



## State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Mail Code - 501-02A

SHAWN M. LATOURETTE  
*Commissioner*

TAHESHA L. WAY  
*Lt. Governor*

Bureau of NJPDES Stormwater Permitting and Water Quality Management

P.O. Box 420 – 501 E State St., 1<sup>st</sup> Flr.  
Trenton, NJ 08625-0420

Phone: (609) 633-7021 / Fax: (609) 777-0432  
[http://www.state.nj.us/dep/dwq/bnpc\\_home.htm](http://www.state.nj.us/dep/dwq/bnpc_home.htm)

November 28, 2023

NJDEP DIVISION OF WATER QUALITY  
401 E STATE ST  
Trenton, NJ 08625

Re: R11 -MS4 - Public Complex Stormwater (GP)  
NJPDES: NJ0141879 PI ID #: 50577  
NJPDES MASTER GENERAL PERMIT PROGRAM INTEREST  
Trenton City, Mercer

Dear Interested Party,

Enclosed is a **final** New Jersey Pollutant Discharge Elimination System (NJPDES) permit action identified above which has been issued in accordance with N.J.A.C. 7:14A. The Public Complex Stormwater General Permit authorizes the discharge of stormwater from small municipal separate storm sewer systems (MS4). The permit was issued in response to USEPA's Phase II rules. The Public Complex permit addresses stormwater quality issues related to both new and existing facilities.

A summary of the significant and relevant comments received on the draft action during the public comment period, the Department's responses, and an explanation of any changes from the draft action have been included in the Response to Comments document attached hereto as per N.J.A.C. 7:14A-15.16.

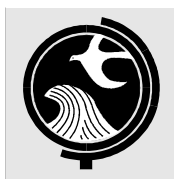
The final Public Complex MS4 NJPDES permit and supporting documents are also posted at <https://dep.nj.gov/njpdess-stormwater/municipal-stormwater-regulation-program/public-complex-stormwater-permit/> . Questions or comments regarding the final action should be addressed to Dan Kuti at [Daniel.Kuti@dep.nj.gov](mailto:Daniel.Kuti@dep.nj.gov).

Sincerely,

Gabriel Mahon, Bureau Chief  
Bureau of NJPDES Stormwater Permitting and Water Quality Management

Enclosures

c: Permit Authorization  
Response to Comments Document  
Final Permit Document



# NEW JERSEY POLLUTANT DISCHARGE ELIMINATION SYSTEM

The New Jersey Department of Environmental Protection hereby grants you a NJPDES permit for the facility/activity named in this document. This permit is the regulatory mechanism used by the Department to help ensure your discharge will not harm the environment. By complying with the terms and conditions specified, you are assuming an important role in protecting New Jersey's valuable water resources. Your acceptance of this permit is an agreement to conform with all of its provisions when constructing, installing, modifying, or operating any facility for the collection, treatment, or discharge of pollutants to waters of the state. If you have any questions about this document, please feel free to contact the Department representative listed in the permit cover letter. Your cooperation in helping us protect and safeguard our state's environment is appreciated.

**Permit Number: NJ0141879**

## **Final: Stormwater Discharge Master General Permit Renewal**

**Permittee:**

NJPDES Master General Permit  
Program Interest Group R11  
501 East State St  
Trenton, NJ 08625

**Co-Permittee:**

**Property Owner:**

NJPDES Master General Permit  
Program Interest Group R11  
501 East State St  
Trenton, NJ 08625

**Location Of Activity:**

NJPDES Master General Permit  
Program Interest Group R11  
501 East State St  
Trenton, NJ 08625

Authorization(s) Covered Under This Approval	Issuance Date	Effective Date	Expiration Date
R11 - MS4 - Public Complex Stormwater (GP)	11/28/2023	01/01/2024	12/31/2028

**By Authority of:**  
**Commissioner's Office**

**Gabriel Mahon, Bureau Chief**  
**Bureau of NJPDES Stormwater Permitting and Water Quality Management**

(Terms, conditions and provisions attached hereto)

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New Jersey Department of Environmental Protection  
Division of Watershed & Land Management  
Bureau of NJPDES Stormwater Permitting and Water Quality Management

RESPONSE TO COMMENTS

Comments were received on the draft NJPDES Master General Permit No. NJG0141987 issued on September 9, 2023. The 30-day public comment period began on September 7, 2023, when the Public Notice was published in the Atlantic City Press, the Star-Ledger, and The Times and ended on October 7, 2023. The following person[s] commented during the public comment period:

A. New Jersey Future

1. COMMENT: In general, NJF is supportive of the changes in the draft permit as it mirrors the changes included in the revised Tier A MS4 permit. We appreciate the inclusion requirements including: 1) more detailed MS4 infrastructure mapping, 2) enhanced inspection and maintenance requirements, and 3) linking watershed planning to the impaired waters and Total Maximum Daily Loads (TMDL) program. We strongly support the Watershed Improvement Plan (WIP) requirement for permittees and the requirement to coordinate with municipal WIPs.

RESPONSE: The Department acknowledges the commenter's support of the various updated permit conditions that have been incorporated into the Public Complex Master General Permit Renewal to address the water quality concerns in the receiving waters.

No changes have been made to the final permit as a result of this comment.

2. COMMENT: Similar to concerns around the Tier A MS4 permit for municipalities, we are concerned that many permittees do not have the funding or the staffing capacity to reach full compliance. While we are extremely supportive of the Watershed Improvement Plan requirement, the Department needs to address these compliance obstacles. For instance, stormwater utilities should continue to be promoted as a source of funding to help municipalities and public complexes achieve their requirements. This is especially true for public complexes that are tax-exempt and do not currently contribute financially to stormwater infrastructure improvements, while contributing high quantities of runoff due to the large impervious areas that typically accompany such sites. In addition, NJDEP should provide technical resources and training for permittees, perhaps through a circuit rider program, as well as robust enforcement to encourage implementation and ensure compliance. There is an interconnectedness of the Tier A MS4 permit and this Public Complex MS4 permit. NJF believes that the Department should be intentional about using its staff and resources to both support municipalities and public complexes and provide accountability.

RESPONSE: The Department acknowledges the commenter's concerns regarding the costs of meeting the Public Complex MS4 NJPDES permit obligations in light of limited staffing, other regulatory obligations, and the restrictions on budgets.

In order to assist permittees with permit compliance, the Department provides a variety of resources. Specifically, the Department currently provides the following resources:

- The free-of-charge 12-hour Stormwater Management Design Reviewer Course (SWMDR) for stormwater management design reviewers twice per year, and multiple employee and municipal board and governing body members training videos. See <https://dep.nj.gov/stormwater/stormwater-training/> for links to these resources, as well as a number of additional training resources.
- The Department has recently developed an additional training program for Tier A MS4 Stormwater Program Coordinators (SPCs) and is expanding this training to pertain to the Public Complex SPCs as well. This training will involve approximately a half-day virtual session via Microsoft Teams of permit condition discussion, review of the Department's Stormwater Pollution Prevention Plan template, and a demonstration of the annual reporting process. Similar training has already been conducted for the Tier A SPCs and the Department has received positive feedback during the training. This training is anticipated to be provided twice per year similarly to the SWMDR training mentioned above. While this training is intended for SPCs and only required to be attended once during this 5-year permit term, other permittee representatives are also welcome to attend as space allows and may attend more than one training session. Information about this training will be available on our Public Complex website at <https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/public-complex-stormwater-permit/>.
- A free mapping application and access to free ArcGIS licenses as well as one-on-one direct technical assistance, and guidance and training for using the application. See [https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/msrp\\_map\\_aid/](https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/msrp_map_aid/). This training is offered either in person or virtually, upon request of the permittee, to assist with the mapping of the permittee's stormwater infrastructure.
- Direct technical assistance for the dedicated stormwater webpage development. See <https://dep.nj.gov/njpdes-stormwater/example-webpage-home/> for examples and contact information.
- A wide range of guidance manuals, model ordinances, forms and template materials which are available at <https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/public-complex-stormwater-permit/#templates-and-forms>

In Part IV.H.1.c, the final permit requires the Public Complex permittees to collaborate with municipality(ies) during the development process of their Watershed Improvement Plans.

No changes have been made to the final permit as a result of this comment.

3. COMMENT: Strengthen the Watershed Improvement Plan Requirements - NJF strongly supports the new requirement for public complex permittees to create a Watershed Improvement Plan (WIP). We understand the need to give permittees the flexibility to determine the stormwater solutions that are feasible for them, given their unique constraints and water quality issues. However, we are concerned about the timelines and potential lack of implementation over the course of the permit as outlined in the draft. There are several areas where NJDEP could improve the WIP requirements:
- NJDEP should provide a model WIP for public complexes. While the draft permit references a template, there does not seem to be a template on NJDEP's website.
  - Specify a planning period for the WIP. An implementation plan is included as a requirement for the Watershed Assessment Report (WAR) however a planning period of no less than 20 years should be specified. To incentivize the implementation of projects within the 5-year permit cycle, the Department should give funding priority to projects identified in the WAR, especially those that were identified alongside a municipal or regional WIP.
  - Provide guidance about what to include in these plans. The plans should require permittees to achieve percent reductions in pollution levels by the end of the end of the planning period. For example, Pennsylvania requires pollution reduction by small percentages in each MS4 Permit cycle.
  - Include guidance on how permittees should craft the WIP to take into account increasing water quality and flood risk due to climate change, including linking these plans with the New Jersey Protect Against Climate Threats (NJPACT) initiative. WIPs should acknowledge that the models used to design projects will change over time as NJPACT initiatives go into effect.
  - NJDEP should provide additional guidance for the requirement that public complexes communicate and collaborate with their municipalities.
  - Include Departmental review of the four phases of the WIP and the planning period identified in the WAR. If the Department provides comments, the permittee should have a specified amount of time to address comments and resubmit for final approval.

**RESPONSE:** The Department acknowledges the support of the WIP requirement in the renewal permit. The Department also recognizes the challenges that permittees may face regarding the development and implementation of the WIPs. The Department is currently in the process of drafting the WIP template, which will also have guidance on what needs to be included in the WIP, and other related guidance materials will also be made available. Once the Department completes these permit resource documents, the Department will notify the Stormwater Program Coordinators via email and post the documents on the website at <https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/public-complex-stormwater-permit/#templates-and-forms>. The Department will also offer a 30-day informal comment period for permittees and other stakeholders to review the WIP template and provide suggested changes, etc. and permittees will be notified via email when the final versions of these documents are posted online.

While the Department agrees that water quality improvements should occur sooner rather than later, simply shortening the required due dates will not automatically result in these tasks being implemented sooner. The correct completion of these tasks will take time; therefore, the Department maintains that the timeframes allotted in this renewal permit are appropriate due to the amount of information that must first be developed, then evaluated for potential improvement projects appropriate for the pollutant(s) and area. This information then is required to be coordinated with other stakeholders, including the other permittees discharging to the same subwatersheds, and the public. The Department would also like to note that permittees will be required to discuss their WIP projects within their annual reports and their SPPP.

Since the final WIPs are not required to be submitted until the fourth year of the permit, it is premature at this time to determine the appropriate length of time for implementation of specific improvement projects. Once the WIPs are submitted and reviewed the Department will determine the appropriateness of the proposed projects with regard to the TMDLs percent reductions, water quality impairments, and other factors relevant to each permittee. The Department will also identify at that time when permittees will need to respond to the Department's comments on any deficiencies in the WIPs and other permit requirements on a case-by-case basis.

While it is also premature to establish funding priorities at this time since the WIPs are not due until January 1, 2028, the Department will evaluate appropriate funding priorities to coincide with the implementation of the WIPs.

Regarding NJPACT, the permittees are required to develop their WIPs to address water quality impacts from existing development and land use practices while the NJPACT rule amendments to the Stormwater Management rules at N.J.A.C. 7:8 require water quality and quantity concerns to be addressed for new construction and reconstruction that qualify as major development. All permittees will be required to implement the NJPACT requirements for any new projects that fall under the scope of those rules.

Also, as noted in RESPONSE to COMMENT #2 above, in Part IV.H.1.c, the final permit requires the Public Complex permittees to collaborate with municipality(ies) during the development process of their Watershed Improvement Plans.

No changes have been made to the final permit as a result of this comment.

4. COMMENT: Emphasize Green Infrastructure as an Integral Stormwater Practice - NJF regards green infrastructure as an integral stormwater management practice and an essential climate-resilient solution. Overall, we would like NJDEP to encourage green infrastructure and the maintenance of these projects throughout the permit. NJDEP should:

- Emphasize that permittees are responsible for:
  - Long-term maintenance of permittee-owned or managed green infrastructure as outlined in the section on Inspection Maintenance of Permittee Owned or Operated Stormwater Facilities.

The Department should provide guidance, including templates, for the type of documentation required as part of the maintenance log of facilities. Documentation of maintenance could include protection by easement, deed restriction, ordinance, or other legal measures. Routine maintenance and NJDEP's enforcement of maintenance will ensure the long term environmental, economic, and social benefits of green infrastructure.

- NJDEP should review public complex permit conditions for consistency with municipal Tier A MS4 permit requirements including updated Stormwater Pollution Prevention Plans (SPPP).

RESPONSE: Regarding green infrastructure, the Department requires the use of green infrastructure through the Stormwater Management rules at N.J.A.C. 7:8 for Post Construction Stormwater Management in New Development and Redevelopment projects. These requirements were added via amendments to the Stormwater Management rules in March of 2020.

Regarding maintenance of stormwater management facilities, permittees are required to develop a program to ensure adequate long-term cleaning, operation, and maintenance of their stormwater facilities, including green infrastructure, as per Part IV.F.3 of the permit. Permittees are required to ensure that these stormwater facilities are maintained as per their approved maintenance plans or more frequently as needed. The requirement to ensure proper maintenance has been a permit requirement for permittee owned and operated stormwater facilities since 2004. Maintenance guidance is available in the Department's Best Management Practices Manual, Chapter 4.1 "Stormwater Facilities Maintenance," which is available on the Department's website at <https://dep.nj.gov/stormwater/bmp-manual/>, as well as a maintenance plan template, field manuals, and maintenance log and inspection record templates which can be found at <https://dep.nj.gov/stormwater/maintenance-guidance/>.



The Public Complex permit has been developed consistent with the Tier A MS4 permit requirements as appropriate and the Department has created a stormwater pollution plan template for Public Complex permittees to use. The template is posted on the Department's website at: <https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/public-complex-stormwater-permit/#templates-and-forms>.

No changes have been made to the final permit as a result of this comment.

