV.C.3. (Stormwater Facilities Maintenance);
 - vii. All stream scouring restoration shall be made in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey at N.J.A.C. 2:90-1 (e.g., Conduit Outlet Protection 12-1), or, for New Jersey Department of Transportation (NJDOT) projects, the NJDOT Soil Erosion and Sediment Control Standards at N.J.A.C. 16:25A (e.g., Conduit Outlet Protection 4.18), and the requirements for bank stabilization and channel restoration found at N.J.A.C. 7:13 et seq.
 - viii. All associated maintenance or repairs to stormwater facilities shall be made in accordance with N.J.A.C. 7:8; and
 - ix. Document investigations and actions taken for localized stream scouring as necessary to demonstrate compliance with this requirement. Outfall inspections shall include: outfall location, date visited, and observations of the outfall's structural integrity and if maintenance or repairs need to take place.
- c. Illicit Discharge Detection and Elimination: The permittee shall develop, update, implement and enforce an ongoing Illicit Discharge Detection and Elimination Program in accordance with this permit. This program shall be described in the written SPPP, as required in Part IV.A.2. (SPPP). See the Highway Agency Guidance document (https://www.nj.gov/dep/dwq/highway_guidance.htm) and the USEPA Guidance document (www3.epa.gov/npdes/pubs/idde_manualwithappendices.pdf) for additional information. The permittee shall, at a minimum:
- i. Conduct visual dry weather inspection of all outfall pipes owned or operated by the permittee at least once every five years, with a minimum of 20% of the total number of outfalls or 100 per year, whichever is greater to determine if dry weather flow (flow occurring 72 hours after a rain event) or other evidence of illicit discharge is present;
 - ii. Inspect, within 30 days of identification, any newly identified outfall pipes per Part IV.B.6.a to determine if dry weather flow or other evidence of illicit discharge is present;
 - iii. Investigate dry weather flows discovered during routine inspection and maintenance of other elements of the MS4;
 - iv. Investigate, within 30 days of receipt, complaints and reports of illicit connections, including those from operating entities of interconnected MS4s;
 - v. Investigate the source if evidence of illicit discharge is found;
 - vi. Eliminate, within one year of discovery, non-stormwater discharges that are traced to their source and found to be illicit connections; and
 - vii. Document investigations and actions taken using the Department's Illicit Connection Inspection Report Form. See <https://www.nj.gov/dep/dwq/highway.htm>;

- d. The permittee shall adopt and enforce an appropriate regulatory mechanism that prohibits illicit connections to the small MS4 owned or operated by the permittee. See the Highway Agency Guidance document https://www.nj.gov/dep/dwq/highway_guidance.htm).
- e. The permittee shall meet the minimum standards of this permit, and the measurable goals (including any recordkeeping) and implementation schedules for MS4 Outfall Pipe Mapping, and Illicit Discharge and Scouring Detection and Control specified in Attachment A (Measurable Goals and Implementation Schedule).

C. Other Control Measures

1. Minimum Standards for Stormwater Facilities Mapping

- a. The permittee shall develop, update and maintain a Stormwater Facilities Map, which shall include, but is not limited to, the following stormwater facilities that are owned or operated by the permittee:
 - i. Storm drain inlets constructed after EDPA;
 - ii. Stormwater management basins;
 - iii. Subsurface infiltration/detention systems;
 - iv. Manufactured treatment devices (MTDs); and
 - v. Green infrastructure.
- b. The Stormwater Facilities Map shall:
 - i. Show property boundaries of the Highway Agency maintenance yard(s), ancillary operations, rest areas, and service areas as well as an annotated map of roadways and thoroughfares owned or operated by the permittee;
 - ii. Include the type of each stormwater facility;
 - iii. Be updated annually to include, at a minimum, the location of any new or newly identified stormwater facilities;
 - iv. Be populated and maintained in an electronic format provided by the Department;
 - v. Be provided to the Department on or before EDPA + 36 months; and
 - vi. New data points subsequently added to the map shall be provided to the Department annually thereafter as an attachment to the MSRP Annual Report and Certification.
- c. The permittee may combine this map with the MS4 Outfall Pipe Map specified at Part IV.B.6.a (Outfall Pipe Mapping).
- d. The permittee may use the Department's Mapping Application to assist with this requirement. See https://www.nj.gov/dep/dwq/msrp_map_aid.htm.
- e. The permittee shall meet the minimum standards of this permit, and the measurable goals (including any recordkeeping) and implementation schedules for Stormwater Facilities Mapping specified in Attachment A (Measurable Goals and Implementation Schedule).

2. Minimum Standards for Stormwater Facilities Maintenance

- a. The permittee shall develop, update and implement a program to ensure adequate long-term cleaning, operation and maintenance of all permittee owned or operated stormwater facilities.
- b. Stormwater facility maintenance must be performed pursuant to any maintenance plans, or more frequently as needed, to ensure the proper function and operation of the stormwater facility. See https://www.nj.gov/dep/stormwater/maintenance_guidance.htm.
- c. The permittee shall maintain a log sufficient to demonstrate compliance with this section; which shall include, but is not limited to the following information:
 - i. stormwater facility inspected;
 - ii. location information of the facility inspected (location information must be specific enough to locate and identify the stormwater facility in the field; e.g. geographic coordinates);
 - iii. name of inspector;
 - iv. date of inspection;
 - v. findings; and
 - vi. any preventative and corrective maintenance performed.
- d. Example Maintenance Logs and Inspection Records forms which are sufficient to demonstrate compliance with this section are available at https://www.nj.gov/dep/stormwater/maintenance_guidance.htm.
- e. The permittee shall certify annually in the MSRP Annual Report that permittee owned or operated stormwater facilities are functioning properly.
- f. If stormwater facilities are found not to be functioning properly, necessary preventive and corrective maintenance shall be taken, which shall be documented and prioritized, and a schedule for such repairs shall be maintained. The permittee shall prioritize this schedule based upon the following:
 - i. environmental, health and safety concerns;
 - ii. the findings of catch basin and storm drain inlet inspections performed pursuant to Part IV.B.5.b.v and vii. (Storm Drain Inlet and Catch Basin Inspections), above;
 - iii. the findings of stream scouring inspections performed pursuant Part IV.B.6.b (Stream Scouring), above; and
 - iv. the findings pursuant to Part IV.C.4 (TMDL Information), below.
- g. The permittee shall maintain copies of all maintenance plans, as defined in Notes and Definitions Part IV.B.1.g (Maintenance Plan) of this permit, for stormwater facilities.
- h. The permittee shall make copies of these maintenance plans available to the Department upon request.
- i. The permittee shall meet the minimum standards of this permit, and the measurable goals (including any recordkeeping) and implementation schedules for Stormwater Facilities Maintenance specified in Attachment A (Measurable Goals and Implementation Schedule).

