

PART I
NARRATIVE REQUIREMENTS:
Tier B Municipal Stormwater General Permit

A. Authorization Under this Permit

1. Permit Area

- a. This permit applies to all areas of the State of New Jersey.

2. Eligibility

- a. This permit may authorize all new and existing stormwater discharges to surface water and groundwater from small municipal separate storm sewer systems (MS4s) owned or operated by municipalities assigned to Tier B under N.J.A.C. 7:14A-25.3(a)2 (Tier B Municipalities), except as provided in A.5 below.
- b. The permit authorizes the following new and existing non-stormwater discharges from small MS4s owned or operated by Tier B Municipalities except if identified by the municipality as a significant contributors of pollutants to or from the MS4. If any of the following discharges are identified as a significant contributor, the Tier B Municipality shall contact the Department so appropriate actions may be taken:
 - i. Water line flushing and discharges from potable water sources
 - ii. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters)
 - iii. Air conditioning condensate
 - iv. Irrigation water (including landscape and lawn watering runoff)
 - v. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted spring flows
 - vi. Residential car washing water, and dechlorinated residential swimming pool discharges
 - vii. Sidewalk, driveway and street wash water
 - viii. Flows from fire fighting activities

3. Authorization

- a. In order to obtain authorization under this permit (except for automatic renewal of authorization under A.4 below) a complete Request for Authorization (RFA) shall be submitted in accordance with the requirements of this permit. Upon review of the RFA, the Department may, in accordance with N.J.A.C. 7:14A-6.13, either:
 - i. Issue notification of authorization under this permit, in which case, authorization is deemed effective the first day of the following month of the date of the notification of authorization;
 - 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.

- b. For discharges from a small MS4 authorized by this permit, the Tier B Municipality 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 the NJPDES permit or listed and quantified in the NJPDES application or RFA shall not constitute a violation of the permit.
 - c. Authorization under this permit shall cease to be effective under N.J.A.C. 7:14A-6.13 (f), (h), (j) and (o), where applicable.
4. Automatic Renewal of Authorization
- a. Authorization under this permit will be automatically renewed when this general permit is reissued as provided by N.J.A.C. 7:14A-6.13(d)9 and 25.8(c) so long as the discharge authorized under the general permit continues to be eligible. The Department shall issue a notice of renewed authorization to the Tier B Municipality.
 - b. If the Tier B Municipality is aware of any information in the most recently submitted RFA that is no longer true, accurate, and/or complete, the Tier B Municipality shall provide the correct information to the Department within 90 days of the effective renewal authorization notice.
5. Stormwater Discharges Not Authorized
- a. This permit does not authorize “stormwater discharge associated with industrial activity” as defined in N.J.A.C. 7:14A-1.2. Types of facilities that a Tier B Municipality may operate and that are considered to be engaging in “industrial activity” include but are not limited to certain landfills and recycling facilities, certain transportation facilities (including certain local passenger transit and air transportation facilities), certain facilities handling domestic sewage or sewage sludge, steam electric power generating facilities, and construction activity that disturbs five acres or more (see N.J.A.C. 7:14A-1.2 for the full definition of “stormwater discharge associated with industrial activity”). Any municipality 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 Tier B Municipal Stormwater General Permit does not qualify as an RFA for such a discharge.
 - i. Deadlines to apply for a NJPDES permit for “stormwater discharge associated with industrial activity” are set forth in N.J.A.C. 7:14A-24.4(a)1. If such a discharge is from a facility (other than an airport, powerplant, or uncontrolled sanitary landfill) that is owned or operated by a municipality with a population of less than 100,000, the municipality shall submit the RFA or individual permit application by March 10, 2003 or [insert the date 30 days from the effective date of N.J.A.C. 7:14A-24], whichever is later. If such a discharge is from any other industrial facility, N.J.A.C. 7:14A-24.4(a)1 specifies earlier deadlines to apply.
 - b. This permit does not authorize “stormwater discharge associated with small construction activity” as defined in N.J.A.C. 7:14A-1.2. In general, this is the discharge to surface water of stormwater from construction activity that disturbs at least one but less than five acres (see N.J.A.C. 7:14A-1.2 for the full definition). Any municipality that operates a construction site with such a discharge must submit a separate RFA or individual permit application for that discharge. An RFA submitted for the Tier B Municipal Stormwater General Permit does not qualify as an RFA for such a discharge.