5. COMMENT: Provide Robust Assistance and Training - NJF recommends that NJDEP develop its ability to provide high-quality technical assistance and more robust training or explore the potential to work with a third-party to provide these resources to permittees and their stormwater experts. Below are some specific ideas and examples about areas where many public complexes will need support. NJDEP should:

- Continue to support stormwater utility feasibility studies. Many municipal permittees will need to establish a stormwater utility in order to have the resources to complete the activities outlined in the permit and to assist public complexes with their requirements. NJDEP should provide annual funding for localities to conduct a stormwater utility feasibility assessment, which is necessary to launch a stormwater utility.
- Provide updated and improved training. The permit requires training for SPCs and staff. Many employees are not necessarily stormwater professionals and will need to improve their skills in order to realize successful stormwater practices, including green infrastructure, at the local level. NJDEP should expand their existing training or identify quality training opportunities and robust resources to help their staff and/or contractors comply. Video training is not adequate to develop the expertise required.
- Provide Technical Assistance. During our stakeholder engagement process where NJF met with municipal and county representatives, developers, and NGOs, it was noted that there is a disconnect between the resources provided by NJDEP and the needs of permittees. NJDEP should provide robust technical assistance to aid permittees in developing the capacity to implement the permit. This could be accomplished in several ways:
  - A circuit rider program, in which NJDEP staff spend a short amount of time in each municipality and public complex, or other assistance efforts provided by the Department or a third party contractor.
  - A streamlined online system where permittees can find templates for inspections, maintenance plans, and other documentation required for compliance and a

portal to submit deliverables will help ensure compliance and consistency with deliverables. An online system where the Department can provide comments on deliverables and set deadlines can help with enforcement. Consistency in the format of deliverables will also aid the Department in their review of the submissions and will be useful for future statewide mapping of MS4 infrastructure and tracking of overall program success.

RESPONSE: The Department is continually seeking funding opportunities for all regulated entities, however there is no currently established funding source to allow for an annual program to provide technical assistance for stormwater utility feasibility studies. There are opportunities for County Public Complexes to obtain low- or no-interest loans to help with costs associated with capital improvement projects that may be identified in the WIPs through the New Jersey Water Bank (NJWB). More information can be found at <https://www.nj.gov/dep/wiip/water-bank.htm>.

See RESPONSE to COMMENT #2 regarding training opportunities and requirements.

In addition to the SPC training opportunities, the Department encourages permittees who are having trouble with their permit or questions to reach out to their case manager directly for one-on-one assistance. The list of current case managers can be found at <https://dep.nj.gov/njpdessstormwater/municipal-stormwater-regulation-program/ms4-case-manager-list/>. However, due to the limited number of program staff and other resources, workloads and other responsibilities, it is simply not feasible for staff to select a time to visit each of the 670 MS4 permittees without a specific need. The most efficient use of staff time is to provide the training sessions as discussed above and to be available to their assigned permittees when specific questions arise.

Additionally, the Department has recently made a new online submittal service available to MS4 permittees where documents are required to be submitted. This service allows for the submission of documents by the permittee; however, it does not allow for the Department to provide comments or correspondence back through this system. The Department's feedback and responses on submitted documents and materials will be transmitted to permittees via email.

No changes have been made to the final permit as a result of this comment.

6. COMMENT: Step Up Permit Enforcement - While not specifically outlined in the permit, NJDEP will need to be proactive and consistent in its enforcement of permittees in order to ensure compliance. NJF advises NJDEP to increase the staff capacity of the compliance and enforcement unit in the Division of Watershed Protection and Restoration in order to do an effective job. Compliance audits should include an initial education and support component where public complexes that are found lacking are then required to complete hands-on training that would help them come into compliance.

RESPONSE: The Department acknowledges the commenter's concerns regarding enforcement of permit requirements as well as the support for additional enforcement staff. While the decision to acquire additional enforcement staff is outside the scope of this permit action, the Department has made various resources available to MS4 permittees on the website in efforts to improve compliance. Note that there is no MS4 enforcement unit within the Division of Watershed Protection and Restoration, which houses only the permitting component of the MS4 program. MS4 enforcement staff are within the Division of Water Enforcement of the Water Resources Management Program.

Additionally, as noted in RESPONSE to COMMENT #2 above, this permit requires SPCs to attend specific SPC training during the term of this permit. Further, the permit continues to require certain employees to take Department provided Stormwater Management Design Review Training, Stormwater Management Rule Amendment Training. These training requirements apply to the permittees and are available regardless of the timing of their enforcement inspections. The permit also requires the permittees to provide Annual Employee Training to their employees according to the employees' specific job duties. This training is required to educate the employees how to perform their jobs in compliance with the permit requirements as they pertain to each specific public complex. For example, the employee training for street sweeping must include details about which roads are to be swept on what schedule, and not simply instruct employees on how to operate the street sweeper. The Department believes that these training requirements, if implemented properly, will enable the permittees to comply with the permit requirements.

No changes have been made to the final permit as a result of this comment.

7. COMMENT: Establish Monitoring Requirements to Verify Compliance with Water Quality Standards - Similar to the Tier A MS4 permit, the draft permit does not seem to have any monitoring requirements; however, all New Jersey Pollutant Discharge Elimination System (NJPDES) permits are required to include monitoring strategies that ensure compliance with the permit. If best management practices are not functioning as designed there is no way to ensure that discharges are not contributing to water quality impairments. The public complex permit should include a general monitoring requirement to establish baseline information and to track pollution loads over time. NJF recommends that NJDEP provide the following options:

- The public complex chooses to conduct monitoring itself. This would require additional training from NJDEP to ensure monitoring programs are successful.
- The public complex chooses to forgo its own monitoring and instead pays a fee to a NJDEP-approved third-party monitor.
- NJDEP conducts the monitoring itself. NJDEP is responsible for numerous multi-year monitoring programs mandated by the Clean Water Act. NJDEP should provide their

monitoring data to permittees. In addition, the Department should strategically increase its monitoring based on locations with high concentrations of impaired waterways and overburdened communities. In an ideal world, permittees would review monitoring data to understand their contribution to pollutant loading for impaired streams as it develops the WIP.

RESPONSE: The Clean Water Act at Section 402(p)(3)(iii) states that permits for discharges from municipal storm sewers “shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and system, design and engineering methods, and such other provisions as the Administrator or the State determines appropriate for the control of such pollutants.” As per Section 402(a)(2) of the Clean Water Act, NPDES permits are required to contain monitoring provisions sufficient to assure compliance with permit conditions, “including conditions on data and information collection, reporting, and such other requirements as [the permitting authority] deems appropriate.” In sum, the Clean Water Act provides flexibility in the forms of monitoring that the Department can deem appropriate. The Department has determined that neither discharge nor water quality monitoring are appropriate permit conditions for the small MS4s regulated under the Public Complex MS4 General Permit renewal at this time.

Further, EPA indicated as part of the 1999 Phase II rulemaking that it “does not encourage requirements for “end-of-pipe” monitoring for regulated small MS4s. Rather EPA encourages permitting authorities to carefully examine existing ambient water quality and assess data needs.” (64 FR at 68769). More recently, EPA has affirmed that its requirement that permit conditions be “measurable” does not automatically necessitate water quality monitoring or end-of-pipe monitoring. (81 Fed. Reg. 89320, 89336).

The Department assesses and evaluates compliance with the effectiveness of small MS4 permit conditions through the tracking of measurable goals, implementing BMPs, on-site audits and enforcement inspections conducted by Department staff, the submission of annual reports, and the existing ambient monitoring programs referenced by the commenter. The commenter is directed to the Division of Water Monitoring’s webpage for a plethora of water quality monitoring information, which includes information on existing ambient water quality monitoring data and how to get involved and share input in future monitoring efforts at <https://www.state.nj.us/dep/wms/>.

And lastly, the decision not to require the requested water quality monitoring was upheld by the Appellate Division (In the Matter of an Appeal filed by Delaware Riverkeeper Network, Maya Van Rossum, Delaware Riverkeeper, Stony Brook-Millstone Watershed Association, Save Barnegat Bay, Raritan Headwaters Association, NY/NJ Baykeeper, Hackensack Riverkeeper, and Association of New Jersey Environmental Commissions, in a decision dated March 18, 2020).

No changes have been made to the final permit as a result of this comment.

8. COMMENT: NJF supports the identification of Stormwater Utilities as one of the potential funding mechanisms for WIPs and other permit obligations.

RESPONSE: The Department would like to thank the commenter for their support of the identification of stormwater utilities as stormwater funding mechanisms.

No changes have been made to the final permit as a result of this comment.

9. COMMENT: NJF supports the new tree requirement in this permit.

RESPONSE: The Department would like to thank the commenter for their support of the new tree removal & replacement requirements.

No changes have been made to the final permit as a result of this comment.

10. COMMENT: NJF encourages the Department to provide technical assistance and funding for public complex permittees, similar to the grant program offered for Tier A Municipalities.

RESPONSE: The Department appreciates the commenter's support of the MS4 funding for the Tier A municipalities, hopes to be able to offer additional MS4 funding opportunities in the future, but the availability of those resources are not known yet.

No changes have been made to the final permit as a result of this comment.

11. COMMENT: NJF encourages the Department to provide a timeline, similar to the Tier A MS4 permit. The timeline should include if a requirement is a new or existing requirement and if it applies to new or existing permittees, or both.

RESPONSE: A timeline has been uploaded to the Department website and can be viewed at <https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/public-complex-stormwater-permit/>.

No changes have been made to the final permit as a result of this comment.

12. COMMENT: NJF asks the Department to share a list of potential new permittees that NJDEP is evaluating for public complexes in former Tier B municipalities that were reassigned to Tier A designation following the updated Tier A MS4 Permit.

RESPONSE: The Public Complexes that are located within former Tier B towns will be authorized under the Public Complex permit so long as they meet the eligibility requirements which can be found in Part II.C of this permit. A list of newly permitted Public Complexes, along with the existing Public Complexes, will be available through the Departments Data Miner system, which can be found here: <https://njems.nj.gov/DataMiner> once final permitting decisions have been made and the final general permit authorizations for those facilities have been issued.

No changes have been made to the final permit as a result of this comment.

#### B. Agency Initiated Changes

The Department has made the following minor changes to the final permit that are deemed to be non-significant.

1. Part IV B.2.a - The descriptive term “on its dedicated stormwater webpage” was omitted from the draft permit language. The Factsheet identified the Department’s intent to include this language as indicated on page 21 of 62 of the 9/7/23 draft permit factsheet. A change has been made to correct that omission.
2. Part IV A.2.b, Part IV.G.1.b.iii, and Part IV.H.1.g, i, and l - These sections have been updated to identify the Department’s new Stormwater Document Submittal Service as the method by which the permittees shall submit the SPPP, electronic infrastructure map, and WIP submittals.

## PART I GENERAL REQUIREMENTS: NJPDES

### A. General Requirements of all NJPDES Permits

#### 1. Requirements Incorporated by Reference

- a. The permittee shall comply with all conditions set forth in this permit and with all the applicable requirements incorporated into this permit by reference. The permittee is required to comply with the regulations, including those cited in paragraphs b. through e. following, which are in effect as of the effective date of the final permit.
- b. General Conditions
  - Penalties for Violations N.J.A.C. 7:14-8.1 et seq.
  - Incorporation by Reference N.J.A.C. 7:14A-2.3
  - Toxic Pollutants N.J.A.C. 7:14A-6.2(a)4i
  - Duty to Comply N.J.A.C. 7:14A-6.2(a)1 & 4
  - Duty to Mitigate N.J.A.C. 7:14A-6.2(a)5 & 11
  - Inspection and Entry N.J.A.C. 7:14A-2.11(e)
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  - Effect of Permit/Other Laws N.J.A.C. 7:14A-6.2(a)6 & 7 & 2.9(c)
  - Severability N.J.A.C. 7:14A-2.2
  - Administrative Continuation of Permits N.J.A.C. 7:14A-2.8
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  - Confidentiality N.J.A.C. 7:14A-18.2 & 2.11(g)
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    - Written Reporting N.J.A.C. 7:14A-6.10(e) & (f) & 6.8(h)
  - Duty to Provide Information N.J.A.C. 7:14A-2.11, 6.2(a)14 & 18.1
  - Schedules of Compliance N.J.A.C. 7:14A-6.4
  - Transfer N.J.A.C. 7:14A-6.2(a)8 & 16.2

## PART II

# GENERAL REQUIREMENTS: DISCHARGE CATEGORIES

### A. Additional Requirements Incorporated By Reference

#### 1. Additional Requirements

- a. In addition to the requirements in Part I of this permit, the permittee is required to comply with the following requirements which are in effect as of the effective date of the final permit.
  - i. The Stormwater Management rules at N.J.A.C. 7:8.
  - ii. Conditions for General Permits at N.J.A.C. 7:14A-6.13.
  - iii. Additional Conditions applicable to UIC permits at N.J.A.C. 7:14A-8.9, UIC Corrective Action (N.J.A.C. 7:14A-8.11) and UIC Operating Criteria (N.J.A.C. 7:14A-8.16).
  - iv. Conditions for reopening and modification of MS4 permits at N.J.A.C. 7:14A-16.4(b)21 and N.J.A.C. 7:14A-25.7(b).
  - v. Requirements for Discharges to Ground Water at N.J.A.C. 7:14A-7.
  - vi. National Pollutant Discharge Elimination System (NPDES) Electronic Reporting rule at 40 CFR Part 127.

### B. General Conditions

#### 1. Notification of Non-Compliance

- a. The permittee shall notify the Department of any non-compliance when required by N.J.A.C. 7:14A-6.10 by contacting the DEP Hotline at 1-877-WARN-DEP.

#### 2. Discharge of Pollutants

- a. For discharges authorized by this permit, the permittee 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 this NJPDES permit or listed and quantified in the RFA shall not constitute a violation of the permit.

#### 3. Standard Reporting Requirements – Electronic Reporting of NJPDES Information

- a. The following documents and reports shall be electronically submitted via the Department's designated electronic submission service:
  - i. General permit authorization requests, i.e., RFAs;
  - ii. General permit termination/revocation requests; and
  - iii. Municipal separate storm sewer system (MS4) program reports (see Part IV.K).

#### 4. Other Regulatory Requirements



- a. Permit conditions remain in effect and enforceable until and unless the permit is modified, renewed, or revoked by the Department.
- b. The issuance of this permit shall not be considered as a waiver of any applicable federal, State, or local rules, regulations, and regulatory mechanisms.
- c. 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, N.J.A.C. 7:50 (the Pinelands rules), N.J.A.C. 7:1-E (Discharges of Petroleum and other Hazardous Substances), regulations concerning threatened and endangered species and their designated critical habitat, and 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.
- d. While the permittee is required to comply with applicable operation and maintenance requirements of N.J.A.C. 7:14A-6.12(a), the permittee is exempt from the operations and maintenance manual requirements of N.J.A.C. 7:14A-6.12(c). This exemption applies only to discharges authorized under this permit and does not alter the operation and maintenance requirements for municipally or privately-owned stormwater facilities specified in this permit or N.J.A.C. 7:8.

