

**DRAFT MODIFICATION OF
TIER A MUNICIPAL STORMWATER GENERAL PERMIT
NJPDES PERMIT NO. NJ0141852**

Additions indicated by underlining and bolding **thus**; deletions indicated in brackets [thus].

State of New Jersey
Department of Environmental Protection
Division of Water Quality
Bureau of Nonpoint Pollution Control
June 15, 2005

Tier A Municipal Stormwater General Permit (NJ0141852)

PART I NARRATIVE REQUIREMENTS:

A. Authorization Under this Permit

1. (No change.)

2. Eligibility

a.– b. (No change.)

c. After the Effective Date of Permit Authorization (EDPA), the permit authorizes the following new and existing non-stormwater discharges from small MS4s owned or operated by Tier A Municipalities:

i. – vii. (No change.)

viii. Flows from fire fighting activities **including the washing of fire fighting vehicles**

ix. Vehicle and equipment washwater from municipal operations pursuant to Part I, Section F.8.e of the permit

[ix.] **x.** (No change in text.)

d. (No change.)

3. – 5. (No change.)

B. (No change.)

C. Definitions

1. The following definitions apply to this permit.

a. “Catch Basin” means a cistern, vault, chamber or well that is usually built along a street as part of the storm sewer system.

[a. – h.] **b. - i.** (No change in text.)

D. – E. (No change.)

F. Statewide Basic Requirements (SBRs)

1. – 2. (No change.)

3. Post-Construction Stormwater Management in New Development and Redevelopment

a. – b. (No change.)

c. Implementation

i. (No change.)

ii. Within 12 months from the effective date of permit authorization, Tier A

Municipalities shall:

- Adopt a municipal stormwater management plan (or adopt amendments to an existing municipal stormwater management plan) pursuant to the Stormwater Management Rules (N.J.A.C. 7:8-4) **except as provided in iii below;**
- Comply with the standards set forth in Attachment C of the permit to control passage of solid and floatable materials through storm drain inlets for storm drain inlets the municipality installs within the Tier A Municipality's small MS4.

iii. Within 3 months from the date the Department provides a draft model "Pinelands" Municipal Stormwater Control Ordinance, Tier A Municipalities within the Pinelands Area as defined by N.J.S.A. 13:18A-11 shall adopt a municipal stormwater management plan (or adopt amendments to an existing municipal stormwater management plan) pursuant to the Stormwater Management Rules (N.J.A.C. 7:8-4) for those areas of the municipality within the Pinelands Area.

Tier A Municipalities partially within the Pinelands Area shall adopt a municipal stormwater management plan (or adopt amendments to an existing municipal stormwater management plan) pursuant to the Stormwater Management Rules (N.J.A.C. 7:8-4) within 12 months from the effective date of permit authorization for those areas of the municipality not within the Pinelands Area.

[iii.] iv. Within 12 months from the adoption of the municipal stormwater management plan, Tier A Municipalities shall adopt a stormwater control ordinance(s) to implement that plan, and shall submit the adopted municipal stormwater management plan and ordinance(s) to the appropriate county review agency for approval pursuant to N.J.A.C. 7:8-4.4 (and, where N.J.A.C. 7:50-3 is applicable, to the Pinelands Commission for certification).

- **If a county review agency conditionally approves the adopted municipal stormwater management plan and ordinance(s) the Tier A Municipality shall, within 180 days of the conditional approval, adopt the amendments to the municipal stormwater management plan and ordinance(s) specified by the county review agency and resubmit the amended municipal stormwater management plan and ordinance(s).**
- **If a county review agency disapproves the adopted municipal stormwater management plan and ordinance(s) the Tier A Municipality shall, within 180 days of the disapproval, resubmit an**

amended municipal stormwater management plan and ordinance(s) to the county review agency.

- **If the Pinelands Commission disapproves or conditionally certifies the adopted municipal stormwater management plan and ordinance(s) the Tier A Municipality shall submit its modified plan and ordinance(s) to the Pinelands Commission in accordance with N.J.A.C. 7:50-3.**

[iv.] **v.** Tier A Municipalities shall enforce stormwater control ordinance(s) when approved by the county review agency (**and, where N.J.A.C. 7:50-3 is applicable, certified by the Pinelands Commission)** or shall enforce **stormwater control ordinance(s) when conditionally approved by the county review agency upon adoption by the municipality of the amendments specified by the county review agency (and, where N.J.A.C. 7:50-3 is applicable, certified by the Pinelands Commission)** in accordance with N.J.A.C. 7:8-4.