3. Minimum Standards for Total Maximum Daily Load (TMDL) Information

- a. The permittee shall annually review approved or adopted TMDL reports to identify stormwater related pollutants listed therein and associated with any segment of surface water wholly or partially within or bordering all: maintenance yards; rest areas; service area properties; and new "major development" projects as defined by the permittee's stormwater program. This information may be accessed at <https://www.nj.gov/dep/dwq/msrp-tmdl-rh.htm>. The permittee shall use this TMDL information to, at a minimum:
 - i. Assist in the selection and design of stormwater BMPs for "major development" projects, and the prioritization of stormwater facility maintenance, including schedules for repairs required at Part IV.B.6.b.vi. (Stream Scouring) and IV.C.3. (Stormwater Facilities Maintenance), above; and
 - ii. Identify and develop strategies to address specific sources of stormwater related pollutants contributing to discharges authorized under this permit. Strategies may include but are not limited to those found in the implementation section of approved or adopted TMDL reports (for examples see "Total Maximum Daily Load (TMDL) Guidance" found at <https://www.nj.gov/dep/dwq/msrp-tmdl-rh.htm>).
- b. The permittee shall annually update its SPPP to list information identified in a. above.
- c. The permittee shall incorporate any strategies identified in a. above as an Optional Measure. See Part IV.E (Optional Measures), below, and Part IV.A.2.c (SPPP), above.
- d. The permittee shall meet the minimum standards of this permit, and the measurable goals (including any recordkeeping) and implementation schedules for Total Maximum Daily Load (TMDL) Information specified in Attachment A (Measurable Goals and Implementation Schedule).

D. Additional Measures

1. Incorporation of Additional Measures

- a. Additional Measures are non-numeric (e.g., BMPs) or numeric effluent limitations that are expressly required to be included in a permittees stormwater program by a TMDL; a regional stormwater management plan; other elements of an adopted areawide Water Quality Management Plan; or the adopted Statewide Water Quality Management Plan.
- b. The Department will provide written notice of the adoption of any Additional Measure(s) to any affected permittee. The Department will incorporate each adopted Additional Measure in a modification to this permit. For any required Additional Measure(s) other than numeric effluent limitations, the required Additional Measure(s) will specify the BMPs that shall be implemented and the measurable goals. Such BMPs shall be identified in the SPPP as Additional Measure(s). The required Additional Measure(s) will also specify the implementation schedule.

E. Optional Measures

1. Incorporation of Optional Measures

- a. Optional Measures are BMPs, developed by the permittee, that extend beyond the requirements of this permit and that prevent or reduce pollution to waters of the State.
- b. The permittee may, at its own discretion, incorporate Optional Measures into its MS4 stormwater program. Such BMPs shall be identified in the SPPP as Optional Measures.

- c. Failure to implement an Optional Measure identified in the SPPP shall not be considered a violation of the NJPDES permit.

F. Recordkeeping

1. Standard Recordkeeping Requirements

- a. The permittee shall retain copies of the MSRP Annual Report and Certification as well as any records required to be kept by this permit for a period of at least 5 years and be made available to the Department upon request.

G. Annual Report and Certification

1. Reporting Requirements

- a. The permittee shall complete an MSRP Annual Report, including the Major Development Project List (Attachment D) and any Supplemental Questions, using the electronic format provided by the Department via the MSRP Annual Report service accessed through the Regulatory Services Portal (<https://www.njdeponline.com>).
- b. The MSRP Annual Report shall summarize the status of compliance with the conditions of this permit. Specifically, this includes compliance with the permittee's Stormwater Management Program (Part IV.A), Statewide Basic Requirements (Part IV.B), Other Control Measures (Part IV.C), Additional Measures (Part IV.D), Optional Measures (Part IV.E) Recordkeeping (Part IV.F), and any other permit conditions listed on the MSRP Annual Report form, including Supplemental Questions for the subject year between January 1 and December 31.
- c. The Stormwater Program Coordinator, or duly authorized representative pursuant to N.J.A.C. 7:14A-4.9(a)4. shall certify, sign and date the Annual Report.
- d. Submit an Annual Report and Certification: on or before May 1st annually to the Department through the Regulatory Services Portal (instructions at <https://www.nj.gov/dep/dwq/highway.htm>).
- e. A copy of each Annual Report and Certification shall be made available to the Department for inspection.

DELAWARE RIVER & BAY AUTHORITY , NEW CASTLE

Permit No.NJG0155101
DST190001 Stormwater Discharge General Permit Authorization
Renewal

Attachment A – Measurable Goals and Implementation Schedule

General

The following table specifies the Measurable Goals and Implementation Schedule of this Highway Agency MS4 NJPDES Permit. Each Measurable Goal and Implementation Schedule is associated with a permit citation and a summary of the associated Minimum Standard. The summary of Minimum Standard column represents a paraphrase of permit conditions. Actual Minimum Standards are found in Part IV of the permit.

An indication of whether the cited Minimum Standard is a new requirement is provided in the last column. Where a requirement is not new and not modified (and for some that are modified), the permittee is expected to be in compliance on the Effective Date of Permit Authorization (EDPA). For most new requirements (and for some modified requirements), additional time is provided for achieving compliance.

See below for specific Measurable Goals that shall be documented in the SPPP. **The permittee shall develop, update, implement, and maintain a written SPPP as required by Part IV.A.1.c., above.** The Implementation Schedule refers to the date that a Minimum Standard must be incorporated into the permittee's stormwater program, along with any ongoing requirements. In addition to the requirements of Part IV.A.2 above, the SPPP shall identify and discuss the Minimum Standard of each Statewide Basic Requirement (Part IV.B, above) and Other Control Measures (Part IV.C, above) where the following information is required for each item:

- Describe the method of implementation;
- Include an implementation schedule, consistent with permit requirements, including interim milestones;
- Include any special diagrams required by the permit (e.g., stormwater facilities map);
- Include inspection and maintenance schedules, as appropriate; and
- Maintain required records.

This table does not include Measurable Goals and an Implementation Schedule for the Notes and Definitions Part IV, Part IV.A (Stormwater Management Program), Part IV.D (Additional Measures), IV.E (Optional Measures), and IV.G (Annual Report and Certification) because these are not Statewide Basic Requirements or Other Control Measures (see N.J.A.C. 7:14A-25.6). While not included in this table, Notes and Definitions Part IV, Part IV.A, D, E, F, and G are permit requirements and compliance is required.

Measurable Goals for Statewide Basic Requirements and Other Conditions of this Permit					
Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule		New Requirement?
			Existing Permittee	New Permittee	
Public Involvement and Participation Including Public Notice					
Provide for public notice, as applicable, under the Open Public Meetings Act and statutory procedures for enactment of ordinances or other regulatory mechanisms when providing for public participation in the development and implementation of a stormwater program. Maintain records necessary to demonstrate compliance.	IV.B.1.a & c	Certify in each annual report that all applicable public notice requirements have been met and relevant records kept. Reference in the SPPP the location of associated records.	EDPA	EDPA	Modified
Provide the current SPPP to the public upon request.	IV.B.1.b.i	Certify in each annual report that the SPPP was made available to the public.	EDPA	EDPA + 12 months	No
Post the current SPPP on the permittee's website.	IV.B.1.b.ii	Certify in each annual report that the SPPP has been posted on the permittee's website (to the extent required by Part IV.A.2.f) and that the posted SPPP is current.	EDPA + 90 days	EDPA + 12 months	Yes
Post all regulatory mechanisms on the permittee's website.	IV.B.1.b.iii	Certify in each annual report that regulatory mechanisms have been posted on the permittee's website and that the posted documents are current.	EDPA + 90 days	EDPA + 12 months	Yes
Local Public Education and Outreach					
Permittees that operate rest areas and/or service areas shall implement a program focusing on activities to involve the public in reducing stormwater pollutants.	IV.B.2.a	Certify in each annual report that the permittee has developed and is implementing a Local Public Education and Outreach Program.	EDPA	EDPA+12 months	Modified