## **C. Eligibility**

### **1. Permit Scope**

- a. This general permit applies to all stormwater discharges from small MS4s that are owned or operated by a county, State, interstate, or Federal agency at a Public Complex located entirely or partially in a municipality that is assigned to Tier A under N.J.A.C. 7:14A-25.3(a)1, or in a municipality that receives a waiver under N.J.A.C. 7:14A-25.2(d).
- b. The conditions in this permit apply to all areas of the property(ies) that comprise the Public Complex, including ancillary sites that are owned or operated by the permittee in accordance with d below and are adjacent to the Public Complex. The property boundaries are required to be included on the Stormwater Facilities Map (see permit section G.1) and are noted on each permittee's General Permit Authorization Page.
- c. This permit applies to the owner or operator of the Municipal Separate Storm Sewer System (MS4), meaning the permittee. The owner or operator is responsible for ensuring compliance with this permit.
- d. For purposes of this permit and as described under N.J.A.C. 7:14A-25.2(a)2, a Public Complex is a single lot (or two or more lots that are contiguous or on a college or university campus) which contains at least two buildings owned or operated by the same governmental entity, and:
  - i. Is at a campus of a college or university which Statewide has a combined total of at least 1,000 employees (usually present at least six hours per day on weekdays) or full-time students; or
  - ii. Is at any other public facility (for example a military base, hospital, prison, or general administration facility), and has a combined total of at least 1,000 employees, military personnel, or residents (including patients or prisoners) usually present at least six hours per day on weekdays.
- e. The short title of this permit is the Public Complex Permit.

### **2. Authorized Discharges**

- a. Authorized Stormwater Discharges – Except as provided in Part II.C.3 below, this permit authorizes all new and existing stormwater discharges to surface water and groundwater from:
  - i. Small MS4s (as defined at N.J.A.C. 7:14A-1.2) that are owned or operated by county, State, interstate, or Federal agency at a Public Complex under 1.a above.
  - ii. Maintenance yards and other ancillary operations excluding wood waste recycling and wood composting operations that are owned or operated by county, State, interstate, or Federal agency at a Public Complex under 1.a above.
- b. Authorized Non-Stormwater Discharges – Except as identified in Part II.C.3.e below, the following new and existing non-stormwater discharges from small MS4s owned or operated by the permittee and from Public Complex maintenance yards and other ancillary operations are authorized under this permit:
  - i. Potable water line flushing and discharges from potable water sources, excluding the discharge of filter backwash and first flush water from potable well development/redevelopment activities utilizing chemicals in accordance with N.J.A.C. 7:9D. The volume of first flush water, which is a minimum of three times the volume of the well water column, shall be handled and disposed of properly;
  - ii. Uncontaminated ground water, e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters;
  - iii. Air conditioning condensate (excluding contact and non-contact cooling water; and industrial refrigerant condensate);
  - iv. Irrigation water (including landscape and lawn watering runoff);
  - v. Flows from springs, riparian habitats, wetlands, water reservoir discharges, and diverted stream flows;
  - vi. Residential car washing water and dechlorinated swimming pool discharges from single family residential homes;
  - vii. Sidewalk, driveway, and street wash water;
  - viii. Flows from firefighting activities including the washing of fire fighting vehicles;
  - ix. Flows from clean water rinsing of beach maintenance equipment immediately following use and only if the equipment is used for its intended purpose;
  - x. Flows from clean water rinsing of equipment and vehicles used in the application of salt and de-icing/anti-icing materials. Prior to rinsing, all equipment shall be cleaned using dry methods such as shoveling and sweeping. Recovered materials are to be returned to storage or properly discarded; and
  - xi. Rinsing of equipment in Part II.C.2.b.ix and x, above, is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

### **3. 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 except as otherwise specifically provided in this permit:

- i. Types of facilities that the permittee might operate and that are considered to be engaging in “industrial activity” include but are not limited to certain: 1) landfills, 2) transportation facilities (including certain local passenger transit and air transportation facilities), 3) facilities handling domestic sewage or sewage sludge, 4) steam electric power generating facilities, and 5) facilities processing and/or composting recyclable materials as defined in N.J.A.C. 7:26A (Recycling Rules) including wood waste recycling and leaf composting facilities; and
  - ii. Any permittee that operates an industrial business with such a discharge must submit a separate Request for Authorization (RFA) or individual permit application for that discharge. An RFA submitted for this permit does not qualify as an RFA for such a discharge.
- b. This permit does not authorize “stormwater discharges associated with construction activity” as described in N.J.A.C. 7:14A-24.10(a) which is defined as the discharge to surface water of stormwater from construction activity that disturbs at least one acre:
- i. Any permittee that operates a construction site with such a discharge shall submit a separate RFA under NJPDES Permit No. NJ0088323 (General Stormwater Permit Construction Activity), or an application for an individual permit for that discharge. An RFA submitted for this permit does not qualify as an RFA for such a discharge. See <https://dep.nj.gov/njpdessstormwater/industrial-stormwater-program/> for information regarding these two types of permits.
- c. This permit does not authorize any stormwater discharge that is authorized under another NJPDES permit. The permittee does not have to implement measures contained in this NJPDES permit for stormwater discharges at Public Complex properties owned or operated by that permittee that are regulated under a separate NJPDES stormwater permit authorizing those discharges.
- d. This permit does not authorize stormwater discharges from projects or activities that conflict with an adopted Areawide Water Quality Management Plan.
- e. This permit does not authorize stormwater discharges listed in Part II.C.2.b, above, that are determined to be a significant contributor of pollutants to or from the MS4, which must be addressed as an illicit connection as specified in Part IV.G.3 of this permit, or as an improper disposal of waste.

#### **4. Exclusions**

- a. Any owner, operator, and/or discharger authorized by this general permit may request to be excluded from the coverage of the general NJPDES permit by applying for an individual permit. The owner, operator, and/or discharger shall submit an application in accordance with N.J.A.C. 7:14A-4, with reasons supporting the request, to the NJDEP. The request shall be processed under N.J.A.C. 7:14A-15, 16 and 17. The request shall be granted by the issuance of an individual permit if the reasons cited by the owner, operator, and/or discharger are adequate to support the request. N.J.A.C. 7:14A-4, with reasons supporting the request, to the NJDEP. The request shall be processed under N.J.A.C. 7:14A-15, 16 and 17. The request shall be granted by the issuance of an individual permit if the reasons cited by the owner, operator, and/or discharger are adequate to support the request.
- b. An owner, operator, and/or discharger excluded from this general NJPDES permit solely because of an existing individual permit may request that that individual permit be revoked or modified, as appropriate, and that the discharge be authorized by this general NJPDES permit. An authorization under this General Permit can only be issued on or after the revocation or modification of the individual permit.

### **D. Administrative Process**

**1. Automatic Renewal**

- a. Existing authorizations shall be automatically renewed as provided by N.J.A.C. 7:14A-6.13(d)9 and 25.4(a)3 using the information provided in the permittee's most recently submitted RFA.

**2. Notification of Changes**

- a. The permittee shall provide an updated RFA to the Department within 90 days of the effective date of a renewed authorization under this general permit if any information in its most recently submitted RFA is no longer true, accurate, and/or complete.
- b. The permittee shall notify the Department of any changes to its Stormwater Program Coordinator information as specified in Part IV.A.1.e.
- c. d.A permittee that already has authorization to discharge from a small MS4 under this Public Complex MS4 NJPDES permit does not need to submit an RFA for an expansion, e.g., new housing or new parking lot, provided the expansion does not change the information submitted on the original RFA. However, that permittee is required to comply with the permit requirements at Part IV.D., Minimum Standards for Construction Site Stormwater Runoff, and Part IV.E., Minimum Standards for Post Construction Stormwater Management in New Development and Redevelopment.

**3. Requests for Authorization**

- a. e.A single RFA is required for the entire eligible discharge from the small MS4 owned or operated by, and located within, a single Public Complex. Multiple RFAs are not required for multiple operations (e.g., maintenance yards or other ancillary operations, garages, and/or offices owned or operated by the permittee on the property of the Public Complex), however these operations shall be included in the RFA as applicable.
- b. An RFA under this general permit shall include the following: A completed Checklist and Request for MS4 Stormwater Permits and any other information as required by the Department.
- c. Upon receipt of an RFA the Department may, in accordance with N.J.A.C. 7:14A-6.13, do one of the following:
  - i. Issue notification of authorization under this permit;
  - 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.
- d. The Department may notify a person that the discharge is authorized by a general permit, even if the person has not submitted an RFA. A person so notified may nonetheless request an individual permit under C.4, above.

NJPDES MASTER GENERAL PERMIT PROGRAM INTEREST, Trenton

Permit No. NJ0141852  
DST 220001 Stormwater Discharge Master General  
Permit Renewal

## **PART III**

### **Recordkeeping and Reporting**

The Tier A Municipality shall keep records necessary to document, in the Annual Report and Certification, the status of compliance with the conditions of this permit. The requirement to keep records and to submit an Annual Report and Certification is found at Part IV.J & K of this permit.

## PART IV

# SPECIFIC REQUIREMENTS: NARRATIVE

### Notes and Definitions

#### A. Footnotes

##### 1. Acronyms

- a. Stormwater acronyms included in this permit are as follows:
  - i. "BMP" – Best Management Practice
  - ii. "CFR" – Code of Federal Regulations
  - iii. "EDPA" – Effective Date of Permit Authorization
  - iv. "GIS" – Geographic Information System
  - v. "MY" – Maintenance Yard
  - vi. "MS4" – Municipal Separate Storm Sewer System
  - vii. "MSRP" – Municipal Stormwater Regulation Program
  - viii. "MTD" – Manufactured Treatment Device
  - ix. "N.J.A.C." – New Jersey Administrative Code
  - x. "NJPDES" – New Jersey Pollutant Discharge Elimination System
  - xi. "N.J.S.A." – New Jersey Statutes Annotated
  - xii. "RFA" – Request for Authorization
  - xiii. "SPC" – Stormwater Program Coordinator
  - xiv. "SPPP" – Stormwater Pollution Prevention Plan
  - xv. "TMDL" – Total Maximum Daily Load
  - xvi. "WIP" – Watershed Improvement Plan

##### 2. Internal Cross References

- a. For the purposes of this permit:
  - i. References to Part IV Notes and Definitions are preceded with the words "Notes and Definitions", e.g., Notes and Definitions Part IV.A.1 refers to Acronyms; and
  - ii. References to Part IV Public Complex MS4 NJPDES Permit are not preceded by descriptive text, e.g., Part IV.A.1 refers to Stormwater Program Requirements.

### 3. MS4 Permit Resources

- a. The MSRP webpage, <https://dep.nj.gov/njpdcs-stormwater/municipal-stormwater-regulation-program/>, has links to guidance and related stormwater resources including, but not limited to, the following:
  - i. All MS4 Permits and Supporting Documents;
  - ii. MS4 Guidance Document;
  - iii. SPPP Template;
  - iv. Regulatory Mechanisms;
  - v. Outfall Inspection, Illicit Connection Inspection, and Stream Scouring Forms;
  - vi. Annual Report Online Submittal Links and Tutorials;
  - vii. MS4 Case Manager List;
  - viii. Stormwater Coordinator Contact Update Form;
  - ix. Total Maximum Daily Load (TMDL) Look-up Tool;
  - x. Snow Removal and Disposal Policy;
  - xi. Stormwater Training;
  - xii. Clean Water NJ <https://dep.nj.gov/cleanwater/nj/> ;
  - xiii. Outreach Materials;
  - xiv. MSRP Archive; and
  - xv. MS4 Mapping and Inventory Assistance.
- b. Stormwater Management website (<https://dep.nj.gov/stormwater/>) and related documents:
  - i. Stormwater Management Rules N.J.A.C. 7:8;
  - ii. Stormwater management information and training tools;
  - iii. New Jersey Stormwater Best Management Manual; and
  - iv. Green Infrastructure and related links.
- c. Construction Site Stormwater Runoff:  
<https://dep.nj.gov/njpdcs-stormwater/industrial-stormwater-program/general-permits/5g3/>
- d. Clean Communities, a statewide litter abatement program: [www.njclean.org](http://www.njclean.org)

### 4. EPA Resources for Guidance Relating to MS4 Issues

- a. EPA's MS4 website and related links:  
[www.epa.gov/npdes/stormwater-discharges-municipal-sources](http://www.epa.gov/npdes/stormwater-discharges-municipal-sources)

- b. EPA's National Menu of Stormwater Best Management Practices:  
[www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater](http://www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater)
- c. EPA's guidance for Green Infrastructure: [www.epa.gov/green-infrastructure](http://www.epa.gov/green-infrastructure)
- d. EPA's Trash Free Waters resource page: [www.epa.gov/trash-free-waters](http://www.epa.gov/trash-free-waters)
- e. Illicit Discharge Detection and Elimination Guidance:  
<https://www3.epa.gov/npdes/pubs/iddmanualwithappendices.pdf>

## B. Definitions

### 1. Definitions

- a. All words and terms used in this permit shall have meanings as defined in the "Regulations Concerning the New Jersey Pollutant Discharge Elimination System" (N.J.A.C. 7:14A), unless otherwise stated or unless the context clearly requires a different meaning.
- b. Definitions for terms A through O
  - i. "Anti-icing" means the proactive application of melting products to driving or walking surface before a storm. Anti-icing helps prevent snow and ice from bonding to the pavement, allowing workers to clear the surfaces more easily and creating safe winter conditions;
  - ii. "Catch Basin" means a cistern, vault, chamber, or well that is typically built along a street and below an inlet grate as part of the storm sewer system that is designed to capture and retain sediment, debris, and pollutants so those particles do not pass on to the stormwater sewer system;
  - iii. "Contiguous lots" means those lots which directly abut, or are separated by a general access roadway or other right of way (with at least one part of one lot directly across the right of way from at least part of the other lot);
  - iv. "Culvert" means a pipe or other man-made structure conveying a watercourse under a road, railroad, bridge, driveway, etc.;
  - v. "De-icing" means the reactive application of ice-control products to driving or walking surfaces to melt existing snow and ice;
  - vi. "Effective Date of Permit Authorization" means the date the permittee's authorization to discharge under this permit becomes effective. This date may be found on the permittee's Authorization to Discharge page;
  - vii. "Existing permittee" means a permittee that held an authorization to discharge under an MS4 permit the day before the effective date of this permit;
  - viii. "Green infrastructure" (N.J.A.C. 7:8) means a stormwater management measure that manages stormwater close to its source by:
    - Treating stormwater runoff through infiltration into subsoil;
    - Treating stormwater runoff through filtration by vegetation or soil; or
    - Storing stormwater runoff for reuse.
  - ix. "Ground water discharge point" means the lowest invert elevation of any stormwater facility where stormwater discharges into the surficial ground water aquifer;