- c. This permit does not authorize any stormwater discharge that is authorized under another NJPDES permit.
- d. This permit does not authorize stormwater discharges from projects or activities that conflict with an adopted WQM plan.

B. Requests for Authorization Requirements

1. Deadline for Requesting Authorization for an Existing Discharge

- a. An RFA for the existing discharges from the small MS4 owned or operated by a Tier B Municipality must be submitted to the Department on or before March 10, 2003 or 30 days after the effective date of N.J.A.C. 7:14A-24 and 25, whichever is later, except as provided below.
 - i. If a municipality receives notice from the Department that it has been reassigned from Tier A to Tier B, the deadline to submit an RFA is 90 days after the receipt of that notice.
 - ii. The Department may, in its discretion, accept an RFA submitted after the foregoing deadline; however, the municipality may still be held liable for violating the deadline to apply in accordance with N.J.A.C. 7:14A-25.8 and for discharging pollutants without a valid NJPDES permit in accordance with N.J.A.C. 7:14A-2.1(d).

2. Deadline for Requesting Authorization for a New Discharge

- a. An RFA for discharges from a new small MS4 owned or operated by a Tier B Municipality must be submitted to the Department at least ninety (90) days prior to the operation of the new MS4 system.
 - i. A Tier B Municipality that already has authorization to discharge from a small MS4 under the Tier B Municipal Stormwater Permit does not need to submit an additional RFA for the expansion of an existing small MS4.
 - ii. A new small MS4 is a small MS4 that did not exist on the effective date of this permit and results in a new discharge to surface or ground waters of the state.

3. Requesting Authorization

- a. A separate RFA shall be submitted by each Tier B Municipality applying for authorization under this permit.
- b. A single RFA is required for the entire stormwater discharge from the small MS4 owned or operated by and located within a single municipality. Multiple RFAs are not required for multiple municipal operations (e.g., municipally owned and operated maintenance facilities, garages, and/or offices).

4. Contents of the Request for Authorization

- a. A completed RFA shall include all of the following information regarding the Tier B Municipality and shall be completed using the Department's RFA form:
 - i. The name of the municipality that owns and operates the small MS4, county it is located in, and the address of the main municipal office (e.g., city hall, town hall, or municipal building).

- ii. The name and mailing address of a duly authorized representative of the municipality who will submit any reports or certifications required by the permit and to whom the Department shall send all correspondence concerning the permit.
- iii. A certification acknowledging the best management practices, measurable goals, and other requirements specified in the permit.
- iv. A map showing the boundaries of any “combined sewer area” that a Tier B Municipality wants to exclude from the Stormwater Program under Part I, Section E. A “combined sewer area” is an area that is excluded because all stormwater discharges that are from that area (and operated by the municipality) are discharges to combined (or sanitary) sewer systems.
- v. Additional information may be required by the Department to be included as part of the RFA if the Department determines that such additional information (including other data, reports, specifications, plans, permits, or other information) is reasonably necessary to determine whether to authorize the discharge under this permit.

5. Where to Submit

- a. A completed and signed RFA shall be submitted to the Department at the address specified on the Department's RFA form.

C. Definitions

1. The following definitions apply to this permit.

- a. “EDPA” means Effective Date of Permit Authorization.
- b. “MS4” means a municipal separate storm sewer system.
- c. “Municipality” means a “municipality” as defined in the Municipal Land Use Law at N.J.S.A. 40:55D-5, that is, any city, borough, town, township, or village.
- d. “Municipal separate storm sewer” means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):
 - i. Owned or operated by the United States, an interstate agency, a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe organization, or a designated and approved management agency under section 208 of the CWA that discharges to surface water or groundwater;
 - ii. Designed and used for collecting or conveying stormwater;
 - iii. Which is not a combined sewer;
 - iv. Which is not part of a POTW; and
 - v. Which is not either of the following:
 - A separate storm sewer(s) that is at an industrial facility, and that collects or conveys stormwater discharges associated with industrial activity that occurs at that facility; or

- A separate storm sewer(s) that is at a construction site, and that collects or conveys stormwater discharges associated with small construction activity that occurs at that site.
- e. “Small municipal separate storm sewer system” or “small MS4” means all municipal separate storm sewers (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; or
 - 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;
 - iv. Owned or operated by county, State, interstate, or Federal agencies, and receive special designation under N.J.A.C. 7:14A-25.2(a)4.
- f. “Stormwater” means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewerage or drainage facilities.