[v.] **vi.** Within 24 months from the effective date of permit authorization Tier A Municipalities shall:

- Ensure adequate long-term operation and maintenance of BMPs on property not owned or operated by the municipality;
- Enforce, through the stormwater control ordinance(s) or a separate ordinance compliance with the standards set forth in Attachment C of the permit to control passage of solid and floatable materials through storm drain inlets for storm drain inlets not installed by the Tier A Municipality.

4. (No change.)

5. Improper Disposal of Waste

- a. - d. (No change.)
- e. Yard Waste Ordinance / Collection Program
 - i. Minimum Standard - Tier A Municipalities shall either adopt and enforce an ordinance that prohibits placing non-containerized yard wastes in the **cartway of the** street or shall develop a yard waste collection and disposal program. [The] **A** yard waste collection program shall [also] include the adoption and enforcement of an ordinance prohibiting all yard wastes from being placed [at the curb or along the street] **within the cartway** more than seven (7) days prior to scheduled collection or the placing of yard waste closer than 10 feet from any storm sewer inlet along the street, unless they are bagged or otherwise containerized. The frequency of [the “as needed”] pickups shall be determined at the discretion of the Tier A Municipality. [The yard waste collection program shall include monthly yard waste pickups from October

through December, once in the spring (“spring clean-up”), and on an “as needed” basis for the rest of the year.] Any area, which the municipality determines to have no yard waste, will be exempt from the collections.

For the purposes of this minimum standard “yard waste” means loose leaves and grass clippings.

ii. – iii (No change.)

6. (No change.)

7. Solids and Floatable Controls

a. [Street] **Monthly Sweeping of Certain Streets in Predominantly Commercial Areas**

i. Minimum Standard - Tier A Municipalities shall sweep [all municipally owned or operated curbed streets (including roads or highways) with storm drains that have a posted speed limit of 35 mph or less (excluding all entrance and exit ramps) in predominantly commercial areas at a minimum of once per month, weather and street surface conditions permitting] **,at a minimum of once per month (weather and street surface conditions permitting) all streets (including roads or highways) that meet all of the following criteria:**

- **the street is owned or operated by the municipality;**
- **the street is curbed and has storm drains;**
- **the street has a posted speed limit of 35 mph or less;**
- **the street is not an entrance or exit ramp; and**
- **the street is in a predominantly commercial area.**

ii. - iii. (No change.)

b. - e. (No change.)

8. Maintenance Yard Operations (including maintenance activities at Ancillary Operations)

a. - d. (No change.)

e. Equipment and Vehicle Washing

i. **Minimum Standard - Tier A Municipalities must eliminate the unpermitted discharge of equipment and vehicle wash wastewater to the waters of the State from municipal maintenance yard operations by either installing a vehicle wash reclaim system, capturing and hauling the wastewater for proper disposal, connecting to sanitary sewer (where applicable and approved by local authorities), ceasing the activity and/or applying for and obtaining a separate NJPDES permit.**

ii. **Measurable Goal - After implementation, Tier A Municipalities must certify annually that there is no unpermitted discharge from vehicle and equipment washing activities at their municipal maintenance yard operations and describe the BMP option implemented at each of the locations where vehicle and equipment washing activities occur.**

iii. Implementation – This permit authorizes existing discharges of equipment and vehicle wash water from municipal maintenance yard operations until February 28, 2009. On or before February 28, 2009 Tier A Municipalities shall have a BMP option implemented and shall have no unpermitted discharge of equipment and vehicle wash wastewater to the waters of the State.

9. Employee Training

a. Minimum Standard - Tier A Municipalities shall develop and conduct an annual employee training program for appropriate employees on appropriate topics. At a minimum, annual employee training will include the following topics:

i. - iv. (No change.)

v. [Street] **Monthly Sweeping of Certain Streets in Predominantly Commercial Areas** – Training shall include sweeping schedules and record keeping requirements.

vi. – ix. (No change.)

b.- c. (No change.)

10. (No change.)

G.- J. (No change.)

Attachments A – D (No change.)