- x. "Hazard Tree" means a tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees.
  - Has an infectious disease or insect infestation;
  - Is dead or dying;
  - Obstructs the view of traffic signs or the free passage of pedestrians or vehicles where pruning attempts have not been effective;
  - Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or
  - Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or LTE.
- xi. "HUC14" means (N.J.A.C. 7:9B) HUC 14" or "hydrologic unit code 14" means an area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by a 14 digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.
- xii. "Illicit connection" means any physical or non-physical connection that discharges the following to a municipal separate storm sewer system (unless that discharge is authorized under a NJPDES permit other than the NJPDES permit for discharges from that system):
  - Domestic sewage;
  - Non-contact cooling water, process wastewater, or other industrial waste (other than stormwater); or
  - Any category of non-stormwater discharges that a permittee for the MS4 identifies as a source or significant contributor of pollutants pursuant to 40 C.F.R. 122.26(d)(2)(iv)(B)(1) or 122.34(b)(3)(iii).
- xiii. "Maintenance plan" means a maintenance plan pursuant to N.J.A.C. 7:8-5.2(b) and 5.8 prepared by the design engineer for the stormwater management measures incorporated into the design of a major development. Alternately, a maintenance plan may be developed and/or modified after the stormwater facility has been constructed based on operational experience;
- xiv. "Maintenance yard and ancillary operation" means a maintenance and storage yard owned or operated by the permittee on the property of the Public Complex, including but not limited to, fleet or maintenance shop with outdoor storage areas, impound yard, permanent and mobile fueling location, salt/sand storage location, and snow disposal area;
- xv. "Major Development" means a major development as defined in N.J.A.C. 7:8;
- xvi. "MS4 interconnection" means any point at which one MS4 system is connected to a second MS4 system in such a way that it allows for direct discharges into the second system."
- xvii. "Municipal separate storm sewer" (or MS4 conveyance) means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) as defined in more detail at N.J.A.C. 7:14A-1.2;
- xviii. "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;
- xix. "New permittee" means a permittee that obtains its first authorization to discharge under this permit on or after the effective date of this permit;

- xx. "Outfall" means any point source which discharges directly to waters of the United States and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the United States and are used to convey waters of the United States;

c. Definitions for terms O through Z

- i. "Permanent structure" means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall). A fabric frame structure is a permanent structure if it meets the following specifications:
- Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing/anti-icing materials;
  - The design shall prevent stormwater run-on and run-through, and the fabric cannot leak;
  - The structure shall be erected on an impermeable slab;
  - The structure cannot be open sided; and
  - The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- ii. "Point source" means any discernible, confined, and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture;
- iii. "Regulatory mechanism" means an ordinance, permit, standard, contract language, or any other procedure, that will be enforced by the permittee;
- iv. "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:
- Owned or operated by municipalities described under N.J.A.C. 7:14A- 25.1(b);
  - 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;
  - 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; or
  - Owned or operated by county, State, interstate, Federal, or other agencies, and receive special designation under N.J.A.C. 7:14A-25.2(a)4.
- v. "Solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids;
- vi. "Storm drain inlet" means the point of entry into the storm sewer system;
- vii. "Stormwater" means water resulting from precipitation (including rain and snow) that runs off the land's surface; is transmitted to the subsurface; is captured by separate storm sewers or other sewerage or drainage facilities; or is conveyed by snow removal equipment;
- viii. "Stormwater facility" means stormwater infrastructure including, but not limited to, catch basins, infiltration basins, detention basins, green infrastructure (GI), filter strips, riparian buffers, infiltration trenches, sand filters, constructed wetlands, wet basins, bioretention systems, low flow bypasses, Manufactured Treatment Devices (MTDs), and stormwater conveyances;

- ix. "Stormwater management basin" means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management basin may either be normally dry (that is, a detention basin or infiltration basin), retain water in a permanent pool (a retention basin or wet pond), or be planted mainly with wetland vegetation (most constructed stormwater wetlands);
- x. "Stormwater management measure" (N.J.A.C. 7:8-1.2) means any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances;
- xi. "Stormwater runoff" means water flow on the surface of the ground or in storm sewers, resulting from precipitation;
- xii. "Stream scouring" means the erosion or removal of streambed or bank material by the physical action of flowing water and the sediment that it carries;
- xiii. "Street tree" means a tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to (or specified distance from) the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.
- xiv. "Subsurface infiltration/detention system" means a vault, perforated pipe, and/or stone bed that is located entirely below the ground surface and that temporarily stores and attenuates stormwater runoff;
- xv. "Subwatershed" see definition for "HUC 14" above. (N.J.A.C. 7:9B)
- xvi. "Total maximum daily load" or "TMDL" means a total maximum daily load formally established pursuant to Section 7 of the Water Quality Planning Act (N.J.S.A. 58:11A-7) and Section 303(d) of the Clean Water Act, 33 U.S.C.  
§§12512 et seq. A TMDL is the sum of individual wasteload allocations for point sources, load allocations for nonpoint sources of pollution, other sources such as tributaries or adjacent segments, and allocations to a reserve or margin of safety for an individual pollutant;
- xvii. "Waters of the State" means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction" (see N.J.A.C. 7:9B-1.4);
- xviii. "Wood waste" means source separated whole trees, tree trunks, tree parts, tree stumps, brush, and lumber (non-chemically treated, glued, dyed, or painted).
- xix. "Yard trimmings" (N.J.A.C. 7:26A-1.3) means grass clippings, leaves, wood chips from tree parts, and brush; and
- xx. "Yard waste" means loose leaves and grass clippings.

## **MS4 - Public Complex Stormwater (GP)**

### **A. Stormwater Management Program**

#### **1. Stormwater Program Requirements**

- a. The permittee shall develop, update, implement, and enforce an MS4 stormwater program. A primary objective of the MS4 stormwater program shall be to implement best management practices and other measures that are designed to reduce the discharge of pollutants from the permittee's MS4, maintenance yards and other ancillary operations, to the maximum extent practicable pursuant to N.J.A.C. 7:14A-25.6(a)1 and 40 CFR 122.34(a), to protect water quality, and to satisfy the applicable water quality requirements of the Clean Water Act.
- b. The permittee shall modify and update its MS4 stormwater program (including applicable plans and appropriate regulatory mechanisms) to conform with applicable new legislation or new or amended regulations. Such modification and update shall be completed and effective within 12 months of written notification by the Department of the need for modification and update.
- c. The permittee shall develop, update, implement, and maintain a written Stormwater Pollution Prevention Plan (SPPP) that documents the permittee's MS4 stormwater program and describes the measures necessary for compliance with all permit conditions.
- d. A principal executive officer or a ranking elected official shall designate a duly authorized Stormwater Program Coordinator (SPC) who has the knowledge to manage the implementation and compliance of the permittee's MS4 stormwater program and shall be responsible for the following:
  - i. Coordinating the permittee's implementation of its MS4 stormwater program, permit conditions, and SPPP;
  - ii. Signing and dating the SPPP; and
  - iii. The completion and submittal of the Municipal Stormwater Regulation Program (MSRP) Annual Report, consistent with Part IV.K.
- e. The permittee shall notify the Department of any SPC assignment changes and designate a new SPC within thirty days of the change through the completion of the Stormwater Program Coordinator Information Update Sheet which can be found on the MSRP webpage, or through the online MSRP Annual Report submission. See Part IV.K.

#### **2. Stormwater Pollution Prevention Plan (SPPP) Requirements**

- a. The permittee shall include in the SPPP, at a minimum, information that:
  - i. Identifies the person designated as the SPC per Part IV.A.1.d above, and the members of the stormwater team, which is comprised of the person(s) responsible for implementing or coordinating the stormwater program activities;
  - ii. Describes the measures the permittee has established to ensure compliance with all components of this permit with details regarding how each element of the stormwater program is implemented. The permittee shall tailor their SPPP to describe the specific measures applicable to the Public Complex;

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- iii. Identifies each individual maintenance yard and ancillary operation, including the site-specific details of each yard or ancillary operation. At a minimum, the SPPP for permittees with multiple yards must include individual forms for each yard or ancillary operation, as well as any other site specific SPPP Forms for each yard or ancillary operation, where applicable;
  - iv. Documents all shared or contracted services as allowed under Part IV.A.3, below;
  - v. Notes the location of all records/documentation required by this permit; and
  - vi. Reflects the measurable goals, implementation schedules, recordkeeping, and other requirements of this permit.
- b. The permittee's SPPP shall be submitted electronically to the Department via the NJDEP Online Stormwater Document Submittal Service on or before EDPA + 6 months for existing permittees and by on or before EDPA + 12 months for new permittees.
  - c. The SPPP shall be posted on the permittee's dedicated stormwater webpage or other approved webpage (See Part IV.B.2).
  - d. The permittee shall review the SPPP at least annually and update it as often as necessary to reflect changes related to the permittee's MS4 stormwater program. Any amendments to the SPPP:
    - i. Shall continue to meet the requirements of this permit;
    - ii. Shall be incorporated into the SPPP;
    - iii. Shall be recorded on the SPPP revisions page;
    - iv. Shall be signed and dated by the SPC;
    - v. Shall be submitted electronically to the Department within thirty (30) days of the amendments; and
    - vi. Shall be posted on the permittee's dedicated stormwater webpage or other approved webpage within thirty (30) days of the amendments.
  - e. The permittee shall amend the SPPP to adequately address any deficiencies identified by the Department within thirty (30) days of notice, unless otherwise specified by the Department.

### 3. Implementation of SPPP Conditions Through Shared or Contracted Services

- a. The permittee may rely on another entity, e.g., governmental, stormwater utility, private, or nonprofit organization such as a watershed association, to satisfy one or more of the permit conditions, or component thereof, through the implementation of best management practices or control measures, provided that:
  - i. The other entity shall implement best management practice(s), control measure(s), or component(s) thereof, which are at least as stringent and as frequent as the corresponding permit requirement;
  - ii. The other entity shall agree in writing or is required by law to implement the measure(s) or component(s) thereof, in such a manner that complies with the permit on the permittee's behalf;
  - iii. The permittee shall specify in its SPPP which permit conditions will be implemented by another entity; and

- iv. The permittee shall specify in its SPPP the name of the responsible entity.
- b. If permit requirements are contracted to an outside entity to be completed in whole or in part, work shall be completed in a manner that is in compliance with this permit.
- c. The permittee is responsible for compliance with this permit if the other entity fails to implement the measure(s) or component(s), thereof.

## **B. Minimum Standards for Public Involvement and Participation Including Public Notice**

### **1. Public Involvement and Participation Including Public Notice**

- a. The permittee shall comply with applicable State and local public notice requirements when providing for public participation in the development and implementation of the MS4 stormwater program. Requirements include, but are not limited to:
  - i. The Open Public Meetings Act ("Sunshine Law," N.J.S.A. 10:4-6 et seq.).
  - ii. Statutory procedures for the enactment of ordinances (N.J.S.A. 40:49-2), including the stormwater control ordinance and other ordinances adopted to comply with Part IV of this permit; and
- b. The permittee shall maintain records necessary to demonstrate compliance with the public participation requirements of Part IV.B.1.a, above.
- c. All permittees shall comply with this requirement on EDPA.

### **2. Stormwater Program Information**

- a. The permittee shall make the following elements of its MS4 stormwater program available to the public on its dedicated stormwater webpage:
  - i. Stormwater Pollution Prevention Plan (excluding inspection logs and other recordkeeping documents);
  - ii. Pet Waste Control Regulatory Mechanism;
  - iii. Wildlife Feeding Control Regulatory Mechanism;
  - iv. Litter Control Regulatory Mechanism;
  - v. Improper Disposal of Waste Regulatory Mechanism;
  - vi. Yard Waste Collection Regulatory Mechanism;
  - vii. MS4 Outfall Pipe Map;
  - viii. MS4 Infrastructure Map (due on or before EDPA + 36 months as per Part IV.G); and
  - ix. Watershed Improvement Plan (due in accordance with the phases identified in Part IV.H).

- b. If the permittee does not have a specific website for their Public Complex, they shall request approval via email to [stormwatermanager@dep.nj.gov](mailto:stormwatermanager@dep.nj.gov) to post their stormwater documents listed in a. above on an alternate website hosted by their county (for county-owned Public Complexes), state agency (for state-owned Public Complexes), or federal agency (for federally-owned Public Complexes).
- c. Existing permittees shall comply by EDPA + 3 months and new permittees shall comply by EDPA + 12 months.

## **C. Minimum Standards for Local Public Education and Outreach**

### **1. Local Public Education and Outreach**

- a. Colleges, universities, and military bases (with dependents living on base) shall implement a Public Education and Outreach Program that focuses on educational and pollution prevention activities about the impacts of stormwater discharges on surface water and ground water and involves the public in reducing pollutants in stormwater and mitigating flow. The permittee shall:
  - i. Annually conduct activities that total at least 12 points;
  - ii. Include at least one activity from each of the three categories as set forth in Attachment A;
  - iii. Ensure at least one of the activities involve educating businesses and the general public of hazards associated with illicit connections and improper disposal of waste;
  - iv. All other permittees not identified in 1.a above may satisfy the educational component of the permit through the implementation of an employee training program pursuant to Part IV.F.6. of this permit; and
  - v. Keep records necessary to demonstrate compliance, including date of activities and any other relevant documentation.
- b. All permittees shall comply with this requirement on EDPA.

## **D. Minimum Standards for Construction Site Stormwater Runoff**

### **1. Construction Site Stormwater Runoff**

- a. Construction site stormwater runoff activities are authorized under a separate NJPDES permit, which is typically the Construction Activity NJPDES Stormwater General Permit No. NJ0088323 pursuant to N.J.A.C. 7:14A-25.6(b)2, or an individual stormwater permit pursuant to N.J.A.C. 7:14A-24.7(a)2. See Part II.C.3.b.
- b. Pursuant to N.J.A.C. 7:14A-25.7(b), the permittee is not required to reference construction site stormwater runoff control in its SPPP.
- c. All permittees shall comply with this requirement on EDPA.

## **E. Minimum Standards for Post Construction Stormwater Management in New Development and Redevelopment**

### **1. Stormwater Management Program to Address Post Construction Stormwater Management in New Development and Redevelopment**

- a. The permittee shall develop, update, implement, and enforce its stormwater management program to address post construction stormwater runoff in new development and redevelopment and to ensure compliance with the Stormwater Management rules at N.J.A.C. 7:8.
- b. The permittee shall ensure that its stormwater management program addresses stormwater runoff from "major development" as defined in the Stormwater Management rules at N.J.A.C. 7:8 unless the permittee defines any additional development as "major development."
- c. The permittee shall ensure that the post construction stormwater management program complies with the applicable design, performance, and maintenance standards established under N.J.A.C. 7:8 for "major development."
- d. The permittee shall review and analyze development plans for compliance with N.J.A.C. 7:8 even if a permit is required by the Department for the same or similar activity, e.g., a Land Use permit.
- e. The permittee shall ensure that "major development" projects are constructed in accordance with the approved development plans.
- f. The permittee shall ensure that the engineer that reviews stormwater management designs for development and redevelopment projects for compliance with N.J.A.C. 7:8 shall be independent from the design engineer.
- g. The permittee shall ensure that all review engineers are up to date with the Department's Stormwater Management Design Review Course, as per Part IV.F.7.
- h. The permittee shall ensure that all review engineers are up to date with the Department's Stormwater Management Rule Amendment Training if required, as per Part IV.F.8.
  - i. The permittee shall include each approved major development on the Major Development Project List.
  - ii. The permittee shall submit the Major Development Project List to the Department annually with the MRSP Annual Report.
  - iii. The Stormwater Management rules (N.J.A.C. 7:8), independently and as implemented in this permit, apply to all areas of the Public Complex.
- i. All permittees shall comply with this requirement on EDPA.