D. Special Conditions

1. Sharing of Responsibilities

- i. A Tier B Municipality may share with one or more other entities (for example, a watershed association or another municipality) the responsibility for implementing any of the Statewide Basic Requirements (SBRs), or Additional Measures (AMs) required by this permit pursuant to N.J.A.C. 7:14A-25.8(e).
- ii. The Tier B Municipality is responsible for compliance with this permit if the other entity fails to implement the measure(s), or component(s) thereof. In the annual reports the municipality must submit under Part I, Section H.2, the municipality shall specify that it is relying on another entity to satisfy some of the Tier B Municipality’s NJPDES permit obligations.
- iii. If the municipality is relying on another entity regulated under the NJPDES permit program to satisfy all of that Tier B Municipality’s NJPDES permit obligations, including that municipality’s obligation to file these annual reports, the municipality shall notify the Department of this reliance in writing, and shall also note this reliance in the municipality’s SPPP.

E. Stormwater Program

1. Stormwater Program

- a. Tier B municipalities are required to develop, implement, and enforce a stormwater program that must include the SBRs that are listed in Part I, Section F and the AMs, if any, required by Part I, Section G.1 of the permit.

F. Statewide Basic Requirements (SBRs)

1. Stormwater quality issues related to new development, redevelopment and existing development are to be addressed through the implementation of the following Statewide Basic Requirements (SBRs). The permit specifies the BMPs that will be implemented for those SBRs.
 - a. Additional information is provided and each of the SBRs and related BMPs are described in more detail in the Department's Tier B Municipal Stormwater Permit Guidance Document.
2. Post-Construction Stormwater Management in New Development and Redevelopment
 - a. Minimum Standard - To prevent or minimize water quality impacts, the Tier B Municipality shall develop, implement, and enforce a program to address stormwater runoff from new development and redevelopment projects (including projects operated by the municipality itself) that disturb one acre or more, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the municipality's small MS4. The municipality shall in its post-construction program:
 - i. Adopt and reexamine a municipal stormwater management plan in accordance with N.J.A.C. 7:8.
 - ii. Adopt and implement a municipal stormwater control ordinance or ordinances in accordance with N.J.A.C. 7:8. The ordinance(s) will control stormwater from non-residential development and redevelopment projects.
 - iii. Ensure that any residential development and redevelopment projects that are subject to the Residential Site Improvement Standards for stormwater management (N.J.A.C. 5:21-7) comply with those standards.
 - iv. Where necessary to implement the municipal stormwater management plan, the municipal stormwater control ordinance(s) will also:
 - Control aspects of residential development and redevelopment projects that are not pre-empted by the Residential Site Improvement Standards; and
 - Set forth special area standards approved by the Site Improvement Advisory Board for residential development or redevelopment projects under N.J.A.C. 5:21-3.5.
 - v. Ensure adequate long-term operation and maintenance of BMPs.
 - vi. This post-construction program shall also require compliance with standards set forth in Attachment A of the permit to control passage of solid and floatable materials through storm drain inlets. For purposes of this permit, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids.
 - vii. This post-construction program shall require compliance with the applicable design and performance standards established under N.J.A.C. 7:8 for major development, unless:
 - Those standards do not apply because of a variance or exemption granted under N.J.A.C. 7:8; or
 - Alternative standards are applicable under a Water Quality Management Plan adopted in accordance with N.J.A.C. 7:15.

- b. Measurable Goal – Tier B Municipalities shall certify annually that they have developed, implemented, and are actively enforcing a program to address stormwater runoff from new development and redevelopment projects that discharge into the Tier B Municipality's small MS4 in accordance with the minimum standard.
- c. Implementation
 - i. Upon the effective date of permit authorization, Tier B Municipalities shall for new development and redevelopment projects:
 - Ensure that any residential development and redevelopment projects that are subject to the Residential Site Improvement Standards for stormwater management (N.J.A.C. 5:21-7) comply with those standards.
 - Ensure adequate long-term operation and maintenance of BMPs on property owned or operated by the municipality.
 - ii. Within 12 months from the effective date of permit authorization, Tier B Municipalities shall:
 - Adopt a municipal stormwater management plan pursuant to the Stormwater Management Rules (N.J.A.C. 7:8);
 - Comply with the standards set forth in Attachment A 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 B Municipality's small MS4.
 - iii. Within 12 months from the adoption of the municipal stormwater management plan, Tier B 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.
 - iv. Tier B Municipalities shall enforce stormwater control ordinance(s) when approved in accordance with N.J.A.C. 7:8.
 - v. Within 24 months from the effective date of permit authorization Tier B Municipalities shall:
 - Ensure adequate long-term operation and maintenance of BMPs on property not owned or operated by the municipality;
 - Require compliance with the standards set forth in Attachment A of the permit to control passage of solid and floatable materials through storm drain inlets for storm drain inlets not installed by the Tier B Municipality.