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule		New Requirement?
			Existing Permittee	New Permittee	
Permittees that operate rest areas and/or service areas shall conduct activities that total at least 5 points as set forth in Attachment B (Points System for Public Education and Outreach Activities) of this permit. Keep records to demonstrate compliance with this requirement.	IV.B.2.a.i and ii	Certify in each annual report that the minimum point value has been met and report point totals in the Annual Report. Keep records to demonstrate compliance with this requirement.	EDPA+12 months	EDPA+12 months	New
Permittees not identified in IV.B.2.a shall satisfy the educational requirements through the implementation of an employee training program pursuant to IV.B.5.d.	IV.B.2.b	Certify in each annual report that employee training has been conducted, and maintain records including sign in sheet(s), date(s) of training, and training agenda(s). These records shall be kept and their location shall be referenced in the SPPP.	EDPA	EDPA+12 months	No
Post Construction Stormwater Management in New Development and Redevelopment					
Develop, update, implement and enforce its post construction stormwater management program in new development and redevelopment to ensure compliance with the Stormwater Management rules (N.J.A.C. 7:8).	IV.B.4.a-j	Certify in each annual report that the permittee has developed and is implementing and enforcing a program to address stormwater runoff from new development and redevelopment projects. Records demonstrating compliance with Part IV.B.4 shall be kept, and their location shall be referenced in the SPPP.	EDPA	EDPA	No
Complete, update, maintain and submit the Major Development Project List (Attachment D), which shall include information for each new development or redevelopment project that is regulated by the permit.	IV.B.4.h	Submit in each annual report the Major Development Project List (Attachment D). Records demonstrating compliance with Part IV.B.4 shall be kept, and their location shall be referenced in the SPPP.	EDPA	EDPA	Yes

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule		New Requirement?
			Existing Permittee	New Permittee	
Pollution Prevention/Good Housekeeping Regulatory Mechanisms					
Pet Waste Control: Adopt and enforce an appropriate regulatory mechanism that requires pet owners or their keepers to immediately & properly dispose of their pet's solid waste deposited on any part of the permittee's property.	IV.B.5.a.i	Certify in each annual report the date the regulatory mechanism was adopted and that it is being enforced. A log of enforcement actions and information distribution dates shall be kept and their location shall be referenced in the SPPP.	EDPA	EDPA + 12 months	No
Wildlife Feeding Control: Adopt and enforce an appropriate regulatory mechanism that prohibits wildlife feeding.	IV.B.5.a.ii	Certify in each annual report the date the regulatory mechanism was adopted and that it is being enforced. A log of enforcement actions shall be kept and their location shall be referenced in the SPPP.	EDPA	EDPA + 12 months	No
Litter Control: Enforce the existing State litter statute at N.J.S.A 13:1 E-99.3 or adopt and enforce a regulatory mechanism that is at least as stringent as the State litter statute.	IV.B.5.a.iii	Certify in each annual report the date the regulatory mechanism was adopted and that it is being enforced. A log of enforcement actions shall be kept and their location shall be referenced in the SPPP.	EDPA	EDPA + 12 months	No
Improper Disposal of Waste: Adopt and enforce an appropriate regulatory mechanism prohibiting improper disposal of waste.	IV.B.5.a.iv	Certify in each annual report the date the regulatory mechanism was adopted and that it is being enforced. A log of enforcement actions shall be kept and their location shall be referenced in the SPPP.	EDPA	EDPA + 12 months	No
Pollution Prevention/Good Housekeeping Control Measures					
Litter Pick-Up Program: Develop and implement a program that includes roadside clean-up of trash/debris and regular collection of refuse from litter and recycling receptacles on permittee property. Maintain records of clean-ups and estimates of total trash/debris collected.	IV.B.5.b.i.	Certify in each annual report that a litter pick-up program is being maintained, the estimated number of days each year pick-ups were performed, and the estimated amount of materials collected. Records demonstrating compliance shall be kept and their location shall be referenced in the SPPP.	EDPA	EDPA + 12 months	No

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule		New Requirement?
			Existing Permittee	New Permittee	
Quarterly Street Sweeping: Develop and implement a program to sweep all segments of limited-access highways (including ramps and parking areas) <u>with storm drain inlets</u> or discharge directly to surface water.	IV.B.5.b.ii	Certify in each annual report that the quarterly sweeping schedule is being maintained as well as records including the date and areas swept, number of miles of streets swept, and the total amount of materials collected in wet tons. Include totals in the Annual Report. Records demonstrating compliance shall be kept, and their location shall be referenced in the SPPP.	EDPA	EDPA + 12 months	Modified
Triannual Street Sweeping: Develop and implement a program to sweep all segments of streets and parking areas that are not limited-access highways but <u>have storm drain inlets</u> or discharge directly to surface water.	IV.B.5.b.iii	Certify in each annual report that the triannual sweeping schedule is being maintained as well as records including the date and areas swept, number of miles of streets swept, and the total amount of materials collected in wet tons. Include totals in the Annual Report. Records demonstrating compliance shall be kept, and their location shall be referenced in the SPPP.	EDPA	EDPA + 12 months	Modified
Annual Street Sweeping: Develop and implement a program to sweep all streets, ramps, and parking areas that <u>do not have storm drain inlets</u> or discharge directly to surface water.	IV.B.5.b.iv	Certify in each annual report that the annual sweeping schedule is being maintained as well as records including the date and areas swept, number of miles of streets swept, and the total amount of materials collected in wet tons. Include totals in the Annual Report. Records demonstrating compliance shall be kept, and their location shall be referenced in the SPPP.	EDPA	EDPA + 12 months	Modified

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule		New Requirement?
			Existing Permittee	New Permittee	
Storm Drain Inlet Inspection: Develop and continue to implement storm drain inlet inspections as specified in Part IV.B.5.b.v.	IV.B.5.b.v	Certify in each annual report that the storm drain inlet inspection schedule is being maintained, that a log is being maintained indicating the number of permittee-owned or operated inlets within the permittee's property, and indicate the number of inlets inspected. Records demonstrating compliance shall be kept, and their location shall be referenced in the SPPP.	EDPA	EDPA + 12 months	Modified
Storm Drain Inlet Cleaning: Develop, update, and implement a storm drain inlet cleaning program as specified in Part IV.B.5.b.vi.	IV.B.5.b.vi	Certify in each annual report that a storm drain inlet cleaning program is being implemented, and that a log indicating the number of permittee-owned or operated inlets cleaned is being maintained. Maintain records documenting the amount of materials collected in wet tons during cleaning activities for the calendar year and reference the location of those records in the SPPP. Include the totals in the Annual Report.	EDPA	EDPA + 12 months	Modified
Catch Basin Inspection: Develop and continue to implement catch basin inspections as specified in Part IV.B.5.b.vii.	IV.B.5.b.vii	Certify in each annual report that the catch basin inspection schedule is being maintained, that a log is being maintained indicating the number of permittee-owned or operated catch basins within the permittee's property, and indicate the number of catch basins inspected. Records demonstrating compliance shall be kept, and their location shall be referenced in the SPPP.	EDPA	EDPA + 12 months	Modified