## **2. Mitigation Plan**

- a. The permittee shall only grant a variance from the design and performance standards for stormwater management measures if the permittee has a mitigation plan which meets the following requirements:
  - i. The mitigation plan shall identify measures that are necessary to offset the deficit created by granting the variance and can be provided through a menu of design and performance standards with corresponding mitigation projects for different drainage areas within the same HUC14; and
  - ii. The mitigation plan shall satisfy the criteria in the Stormwater Management rules at N.J.A.C. 7:8-4.2(c)11 and 4.6. (See Chapter 3 of the NJ Stormwater BMP Manual for guidance).
- b. The permittee shall submit a written report to the Department via the NJDEP Online Stormwater Document Submittal Service describing the variance and the required mitigation in accordance with N.J.A.C. 7:8-4.6(a)3.



- i. The permittee shall submit the written report within thirty (30) days after granting a variance.

## **F. Minimum Standards for Pollution Prevention/Good Housekeeping**

### **1. Regulatory Mechanisms**

- a. **Pet Waste Control:** The permittee shall adopt and enforce an appropriate regulatory mechanism that requires pet owners or their keepers to immediately and properly dispose of their pet's solid waste deposited on any part of the Public Complex property; or prohibit pets from being allowed at the Public Complex.
  - i. Any owner or keeper who requires the use of a service animal shall be exempt from these provisions while such animal is being used for that purpose.
- b. **Wildlife Feeding Control:** The permittee shall adopt and enforce an appropriate regulatory mechanism that prohibits the feeding of any wildlife, e.g., Canada Geese, on Public Complex property owned or operated by the permittee.
  - i. Exclusions include unconfined wildlife at environmental education centers and feral cats as part of an approved Trap-Neuter-Release program.
- c. **Litter Control:** The permittee shall enforce the existing State litter statute at N.J.S.A 13:1E-99.3, or adopt and enforce an appropriate regulatory mechanism that is at least as stringent as the State litter statute.
- d. **Improper Disposal of Waste:** The permittee shall adopt and enforce an appropriate regulatory mechanism prohibiting the improper spilling, dumping, or disposal of materials other than stormwater into the MS4 excluding those discharges as allowable under Part II.C.2.b.
- e. **Yard Waste (where residences are located within the Public Complex):** The permittee shall adopt and enforce an appropriate regulatory mechanism for either loose or containerized yard waste that requires:
  - i. No person shall sweep, rake, blow, or otherwise place loose yard waste into the street, unless it is for a scheduled and announced collection;
  - ii. For loose yard waste collection, placement of loose yard waste shall be at least ten feet away from any storm drain inlet;
  - iii. For loose yard waste collection, placement of loose yard waste shall not be sooner than seven days prior to collection;
  - iv. For containerized yard waste collection, yard waste shall be placed in an appropriate container at the curb or along the street for collection; and
  - v. The frequency of yard waste collection shall be determined at the discretion of the permittee, but shall be part of a set yard waste collection schedule which is noticed to all Public Complex residents and businesses. Any area of the Public Complex that the permittee determines to have no yard waste will be exempt from the collections.
- f. New permittees shall adopt and enforce the above regulatory mechanisms on or before EDPA + 12 months and EDPA for existing permittees.
- g. Model Regulatory Mechanisms can be found on the Department's main MS4 website at <https://dep.nj.gov/njpdcs-stormwater/municipal-stormwater-regulation-program/public-complex-sto>

## 2. Good Housekeeping

- a. The permittee shall develop and implement the following good housekeeping measures to control solid and floatable materials, which shall be described in the SPPP:
- b. Illicit Connections: The permittee shall prevent illicit discharges into the MS4. In addition, the permittee shall inspect outfalls and eliminate any observed illicit discharges in accordance with F.3.
  - i. Permittees shall implement this requirement by EDPA.
  - ii. Street Sweeping: The permittee shall sweep at a minimum once per month all paved parking lots and streets, owned or operated by the permittee, that have storm drain inlets that direct stormwater runoff into an MS4 or discharge directly to surface water.
  - iii. The permittee shall sweep more frequently as necessary to eliminate recurring problems and restore proper function, weather and street surface conditions permitting.
  - iv. Existing permittees shall implement this requirement by EDPA and EDPA + 12 months for new permittees.
- c. Storm Drain Inlet Labeling: The permittee shall label all storm drain inlets that do not have permanent wording cast into the structure of the inlet to indicate that it empties directly into a local waterway. This applies to inlets that are located along the permittee's boundaries.
  - i. Existing permittees shall implement this requirement by EDPA and new permittees shall implement this requirement by EDPA + 12 months.
- d. Storm Drain Inlet Retrofitting: The permittee shall comply with the standards set forth in Attachment B (Design Standards for Storm Drain Inlets) of this permit to control passage of solid and floatable materials through storm drain inlets owned or operated by the permittee.
  - i. The permittee shall retrofit all storm drain inlets owned or operated by the permittee with the standards set forth in Attachment B on or before EDPA + 59 months.
- e. Storm Drain Inlet Installation: The permittee shall install storm drains that include a catch basin or other BMP designed to collect solids directly below the inlet grate in areas that drain to surface waters. This applies to new storm drain installations that are due to new construction or as part of a repair project.
  - i. As an alternative, the permittee shall install a BMP downstream of the storm drain inlet to capture solids before the stormwater reaches the surface water discharge point;
  - ii. Storm drains installed on bridges or culverts are exempt from this requirement; and
  - iii. Existing permittees and new permittees shall implement this requirement by EDPA.
- f. Herbicide Application Management: At a minimum, the permittee shall restrict the application of herbicides as follows:
  - i. In a manner that prevents the herbicides from being washed into the waters of the State;
  - ii. In a manner that prevents erosion caused by de-vegetation;
  - iii. Do not apply on or adjacent to storm drain inlets;

- iv. Do not apply on steeply sloping ground;
  - v. Apply only along curb lines and unobstructed shoulders that contain unwanted vegetation;
  - vi. Apply only within a 2-foot radius around structures where overgrowth presents a safety hazard and where it is unsafe to mow; and
  - vii. Existing permittees and new permittees shall implement this requirement by EDPA.
- g. Excess De-Icing/Anti-Icing Material Management: The permittee shall remove, within 72 hours after the end of the storm event, conditions permitting, piles of excess salt and de-icing/anti-icing materials that have been deposited during spreading operations, e.g., piles resulting from accidental spillage or when spreading equipment is started or stopped, on all driveways, streets, and parking areas owned or operated by the permittee.
- i. Excess de-icing/anti-icing material removed from driveways, streets, and parking areas may be returned to storage or properly managed if unsuitable for reuse; and
  - ii. Existing permittees and new permittees shall implement this requirement by EDPA.
- h. Vegetative Waste Management: The permittee shall ensure the proper pickup, handling, storage, and disposal of wood waste and yard trimmings generated at the Public Complex to minimize the impact of vegetative maintenance activities on stormwater discharge quality. At a minimum, the permittee shall:
- i. Ensure that wood waste and yard trimmings are not swept, raked, blown, or otherwise deposited onto other areas, such as driveways, streets, or parking areas, where the material can be transported by the MS4 system;
  - ii. No person shall sweep, rake, blow, or otherwise place loose yard waste into driveways, the streets, or parking areas;
  - iii. Existing permittees and new permittees shall implement this requirement by EDPA.
- i. Tree Replacement Management: The permittee shall ensure that any tree removed from the property owned or operated by the permittee at the Public Complex be replaced in-kind with a tree of equal or greater size or according to the following:
- i. Any street tree removed with DBH of 2.5" to 6" shall be replaced with one tree with caliper of 1.5" or more;
  - ii. Any tree removed with DBH of 6" to 12.99" shall be replaced with one tree with caliper of 1.5" or more;
  - iii. Any tree removed with a DBH of 13" to 22.99" shall be replaced with two trees with caliper of 1.5" or more;
  - iv. Any tree removed with a DBH of 23" to 32.99" shall be replaced with three trees with caliper of 1.5" or more;
  - v. Any tree removed with DBH of 33" or greater shall be replaced with four trees with caliper of 1.5" or more;
  - vi. Any tree removed shall be replaced within one year of removal;
  - vii. The permittee may remove any trees within a tree farm if the farm is in active operation, this includes nurseries, fruit orchards, and garden centers;

- viii. The permittee may remove any trees pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
  - ix. The permittee may remove any trees involving approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
  - x. The permittee may remove hazard trees with no replacement requirement;
  - xi. The permittee may plant replacement trees in a separate area(s) approved by the Department; and
  - xii. All permittees shall implement this requirement by EDPA.
- j. Roadside Erosion Control: The permittee shall develop a program to detect and repair erosion along driveways, streets, and parking areas owned or operated by the permittee and to inspect and maintain the stability of shoulders, embankments, ditches, and soils along these areas to ensure that they are not eroding and contributing to the sedimentation of receiving waters or stormwater infrastructure;
- i. Inspections of driveways, streets, and parking areas shall occur at least once per year;
  - ii. Any repairs shall be completed as soon as practicable, but no later than 90 days from discovery, unless the Department is notified with an alternative schedule of completion;
  - iii. Made in accordance with Standards for Soil Erosion and Sediment Control in New Jersey, N.J.A.C. 2:90-1, as applicable; and
  - iv. Existing permittees and new permittees shall implement this requirement by EDPA + 12 months.
- k. Outdoor Refuse Containers and Dumpsters: The permittee shall ensure that dumpsters and refuse containers that are outdoors or exposed to stormwater are managed as follows:
- i. Containers must always be covered to prevent the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids, or solids;
  - ii. Roll-offs and open-top waste containers used to collect and temporarily store trash, garbage, and non-recyclables shall be kept tarped or otherwise covered unless actively being filled or emptied;
  - iii. Clean roll-offs or other open-top containers used to collect clean household recyclables (such as cans, bottles, or paper, but not including materials such as electronics) shall be covered when not in use, at the end of each workday, and before any anticipated storm event;
  - iv. Temporary demolition containers, e.g., rubble, construction waste, and wood waste, or containers that hold large bulky items, e.g., furniture, do not need to be covered as long as they do not contain putrescible waste; and
  - v. Existing and new permittees shall implement this requirement by EDPA.
- l. This measure is not intended for litter receptacles; individual homeowner trash and recycling containers; containers that hold large bulky items (e.g., furniture, bound carpet and padding); permitted temporary demolition containers; and refuse containers at industrial facilities authorized to discharge stormwater under a valid NJPDES permit.
- m. The permittee shall maintain a log sufficient to demonstrate compliance with this section. Example Maintenance Logs and Inspection Records forms are available on the Department's MS4 website.

**3. Inspection and Maintenance of Stormwater Facilities Owned or Operated by the Permittee**

- a. The permittee shall develop, update, and implement a program to ensure adequate long-term cleaning, operation, and maintenance of all stormwater facilities owned or operated by the permittee to restrict pollutants from entering the waters of the State, to eliminate recurring problems, and maintain proper function. This program shall include all stormwater infrastructure, including but not limited to b. through g. below.
- b. Stormwater Outfall Inspections and Maintenance for Condition, Stream Scouring, and Illicit Discharge and Detection Elimination: At a minimum, the permittee's program shall require the following:
  - i. Outfall inspections conducted at least once per year;
  - ii. Conditions under which an outfall must be cleaned and maintained;
  - iii. Removal of trash and debris upon discovery, unless the Department is notified of an alternative schedule of completion;
  - iv. Repairs be completed as soon as practicable, but no later than 30 days of discovery, unless the Department is notified ahead of time of an alternative schedule of completion;
  - v. Details for detecting, investigating, and controlling any localized stream scouring of the stream banks or bottom and the surrounding area in the vicinity of MS4 outfalls owned or operated by the permittee;
  - vi. Inspection, within 30 days of identification, any new and/or newly identified outfalls for localized stream scouring of the stream banks or bottom and the surrounding area in the vicinity of MS4 outfalls caused by the outfall(s);
  - vii. Investigation, within 30 days of receipt, all complaints and reports of stream scouring;
  - viii. Identification of sources of stormwater, within 3 months, that contribute to the scouring from the outfall when localized stream scouring is detected;
  - ix. Corrective action be taken to reduce stormwater rate or volume when feasible where identified sources of scouring are located on property owned or operated by the permittee;
  - x. Remediation of localized stream scouring to be prioritized, scheduled, and completed as soon as practicable, but no later than 12 months of discovery, unless the Department is notified ahead of time of an alternative schedule of completion;
  - xi. Progress on remediation of stream scouring shall be provided to the Department on a quarterly basis until completion;
  - xii. Stream scouring restoration shall be made in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey at N.J.A.C. 2:90-1, e.g., Conduit Outlet Protection 12-1, and the requirements for bank stabilization and channel restoration found at N.J.A.C. 7:13;
  - xiii. Details for conducting visual dry weather inspections to determine if dry weather flow (flow occurring 72 hours after a rain event) or other evidence of illicit discharge is present for MS4 outfalls owned or operated by the permittee;
  - xiv. Inspection, within 30 days of identification, of any new and/or newly identified outfalls to determine if dry weather flow or other evidence of illicit discharge is present;

