



State of New Jersey

CHRIS CHRISTIE
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Mail Code – 401-02B
Division of Water Quality
P.O. Box 420
Trenton, NJ 08625-0420
Phone: (609) 633-7021 / Fax: (609) 984-7938

BOB MARTIN
Commissioner

KIM GUADAGNO
Lt. Governor

April 22, 2014

To: Distribution List

Re: Issuance of Final Statewide Sand and Gravel (RSG) Stormwater General Permit
New Jersey Pollutant Discharge Elimination System (NJPDES) Permit No. NJ0201189

Dear Interested Party:

This letter is written to provide notification that the New Jersey Department of Environmental Protection (i.e. the Department) has issued a final Sand and Gravel Stormwater General Permit (RSG). This permit regulates the discharge of stormwater to ground water from facilities that engage in mining of sand and gravel that do not discharge to surface water.

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 which is included in the final permit package that is available at: http://www.nj.gov/dep/dwq/ispp_gp.html

As noted in detail in the Response to Comments document, the Department has modified the language in Part II.B.7.a.iv. , Part II.C.1.g., and Part IV.E.1.f. of the permit. Additionally, in Attachment A of the permit, Section C.1. has been modified; new Sections C.2. and D.2.b. have been added; and the language under Section G has been modified.

The Department will issue individual authorizations for all eligible facilities upon finalization of this master permit.

If you have any questions or comments regarding the final action, please contact Matt Klewin at (609) 633-7021 or via e-mail at matt.klewin@dep.state.nj.us.

Sincerely,

James J. Murphy, Chief
Bureau of Nonpoint Pollution Control

New Jersey Department of Environmental Protection
Division of Water Quality
Bureau of Nonpoint Pollution Control

Response to Comments

The New Jersey Department of Environmental protection (Department) issued a draft NJPDES Permit No. NJ0201198 on August 13, 2013. The Public comment period began on August 16, 2013 and ended September 16, 2013. A summary of timely and significant comments and an explanation of any changes from the draft action have been included below:

The following persons commented during the public comment period:

1. Douglas E. Ruhlin Environmental/Sustainability Consultant/Resource Management Associates CCPF, LEED GA, REM, CEA, on behalf of his representatives in the aggregate industry, received September 16, 2013 (Comments 1-4 and 6-9).
2. LAN Associates Postmarked 6/3/2013 (Comment number 5)

1. COMMENT

Closure Requirements-TENORM

Section A Part 11.C.1.h-There is no rationale provided in this proposed permit for the testing of radionuclides in soil and a gamma scan of a mining site in order for it to be considered closed under this permit, (and therefore no longer subject to this permit). This is not required under any entity in New Jersey for mine closure, and goes well beyond the scope of what should be required to terminate a stormwater discharge permit. This will be expensive, time consuming, and the requirement lacks any detail whatsoever as to what is expected in terms of scope of an evaluation other than references to the Bureau of Environmental Radiation's website. The industry strongly opposes any requirement in this permit, or any language that deems natural aggregate

material to testing to confirm its lack of radioactive content. The New Jersey Concrete and Aggregate Association has worked with NJDEP in the past and provided information that has proven that natural aggregate material present on mining sites is not radioactive, and that in those cases where elevated levels might be present they would be due to naturally occurring conditions. Furthermore, it is known that there are only a very limited number of qualified certified laboratories in the State of New Jersey capable of doing these types of investigations creating a significant hardship for the industry in the face of this determination or testing would create an economic hardship on an industry that has laid off over 3,000 people due to tough economic times of the last 5 years. We respectfully request that this requirement be removed from the permit.

RESPONSE:

Technically enhanced naturally occurring radioactive materials (TENORM) is defined under NJAC 7:28-12.3 as any naturally occurring radioactive materials whose radionuclide concentrations or potential for human exposure has been enhanced by any human activities. In the case of sand and gravel operations, the enhancement occurs during excavating the material out of the ground, then sorting the material by a dry or wet method. The Department has concerns relative to the future usage of any mining sites where the sand and gravel operations may be terminated, and believes that reasonable precautions need to be taken to ensure that the potential for exposure to TENORM at the closed mining site is minimized.

