

New Jersey Clean Water Council  
Minutes of April 11, 2017 Meeting

Location:  
NJEIT, 3131 Princeton Pike, Building 4, Suite 216, Lawrenceville, NJ

<b>Members Present:</b>	
George Bakun – NJ Business & Industry Jim Cosgrove – NJ Society of PEs Stan Cach – NJ Dept. Environmental of Protection Maria Connolly – NJ Dept. of Community Affairs Sandra Howland – NJ Dept. Agriculture Lou Neely – NJ State League of Municipalities	Chris Sturm – General Public Dan Van Abs – General Public Anthony McCracken – General Public Gina Berg – NJ Association of Counties Anthony Valente – NJ Dept. of Labor
<b>Others:</b> Ashley Kerr - Advisor	<b>NJDEP Staff:</b> Michele Putnam – Director, Division of Water Quality, (DWQ) Tracy Omrod - DWQ Rachael Pepe - DWQ James Murphy – Chief, Bureau of Non-Point Pollution Control, DWQ Melisse Carasia-Auriti- Section Chief, Bureau of Surface Water Permitting (BSWP) Susan Rosenwinkel – Section Chief, BSWP

Meeting Called to Order: Chair Jim Cosgrove at 10:04 AM.

The motion to approve the January 10, 2017 meeting highlights was made by Gina Berg, seconded by Tony McCracken. All in favor with Chris Sturm and Dan Van Abs abstaining. Minutes were approved.

The Chair welcomed everyone and requested the attendees to introduce themselves.

**DEP Updates:**

On Wednesday, March 29th, the US EPA and the US Forest Service held a webinar as part of the CWSRF Webinar Series, entitled, “The Clean Water State Revolving Fund: Flexible Funding for the Urban Tree Canopy. The Department participated in the webinar, presenting an overview of the CWSRF program in NJ and how it supports green infrastructure projects in CSO areas.

Stormwater Treatment: Two new Manufactured Treatment Devices (MTDs) for Stormwater treatment were recently certified by the NJDEP. The Stormwater Management rules under N.J.A.C. 7:8-5.5(b) and 5.7 (c) allow for the use of manufactured treatment devices (MTDs) for compliance with the design and performance standards at N.J.A.C. 7:8-5 if the pollutant removal rates have been verified by the New Jersey Corporation for Advanced Technology (NJCAT) and have been certified by the New Jersey Department of Environmental Protection (NJDEP). On January 10th, the BayFilter Enhanced Media Cartridge by BaySaver Technologies, was certified by the NJDEP at a TSS removal rate of 80%; and on January 11th, the Up-Flo Filter by Hydro International was certified by NJDEP at a TSS removal rate of 80%. These devices were certified under the NJDEP’s 2013 laboratory protocol and the certifications do not expire. The NJDEP web page at <http://www.njstormwater.org/treatment.html> was updated to add these MTDs as certified devices.

Capacity Assurance Program: The Department published a Notice of Proposed Substantial Changes on Adoption of Proposed Amendments to the Capacity Assurance Program (CAP) on November 7, 2016, which included a change in the threshold from permitted flow to 95 percent of permitted flow and revised requirements for the permittee to be relieved from the CAP. A public hearing was held December 9, 2016 and the comment period closed on January 6, 2017. The target filing deadline is April 19, 2017 for the May 15, 2017 issue of the NJ Register. The rule proposal will sunset if not adopted by April 19, 2017.

Combined Sewer Overflow (CSO): On January 25th and March 30<sup>th</sup>, members of DWQ conducted a meeting with Jersey City and Perth Amboy, respectively. The Department met with Mayors, Business Administrator, City Engineers, MUA engineer, members of the Planning Office, and members of the Redevelopment Authority. This meeting is part of DWQ's CSO outreach strategy to municipal leadership to discuss municipality goals and how these goals can be integrated into the CSO LTCP. The meeting included a discussion of the CSO permit requirements, financing and ongoing redevelopment efforts. These are the 12th and 13th municipalities the team has met with for this outreach effort. The next scheduled meetings are with Gloucester City and Kearny.