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule		New Requirement?
			Existing Permittee	New Permittee	
Catch Basin Cleaning: Develop, update, and implement a catch basin cleaning program as specified in Part IV.B.5.b.viii.	IV.B.5.b.viii	Certify in each annual report that a catch basin cleaning program is being implemented, and that a log indicating the number of permittee-owned or operated catch basins cleaned is being maintained. Maintain records documenting the amount of materials collected in wet tons during cleaning activities for the calendar year and reference the location of those records in the SPPP. Include the totals in the Annual Report.	EDPA	EDPA + 12 months	Modified
Storm Drain Inlet Labeling: Label all drains that do not have permanent wording cast into the structure of the inlet, which are located at rest areas, service areas, maintenance facilities, and along streets with sidewalks.	IV.B.5.b.ix	Certify in each annual report that storm drains have been properly labeled. Records tracking storm drain inlet label status shall be kept, and their location shall be referenced in the SPPP.	EDPA	EDPA	No
Storm Drain Inlet Label Maintenance: Maintain the legibility of storm drain inlet labels and replace labels that are missing or not legible.	IV.B.5.b.x	Certify in each annual report that storm drains have been properly maintained. Records tracking storm drain inlet label status shall be kept, and their location shall be referenced in the SPPP.	EDPA	EDPA	No
Storm Drain Inlet Retrofit: Retrofit existing storm drain inlets as specified at Part IV.B.5.b.xi.	IV.B.5.b.xi	Certify in each annual report that a record of the number and location of storm drain inlets retrofitted as well as the number and location of storm drain inlets exempted is being maintained. Include totals in the Annual Report. Records demonstrating compliance shall be kept, and their location shall be referenced in the SPPP.	EDPA	EDPA + 12 months	No

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule		New Requirement?
			Existing Permittee	New Permittee	
Herbicide Application Management: Implement proper herbicide application management which prevents herbicides from being washed by stormwater into the waters of the State and prevents erosion caused by de-vegetation.	IV.B.5.b.xii	Certify in each annual report that proper herbicide application management is being conducted.	EDPA	EDPA	Yes
Excess De-icing Material Management: Remove piles of excess salt and de-icing materials that have been deposited during spreading operations within 72 hours after the end of each storm event.	IV.B.5.b.xiii	Certify in each annual report that proper excess de-icing material management is being conducted.	EDPA	EDPA	Yes
Roadside Vegetative Waste Management: Implement proper management of wood waste and yard trimmings generated by the Highway Agency.	IV.B.5.b.xiv	Certify in each annual report that proper pick-up, handling, storage and disposal of wood waste and yard trimmings generated by the Highway Agency has been conducted. Records demonstrating compliance shall be kept, and their location shall be referenced in the SPPP.	EDPA	EDPA	No
Refuse Containers and Dumpsters: Implement the proper use of refuse containers and dumpsters.	IV.B.5.b.xv	Certify in each annual report that appropriate dumpsters and other refuse containers that are outdoors or exposed to stormwater, are covered at all times.	EDPA	EDPA	Modified
Pollution Prevention/Good Housekeeping – Part IV.B.5.c Maintenance Yards and Other Ancillary Operations					
Maintenance Yards and Other Ancillary Operations: Implement the BMPs detailed in permit Attachment E for maintenance yards and other ancillary operations owned or operated by the Highway Agency.	IV.B.5.c	Certify in each annual report that the SPPP includes all applicable requirements of Attachment E and that the requirements have been met. Keep separate, yard-specific SPPP forms for each site where applicable. Maintain required yard-specific records and note their location in the SPPP.	EDPA	EDPA + 12 months	Modified

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule		New Requirement?
			Existing Permittee	New Permittee	
BMPs shall be implemented for the inventory of materials and machinery.	IV.B.5.c.i	Certify in each annual report that BMPs in Attachment E have been implemented for the inventory of materials and machinery.	EDPA	EDPA+ 12 months	No
BMPs shall be implemented for inspections and good housekeeping.	IV.B.5.c.ii	Certify in each annual report that BMPs in Attachment E have been implemented for inspections and good housekeeping.	EDPA	EDPA+ 12 months	No
BMPs shall be implemented for fueling operations.	IV.B.5.c.iii	Certify in each annual report that BMPs in Attachment E have been implemented for fueling operations.	EDPA	EDPA + 12 months	No
BMPs shall be implemented for discharge of stormwater from secondary containment.	IV.B.5.c.iv	Certify in each annual report that BMPs in Attachment E have been implemented for discharge of stormwater from secondary containment.	EDPA	EDPA + 12 months	No
BMPs shall be implemented for vehicle maintenance.	IV.B.5.c.v	Certify in each annual report that BMPs in Attachment E have been implemented for vehicle maintenance.	EDPA	EDPA + 12 months	No
BMPs shall be implemented for on-site equipment and vehicle washing and wash wastewater containment.	IV.B.5.c.vi	Certify in each annual report that BMPs in Attachment E have been implemented for on-site equipment and vehicle washing and wash wastewater containment.	EDPA	EDPA + 12 months	Modified
BMPs shall be implemented for salt and de-icing material storage and handling.	IV.B.5.c.vii	Certify in each annual report that BMPs in Attachment E have been implemented for salt and de-icing material storage and handling.	EDPA	EDPA + 12 months	Modified
BMPs shall be implemented for aggregate material and construction debris storage.	IV.B.5.c.viii	Certify in each annual report that BMPs in Attachment E have been implemented for aggregate material and construction debris storage.	EDPA + 12 months	EDPA + 12 months	Yes

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule		New Requirement?
			Existing Permittee	New Permittee	
BMPs shall be implemented for street sweepings and catch basin clean-out material storage.	IV.B.5.c.ix	Certify in each annual report that BMPs in Attachment E have been implemented for street sweepings and catch basin clean-out material storage.	EDPA + 12 months	EDPA + 12 months	Yes
BMPs shall be implemented for yard trimmings and wood waste management sites.	IV.B.5.c.x	Certify in each annual report that BMPs in Attachment E have been implemented for yard trimmings and wood waste management sites.	EDPA + 12 months	EDPA + 12 months	Yes
Pollution Prevention/Good Housekeeping – Part IV.B.5.d Employee Training					
Provide training to Highway Agency employees on stormwater topics applicable to their title within 3 months of commencement of duties. Follow-up training shall occur as specified in IV.B.5.d.	IV.B.5.d	Certify in each annual report that employee training has been conducted, and maintain records including sign in sheet(s), date(s) of training, and training agenda(s). The location of these records shall be referenced in the SPPP.	EDPA + 12 months	EDPA + 12 months	Modified
Ensure that individuals who review development and redevelopment projects for compliance with N.J.A.C. 7:8 on behalf of the Highway Agency complete Department approved training once every five years.	IV.B.5.e	Certify in each annual report that individuals reviewing projects have completed the required training and maintain a list of the names and dates that individuals received training. The location of this list shall be referenced in the SPPP.	EDPA + 12 months	EDPA + 12 months	Yes
MS4 Outfall Pipe Mapping, and Illicit Discharge and Scouring Detection and Control					
Develop, update and maintain an MS4 Outfall Pipe Map showing the location of the end of all MS4 outfall pipes which discharge to a surface water body.	IV.B.6.a	Certify in each annual report that the permittee has developed and maintained an MS4 Outfall Pipe Map which includes at a minimum, the requirements identified in Part IV.B.6.a.	EDPA	EDPA + 12 months	No

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule		New Requirement?
			Existing Permittee	New Permittee	
Show the location and name of all surface water bodies receiving discharges from those outfall pipes.	IV.B.6.a.i	Certify in each annual report that the surface water bodies associated with the end of each outfall pipe is located on the map.	EDPA	EDPA + 12 months	No
Include Outfall Pipe map or link to access an electronic version of the map in the SPPP	IV.B.6.a.ii	Certify in each annual report following the implementation deadline that an up-to-date Outfall Pipe Map is referenced or included in the SPPP.	EDPA +12 months	EDPA + 12 months	Yes
Update Outfall Pipe Map annually with any new or newly identified MS4 outfall pipes.	IV.B.6.a.iii	Certify in each annual report that the Outfall Pipe Map is current at the end of the calendar year and include at a minimum, the location of the end of any new or newly identified MS4 outfall pipes.	EDPA	EDPA + 12 months	No
Submit the Outfall Pipe Map to the Department on or before the set implementation schedule.	IV.B.6.a.iv	Certify in each annual report following the implementation deadline that the Outfall Pipe Map and any new data points subsequently added to the map have been provided to the Department.	EDPA +12 months	EDPA + 12 months	Yes
Submit the Outfall Pipe Map information to the Department electronically by December 21, 2020	IV.B.6.a.v	Submit the Outfall Pipe Map information to the Department using Department's designated electronic submission service by December 21, 2020.	12/21/2020	12/21/2020 or EDPA + 12 months, whichever is later.	Yes