Based on the comments submitted, however, the Department does believe that a modification to the permit is warranted. The language will be modified to require, upon closure of the facility, that the facility contact the Bureau of Environmental Radiation (BER) to determine whether a gamma scan is required. BER, in consultation with the NJ Geologic Survey, will evaluate if such testing is necessary based on the geologic region of the State. The modified language will read: "At closure of a quarry, due diligence must include consideration of technically enhanced naturally occurring radioactive materials, (TENORM). At the time of closure, contact the Bureau of Environmental Radiation at (609) 984-5400 for a determination on whether a gamma scan is required. BER, in consultation with the NJ Geologic Survey, will make a determination based on the geologic region of the State."

2. COMMENT

Composting Clarification

The permit mentions composting at several points throughout. There is no distinction between “incidental composting and “purposeful composting”. The RSG permit does not permit purposeful composting, that is composting purposefully planned and implemented by the site owner/operator for the purposes of creating a compost material, whether wood, leaves or other materials-with or without NJDEP Class B or C approval or coverage under an applicable exemption from the need of a Class B or C approval. Incidental composting would be unplanned and inadvertent compost activities that might potentially occur when materials such as wood debris and/or leaves are piled on a site (for example, as to create an impediment to unwanted site access) and which then may incidentally (and without plan or design) undergo the natural process of decomposition which would be akin to “composting”. With this difference, purposeful composting is not covered under the RSG permit, while incidental composting would be permissible. While this draft permit references composting as a prohibited activity, it does not clarify the type of composting activities that might disqualify a facility from coverage under this permit. This prohibition on composting should be elaborated on in order to clarify which activities that might disqualify permit coverage (i.e. purposeful composting) from those which should not disqualify permit coverage(incidental composting).

RESPONSE:

Composting by definition involves self-heating process in wind rows or piles correctly sized along with sufficient inorganic material and moisture sustains a self –heating process. This self-heating process is called composting. Composting activity involves the decomposition of organic materials under controlled conditions of temperature, pH, oxygen and moisture in which the odor and pathogens are removed. Decomposition of tree parts, tree trunk, and leaves left *in situ* has little chance on being confused with the activity of composting. The Department **denies** the request to define incidental composting and deliberate composting in the RSG permit. For further

information visit

http://www.state.nj.us/dep/dshw/rrtp/compost/combined_manual.pdf

3. COMMENT

Eligibility Clarification

We would like clarification on what exactly is covered by the RSG permit other than mining and reclamation activities. It is our presumption that covered activities/uses would include an office, normal routine plant and equipment maintenance building and activities, storage of fuel for use on site, and a sand plant (washing, classifying, sorting, etc.). We would also like to request that RSG permit specifically include sand dyers, since they are a normal standard site feature of many south Jersey sand facilities that otherwise clearly meet the conditions of the RSG permit.

RESPONSE:

Office buildings with no industrial activity are not a regulated activity under the NJPDES program. Storage of fuel, routine maintenance and sand plant operations are covered under Part IV. B.1 of the permit, entitled Stormwater Pollution Prevention Plan. Part II A.4. does not specify the equipment on-site for purposes of eligibility. A facility is eligible for the RSG if it meets the eligibility requirements of the permit and can comply with the conditions listed in the RSG. The Department **denies** the commenter's request to specially mention sand dryers as part of the eligibility requirements of the permit.