Stormwater Permitting: An email was sent on January 27, 2017 to all MS4 Municipal Stormwater Coordinators alerting them to upcoming, free Department-led training May 10, 2017 @ Burlington Co., ECO Complex, for those who review stormwater management designs on behalf of the municipality. DWQ released the Draft Tier A & B MS4 Permit Renewals on Tuesday, February 10, 2017, required sending the public notice to the newspapers on Wednesday February 8, 2017. The complete permit and support information was distributed to municipalities and interested parties via e-mail and web posting; however, as required by the NJPDES rules, hard-copies of the public notice will be sent to municipalities by regular mail.

Green Infrastructure for CSOs: On February 16, 2017, the Department held a stakeholder meeting on a draft version of a guidance document about how to analyze green infrastructure as one of the CSO control alternatives required to be explored in the development of the LTCPs. All CSO permittees (and their consultants) were emailed the draft document approximately one week before the meeting and were invited to attend the meeting. The stakeholders were generally pleased with the document and its scope. Numerous valuable suggestions for expansion or revision to the document were received. A second stakeholder meeting with other stakeholders occurred on Wednesday, February 22, 2017. The next steps will be to compile and incorporate the relevant comments into the document. The planned finalization date for the document is April, 2017.

Infrastructure Financing: The NJ Environmental Infrastructure Financing Program (NJEIFP) recently amended its Intended Use Plans to offer record amounts of incentivized funding primarily in the form of principal forgiveness loans (PFLs); primarily for combined sewer overflow (CSO) abatement projects and lead line replacement projects for water supply systems. The initial terms for the CSO-green technology projects in SFY17 offered PFLs for 50% of the project costs with a \$1M cap on principal forgiveness. The amended financing terms removed the cap on PF for CSO-green technology projects.

#### **Old Business:**

Reuse Committee Chair Dan Van Abs reported of his meeting with NJDEP Directors Michele Putnam, Pat Gardner, State Geologist Jeff Hoffman and staff. The committee reviewed the Department's reuse program and has concluded, in consultation with the Divisions of Water Quality and Water Supply & Geoscience, there were no major areas of New Jersey, at this time, where the demand for reuse would be driven by a lack of viable, cost effective water supply alternatives. Therefore, the committee felt another topic for the annual CWC hearing would be better suited for this year.

#### **New Business:**

The Chair reported of the meeting Gina Berg and he had with Assistant Commissioner Dan Kennedy and Director Michele Putnam to discuss topics to be addressed by the CWC in 2017 (and beyond). The topics are attached. The Council discussed the topics and committees were formed, namely: George Bakun, Peggy Gallos & James Cosgrove: Topic 1 (Stream Background: Develop new policy on utilizing background concentration when calculating wastewater treatment plant effluent limitations to surface water bodies). Chris Sturm, Asley Kerr, Dan Van Abs: Topic 2 (NPS Reductions in TMDL Waterways: Recommend approach to address non-point source pollution in waterways with required TMDL reductions). Sandra Howland, Anthony McCracken: Topic 4 (Innovative Septic System Management: Develop protocols for innovative technology approvals and testing procedures; certification of installers; and standards for maximum permissible property boundary concentrations). The council believed that Topic 3 (Innovative Stormwater Management: Propose approach to efficiently review and approve innovative stormwater treatment technologies) was beyond its reach and did not recommend pursuing this topic. The Chair

requested the committees to formulate recommendations to the Department, which would be presented to the full council. The Chair suggested that the next Council meeting date would be for the respective committees to meet, discuss and develop their recommendations. The chair welcomed all Council members to attend and consider joining one of the committees. Once the committees have formulated an approach for each of the three topics and presented their work to the council, the council in concert with the appropriate committee, would scope out the annual public hearing topic. It was discussed that the Council's public hearing would be, pending room availability, September / October in the NJDEP's Public Hearing Room

**Announcements:**

**PLEASE TAKE NOTE**

**The next meeting is May 9, 2017. No Council meeting will be held on May 9, instead the Clean Water Council 2017 Topic Committees will meet, discuss and develop their recommendations. All Council members are welcome to attend this meeting of the committees on this important effort. At the Council's June 13, 2017 meeting, the Council will establish this year's Public Hearing topic based upon the findings from the committees to date.**

**Adjournment:** Meeting adjourned at 11:45 am