- xv. Investigation, within 30 days of identification, of discovery of dry weather flows;
  - xvi. Investigation, within 30 days of receipt, of complaints and reports of illicit connections, including those from operating entities of interconnected MS4s;
  - xvii. Investigation, within 30 days, to determine the source if evidence of illicit discharge is found;
  - xviii. Elimination as soon as practicable, but no later than within 12 months of discovery, non-stormwater discharges that are traced to their source and found to be illicit connections, unless the Department is notified ahead of time of an alternative schedule of completion; and
  - xix. Progress on elimination of the illicit discharges shall be provided to the Department on a quarterly basis until completion.
- c. The permittee shall document all outfall inspections, investigations, and actions taken using the Department's Outfall Inspection, Stream Scouring and Illicit Connection Inspection Report Form(s) and attach this form(s) to the MSRP Annual Report.
  - d. Storm Drain Inlet Inspection, Cleaning, and Maintenance: At a minimum, the permittee's program shall require the following:
    - i. Inspections, at a minimum of once per year, of all storm drain inlets; and
    - ii. Conditions under which a storm drain inlet must be cleaned and maintained.
  - e. Catch Basin Inspection, Cleaning, and Maintenance: At a minimum, the permittee's program shall require the following:
    - i. Inspections, at a minimum of once per year, of all catch basins;
    - ii. Conditions under which a catch basin must be cleaned and maintained, including any specific procedures that must be followed;
    - iii. Cleaning and maintenance schedule at a frequency to ensure, at a minimum, that sediment, trash, or other solid or floatable material or other obstructions are removed; and
    - iv. For guidance related to catch basin cleaning, refer to the EPA Catch Basin Technology Overview and Assessment found at: (<https://nepis.epa.gov/Exe/ZyPURL.cgi?Dockey=300002QL.TXT> ).
  - f. MS4 Conveyance Inspection, Cleaning, and Maintenance: At a minimum, the permittee's program shall require the following:
    - i. Inspections at a frequency to determine if cleaning and/or maintenance are necessary. The frequency for inspections shall be based on known areas of storm sewer back-ups/complaints, and other relevant factors;
    - ii. Ensure that sediment, trash, or other solids or floatable material is removed; and
    - iii. Describe conditions under which areas of the MS4 conveyance system must be cleaned and maintained.
  - g. Other Stormwater Infrastructure Inspection, Cleaning, and Maintenance (excluding b. – f. above): At a minimum, the permittee's program shall require the following:
    - i. Inspection of all stormwater infrastructure pursuant to approved maintenance plans;

- ii. If there are no approved maintenance plans for certain stormwater infrastructure, the permittee may create one by following the Department's Best Management Practice Manual <https://dep.nj.gov/stormwater/bmp-manual/> or other maintenance guidance <https://dep.nj.gov/stormwater/maintenance-guidance/>; and
  - iii. If no plan or guidance exists for a particular type of infrastructure, the permittee shall inspect the infrastructure at least four times annually and after each rainstorm exceeding 1 inch of total rainfall; and
  - iv. Cleaning and maintenance to be conducted pursuant to approved maintenance plans, or more frequently as needed. (See the Department's maintenance guidance).
- h. The permittee shall maintain a log sufficient to demonstrate compliance with this section, including but not limited to the following (example Maintenance Logs and Inspection Records forms are available on the Department's MS4 website under the maintenance guidance link):
- i. Type of stormwater facility;
  - ii. Location information of the facility with geographic coordinates;
  - iii. Name of inspector;
  - iv. Date of inspection;
  - v. Date of most recent precipitation or snowmelt event;
  - vi. Presence of standing water or discharge;
  - vii. Observations of the structural integrity;
  - viii. History of problems and complaints;
  - ix. Evidence of current or previous flooding;
  - x. Any preventative and corrective maintenance performed;
  - xi. Any additional information or findings, if appropriate;
  - xii. Presence or evidence of stream scouring (for outfalls only); and
  - xiii. Presence or evidence of illicit discharges (for outfalls only).
- i. The permittee shall submit the Department's Outfall Inspection Forms <https://dep.nj.gov/njpdess-stormwater/municipal-stormwater-regulation-program/public-complex-sto-templates-and-forms> with the Annual Reports each year.
- j. If stormwater facilities are found not to be functioning properly, cleaning, corrective maintenance, and repairs shall be completed as soon as practicable, but no later than 90 days from discovery, unless the Department is notified ahead of time of an alternative schedule of completion.
- k. The permittee shall prioritize cleaning, corrective maintenance, and repairs based upon environmental, health, and safety concerns.
- l. Maintenance or repairs to stormwater facilities shall be made in accordance with N.J.A.C 7:8.

- m. Any changes to stormwater facilities that were originally approved as part of a major development project must be reviewed for compliance with N.J.A.C. 7:8 and the permittee's Stormwater Program as applicable, by a design review engineer who has completed the Department's Stormwater Management Design Review course, as well as any amendment training that was required.
- n. Existing permittees shall implement this requirement by EDPA. New permittees shall develop and implement this program by EDPA + 12 months.

#### **4. Best Management Practices at Maintenance Yards and Other Ancillary Operations**

- a. Best Management Practices: The permittee shall implement Best Management Practices (BMPs) at all maintenance yards and ancillary operations (MYs) to restrict pollutants from entering the waters of the State.
- b. Site Inspections: The permittee shall inspect the entire site, including the site periphery, to identify conditions that would contribute to stormwater contamination, illicit discharges, or negative impacts to the permittee's MS4;
  - i. Inspections shall be conducted monthly under dry conditions;
  - ii. Inspections shall also be conducted monthly during precipitation or a snowmelt event when possible;
  - iii. Between monthly inspections, if instances of non-compliance are observed, corrective actions shall be initiated immediately;
  - iv. The permittee shall maintain a log on-site sufficient to demonstrate compliance with this section, including but not limited to:
    - Name of inspector;
    - Date of inspection;
    - Date of most recent precipitation or snowmelt event;
    - Relevant findings;
    - Conditions requiring attention; and
    - Remedial actions taken.
  - v. The location of the log shall be noted in the SPPP; and
  - vi. Existing permittees shall implement this requirement by EDPA. New permittees shall implement this requirement by EDPA + 6 months.
- c. Inventory List: The permittee shall maintain a list of all materials and machinery which could be a source of pollutants in a stormwater discharge. These materials include, but are not limited to, raw materials, intermediate products, final products, waste materials, by-products, machinery and fuels, lubricants, solvents, and detergents. Materials or machinery that are stored in a permanent structure and therefore not exposed to stormwater do not need to be included in the list.
  - i. Existing permittees shall implement this requirement by EDPA. New permittees shall implement this requirement by EDPA + 6 months.
- d. Container Labels and Storage: The permittee shall properly label and store all containers as follows:
  - i. Labels shall be legible, clean, and visible;



- ii. Containers shall be kept in good condition;
  - iii. Containers shall be protected from damage and spillage;
  - iv. Containers shall be tightly closed when not in use;
  - v. Containers stored outside shall be covered and placed on spill platforms or clean pallets. An area that is graded and/or bermed to prevent run-through of stormwater may be used in place of spill platforms or clean pallets;
  - vi. Outdoor storage locations shall be regularly maintained to allow for proper inspection and accessibility; and
  - vii. Existing permittees shall implement this requirement by EDPA. New permittees shall implement this requirement by EDPA + 6 months.
- e. Spill Kits: The permittee shall conduct cleanups of spills of liquids or dry materials immediately after discovery, as follows:
- i. Spills that are suspected to be a threat to human health or the environment shall be immediately reported to the NJDEP Hotline at 1-877-WARNDEP (1-877-927-6337);
  - ii. All spills shall be cleaned using dry absorbent material and cleaning methods only, e.g., kitty litter, sawdust, etc.;
  - iii. All dry absorbent materials shall be swept up once spill is absorbed and disposed of properly;
  - iv. The permittee shall store clean-up materials, spill kits, and drip pans near all liquid transfer areas;
  - v. The permittee shall ensure that clean-up materials are protected from rainfall; and
  - vi. Existing and new permittees shall implement this requirement by EDPA.
- f. Bulk Liquid Storage: The permittee shall surround above tanks with a secondary containment barrier, such as a spill containment dike, to contain the drips and spillage that might happen during operations. This applies for all aboveground storage tanks containing bulk liquid (including but not limited to gasoline, diesel fuel, heating oil, hydraulic oil, used oil, and liquid de-icing/anti-icing materials), as follows:
- i. The containment area shall be impervious;
  - ii. The containment area shall be able to contain the volumetric capacity of at least 110% of the largest tank's capacity within the containment area;
  - iii. The containment area shall be constructed so that no volume of bulk liquid can escape through drains, storm sewer systems, or to the surface waters or ground waters of the state;
  - iv. All accessory pipes, hoses, valves, and pumps shall also be located within the containment area. It is recommended that the tank be protected to prevent stormwater from accumulating in the containment structure; and
  - v. Existing and new permittees shall implement this requirement by EDPA + 12 months.

- g. Fueling and other Bulk Liquid Operations: The permittee shall establish, maintain, and implement standard BMPs to address vehicle fueling, receipt of bulk fuel and other bulk liquid deliveries, and inspection and maintenance of storage tanks, including the associated piping and pumps, as follows:
- i. A trained employee shall be present to supervise the bulk transfer of fuel or other bulk liquids to ensure BMPs are followed;
  - ii. The permittee shall place drip pans under all hose and pipe connections and other leak-prone areas during bulk transfer of fuels or other bulk liquids;
  - iii. The permittee shall block storm sewer inlets or contain tank trucks used for bulk transfer with temporary berms or temporary absorbent booms during the transfer process;
  - iv. If temporary berms or booms are being used instead of blocking the storm sewer inlets, all hose connection points associated with the transfer of fuel or other bulk liquids shall be within the temporarily bermed or boomed area during the loading/unloading of bulk fuels or other bulk liquids;
  - v. The permittee shall clearly post, in a prominent area of the fueling area, the contact information for the person(s) responsible for spill response and instructions for safe operation of fueling equipment that include all the following:  
“Topping off of vehicles, mobile fuel tanks, and storage tanks is strictly prohibited”; “Stay in view of fueling nozzle during dispensing”;
  - vi. The permittee shall immediately repair or replace any equipment, tanks, pumps, piping, and fuel or other bulk liquid dispensing equipment found to be leaking or in disrepair; and
  - vii. Existing permittees shall implement this requirement by EDPA. New permittees shall implement this requirement by EDPA + 12 months.
- h. Discharge of Stormwater from Secondary Containment: The permittee shall only discharge stormwater accumulated in a secondary containment area, e.g., fuel storage, de-icing/anti-icing solution storage, brine solution, as follows:
- i. Conduct visual inspections to ensure that bulk liquids have not contaminated the stormwater collected in the secondary containment area when dealing with materials that can be observed, e.g., petroleum;
  - ii. If the contents of the tank are not visible in stormwater, e.g., brine solution, the permittee shall determine based on recent tank inspections and bulk liquid transfers that the bulk liquids have not contaminated the stormwater collected in the secondary containment area;
  - iii. If the permittee cannot determine that the stormwater in the secondary containment area is uncontaminated, then the stormwater shall be hauled offsite for proper disposal;
  - iv. If the secondary containment area contains a valve, this valve shall remain closed at all times except as described above; and
  - v. Existing and new permittees shall implement this requirement by EDPA.
- i. Vehicle and Equipment Maintenance: The permittee shall conduct vehicle and equipment maintenance and/or repair activities indoors. However, if these activities cannot be performed indoors, the permittee shall perform vehicle and equipment maintenance in a manner that prevents the exposure of pollutants to stormwater as follows:

- i. For projects that last more than one day, portable tents or covers shall be placed over the equipment being serviced when not being worked on;
  - ii. Drip pans shall be used at all times;
  - iii. These activities shall only occur in designated areas away from storm drains, or storm drain inlets shall be blocked, to prevent stormwater runoff from entering the storm drain inlets; and
  - iv. Existing and new permittees shall implement this requirement by EDPA.
- j. Wash Wastewater Containment: The permittee shall discharge wash wastewater to a sanitary sewer. However, if this wash wastewater cannot be discharged to a sanitary sewer, the permittee shall manage any equipment and vehicle washing activities so that there are no unpermitted discharges of wash wastewater to storm sewer inlets or to surface or ground waters of the State, as follows:
- i. Wash wastewater shall be temporarily stored in a containment structure prior to proper disposal;
  - ii. The containment structure(s) containing the wash wastewater shall not leak;
  - iii. Any underground tanks and associated piping shall be tested for integrity every three years using appropriate methods determined by “The List of Leak Detection Evaluations for Storage Tank Systems” created by the National Work Group on Leak Detection Evaluations, or as determined appropriate and certified by a professional engineer for the site-specific containment structure(s);
  - iv. Any cathodically-protected containment system shall have a passing cathodic protection survey every three years;
  - v. Before each use of the wash wastewater containment, inspections shall be performed of all visible portions of containment structures to ensure that they are structurally sound;
  - vi. Containment structures shall be prevented from overfilling as a result of operations, malfunctions of equipment, or human error;
  - vii. Wash wastewater shall not be introduced to the containment structure when it is determined to be at 95% capacity;
  - viii. Each volumetric measurement shall be measured and recorded to the nearest ½ inch using the “Underground Vehicle Wash Water Storage Tank Use Log” form, which can be found on the Department’s website  
<https://dep.nj.gov/njpdess-stormwater/municipal-stormwater-regulation-program/public-complex-s>
  - ix. Leak containment structures shall be emptied and taken out of service immediately upon detection of deterioration that could result in a leak;
  - x. All necessary repairs shall be conducted to ensure structural integrity before placing a containment structure back into service;
  - xi. Any spills or suspected release of hazardous substances shall be immediately reported to the NJDEP Hotline (1-877-927-6337) which will be followed by a site investigation in accordance with N.J.A.C. 7:26C and N.J.A.C 7:26E if the discharge is confirmed;
  - xii. All wash wastewater from pump-outs and clean-outs shall be disposed of properly;

- xiii. A log of equipment and vehicle wash wastewater containment structure pump-outs (removes only water) and clean-outs (removes all water and sludge) shall be maintained that includes the date and method of removal, mode of transportation (including name of hauler if applicable) and the location of disposal. See "Underground Vehicle Wash Water Storage Tank Pump Out Log" form on the Department's MS4 website  
<https://dep.nj.gov/njpdessstormwater/municipal-stormwater-regulation-program/public-complex-s>
  - xiv. A NJ licensed professional engineer shall annually inspect and certify that all containment structures are in proper condition using the Engineer's Certification of Annual Inspection of Equipment and Vehicle Wash Wastewater Containment Structure found at  
<https://dep.nj.gov/njpdessstormwater/municipal-stormwater-regulation-program/public-complex-s-templates-and-forms>;
  - xv. This Engineer's Certification may be waived in writing by the Department for self-contained systems on a case-by-case basis; and
  - xvi. Existing and new permittees shall implement this requirement by EDPA.
- k. Salt and Other Granular De-icing/Anti-icing Material Storage and Handling: The permittee shall store salt and other solid (granular) de-icing/anti-icing materials in a permanent structure. The permittee shall establish, maintain, and implement salt and de-icing/anti-icing material storage and handling BMPs as follows:
- i. The permittee shall prevent the exposure of stored salt and other granular de-icing/anti-icing material to rain, snow, or stormwater run-on. Stormwater runoff containing de-icing/anti-icing material from a material storage and handling area is not authorized for discharge under this permit;
  - ii. The permittee shall prevent spillage;
  - iii. The permittee shall minimize tracking of materials from loading and unloading operations;
  - iv. Loading and unloading materials shall be conducted during dry weather, when possible;
  - v. The permittee shall minimize loader travel distance between the storage area and the spreading vehicle;
  - vi. The permittee shall sweep (or clean using other dry-cleaning methods), after loading and unloading, the areas surrounding the storage structure to eliminate the contact of de-icing/anti-icing materials with stormwater that were tracked away from storage areas;
  - vii. The permittee may reuse or properly discard materials collected during cleanup;
  - viii. Temporary storage of salt and other granular de-icing/anti-icing materials in a non-permanent structure is permitted only when a permanent structure is under construction, repair, or replacement;
  - ix. Stormwater run-on and de-icing/anti-icing material runoff shall be minimized when de-icing/anti-icing material is temporarily stored;
  - x. Materials in temporary storage shall be covered, e.g., in a temporary structure or under a tarp, when not in use;
  - xi. Temporary storage shall not exceed 30 days unless otherwise approved in writing by the Department;