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule		New Requirement?
			Existing Permittee	New Permittee	
Develop, update and implement a program to detect, investigate and control localized stream scouring from stormwater outfall pipes as specified in Part IV.B.6.	IV.B.6.b	Certify in each annual report that outfall pipes owned or operated by the permittee have received the required visual inspection at least once every five years (with a minimum of 20% of the total number of outfalls or 100 per year, whichever is greater), and maintain a log indicating the number and location of outfall pipes inspected, repairs prioritized, and repairs scheduled or performed. Certify in the annual report that a repair schedule has been prepared for those that have not been completed. Records demonstrating compliance with Part IV.B.6.b.i-ix shall be kept, and their location shall be referenced in the SPPP.	EDPA	EDPA + 12 months	Modified
Develop, update, implement and enforce an ongoing Illicit Discharge Detection and Elimination Program as specified in Part IV.B.6.c.	IV.B.6.c	Certify in each annual report that the permittee has developed a program to detect and eliminate illicit discharges and has conducted inspections required at Part IV.B.6.c at least once every five years (with a minimum of 20% of the total number of outfalls or 100 per year, whichever is greater). Document all investigations and actions taken on the Department's Illicit Connection Inspection Report Form. Records demonstrating compliance with Part IV.B.6.c.i-vii shall be kept, and their location shall be referenced in the SPPP.	EDPA	EDPA + 12 months	Modified

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule		New Requirement?
			Existing Permittee	New Permittee	
Adopt and enforce an appropriate regulatory mechanism that prohibits illicit connections to the small MS4 owned or operated by the permittee at the Highway Agency.	IV.B.6.d	Certify in each annual report the date the regulatory mechanism was adopted and that it is being enforced. A log of enforcement actions shall be kept and their location shall be referenced in the SPPP.	EDPA	EDPA + 12 months	No
Stormwater Facilities Mapping					
Develop, update and maintain a map of all stormwater facilities owned or operated by the permittee at the Highway Agency.	IV.C.1.a	Certify in each annual report that the permittee has developed, updated, and maintained an inventory of stormwater facilities owned or operated by the permittee at the Highway Agency. Records required by Part IV.C.1.a.i-v shall be kept, and their location shall be referenced in the SPPP.	EDPA+36 months	EDPA + 36 months	New
Map must include property boundaries of all maintenance yards, ancillary operations, rest areas, and service areas as well as an annotated map of roadways and thoroughfares owned or operated by the permittee.	IV.C.1.b.i	Certify in each annual report that the permittee has developed, updated, and maintained a map of all maintenance yards, ancillary operations, rest areas, and service areas as well as an annotated map of roadways and thoroughfares owned or operated by the permittee.	EDPA+36 months	EDPA+36 months	New
Map must include the type of stormwater facility.	IV.C.1.b.ii	Certify in each annual report that the permittee has included the type of stormwater facility.	EDPA +36 months	EDPA+36 months	New

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule		New Requirement?
			Existing Permittee	New Permittee	
Map must be updated annually to include, at a minimum, the location of any new or newly identified stormwater facilities.	IV.C.1.b.iii	Certify in each annual report that the permittee has included the location of any new or newly identified stormwater facilities.	EDPA + 36 Months	EDPA + 36 months	New
Map must be populated and maintained in an electronic format provided by the Department.	IV.C.1.b.iv	Certify in each annual report that the permittee has populated and maintained a map in an electronic format provided by the Department.	EDPA+36 months	EDPA+36 months	New
New data points subsequently added to the map shall be provided to the Department annually thereafter as an attachment to the MSRP Annual Report and Certification.	IV.C.1.b.vi	Certify in each subsequent annual report that new stormwater facilities have been added to inventory.	Annually after EDPA+36 months	Annually after EDPA+36 months	New
Stormwater Facilities Maintenance					
Develop, update and implement a program to ensure adequate long-term cleaning, operation and maintenance of all stormwater facilities owned or operated by the permittee.	IV.C.2.a	Certify in each annual report that the permittee has developed, updated and implemented a program to ensure adequate long-term cleaning, operation and maintenance of all stormwater facilities owned or operated by the permittee. Records required by Part IV.C.2.a-c, shall be kept, and their location shall be referenced in the SPPP.	EDPA	EDPA + 12 months	Modified
Stormwater facility maintenance must be performed pursuant to any maintenance plans, or more frequently as needed, to ensure proper function and maintenance of the stormwater facility.	IV.C.2.b	Certify in each annual report that inspections and maintenance were performed pursuant to any maintenance plans, or more frequently as needed, to ensure proper function and operation of stormwater facilities.	EDPA	EDPA + 12 months	Modified

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule		New Requirement?
			Existing Permittee	New Permittee	
Maintain a log sufficient to demonstrate compliance with this permit requirement.	IV.C.2.c	Certify in each annual report that, at a minimum, a maintenance log is kept that records the name & type of the stormwater facility inspected, the location information of the facility inspected (location information must be specific enough to locate and identify the stormwater facility in the field; e.g., geographic coordinates), the name of inspector, date of inspection, findings, and any preventative and corrective maintenance performed.	EDPA	EDPA + 12 months	Modified
Certify annually if the stormwater facilities owned or operated by the permittee are functioning properly.	IV.C.2.e	Certify in each annual report if all stormwater facilities owned or operated by the permittee are functioning properly.	EDPA	EDPA + 12 months	No
Preventative and corrective maintenance shall be taken to repair stormwater facilities that are not functioning properly. Prioritization schedule shall be documented and developed based on measures specified in Part IV.C.2.f.	IV.C.2.f	Certify in each annual report that a prioritized schedule of necessary preventive and corrective maintenance exists based on Part IV.C.2.f. i-iv for stormwater facilities that are not functioning properly.	EDPA	EDPA+12 months	Modified
Copies of all maintenance plans shall be kept for stormwater facilities approved by the permittee and shall be available to the Department upon request.	IV.C.2.g & h	Certify in each annual report that copies of all maintenance plans (as defined in Notes and Definitions Part IV.B.1.g), for stormwater facilities are kept on file, and their location shall be referenced in the SPPP.	EDPA	EDPA	Modified