4. COMMENT

Confusion of Authorization Process

In the email notification by the Department (Matt Klewin) on August 16th, 2013, to all interested parties in the aggregates industries advising of the issuance of the draft permit and the commencement of the public comment period, the following was written: "For facilities currently authorized under the R13 (Mining and Quarrying Stormwater General Permit) who wish to be authorized under the new Sand and Gravel (RSG) permit please send an email or letter to my attention (address is located on the attached cover letter) requesting authorization under the RSG". Section Part II.B.7.a.iv. states that

for existing facilities currently covered under the R13 permit, Mining and Quarrying general permit: a completed RFA Supplemental form for the RSG permit, the appropriately completed Certification form, a valid Mining Certificate issued by the Office of Public Safety Compliance under the New Jersey Department of Labor, and verification of an approved Soil Erosion and Sediment Control Plan (251 Plan). This discrepancy must be clarified. We would request that simple notification via email or letter to Mr. Klewin should suffice for the continuation of coverage, not the unnecessary additional levels of information as identified in the proposal permit.”

RESPONSE:

The Department issued the above referenced email to all facilities authorized under the R13 Mining and Quarrying permit as of that date. The Department found that since these facilities already have a current RFA on file with the Department, that the duplicative process of mailing in the complete RFA was unnecessary. Related to this matter, the Department has initiated a modification to Part II.B.7.a.iv. to remove “a valid Mining Certificate issued by the Office of Public Safety Compliance under the New Jersey Department of Labor, and verification of an approved Soil Erosion and Sediment Control Plan (251 Plan)”. This section was removed as the information requested in this section is already required by the Department of Labor (the Mining Certificate) and Soil Conservation District (the 251 Plan) for existing R13 facilities.

This modified section under Part II.B.7.a.iv now reads: “For existing facilities currently authorized under the R13, Mining and Quarrying General permit: a completed RFA Supplemental form for the RSG Permit, and the appropriately completed *Certification* form;”

5. Overland Flow of Stormwater

LAN Associates, on behalf of Harmony Sand & Gravel, wants clarification on Section C. 4 on page 12 of the permit, wherein it states “the permittee shall direct any stormwater through any swale ditch, pipe or other stormwater conveyance to the borrow pit.” Many permittees do not have formal drainage structures that direct stormwater to a borrow pit. However, even without formal drainage structures, stormwater will flow via overland flow to the borrow pit due to elevation differences. Please provide clarification regarding exactly what is prohibited by this pre-draft permit condition, and if overland flow of stormwater into borrow pits is allowed under the pre-draft condition.

RESPONSE:

The section reference by the commenter was included in the pre-draft of the RSG permit and was not included in the formal draft issued by the Department. However, language to address this issue is included under Part IV.E.1.f. of the permit, and it does address the concern of the commenter. The language under Part IV.E.1.f. notes “ Allowable discharges to the borrow pits that have intersected the ground water:

- i. Return water from the process area;
- ii. Overland flow of incidental stormwater from around the borrow pit.”

The Department does not have concerns regarding overland flow to the borrow pit, which has intercepted the water table. This is a natural condition resulting from the creation of a borrow pit, which in essence is a topographic depression.

6. COMMENT

Revision to Attachment A Language

Attachment A, Section A.2.d-We request that this sentence be revised to say (revision underlined): “Any equipment, tank, pumps, piping and fuel dispensing equipment found to be leaking or in disrepair must immediately be repaired, or taken out of service until repair or replacement is possible.”

RESPONSE:

The language to which the commenter is referring is actually noted under Attachment A, Section B.4. The Department agrees with the commenter and has incorporated this change. Section B.4 has been modified to now read: “Any equipment, tank, pumps, piping and fuel dispensing equipment found to be leaking or in disrepair must immediately be repaired or taken out of service until repair or replacement is possible.”

7. COMMENT

Suggested Language Attachment A

Attachment A Section C-Some very large equipment present at sand and gravel mining facilities may not fit within indoor structures, or be suitable for being covered by portable tents or covers. In this case, the requirement of portable

tents is not feasible. I would instead recommend the requirement of conducting maintenance activities on a paved surface that does not drain or discharge to any water body or impervious area of the mining site.

