

New Jersey Clean Water Council
Minutes of June 13, 2017 Meeting

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

| | |
|--|---|
| Members Present: | |
| 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 Russ Furnari – NJ Chamber of Commerce Jessica Sanchez - DRBC | 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 Robert Breslin – NJ State AFL-CIO Amy Goldsmith – General Public |
| Others: Peggy Gallos – Advisor Guest: Emily Maj – Lafayette College NJDEP Staff: Ron Bannister – Section Chief, Bureau of Non-Point Pollution Control, BNPPC, DWQ Steven Corey Amen – BNPPC, DWQ | NJDEP Staff: Janice Brogle – Assistant Director, Water Pollution Management Element, DWQ Rachael Pepe - Division of Water Quality, DWQ Melisse Carasia-Auriti- Section Chief, Bureau of Surface Water Permitting (BSWP) Steven Domber – Division of Water Supply & Geoscience, DWS&G Ally Petriman – DWS&G |

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

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

The motion to approve the April 11, 2017 meeting highlights was made by Jessica Sanchez, seconded by Tony McCracken. All in favor with Chris Sturm and Amy Goldsmith abstaining. Minutes were approved.

DEP Updates:

BNPC Conducted Training Class for Engineers- The Bureau of Nonpoint Pollution Control staff conducted a two-day Stormwater Management Design Review training course for design engineers, municipal engineers and other individuals who review stormwater management designs for development and redevelopment projects on behalf of a Tier A or B municipality on May 10th and 11th. Staff from the BNPC Stormwater Management Unit taught the training class. The training was well attended with 105 attendees. The Stormwater Management Unit received positive feedback. CEUs were offered for those completing the course. The training will continue to be offered in the future.

New Outreach Materials for the NJEIFP-The program booklet was posted on the DWQ website, printed in-house and shared with DEP and NJEIT staff. The link is: http://www.nj.gov/dep/dwg/pdf/NJEIFP_Funding_Booklet20170517.pdf The booklet will act as a living document and can be updated per future program changes. The program booklet describes the funding packages offered by the NJEIFP as set out in the NJEIFP IUP SFY2018. The booklet was developed, reviewed and approved by all parties in the NJEIFP Communications Committee (DWQ, MFCE, DEP Communications, and NJEIT).

Financing Team Prepares to Award Funds to Passaic Valley Water Commission for Resiliency Measures: The Municipal Finance and Construction Element has been working with DCA, DEP's Budget and Finance, NJEIT and the Attorney General's Office to award Community Development Block Grant-Disaster Relief Funds (CDBG-DR) to finance most the \$32 million-dollar project to install four 2,500-kW diesel generators backup generators at the Little Falls Treatment Facility. For the first time, the Department is utilizing CDBG-DR funds to match a USEPA grant to the Department to finance resiliency measures at water and wastewater treatment facilities. The Financing Team has sent draft project exhibits and loan agreements to PVWC and their representatives for their review and comments before the scheduled closing.

TWA/CAP Amendments Adopted: Amendments to the Capacity Assurance Program (CAP) rule were adopted and were filed with the Division of Law on April 12, 2017; they will appear in the May 15, 2017 issue of the New Jersey Register. The amendments change the threshold of when a CAP is triggered from 80 percent of permitted flow based on committed flow to 95 percent of permitted flow based on reported flow from DMRs; clarify and expand analysis and certification requirements as part of the Capacity Analysis Report (CAR); include a 180 day timeframe for submission of the CAR; clarify that the requirements can be imposed on owners/operators of a conveyance system; include a requirement to have the CAR posted to the entities website and a copy maintained at the treatment plant and/or conveyance system owner's offices; and revise requirements for when a permittee can be relieved from the CAP. As part of MFCE's plan to roll-out the amended rule, the Bureau of Environmental, Engineering and Permitting (BEEP) has developed updated FAQ's, has prepared Press Office bullets, updated various forms/checklists, and will update the Division's CAP website to include a tool that was created to track the percentage of permitted flow for each treatment plant. The BEEP will send letters to all wastewater treatment plants that are subject to the CAP informing them of their obligations/responsibilities to comply with the new rule. The letters will be sent on May 10, 2017 so that wastewater treatment plants will receive them on or about the publication date of May 15, 2017. The BEEP will also send letters on or about May 15, 2017 to those treatment plants that have triggered the 95 percent CAP threshold notifying them of their obligation to submit a CAR within 180 days.