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule		New Requirement?
			Existing Permittee	New Permittee	
Total Maximum Daily Load (TMDL) Info.					
Annually review approved or adopted TMDL reports to identify if the TMDL addresses any segment of surface water wholly or partially within or bordering all: maintenance yards; rest areas; service area properties; and new "major development" projects as defined by the permittee's stormwater program.	IV.C.3.a	Certify in each annual report that approved or adopted TMDLs have been identified and reviewed. Records required by Part IV.C.3.a.i, a.ii, and b shall be kept, and their location shall be referenced in the SPPP.	EDPA + 12 months	EDPA + 12 months	Yes
Use TMDL information identified in compliance with Part IV.C.3.a to identify and develop strategies to address specific stormwater sources of those pollutants addressed in the TMDL.	IV.C.3.a.i	Certify in each annual report that the permittee has used information identified in compliance with Part IV.C.3.a to assist in identifying and developing strategies to address specific stormwater sources of those pollutants addressed in the TMDL.	EDPA + 12 months	EDPA + 12 months	Yes
Use TMDL information identified in compliance with Part IV.C.3.a to Assist in the selection and design of stormwater BMPs for "major development" projects, and the prioritization of stormwater facility maintenance, including schedules for repairs related to Stormwater Facilities' Maintenance, and the Stream Scouring and Illicit Discharge Detection & Elimination programs.	IV.C.3.a.ii	Certify in each annual report that the permittee has used information identified in compliance with Part IV.C.3.a to assist in the prioritization of activities as required at Part IV.B.6. (Stream Scouring & Illicit Discharge Detection & Elimination) and IV.C.3.f (Stormwater Facilities Maintenance)	EDPA+12 months	EDPA+12 months	Yes
Update SPPP to list information identified in Part IV.C.3.a.	IV.C.3.a.b	Certify in each annual report that the permittee has updated its SPPP to list information identified in Part IV.C.3.a.	EDPA + 12 months	EDPA + 12 months	Yes
Incorporate any strategies identified in Part VI.C.3.a.ii(2) as an Optional Measure	IV.C.3.a.c	Certify in each annual report that the permittee has incorporated any strategies identified in Part VI.C.3.a.ii(2) as an Optional Measure.	EDPA + 12 months	EDPA + 12 months	Yes

Attachment B – Points System for Public Education and Outreach Activities

Permittees who own and operate rest areas and/or service areas shall describe how they will educate users and employees of the Highway Agency to satisfy this minimum standard. The Public Education and Outreach Program is intended to focus on educational and pollution prevention activities that educate about the impacts of stormwater discharges on surface water and groundwater and to involve the public in reducing pollutants in stormwater runoff and mitigating flow.

The permittee shall select activities from the list below, totaling a minimum of 5 (five) points each year:

Activity	Description	Points
Website and Social Media	Maintain a stormwater related page on the permittee’s website or on permittee’s social media site. The web page may include links to other stormwater related resources, including the NJDEP stormwater website (www.njstormwater.org) as well as the Stormwater Pollution Prevention Plan.	1
Newspaper Ad	Use Department created and approved stormwater education materials available on www.cleanwaternj.org to publish an ad in a newspaper or newsletter that serves the permittee.	1
Radio/Television	Broadcast a radio or television public service announcement from www.cleanwaternj.org on a local radio or public service channel.	1
Green Infrastructure and Stormwater Facility Signage	Post signs at green infrastructure sites, stormwater management basins or other structural stormwater-related facilities at the rest/service area that describe the function and importance of the infrastructure, contact phone number, permittee identification number, and/or website for more information. * New signs receive 0.5 credits per sign. Existing signs that are maintained or upgraded receive 0.25 credits per sign. A maximum of 5 credits are allowed.	5*
Billboard/Sign	Produce and maintain (for credit in subsequent years) a billboard or sign which can be displayed at the rest/service areas.	2
Mural	Produce and maintain (for credit in subsequent years) the planning and painting of a stormwater pollution themed mural, storm drain art or other artwork at rest/service areas.	2
Stormwater Display	Present a stormwater related display or materials at rest/service areas.	1
Pet Waste Bags	Provide pet waste bags at rest/service areas.	2

Permittees may request approval from the NJDEP Bureau of Nonpoint Pollution Control to earn points for alternate activities.

Attachment C - Design Standards for Storm Drain Inlets

Application of Design Standard

The below design standard applies to the following types of storm drain inlet installation or retrofit projects unless a more stringent standard is specified by the permittee in an adopted regulatory mechanism:

- Storm drain inlets installed as part of new development and redevelopment that disturb one acre or more;
- Storm drain inlets installed as part of new development and redevelopment that disturb less than one acre that are part of a larger common plan of development or sale (e.g. phased development project) that ultimately disturbs one acre or more;
- Permittee owned or operated storm drain inlets must be retrofitted where the storm drains are (1) in direct contact with any repaving, repairing (excluding individual pothole repair), or resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen); or (2) in direct contact with any reconstruction or alteration of facilities.

Design Standard

Grates in pavement or other ground surfaces shall meet either of the following standards:

- The New Jersey Department of Transportation (NJDOT) bicycle safe grate standards described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (see www.nj.gov/transportation/publicat/pdf/BikeComp/introtofac.pdf); or
- A grate where each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is not greater than 0.5 inches across the smallest dimension. Note that the Residential Site Improvement Standards at N.J.A.C. 5:21 include requirements for bicycle safe grates.

Examples of grates subject to this standard include grates in grate inlets; the grate portion (non-curb opening portion) of combination inlets; grates on storm sewer manholes; ditch grates; trench grates; and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads, (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors used to collect stormwater from the surface into a storm drain or surface water body.

For curb-openings inlets, including curb-opening inlets in combination inlets, the clear space in the curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches or be no greater than two (2.0) inches across the smallest dimension.

Exemptions from the Design Standard

- Where each individual clear space in the curb opening in existing curb-opening inlets does not have an area of more than nine (9.0) square inches;
- Where the review agency determines that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
- Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or

A bar screen having a bar spacing of 0.5 inches;

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

- Where flows are conveyed through a trash rack that has parallel bars with one inch (1”) spacing between the bars, to the elevation of the water quality design storm as specified in N.J.A.C. 7:8; or
- Where the Department determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet the standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

Attachment D – Major Development Project List

Provide the following information for each approved development or redevelopment project that is regulated by the Highway Agency MS4 NJPDES Permit, and not exempted under N.J.A.C. 7:8-1.6(b).

Highway Agency: _____		NJPDES#: NJG: _____			PI ID#: _____		Calendar Year: _____	
Project Name	Municipality / County	5G3 Construction Stormwater Permit Auth.#	DLUR Stormwater Review? (Y/N)	Total Area of Disturbance (acres)	Water Quality Treatment Required? (Y/N)	Waiver Claimed Under N.J.A.C. 7:8-5.2(e)? (Y/N)	Project Design Engineer	Project Reviewer(s)

Attachment E – Best Management Practices for Maintenance Yards and Other Ancillary Operations

The permittee shall implement the following practices at maintenance yards and other ancillary operations owned or operated by the permittee. Inventory of Materials and Machinery, and Inspections and Good Housekeeping shall be conducted at all maintenance yards and other ancillary operations. All other Best Management Practices shall be conducted whenever activities described below occur. Ancillary operations include but are not limited to impound yards, permanent and mobile fueling locations, and yard trimmings and wood waste management sites.

Inventory of Materials and Machinery

The SPPP shall include separate forms listing the physical address, materials, machinery, and activities of each maintenance yard and ancillary operation where they could be a source of pollutants in a stormwater discharge. The materials in question include but are not limited to: raw materials; intermediate products; final products; waste materials; by-products; machinery and fuels; and lubricants, solvents, and detergents that are related to the maintenance yard operations and ancillary operations. Materials or machinery that are not exposed to stormwater at the maintenance yard or related to its operations do not need to be included.