3. Local Public Education

- a. Local Public Education Program
 - i. Minimum Standard – The Local Public Education Program shall incorporate all SBRs that contain an educational message (listed below) into one cohesive package. The

Annual Report and Certification shall summarize how the Tier B Municipality distributed educational information and how the educational activities satisfied this minimum standard. The following topics shall be included in the Local Public Education Program: Stormwater/Nonpoint Source Education, Fertilizer/Pesticide Education, and Waste Disposal Education. If the Tier B Municipality has an existing ordinance, or passes a subsequent ordinance, regarding Pet Waste, Litter, Improper Waste Disposal, or Wildlife Feeding, then the municipality shall distribute educational information about the ordinance.

- To satisfy the requirement to distribute educational material, Tier B Municipalities shall conduct annual mailings of information sheets to residents and businesses within the municipality. The information sheets may be combined as one mailing, a combination of mailings, or individual mailings, which may be made throughout the year and in any form (e.g., calendars, brochures, sheets, booklets) as long as all required topics are covered.
 - As part of this program, Tier B Municipalities shall also conduct each year, at minimum, one education effort in the form of an “event”. An event may be an activity established primarily to satisfy this requirement or may be part of a bigger existing event such as an Earth Day, fair, July 4th activity or celebration. During this event, educational materials shall be distributed and presentations and/or seminars shall be held.
 - ii. Measurable Goal - Tier B Municipalities shall certify annually that that they have met the Local Public Education Program minimum standard and shall provide the date that the annual event was held and a description of the event.
 - iii. Implementation - Within 12 months from the effective date of permit authorization, Tier B Municipalities shall comply with the Local Public Education Program minimum standard.
- b. Stormwater/Nonpoint Source Education
- i. Minimum Standard - Tier B Municipalities, as part of a Local Public Education Program, shall distribute information to residents and businesses within the municipality regarding the impact of stormwater discharges on surface and ground waters of the state and steps that the public can take to reduce pollutants in stormwater runoff.
 - ii. Measurable Goal - Tier B Municipalities shall certify annually that that they have met the Stormwater/Nonpoint Source Education minimum standard.
 - iii. Implementation - Within 12 months from the effective date of permit authorization, Tier B Municipalities shall comply with the Stormwater/Nonpoint Source Education minimum standard.
- c. Storm Drain Labeling
- i. Minimum Standard - Tier B Municipalities shall establish a storm drain labeling program and label all storm drains operated by the municipality. The program shall determine the number of those storm drains, establish a schedule for the labeling that conforms with the implementation schedule below, develop a long term maintenance

plan, and when possible, coordinate efforts with watershed groups and volunteer organizations.

- ii. Measurable Goal - Tier B Municipalities shall certify annually that a storm sewer labeling program has been developed and shall identify the number of storm sewers labeled within the year and the percentage of all storm sewers labeled within the municipality.
 - iii. Implementation - Within 12 months from the effective date of permit authorization, Tier B Municipalities shall develop a storm drain labeling program. Beginning 12 months from the effective date of permit authorization, Tier B Municipalities shall begin labeling storm drains. A minimum of 25% of the storm drains shall be labeled within 24 months from the effective date of permit authorization; a minimum of 50% of the storm drains shall be labeled within 36 months from the effective date of permit authorization; a minimum of 75% of the storm drains shall be labeled within 48 months from the effective date of permit authorization; all storm drains shall be labeled on or before 60 months from effective date of permit authorization.
- d. Fertilizer/Pesticide Education
- i. Minimum Standard - Tier B Municipalities, as part of a Local Public Education Program, shall distribute information to residents and businesses within the municipality regarding the proper application, storage and disposal of pesticides and fertilizers, and the benefits of using native or well adapted vegetation that requires little or no fertilization.
 - ii. Measurable Goal - Tier B Municipalities shall certify annually that that they have met the Fertilizer/Pesticide Education minimum standard.
 - iii. Implementation - Within 12 months from the effective date of permit authorization, Tier B Municipalities shall have fully implemented the Fertilizer/Pesticide Education minimum standard.
- e. Waste Disposal Education
- i. Minimum Standard - Tier B Municipalities, as part of a Local Public Education Program, shall distribute information to residents and businesses within the municipality regarding the identification, proper handling and proper disposal of wastes (including pet waste and litter), and provide the locations of hazardous waste collection facilities in the area.
 - ii. Measurable Goal – Tier B Municipalities shall certify annually that that they have met the Waste Disposal Education minimum standard.
 - iii. Implementation - Within 12 months from the effective date of permit authorization, Tier B Municipalities shall have fully implemented the Waste Disposal Education minimum standard.

