

Bureau of Nonpoint Pollution Control
Division of Water Quality
P.O. Box 029
Trenton, N.J. 08625-0029
Tel: 609-633-7021 / FAX: 609-984-2147
http://www.state.nj.us/dep/dwq/bnpc_home.htm

March 1, 2009

Re: Municipal Stormwater Regulation Program
Notice of Final Permit Decision
Tier A Municipal Stormwater General Permit
NJPDES Permit No. NJ0141852

Dear Stormwater Program Coordinator:

This correspondence serves as notice pursuant to N.J.A.C. 7:14A-15.15 of the Department's decision to issue final a renewal of the Tier A Municipal Stormwater General Permit NJ0141852 (Tier A Permit) effective March 1, 2009. The Department has issued a Response to Comments document, which is available at http://www.state.nj.us/dep/dwq/msrp_home.htm.

Enclosed is the final New Jersey Pollutant Discharge Elimination System (NJPDES) General Permit, which has been issued in accordance with N.J.A.C. 7:14A, and your Authorization to Discharge page.

The Department is not requiring any new major capital projects or expenditures in the renewal permit due to current statewide economic concerns and has made a number of changes designed to give municipalities more flexibility in meeting permit requirements. Below is a brief summary of the changes to the Tier A Permit.

- establish a definition for “Permanent Structure” to clarify eligible structures for De-Icing Storage;
- establish a point system for the Local Public Education Program to give more flexibility in implementing the BMP;
- remove the 7 day requirement from the Yard Waste Collection Program and Ordinance;
- require the adoption and enforcement of a Refuse Container Ordinance;
- require the adoption and enforcement of a Private Catch Basin Retrofitting Ordinance;
- require the adoption and enforcement of a Fertilizer Management Ordinance (for those municipalities affected by the Non-Tidal Passaic River Basin Addressing Phosphorus Impairments TMDL);
- clarify the Storm Drain Inlet Retrofitting BMP to specifically state that “resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen)” is repaving;

- revise the Stormwater Facility Maintenance BMP so that catch basin cleaning becomes a separate BMP and create a schedule for catch basin inspection and cleaning for those municipalities with 1,000 or more catch basins;
- change the Road Erosion Control BMP to an Optional Measure;
- require municipalities to record where and when vehicle and equipment washing activities occur;
- refine the language within the minimum standard of the Employee Training BMP;
- require the revision of the SPPP on or before June 1, 2009 to incorporate the changes required by the renewal of the Tier A Permit;
- create an Attachment E which lists the approved activities and point totals for the Local Public Education BMP; and
- create an Attachment F to list the municipalities/counties which are affected by the “Non-Tidal Passaic River Basin Addressing Phosphorus Impairments” TMDL.

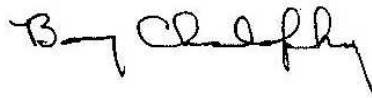
The Department has made minor changes to correct typographical and grammatical errors. In addition, the Department has made the following substantive changes to the Tier A Permit upon adoption:

- established a definition for “Existing Permittee” and clarified the definition for “New Permittee”;
- established a definition for “original EDPA” since some statewide basic requirement implementation schedules from the March 1, 2004 permits extend into the timeframe of the March 1, 2009 renewal permit; and
- changed the reporting period for the Annual Report and Certification to January 1st through December 31st each year.

The Bureau of Nonpoint Pollution Control has developed a model Refuse Container Ordinance and a model Private Catch Basin Retrofitting Ordinance which are available at http://www.state.nj.us/dep/dwq/tier_a.htm. A model Fertilizer Management Ordinance is available by contacting the Division of Watershed Management at (609) 984-0058.

Thank you for your continued support of the Department’s Clean Water Initiative. If you have questions or comments regarding the renewal please contact your Case Manager at (609) 633-7021.

Sincerely,



Barry Chalofsky, P.P., Chief
Bureau of Nonpoint Pollution Control

C: Water Compliance and Enforcement Regional Office