Inspections and Good Housekeeping

1. Inspect the entire site, including the site periphery, monthly (under both dry and wet conditions, when possible). Identify conditions that would contribute to stormwater contamination, illicit discharges or negative impacts to the permittee's MS4. Maintain an inspection log detailing conditions requiring attention and remedial actions taken for all activities occurring at Maintenance Yards and Other Ancillary Operations. This log must contain, at a minimum, a record of inspections of all operations listed in Part IV.B.5.c. of this permit including dates and times of the inspections, and the name of the person conducting the inspection and relevant findings. This log must be kept on-site, and its location referenced in the SPPP and made available to the Department upon request. See the Highway Agency Guidance document at https://www.nj.gov/dep/dwq/highway_guidance.htm for additional information.
2. Conduct cleanups of spills of liquids or dry materials immediately after discovery. All spills shall be cleaned using dry cleaning methods only. Clean up spills with a dry, absorbent material (i.e., kitty litter, sawdust, etc.) and sweep the rest of the area. Dispose of collected waste properly. Store clean-up materials, spill kits and drip pans near all liquid transfer areas, protected from rainfall.
3. Properly label all containers. Labels shall be legible, clean and visible. Keep containers in good condition, protected from damage and spillage, and tightly closed when not in use. When practical, store containers indoors. If indoor storage is not practical, containers may be stored outside if covered and placed on spill platforms or clean pallets. An area that is graded and/or contained by berms to prevent run-through of stormwater may be used in place of spill platforms or clean pallets. Outdoor storage locations shall be regularly maintained.

Fueling Operations

1. Establish, maintain and implement standard operating procedures to address vehicle fueling; receipt of bulk fuel deliveries; and inspection and maintenance of storage tanks, including the associated piping and fuel pumps.
 - a. Place drip pans under all hose and pipe connections and other leak-prone areas during bulk transfer of fuels.
 - b. Block storm sewer inlets, or contain tank trucks used for bulk transfer, with temporary berms or temporary absorbent booms during the transfer process. If temporary berms or booms are being used instead of blocking the storm sewer inlets, all hose connection points associated with the transfer of fuel shall be within the temporarily contained by berms or boomed area during the loading/unloading of bulk fuels. A trained employee shall be present to supervise the bulk transfer of fuel.
 - c. Clearly post, in a prominent area of the facility, instructions for safe operation of fueling equipment. Include the following:
 - “Topping off vehicles, mobile fuel tanks, and storage tanks is strictly prohibited”
 - “Stay in view of fueling nozzle during dispensing”
 - Contact information for the person(s) responsible for spill response.
 - d. Immediately repair or replace any equipment, tanks, pumps, piping and fuel dispensing equipment found to be leaking or in disrepair.

Discharge of Stormwater from Secondary Containment

The discharge pipe/outfall from a secondary containment area (e.g., fuel storage, de-icing solution storage, brine solution) shall have a valve and the valve shall remain closed except as described below. The permittee may discharge stormwater accumulated in a secondary containment area if a visual inspection is performed to ensure that the contents of aboveground storage tank have not been in contact with the stormwater to be discharged. Visual inspections are only effective when dealing with materials that can be observed, like petroleum. If the contents of the tank are not visible in stormwater, the permittee shall rely on previous tank inspections to determine with some degree of certainty that the tank has not leaked. If the permittee cannot determine with reasonable certainty that the stormwater in the secondary containment area is uncontaminated by the contents of the tank, then the stormwater shall be hauled for proper disposal.

Vehicle Maintenance

1. Operate and maintain equipment to prevent the exposure of pollutants to stormwater.
2. Whenever possible, conduct vehicle and equipment maintenance activities indoors. Floor drain discharge locations shall be identified in the SPPP.
3. For projects that must be conducted outdoors, and that last more than one day, portable tents or covers shall be placed over the equipment being serviced when not being worked on, and drip pans shall be used. Use designated areas away from storm drains or block storm drain inlets when vehicle and equipment maintenance is being conducted outdoors.

On-Site Equipment and Vehicle Washing and Wash Wastewater Containment

1. Manage any equipment and vehicle washing activities so that there are no unpermitted discharges of wash wastewater to storm sewer inlets or to surface or ground waters of the State.
2. Permittee's which cannot discharge wash wastewater to a sanitary sewer or which cannot otherwise comply with 1, above, may temporarily contain wash wastewater prior to proper disposal under the following conditions:
 - a. Containment structures shall not leak. Any underground tanks and associated piping shall be tested for integrity every 3 years using appropriate methods determined by "*The List of Leak Detection Evaluations for Storage Tank Systems*" created by the National Work Group on Leak Detection Evaluations (NWGLDE) or as determined appropriate and certified by a professional engineer for the site-specific containment structure(s).
 - b. For any containment system protected by cathode, provide a passing cathodic protection survey every three years.
 - c. Operate containment structures to prevent overfilling resulting from normal or abnormal operations, overfilling, malfunctions of equipment, and human error. Overfill prevention shall include manual sticking/gauging of the tank before each use unless system design prevents such measurement. Tank shall no longer accept wash wastewater when determined to be at 95% capacity. Record each measurement to the nearest ½ inch.
 - d. Before each use, perform inspections of all visible portions of containment structures to ensure that they are structurally sound, and to detect deterioration of the wash pad, catch basin, sump, tank, piping, risers, walls, floors, joints, seams, pumps and pipe connections or other containment devices. The wash pad, catch basin, sump and associated drains shall be kept free of debris before each use. Log dates of inspection; inspector's name, and conditions. This inspection is not required if system design prevents such inspection.
 - e. Containment structures shall be emptied and taken out of service immediately upon detection of a leak. Complete all necessary repairs to ensure structural integrity prior to placing the containment structure back into service. Any spills or suspected release of hazardous substances shall be immediately reported to the NJDEP Hotline (1-877-927-6337) followed by a site investigation in accordance with N.J.A.C. 7:26C and N.J.A.C 7:26E if the discharge is confirmed.
 - f. All equipment and vehicle wash wastewater placed into storage must be disposed of in a legally permitted manner (e.g., pumped out and delivered to a duly permitted and/or approved wastewater treatment facility).
 - g. Maintain a log of equipment and vehicle wash wastewater containment structure clean-outs including date and method of removal, mode of transportation (including name of hauler if applicable) and the location of disposal. See Underground Vehicle Wash Water Storage Tank Use Log at end of this attachment.
 - h. Containment structures shall be inspected annually by a NJ licensed professional engineer. The engineer shall certify the condition of all structures including: wash pad, catch basin, sump, tank, piping, risers to detect deterioration in the, walls, floors, joints, seams, pumps and

pipe connections or other containment devices using the attached Engineer's Certification of Annual Inspection of Equipment and Vehicle Wash Wastewater Containment Structure. This certification may be waived for self-contained systems on a case-by-case basis. Any such waiver would be issued in writing by the Department.

3. Maintain all logs, inspection records, and certifications on-site. Such records shall be made available to the Department upon request.

Salt and De-icing Material Storage and Handling

1. Store material in a permanent structure.
2. Perform regular inspections and maintenance of storage structure and surrounding area.
3. Minimize tracking of material from loading and unloading operations.
4. During loading and unloading:
 - a. Conduct during dry weather, if possible;
 - b. Prevent and/or minimize spillage; and
 - c. Minimize loader travel distance between storage area and spreading vehicle.
5. Sweep (or clean using other dry-cleaning methods):
 - a. Storage areas on a regular basis;
 - b. Material tracked away from storage areas;
 - c. Immediately after loading and unloading is complete.
6. Reuse or properly discard materials collected during cleanup.
7. Temporary outdoor storage is permitted only under the following conditions:
 - a. A permanent structure is under construction, repair or replacement;
 - b. Stormwater run-on and de-icing material run-off is minimized;
 - c. Materials in temporary storage are tarped when not in use;
 - d. The requirements of 2 through 6, above are met; and
 - e. Temporary outdoor storage shall not exceed 30 days unless otherwise approved in writing by the Department;
8. Sand must be stored in accordance with Aggregate Material and Construction Debris Storage below.