G. Additional and Other Measures

1. Additional Measures

- a. Additional Measures (AMs) are non-numeric or numeric effluent limitations that are expressly required to be included in the stormwater program by an adopted Water Quality Management Plan (WQM plan). AMs may modify or be in addition to SBRs. AMs may be

required by a TMDL approved or established by USEPA, a regional stormwater management plan, or other elements of adopted WQM plans.

- b. The Department will provide written notice of the adoption of an AM to each Tier B Municipality whose Stormwater Program will be affected, and will list each adopted AM in the permit by making a minor modification to the permit. The AMs, other than numeric effluent limitations, will specify the BMPs that must be implemented and the measurable goals for each BMP. The AMs will also specify time periods for implementation.

2. Other Stormwater Control Measures

- a. Tier B Municipalities may also implement other stormwater control measures as allowed by statute. These activities are outside the scope of the Tier B stormwater program.

H. Deadlines and Certifications

1. Statewide Basic Requirements

- a. Each SBR contained in Part I, Section F of the permit has a specific implementation schedule based on the effective date of permit authorization. Each SBR shall be implemented in accordance with that schedule. Tier B Municipalities shall certify in the Annual Report and Certification the status of the implementation of each SBR and the date implementation was completed, as appropriate.

2. Annual Report and Certification

- a. Tier B Municipalities shall complete an Annual Report (on a form provided by the Department) summarizing the status of compliance with this permit including measurable goals and the status of the implementation of each SBR contained in Part I, Section F of the permit. This report shall include a certification that the municipality is in compliance with this permit, except for any incidents of noncompliance. Any incidents of noncompliance with permit conditions shall be identified in the Annual Report and Certification. A copy of each Annual Report and Certification shall be kept at a central location and shall be made available to the Department for inspection.
 - i. If there are incidents of noncompliance, the report shall identify the steps being taken to remedy the noncompliance and to prevent such incidents from recurring.
 - ii. The Annual Report and Certification shall be signed and dated by the Tier B Municipality, and shall be maintained for a period of at least five years. This period may be extended by written request of the Department at any time.
- b. The Annual Report and Certification shall be submitted to the Department pursuant to the following submittal schedule:
 - i. Submit an Annual Report: on or before [insert the date 485 days from the effective date of the permit] and every 12 months thereafter.

I. Standard Conditions

1. The following general conditions are incorporated by reference. The Tier B Municipality is required to comply with the regulations, which were in effect as of the effective date of the final permit.

- a. General Permits N.J.A.C. 7:14A-6.13
- b. Penalties for Violations N.J.A.C. 7:14-8.1 et seq.