Manufactured Treatment Device (MTD) recently Certified by NJDEP: The Stormwater Management rules under N.J.A.C. 7:8-5.5(b) and 5.7 (c) allow the use of a manufactured treatment device (MTD) for compliance with the design and performance standards at N.J.A.C. 7:8-5 if the pollutant removal rate has been verified by the New Jersey Corporation for Advanced Technology (NJCAT) and has been certified by the New Jersey Department of Environmental Protection (NJDEP). The link to the web site is: <http://www.njstormwater.org/treatment.html>

Here is a list of the MTDs recently certified:

- Continuous Deflective Separator (CDS) Unit by CONTECH Stormwater Solutions, Inc.
- StormPro Stormwater Treatment Device by Environment 21, LLC.
- Downstream Defender by Hydro International
- Dual Vortex Separator by Oldcastle Stormwater Solutions

- Aqua-Filter Stormwater Filtration System by AquaShield
- SiteSaver Stormwater Treatment Device by Fresh Creek Technologies, Inc.

DWQ CSO Meeting Held with the City of Gloucester: On April 19, 2017, members of DWQ conducted a meeting with the Business Administrator, redeveloper, and the Director of the Department of Utilities of the City of Gloucester. 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. DWQ offered assistance in the development of a more stringent stormwater ordinance. Gloucester is aware of the assistance the Department can provide and stated several times that they have a great working relationship with DEP and our staff. This is the 14th municipality the team has met with for this outreach effort.

Stan advised the Council members of the 2017 compliance to the Uniform Ethics Code, i.e., take ethics training and ethics briefings and the completion of the outside employment questionnaire. A condition to serving on the NJ Clean Water Council is compliance to the State's Uniform Ethics Code. Further detail information will be sent to all Council members.

New Business:

Steve Domber, DEP, Division of Water Supply and Geoscience gave an overview of the Draft Water Supply Master Plan 2017-2022. His presentation will be posted on the NJCWC's web-site.

On April 26, 2017, Gina Berg resigned from the NJCWC and is leaving her position at Burlington County to accept a planning position with the NJ Pinelands Commission. We will need an appointment from the NJ Association of Counties for a replacement.

Old Business:

Committee Reports:

1. Stream Background – Committee Lead Jim Cosgrove gave an overview of the draft flow diagram that was distributed and highlighted a proposed process for NJDEP to incorporate background water quality concentrations during a permit renewal.
2. NPS Reductions in TMDL Watershed -Committee Lead Russ Furnari said his committee would like to address non-point sources that are not traditionally considered non-point sources, such as leaf litter. Also, the committee addressed the fertilizer rule and questioned if there is still a residual impact if there is no phosphorus in fertilizer? Further, the committee asked, how can the MS4 permit accomplish the NPS reduction goals?
3. Innovative Septic Management-Committee Lead Sandra Howland made a presentation of her committee's discussions & recommendations for a public hearing topic, questions, invited speaker and draft announcement. Examples of the questions follows: 1) How to develop standards for evaluation of effective septic treatment at the property boundary? 2) How to develop protocols for innovative technology and testing procedures?; 3) How to develop certification programs for installers?; and 4) How to develop a template for municipal compliance?

Next month's meeting will be a breakout session for Committees 2 and 3 for the first hour and the second hour will consist of a Council's discussion on next steps. The Council will also choose a public hearing topic.

Announcements:

The next Council meeting is scheduled for Tuesday, July 11, 2017.

Adjournment:

Meeting adjourned at 11:47 am