Aggregate Material and Construction Debris Storage

1. Store materials such as sand, gravel, stone, top soil, road millings, waste concrete, asphalt, brick, block and asphalt-based roofing scrap and processed aggregate in such a manner as to minimize stormwater run-on and aggregate run-off via surface grading, dikes and/or berms (which may include sand bags, hay bales and curbing, among others) or three-sided storage bays. The area in front of storage bays and adjacent to storage areas shall be swept clean after loading/unloading.
2. Sand, top soil, road millings and processed aggregate may only be stored outside and uncovered if in compliance with item 1 above and a 50-foot setback is maintained from surface water bodies, storm sewer inlets, and/or ditches or other stormwater conveyance channels.
3. Road millings must be managed in conformance with the “Recycled Asphalt Pavement and Asphalt Millings (RAP) Reuse Guidance” (see www.nj.gov/dep/dshw/rrtp/asphaltguidance.pdf) or properly disposed of as solid waste pursuant to N.J.A.C. 7:26-1 et seq.
4. Cold patch shall be stored in a permanent structure or on an impervious surface and covered with a waterproof material (i.e., tarpaulin or 10-mil plastic sheeting) that is contained (e.g., contained by berms) to control leachate and stormwater run-on or run through.
5. The stockpiling of materials and construction of storage bays on certain land (including but not limited to coastal areas, wetlands and floodplains) may be subject to regulation by the Division of Land Use Regulation (see www.nj.gov/dep/landuse/ for more information).

Street Sweepings, Catch Basin Clean Out, and Other Material Storage

1. For the purposes of this permit, this BMP is intended for road cleanup materials as well as other similar materials. Road cleanup materials may include but are not limited to street sweepings, storm sewer clean out materials, stormwater basin clean out materials and other similar materials that may be collected during road cleanup operations. These BMPs do not include materials such as liquids, wastes which are removed from sanitary sewer systems or material which constitutes hazardous waste in accordance with N.J.A.C. 7:26G-1.1 et seq.
2. Road cleanup materials must be ultimately disposed of in accordance with N.J.A.C. 7:26-1.1 et seq. See the “Guidance Document for the Management of Street Sweepings and Other Road Cleanup Materials” (www.nj.gov/dep/dshw/rrtp/sweeping.htm).
3. Road cleanup materials placed into temporary storage must be, at a minimum:
 - a. Stored in leak-proof containers or on an impervious surface and covered with a waterproof material (i.e., tarpaulin or 10-mil plastic sheeting) that is contained (e.g., contained by berms) to control leachate and stormwater run-on or run through; and
 - b. Removed for disposal (in accordance with 2, above) within six (6) months of placement into storage.

Yard Trimmings and Wood Waste Management Sites

1. These practices are applicable to any yard trimmings or wood waste management site:
 - a. Owned and operated by the permittee;
 - i. For staging, storing, composting or otherwise managing yard trimmings, or
 - ii. For staging, storing or otherwise managing wood waste, and
 - b. Operated in compliance with the Recycling Rules found at N.J.A.C. 7:26A.
2. Yard trimmings or wood waste management sites must be operated in a manner that:
 - a. Diverts stormwater away from yard trimmings and wood waste management operations;
 - b. Minimizes or eliminates the exposure of yard trimmings, wood waste and related materials to stormwater;
 - c. Eliminates the discharge of stormwater that contacts source material from yard trimmings or wood waste management sites to storm sewer inlets or surface waters of the State.
3. Yard trimmings and wood waste management site specific practices:
 - a. Construct windrows, staging and storage piles:
 - i. In such a manner that materials contained in the windrows, staging and storage piles (processed and unprocessed) do not enter waterways of the State;
 - ii. On ground which is not susceptible to seasonal flooding;
 - iii. In such a manner that prevents stormwater run-on and leachate run-off (e.g., use of covered areas, diversion swales, ditches or other designs to divert stormwater from contacting yard trimmings and wood waste).
 - b. Maintain perimeter controls such as curbs, berms, hay bales, silt fences, jersey barriers or setbacks, to eliminate the discharge of stormwater runoff carrying leachate or litter from the site to storm sewer inlets or to surface waters of the State.
 - c. Prevent on-site storm drain inlets from siltation using controls such as hay bales, silt fences, or filter fabric inlet protection.
 - d. Dry weather run-off that reaches a stormwater sewer system is an illicit discharge. Possible sources of dry weather run-off include wetting of piles by the site operator; uncontrolled pile leachate or uncontrolled leachate from other materials stored at the site.
 - e. Remove trash from yard trimmings and wood waste upon receipt.
 - f. Monitor site for trash on a routine basis.
 - g. Store trash in leak-proof containers or on an impervious surface that is contained (e.g., contained by berms) to control leachate and litter;
 - h. Dispose of collected trash at a permitted solid waste facility.
 - i. Employ preventative tracking measures, such as gravel, quarry blend, or rumble strips at exits.

**ENGINEERS CERTIFICATION OF ANNUAL INSPECTION OF EQUIPMENT
AND VEHICLE WASH WASTEWATER CONTAINMENT STRUCTURE**
(Complete a separate form for each vehicle wash wastewater containment structure)

Permittee: _____ NJPDES Permit No: _____

Containment Structure Location: _____

The annual inspection of the above referenced vehicle wash wastewater containment structure was conducted on _____ (date). The containment structure and appurtenances have been inspected for:

1. The integrity of the structure including walls, floors, joints, seams, pumps and pipe connections
2. Leakage from the structure's piping, vacuum hose connections, etc.
2. Bursting potential of tank.
3. Transfer equipment
4. Venting
5. Overflow, spill control and maintenance.
6. Corrosion, splits, and perforations to tank, piping and vacuum hoses

The tank and appurtenances have been inspected for all of the above and have been determined to be:

Acceptable _____

Unacceptable _____

Conditionally Acceptable _____

List necessary repairs and other conditions: _____

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment (N.J.A.C. 7:14A-2.4(d)).

Name (print): _____ Seal: _____

Signature: _____

Date: _____

Underground Vehicle Wash Water Storage Tank Use Log

Name and Address of Facility _____

Facility Permit Number _____

Tank ID Number _____

Tank Location _____

Tank Volume _____ gallons

Tank Height _____ inches

95% Volume _____ gallons

95% Volume _____ inches

<u>Date and Time</u>	<u>Inspector</u>	<u>Height of Product Before Introducing Liquid (inches)</u>	<u>Is Tank Less Than 95% Full? (Y/N)</u>	<u>Visual Inspection Pass? (Y/N)</u>	<u>Comments</u>

Notes: The volume of liquid in the tank shall be measured **before** each use.

Liquid **shall not be introduced** if the tank contains liquid at 95% of the capacity or greater.

A visual inspection of all exposed portions of the collection system shall be performed before each use. Use the comments column to document the inspection and any repairs.

Underground Vehicle Wash Water Storage Tank Pump Out Log

Name and Address of Facility _____

Facility Permit Number _____

Tank ID Number _____

Tank Location _____

Tank Volume _____ gallons

<u>Date and Time of Pump Out</u>	<u>Volume of Liquid Removed</u>	<u>Waste Hauler *</u>	<u>Destination of the Liquid Disposal *</u>

*** The Permittee must maintain copies of all hauling and disposal records and make them available for inspection**