- c. Incorporation by Reference N.J.A.C. 7:14A-2.3
 - d. Toxic Pollutants N.J.A.C. 7:14A-6.2(a)4i
 - e. Duty to Comply N.J.A.C. 7:14A-6.2(a)1 & 4
 - f. Duty to Mitigate N.J.A.C. 7:14A-6.2(a)5 & 11
 - g. Inspection and Entry N.J.A.C. 7:14A-2.11(e)
 - h. Enforcement Action N.J.A.C. 7:14A-2.9
 - i. Duty to Reapply N.J.A.C. 7:14A-4.2(e)3
 - j. Signatory Requirements for Applications and Reports N.J.A.C. 7:14A-4.9
 - k. Effect of Permit/Other Laws N.J.A.C. 7:14A-6.2(a)6 & 7 & 2.9(c)
 - l. Severability N.J.A.C. 7:14A-2.2
 - m. Administrative Continuation of Permits N.J.A.C. 7:14A-2.8
 - n. Permit Actions N.J.A.C. 7:14A-2.7(c)
 - o. Reopener Clause N.J.A.C. 7:14A-6.2(a)10, 16.4(b) & 25.7(b)
 - p. Permit Duration and Renewal N.J.A.C. 7:14A-2.7(a) & (b)
 - q. Consolidation of Permit Process N.J.A.C. 7:14A-15.5
 - r. Confidentiality N.J.A.C. 7:14A-18.2 & 2.11(g)
 - s. Fee Schedule N.J.A.C. 7:14A-3.1
 - t. UIC Corrective Action N.J.A.C. 7:14A-8.4
 - u. Additional Conditions Applicable to UIC Permits N.J.A.C. 7:14A-8.9
 - v. UIC Operating Criteria N.J.A.C. 7:14A-8.16
2. Operation And Maintenance
- a. Need to Halt or Reduce not a Defense N.J.A.C. 7:14A-2.9(b)
 - b. Proper Operation and Maintenance N.J.A.C. 7:14A-6.12
3. Monitoring And Records
- a. Monitoring N.J.A.C. 7:14A-6.5
 - b. Record keeping N.J.A.C. 7:14A-6.6
 - c. Signatory Requirements for Monitoring Reports N.J.A.C. 7:14A-6.9
4. Reporting Requirements
- a. Planned Changes N.J.A.C. 7:14A-6.7
 - b. Reporting of Monitoring Results N.J.A.C. 7:14A-6.8
 - c. Noncompliance Reporting N.J.A.C. 7:14A-6.10 & 6.8(h)
 - d. Hotline/Two Hour & Twenty-four Hour Reporting N.J.A.C. 7:14A-6.10(c) & (d)
 - e. Written Reporting N.J.A.C. 7:14A-6.10(e) & (f) & 6.8(h)
 - f. Duty to Provide Information N.J.A.C. 7:14A-2.11, 6.2(a)14 & 18.1
 - g. Compliance Schedules N.J.A.C. 7:14A-6.4
 - h. Transfer N.J.A.C. 7:14A-6.2(a)8 & 16.2
 - i. Copies of the NJPDES rules may be purchased by contacting:
West Group
St. Paul, Minnesota
1-800-808-WEST

J. Additional Conditions

1. Agency and Public Review

- a. The Tier B municipality shall keep records required by this general permit for at least five years from the date of the record. The municipality shall submit these records to the Department if requested.

- b. Upon review by an authorized representative, the Department may notify the Tier B Municipality at any time that the stormwater program does not meet one or more of the minimum requirements. Within 30 days after receiving such notification (unless otherwise specified by the Department), the stormwater program shall be revised to adequately address all deficiencies, and written certification of such revisions shall be submitted to the Department.
- c. Tier B Municipalities shall make records required by this permit available to the public at reasonable times during regular business hours (see N.J.A.C. 7:14A-18 for confidentiality provisions).

2. Other Laws

- a. 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 the Pinelands rules (N.J.A.C. 7:50), N.J.A.C. 7:1E (Department rules entitled "Discharges of Petroleum and other Hazardous Substances"), and all 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.

3. Operations and Maintenance Manual

- a. In accordance with N.J.A.C. 7:14A-6.12(c), for a discharge authorized by this permit, the Tier B Municipality is exempt from the requirement to prepare an operations and maintenance manual.

Attachment A

DESIGN STANDARD - STORM DRAIN INLETS

This standard applies to storm drain inlets installed as part of new development and redevelopment projects (public or private) that disturb one acre or more. For exemptions to this standard see “Exemptions” below.

Grates in Pavement or Other Ground Surfaces

Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

1. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996).
2. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

(In regard to whether the different grate must also be bicycle safe, the Residential Site Improvement Standards 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.

Curb-Opening Inlets (Including Curb-Opening Inlets in Combination Inlets)

Whenever design engineers use a curb-opening inlet, the curb opening shall be divided (except as provided below) by bars or other means into individual clear spaces. Each such clear space 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.

At sag points, the curb opening may consist of one or more larger clear spaces if the review agency determines that such a curb opening is required for adequate hydraulic performance.

Exemptions

Hydraulic Performance Exemptions

1. New Development and Redevelopment Projects - Where the review agency determines that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards.

2. Retrofitting of existing storm drain inlets - Where the review agency determines that this standard would cause inadequate hydraulic performance.

Alternative Device Exemptions

1. 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. 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
 - b. A bar screen having a bar spacing of 0.5 inches.
2. 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.

Note - The preceding 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(a)).