- xii. All permittees shall implement these requirements by EDPA, with the exception of construction of a permanent structure for new permittees;
  - xiii. New permittees shall ensure that these materials are covered to prevent runoff through the use of temporary storage measures on or before EDPA + 6 months until the permanent structure is constructed; and
  - xiv. New permittees shall construct a permanent structure by EDPA + 36 months.
- l. Aggregate Material, Wood Chips, and Finished Leaf Compost Storage: The permittee shall store materials such as sand, gravel, stone, topsoil, wood chips, and finished leaf compost as follows:
- i. Materials shall be stored a minimum of 50 feet from surface water bodies, storm sewer inlets, and/or ditches or other stormwater conveyance channels;
  - ii. Materials shall be stored in a manner as to minimize stormwater run-on and pollutant runoff via surface grading, dikes and/or berms, (which may include sandbags, hay bales and curbing, among others), or three-sided storage bays;
  - iii. Situate the open side of the storage bays on the upslope where possible;
  - iv. The permittee shall sweep all areas in front of storage bays and adjacent to storage areas after loading/unloading;
  - v. Materials shall not be processed, e.g., composting, chipping, grinding, screening, and/or size reducing, under this permit authorization;
  - vi. Permittees conducting processing activities of these materials, e.g., composting, chipping, grinding, screening, and/or size reducing, shall obtain an appropriate NJPDES Industrial Stormwater Discharge permit for those activity(ies). Contact the Industrial Stormwater Permitting Unit at [industrialstormwaterpermitting@dep.nj.gov](mailto:industrialstormwaterpermitting@dep.nj.gov) or the MS4 Unit at [stormwatermanager@dep.nj.gov](mailto:stormwatermanager@dep.nj.gov) to determine which stormwater permit application would be appropriate; and
  - vii. Existing permittees shall implement this requirement by EDPA. New permittees shall implement this requirement by EDPA + 6 months.
- m. Cold Patch Asphalt Storage: The permittee shall store cold patch asphalt as follows:
- i. In a permanent structure or on an impervious surface and covered with a waterproof material, e.g., tarp or 10-mil plastic sheeting;
  - ii. Contained, e.g., contained by berms, to control leachate and stormwater run-on or run-through; and
  - iii. Existing and new permittees shall implement this requirement by EDPA.
- n. Street Sweepings and Storm Sewer Clean-out Material Storage: The permittee shall store street sweepings, storm sewer and catch basin clean-out materials, stormwater basin clean-out materials, and other similar materials as follows:
- i. Materials shall only be stored temporarily and shall be removed for disposal within six months of placement into storage;
  - ii. These materials shall not include liquids, wastes which are removed from sanitary sewer systems, or material which constitutes hazardous waste in accordance with N.J.A.C. 7:26G;

- iii. Materials shall be stored in leak-proof containers or on an impervious surface and covered with a waterproof material, e.g., tarp or 10-mil plastic sheeting;
  - iv. Contained, e.g., contained by berms, to control leachate and stormwater run-on or run-through; and
  - v. Existing permittees shall implement this requirement by EDPA. New permittees shall implement this requirement by EDPA + 6 months.
- o. Construction and Demolition Waste, Wood Waste, and Yard Trimmings Storage: The permittee may store construction and demolition waste, wood waste, and yard trimmings as follows:
- i. Materials shall be removed within six months of placement into storage;
  - ii. Materials shall be stored a minimum of 50 feet from surface water bodies, storm sewer inlets and/or ditches, or other stormwater conveyance channels;
  - iii. Materials shall be stored in a manner as to control stormwater run-on and pollutant runoff via surface grading, dikes and/or berms (which may include sandbags, hay bales and curbing, among others), or three-sided storage bays;
  - iv. The permittee shall situate the open side of the storage bays on the upslope where possible;
  - v. The area in front of storage bays and adjacent to storage areas shall be swept clean after loading/unloading;
  - vi. Materials shall not be processed, e.g., composting, chipping, grinding, screening, and/or size reducing, under this permit authorization;
  - vii. Permittees conducting processing activities of these materials, e.g., composting, chipping, grinding, screening, and/or size reducing, shall obtain an appropriate NJPDES Industrial Stormwater Discharge permit for those activity(ies). Contact the Industrial Stormwater Permitting Unit at [industrialstormwaterpermitting@dep.nj.gov](mailto:industrialstormwaterpermitting@dep.nj.gov) or the MS4 Unit at [stormwatermanager@dep.nj.gov](mailto:stormwatermanager@dep.nj.gov) to determine which stormwater permit application would be appropriate; and
  - viii. Existing permittees shall implement this requirement by EDPA. New permittees shall implement this requirement by EDPA + 6 months.
- p. Scrap Tires: The permittee shall store scrap tires as follows:
- i. In a covered container or enclosure to prevent exposure to stormwater. If a covered container or enclosure is not available, tires shall be stored on an impervious surface and covered with a waterproof material, e.g., tarp or 10-mil plastic sheeting; and
  - ii. Existing and new permittees shall implement this requirement by EDPA.
- q. Inoperable Vehicles or Equipment: The permittee shall store any inoperable vehicles and equipment as follows:
- i. In a manner that prevents stormwater runoff of pollutants;
  - ii. No internal components may be exposed;

- iii. For inoperable vehicles and equipment that have exposure of internal components, such as body damage, rust damage, missing body panels, or broken windows, such that the exterior is no longer impervious to precipitation, portable tents or covers must be placed over vehicles;
  - iv. Inoperable vehicles and equipment shall be managed so there are no leaking fluids;
  - v. Designated storage areas must be located at least fifty (50) feet away from storm drain inlets;
  - vi. Monthly inspections must be conducted to ensure that BMPs are implemented properly, including inspections for leaks and filled drip pans;
  - vii. If any inoperable vehicle or equipment is found to be leaking, drip pans shall be utilized immediately;
  - viii. Leaks must be repaired, or the fluid must be drained from the vehicle within 30 days; and
  - ix. Existing and new permittees shall implement this requirement by EDPA.
- r. Each maintenance yard and ancillary operation shall be identified by its own form in the SPPP which shall include a description of the site-specific activities and associated BMPs.

#### **5. Stormwater Program Coordinator (SPC) Training**

- a. The permittee shall ensure that all individuals who serve as Stormwater Program Coordinators (SPC) complete mandatory Department training regarding their responsibilities to implement the stormwater program at their Public Complex.
- b. The Department will conduct this free training via an interactive webinar which shall be offered approximately twice each year.
- c. SPCs are required to attend this training within EDPA + 12 months and once per permit cycle thereafter.
- d. In the event of SPC turnover, the permittee shall comply with the conditions set forth in Part IV.A.1.e and ensure that the new SPC attends the next available Department training session.
- e. Previous recordings of SPC training sessions will be posted on the MSRP webpage, but viewing a pre-recorded session can only be used for informational purposes and will not satisfy this requirement.

#### **6. Annual Employee Training**

- a. The permittee shall develop, update, and implement an employee training program that ensures duty-specific training of all individuals, including but not limited to employees, hired contractors, shared service providers, and volunteers, responsible for implementation of the stormwater program as follows:
  - i. SPPP: The permittee shall provide annual training on the content of the forms in the current SPPP that correspond to each employee's job duties and will include the applicable recordkeeping requirements. See Part IV.A.2;
  - ii. Construction Site Stormwater Runoff: The permittee shall provide annual training regarding the need for applicable construction sites to obtain a Construction Site Stormwater Runoff general or individual permit authorization prior to commencement of construction activities and in compliance with approved soil erosion and sediment control plans. See Part IV.D;

- iii. Post-Construction Stormwater Management in New Development and Redevelopment: The permittee shall provide annual training on the requirements for Post-Construction Stormwater Management in New Development and Redevelopment. See Part IV.E;
  - iv. Regulatory Mechanisms: The permittee shall provide annual training on the regulatory mechanisms including a review of the requirements, enforcement, and the repercussions of non-compliance. See Part IV.F.1;
  - v. Good Housekeeping: The permittee shall provide annual training on pollution prevention measures. See Part IV.F.2;
  - vi. Stormwater Facility Maintenance: The permittee shall provide annual training on the maintenance of inventoried stormwater facilities owned or operated by the permittee. See Part IV.F.3;
  - vii. Maintenance Yard Operations and Other Ancillary Operations: The permittee shall provide annual training on implementing BMPs, good housekeeping measures, and conducting and documenting site inspections at Maintenance Yard Operations and Other Ancillary Operations owned or operated by the permittee. See Part IV.F.4;
  - viii. MS4 Mapping: The permittee shall provide annual training on mapping MS4 infrastructure. See Part IV.G.1; and
  - ix. Watershed Improvement Plan: The permittee shall provide annual training on the requirements of the Watershed Improvement Plan. See Part IV.H.
- b. The permittee shall ensure that the training describes the procedures necessary to ensure compliance with all permit conditions and includes site-specific details described in the SPPP, at a minimum.
- c. The permittee shall ensure that all employees receive initial training on those stormwater topics applicable to their title and duties within 3 months of commencement of duties.
- d. Methods of training may include in-person group training sessions, e-Learning sessions, on-the-job/field training, and instructional videos.
- e. The permittee shall document and maintain records of the training of each individual, indicating participant(s) name, title, signature, date(s) of training, agenda or topic(s) discussed, and instructor(s) name and title or video title and website link address(es).
- f. The permittee shall provide the location of the following training records in the SPPP:
- i. Residential Yard Waste Collection Program (if applicable) – The permittee shall provide annual training on the frequency of yard waste pickups and schedule, and policy for how and when yard waste can be placed curbside. See Part IV.F.1.a.v;
  - ii. Street Sweeping – The permittee shall provide annual training on sweeping schedules and proper management of materials collected. See Part IV.F.2.a.i; and
  - iii. Waste Disposal Education – The permittee shall provide annual training on the impacts associated with improper waste disposal, how to respond to inquiries regarding improper waste disposal, and appropriate enforcement authority.
- g. Existing permittees shall implement these requirements by EDPA. New permittees shall implement these requirements by EDPA + 12 months.



**7. Stormwater Management Design Review (SWMDR) Training**

- a. The permittee shall ensure that all individuals that review and approve stormwater management designs for major development projects on behalf of the permittee for compliance with the Stormwater Management rules at N.J.A.C. 7:8 have completed this mandatory Department-provided training. Information regarding this training can be found on the Department's website <https://dep.nj.gov/stormwater/stormwater-management-design-review-course/>.
- b. This SWMDR training course covers the rule's requirements, calculation methodologies, and how to review a major development project. This training shall be completed, at a minimum, once every five years.
- c. A list of the individuals that completed this training course is posted on the Department's MS4 website, including their five-year expiration date.
- d. Existing permittees shall implement this requirement by EDPA. New permittees shall implement this condition by EDPA + 12 months.

**8. Stormwater Management Rule Amendment Training**

- a. Whenever the Stormwater Management rules at N.J.A.C. 7:8 are amended and the Department determines that training is warranted, the permittee shall ensure that all individuals that have completed the SWMDR course in Part IV.F.7 above also complete this mandatory Department-provided training. If training is required, the Department will issue email notification to Stormwater Program Coordinators and individuals listed on the Department's SWMDR certified list.
- b. If the Department issues notice of Stormwater Management Rule Amendment training, the reviewer shall complete the training no later than one (1) year after the adoption of the amendment(s) to the Stormwater Management rules at N.J.A.C. 7:8.

**G. Minimum Standards for MS4 Mapping****1. MS4 Mapping**

- a. The permittee shall develop, update, and maintain an electronic MS4 Infrastructure Map that delineates the location of the following stormwater features that are owned or operated by the permittee, including their associated attributes noted in parentheses:
  - i. MS4 outfalls (receiving surface water name, type of outfall);
  - ii. MS4 ground water discharge points (type);
  - iii. MS4 interconnections (type into/from, entity);
  - iv. Storm drain inlets (type, catch basin present, label present, retrofitted);
  - v. MS4 manholes;
  - vi. MS4 conveyance (type, direction of flow);
  - vii. MS4 pump stations;

- viii. Stormwater facilities (type);
  - ix. Property boundaries of the Public Complex; and
  - x. Property boundaries of maintenance yard(s) and other ancillary operations (type).
- b. The permittee shall ensure that the MS4 Infrastructure map is:
- i. Reviewed and updated annually, or more frequently as necessary, and updated to include the location or attributes of any new or newly identified MS4 infrastructure;
  - ii. Posted on the permittee's webpage and included as a weblink within the SPPP;
  - iii. Submitted to the Department via the NJDEP Online Stormwater Document Submittal Service by EDPA + 24 months;
  - iv. Existing permittees: This time frame does not extend the deadline for the submission of the MS4 outfall pipe map or the submission of the stormwater facilities map as per the 2019 permit; and
  - v. Submitted electronically to the Department as a georeferenced shapefile, geodatabase, or an AutoCAD file (with all other non-applicable data stripped out). If the DEP Mapping Tool is used, then no separate submittal is required as the data is automatically submitted to the Department via the mapping application.

## **H. Watershed Improvement Plan**

### **1. Requirements for the Watershed Improvement Plan**

- a. The permittee shall develop a Watershed Improvement Plan in the three phases specified below that describe what actions the permittee will take to:
  - i. Improve water quality by reducing the contribution of pollutant parameters for all receiving waters within and bordering the Public Complex property that have percent reductions listed for stormwater in the Total Maximum Daily Loads (see the TMDL Look-up Tool on the Department's MS4 website);
  - ii. Improve water quality by reducing the contribution of pollutant parameters for all receiving waters within and bordering the public complex that have water quality impairments as per the Department's Integrated Report.  
(See the 303(d) list portion of the Department's Integrated Report at [https://www.epa.gov/sites/default/files/2020-01/documents/2016\\_final\\_integrated\\_report\\_appendix\\_b.pdf](https://www.epa.gov/sites/default/files/2020-01/documents/2016_final_integrated_report_appendix_b.pdf)); and
  - iii. Reduce and/or eliminate stormwater flooding within the Public Complex property, prioritizing the areas of flooding for corrective actions based on threat to human health and safety, environmental impacts, and frequency of occurrence.
- b. The permittee shall use the Department's WIP template and guidance material throughout the development of their Watershed Improvement Plan.
- c. The permittee shall collaborate with municipality(ies) during the Plan development process.

- d. The permittee shall participate in semi-annual public information sessions hosted by the municipality(ies) and/or other Public Complexes that discharge to the subwatershed(s) (in-person or virtual) by EDPA + 24 months, and throughout the development of the Plan.
- e. The permittee shall provide notice to employees, students, and residents (as appropriate) of the Public Complex regarding the public information and outreach sessions via newsletters, social media, and/or broadcasts.
- f. The permittee shall prepare the Watershed Inventory Report which summarizes and includes an electronic map of the items listed below. The permittee may use any information available from the Department's GIS database at <https://gisdata-njdep.opendata.arcgis.com/> to assist with the preparation of this Report, except for items ii. through vi. below. For i. below, existing permittees may use their current map as the base map:
  - i. All stormwater outfalls owned/operated by the permittee;
  - ii. The drainage area for each outfall;
  - iii. The receiving waterbodies of each outfall;
  - iv. The water quality classification of all receiving waterbody segments;
  - v. All stormwater interconnections from the permittee's storm or sanitary sewer system into another entities' storm or sanitary sewer system;
  - vi. The drainage area for each interconnection into another entities' storm or sanitary sewer system;
  - vii. All storm drain inlets owned/operated by the permittee;
  - viii. Area associated with each TMDL for waters that lie within or bordering the public complex;
  - ix. Area associated with each water quality impairment for waters that lie within or bordering the public complex; and
  - x. Impervious areas.
- g. The permittee shall submit the Watershed Inventory Report to the Department via the NJDEP Online Stormwater Document Submittal Service by EDPA + 24 months.
- h. The permittee shall prepare for the Department the second phase Watershed Assessment Report, to include the following, at a minimum:
  - i. An assessment of potential water quality improvement projects by sub-watershed and parameter;
  - ii. An estimate of the percent reduction in loading of the TMDL/impaired parameters due to project(s) in i. above;
  - iii. A summary of feedback related to the Public Complex from public information sessions;
  - iv. An estimate of funding needs for each project, and identification of potential funding sources, including funding available through the New Jersey Water Bank (NJWB), the formation of a Stormwater Utility, FEMA BRIC grants, etc.; and
  - v. An estimate of an implementation schedule.

- i. The permittee shall submit the second phase Watershed Assessment Report to the Department via the NJDEP Online Stormwater Document Submittal Service by EDPA + 36 months.
- j. The permittee shall ensure that the Watershed Assessment Report is posted, along with an announcement of a 60-day comment period for formal public input on the permittee's website or Department-approved alternate website.
- k. The permittee shall prepare the final Watershed Improvement Plan Report to include the following, at a minimum:
  - i. A summary of proposed locations and load reductions of water quality improvement projects on site to be implemented;
  - ii. A summary of the public comments received, and the changes made to the Final Plan;
  - iii. A summary of how the projects will be coordinated with other regulatory requirements, such as:
    - flood protection;
    - endangered habitat/species;
    - surface and ground drinking water protection;
    - climate change/resiliency;
    - green infrastructure/stormwater management requirements;
    - wildlife corridors;
    - green acres;
    - environmental justice;
    - Combined Sewer Overflow Long Term Control Plans;
    - wetlands;
    - riparian buffers;
    - forest corridors;
    - related ongoing projects;
    - Pinelands Commission;
    - Highlands Council; and
    - Delaware River Basin Commission.
  - iv. The proposed implementation schedule for the water quality improvement projects;
  - v. A schedule of public information sessions to be held. If applicable, the Public Complex may hold joint public information sessions with the municipality(ies);
  - vi. Problems identified that are outside the jurisdiction of the permittee, if any, and opportunities to address them. These can be related to pollutant loading due to agricultural properties, interconnections from other entities, etc.; and
  - vii. Costs, broken down by project and year, and the funding opportunities that will be sought.
  - viii. The permittee shall submit the final Watershed Improvement Plan Report to the Department via the NJDEP Online Stormwater Document Submittal Service by EDPA + 48 months.
- l. The permittee shall begin implementation of the Watershed Improvement Plan in accordance with the schedule set forth in the Plan.
- m. The permittee shall update this Plan, when necessary, based upon the biennial (every 2 years) review of the revisions to the impairments of the permittee's waterbodies as per the Department's Integrated Report and newly adopted TMDLs.

## **I. Additional Measures and Optional Measures**

### **1. Incorporation of Additional Measures**

- a. Additional Measures are non-numeric, e.g., best management practices, or numeric effluent limitations that are expressly required to be included in a permittee's stormwater program by a TMDL, a regional stormwater management plan, or other elements of an adopted areawide Water Quality Management Plan.
- b. The Department will provide written notice of the adoption of any Additional Measure(s) to any affected permittee. The Department will list each adopted Additional Measure in a minor modification to the permit. The required Additional Measure(s) will also specify the implementation schedule.

### **2. Incorporation of Optional Measures**

- a. Optional Measures are BMPs, developed by the Permittee, that extend beyond the requirements of the MS4 NJPDES permit and that prevent or reduce pollution and flooding to waters of the State.
- b. The Permittee may, at its own discretion, incorporate Optional Measures into its MS4 stormwater program. Such BMPs shall be identified in the SPPP as Optional Measures.
- c. Failure to implement an Optional Measure identified in the SPPP shall not be considered a violation of the NJPDES permit.

## **J. Recordkeeping**

### **1. Standard Recordkeeping Requirements**

- a. The permittee shall retain copies of all records required to demonstrate compliance with this permit on site for a period of at least five years.
- b. The permittee shall provide a copy of all records to the Department upon request.
- c. Existing permittees and new permittees shall implement this requirement by EDPA.

## **K. Annual Report and Certification**

### **1. Annual Reporting Requirements**

- a. The permittee shall complete an Annual Report and Certification using the Department's electronic MSRP Annual Report service tool in the Regulatory Services Portal (<https://www.njdeponline.com>). The Annual Report shall summarize the status of compliance with the permit conditions for the subject year between January 1 and December 31.
- b. The permittee shall include the Major Development Project List for any major development projects approved during the calendar year, and upload it as an attachment to the Annual Report.
- c. The permittee shall include the completed Outfall Inspection Forms (Outfall Inspection Form, Illicit Connection Inspection Report Form, Stream Scouring Investigation Recordkeeping Form) for the calendar year and upload them as attachments to the Annual Report. (See <https://dep.nj.gov/njpdcs-stormwater/municipal-stormwater-regulation-program/public-complex-sto-templates-and-forms>)

- d. The Annual Report and Certification will be considered incomplete if the above referenced form(s) are not included as attachments when the Annual Report is submitted.
- e. The Stormwater Program Coordinator shall certify, sign, and date the Annual Report.
- f. Submit an Annual Report and Certification: on or before May 2nd annually.

NJPDES MASTER GENERAL PERMIT PROGRAM INTEREST, Trenton

Permit No.NJ0141879  
DST230001 Stormwater Discharge Master General Permit  
Renewal

## Attachment A – Points System for Public Education and Outreach Activities

The following points system applies to military bases with dependents living on site, colleges, and universities. These permittees shall implement a Public Education and Outreach Program that focuses on educational and pollution prevention activities about the impacts of stormwater discharges on surface water and groundwater and to involve the public in reducing pollutants in stormwater runoff and mitigating flow.

The permittee shall **annually** conduct educational activities that total at least **12 points** and include **at least one from each of the three categories** below. Three points will be awarded for each activity, a minimum of four activities is required. Each activity may only be done once each year for points. **At least one of the activities shall involve education about the hazards associated with illicit connections and improper disposal of waste.** The permittee shall maintain records of activity dates and educational materials related to the activity.

Category 1: General Public Outreach	
Activity	Description
<b>Social Media Post</b>	Post stormwater materials from your Public Complex on a social media site quarterly, such as a Facebook, Instagram, or Twitter page. This may include links to other stormwater resources on your stormwater webpage or the NJDEP stormwater website ( <a href="http://www.njstormwater.org">www.njstormwater.org</a> ).
<b>Newsletter and Newspaper Ads</b>	Use Department-approved stormwater education materials to publish an ad in a newsletter or newspaper quarterly that serves the people who live or work at the Public Complex.
<b>Radio and Television Ads</b>	Quarterly broadcast a stormwater-related radio or television public service announcement from <a href="http://www.cleanwater.nj.org">www.cleanwater.nj.org</a> on a local radio or public service channel.
<b>Billboards</b>	Post and maintain (for point credit in subsequent years) a stormwater-related billboard or large sign for display on a bus, bus stop vestibule, recreation field, or other common public gathering area.
<b>Murals</b>	Produce and maintain (for point credit in subsequent years) a stormwater pollution themed mural, storm drain art or other artwork at a common public gathering area.
<b>Stormwater Facility Signs</b>	Post and maintain a minimum of six (6) signs on property owned or operated by the permittee at green infrastructure sites, stormwater management basins or other structural stormwater related facilities that describe the function and importance of the facility, contact phone number, municipal identification number, and/or website for more information.



<b>Category 2: Targeted Audience Outreach</b>	
<b>Activity</b>	<b>Description</b>
<b>General Stormwater Education</b>	Quarterly distribution of the Department's education materials or a municipally produced equivalent, e.g., community calendar, newsletter, or recycling schedule via direct mail or email to every resident, student, and/or employee of the Public Complex.
<b>Regulatory Mechanism Education</b>	Distribute a letter or e-mail from the permittee to every resident, student, and/or employee of the Public Complex highlighting the requirements and environmental benefits of the regulatory mechanisms in place to address Pet Waste, Wildlife Feeding, Litter Control, Improper Disposal of Waste, Yard Waste Collection, and Tree Replacement. Provide a link to the appropriate public facing webpage where these regulatory mechanisms are posted.
<b>School Presentation</b>	Provide three (3) stormwater-related educational presentation(s) and/or activities to local preschool, elementary, middle, and/or high school classes using staff from the Public Complex or local partner organizations. Topics could include stormwater, nonpoint source pollution, watersheds, water conservation, and water quality. For ideas, see information at <a href="http://www.nj.gov/dep/seeds">www.nj.gov/dep/seeds</a> .
<b>Stormwater Education Workshop</b>	Provide stormwater-related professional development workshops for local college/university faculty, or preschool, elementary, middle/high school teachers from a registered NJ Department of Education Professional Development Provider.
<b>School Contest</b>	Organize an educational contest with a local school district or a local community organization serving youth to design a poster, magnet, rain stick, rain barrel, or other craft/art object. Contest themes shall have an appropriate stormwater message. Winning entries are to be displayed at publicly accessible locations on site at the Public Complex. The winning design should be shown on the appropriate public facing website or social media site, if practical.

### Category 3: Community Events

Activity	Description
<b>Green Infrastructure Workshop</b>	Organize or participate in a rain barrel, rain garden or other green infrastructure workshop on a regional or watershed basis. This could be in partnership with a local watershed organization, utility, university, school, youth/faith-based group, and/or other organization.
<b>Volunteer Stormwater Assessment or Stream Monitoring</b>	Establish a volunteer stormwater facility assessment (inspection, inventory and/or mapping) or stream monitoring program for a waterbody within or bordering your Public Complex to gauge the health of the waterway through chemical, biological or visual monitoring protocols. Contact NJDEP's AmeriCorps NJ Watershed Ambassador Program, NJ Volunteer Community Water Monitoring Programs, or review USEPA National Directory of Volunteer Monitoring Programs.
<b>Rain Barrel Workshop</b>	Organize or participate in a rain barrel workshop. This could be a partnership exercise with a local watershed organization, university, school, youth/faith-based group, and/or another nonprofit.
<b>Rain Garden Workshop</b>	Organize or participate in a rain garden training or installation workshop. This could be a partnership exercise with a local watershed organization, university, school, youth/faith-based group, and/or another nonprofit.
<b>Storm Drain Labeling Campaign</b>	Organize a project to label and/or maintain storm drain labels (that are not already precast with a message) with a scout troop, local school district, or faith-based group, or other community youth group for a minimum of 40 labels. This project could also include stenciling over precast labels to improve legibility.
<b>Litter Clean-up Campaign</b>	Sponsor or organize a litter clean up for a youth group along a local waterway, public park, stormwater facility, or in an area with storm drains that discharge to a local lake or waterway.
<b>Stormwater Display</b>	Quarterly present a stormwater-related display or materials at any community event, e.g., Earth Day, town picnic, car show, parade, or other similar public venue.
<b>Promotional Item Giveaway</b>	Distribute an item or items with a stormwater related message (e.g., refrigerator magnets, temporary tattoos, key chains, bookmarks, pet waste bag dispensers, coloring books, and pens or pencils). The permittee must initially have available a minimum number of the items equal to 10% of the public complex population.

## Attachment B - Design Standards for Storm Drain Inlets

### Application of Design Standard

The below design standard applies to the following types of storm drain inlet installation or retrofit projects:

- Storm drain inlets installed as part of new development and redevelopment (public or private) that disturb one acre or more;
- Storm drain inlets installed as part of new development and redevelopment (public or private) that disturb less than one acre that are part of a larger common plan of development or sale, e.g., phased residential development that ultimately disturbs one acre or more;
- Storm drain inlets must be retrofitted where the storm drains are (1) in direct contact with any repaving, repairing (excluding individual pothole repair), or resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen); or (2) in direct contact with any reconstruction or alteration of stormwater facilities; and

## Design Standard

Grates in pavement or other ground surfaces shall meet either of the following standards:

- The New Jersey Department of Transportation (NJDOT) bicycle safe grate standards described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (see [www.state.nj.us/transportation/about/publicat/pdf/BikeComp/introtofac.pdf](http://www.state.nj.us/transportation/about/publicat/pdf/BikeComp/introtofac.pdf)); or
- A grate where each individual clear space in that grate has an area of no more than seven (7.0) square inches or is not greater than 0.5 inches across the smallest dimension. Note that the Residential Site Improvement Standards at N.J.A.C. 5:21 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 used to collect stormwater from the surface into a storm drain or surface water body.

For curb-openings inlets, including curb-opening inlets in combination inlets, the clear space in the curb opening, or each individual clear space if the curb opening has two or more clear spaces, 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.

## Exemptions from the Design Standard

- Where each individual clear space in the curb opening in existing curb-opening inlets does not have an area of more than nine (9.0) square inches;
- Where the review agency determines that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
- Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device, e.g., 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 rectangular space four and five-eighths inches long and one and one-half inches wide; or  
A bar screen having a bar spacing of 0.5 inches;

Note that these 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(b)1).

- 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; or
- Where the Department determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet the standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.