RESPONSE:

The Department agrees with the commenter and will add new language to address this issue. The existing language under Attachment A, Section C, has been renumbered as C.1, and the Department will add new language which has been numbered C.2. The new language under C.2. will read: "For vehicles too large that it would be impractical to have maintenance conducted indoors or under portable tents, outdoor maintenance must be conducted on an impervious surface with no discharge to surface or ground waters of the State. All wastewater generated by this maintenance activity shall be collected and appropriately managed and disposed."

8. COMMENT

Suggested Language Attachment A

Attachment A, Section D.2 – This section requires that all maintenance areas be cleaned with cleaned with dry cleaning methods only. I would recommend that this section be revised as follows (the revision is underlined: Clean all maintenance areas with dry cleaning methods, unless all discharge from wet cleaning method with water only is conducted on a paved surface, contained and collected, and appropriately managed and disposed of.

RESPONSE:

The Department agrees with the commenter on adding the cleaning with wet cleaning methods on impervious surfaces. As such, Section D.2. has been modified to include both a dry cleaning method under Section D.2.a, and a wet cleaning method under Section D.2.b. The new language under Attachment A Section D. 2.b. will read: "Wet cleaning methods shall be conducted only on impervious surfaces and all waste water generated by such activity shall be collected, appropriately managed and disposed of properly."

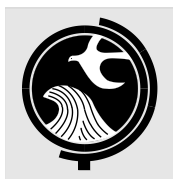
9. COMMENT

Modification to SPCC Language

Attachment G-This section should reference the potential applicability and implementation of a Spill Prevention, Control and Countermeasures (SPCC) plan's requirements first and foremost. For example, this section references that secondary containment valves must be kept closed while the SPCC regulations require that this valve must be closed and locked. While it is not recognized that not all facilities will be subject to the SPCC regulations, the practices in an SPCC plan should be followed closely when discussing the discharge of stormwater from secondary containment.

RESPONSE:

The commenter incorrectly references Attachment G for this language. The language to which the commenter is referring is in Attachment A, Section G (Discharge of Stormwater from Secondary Containment) of the RSG permit. Not all RSG facilities are subject to the Spill Prevention Control and Countermeasures (SPCC) and/or Discharge Prevention Control and Countermeasures (DPCC) regulations. Where a facility is subject to those regulations, that facility must comply with the requirements specified therein. Consistent with the commenter's request, however, the Department has modified Attachment A, Section G of the permit to reference the SPCC and DPCC links and the language will read as follows: "For facilities subject to the Spill Prevention, Control and Countermeasures (SPCC) and/or Discharge Prevention Control and Countermeasures (DPCC) regulations, refer to www.epa.gov/oem/content/spcc/index.htm and www.nj.gov/dep/rpp/brp/dp/index.htm for specific requirements relative to discharges from secondary containment."



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: NJ0201189

Sand and Gravel Industrial Stormwater General Permit

Permittee:

NJPDES Master General Permit Program Interest
Category RSG
Per Individual Notice of Authorization
Division of Water Quality
401-02B; P.O. Box 420
401 East State Street
Trenton, NJ 08625

Co-Permittee:

Property Owner:

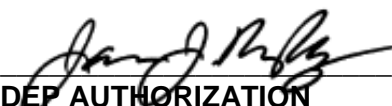
NJPDES Master General Permit Program Interest
Category RSG
Per Individual Notice of Authorization
Division of Water Quality
401-02B; P.O. Box 420
401 East State Street
Trenton, NJ 08625

Location Of Activity:

NJPDES Master General Permit Program Interest
Category RSG
Per Individual Notice of Authorization
Division of Water Quality
401-02B; P.O. Box 420
401 East State Street
Trenton, NJ 08625

Authorization(s) Covered Under This Approval	Issuance Date	Effective Date	Expiration Date
RSG -Sand & Gravel Stormwater (GP)	4/22/2014	6/1/2014	5/31/2019

By Authority of:
Commissioner's Office


DEP AUTHORIZATION
James J. Murphy, Chief
Bureau of Nonpoint Pollution Control
Water Pollution Management Element

(Terms, conditions and provisions attached hereto)

PART I GENERAL CONDITIONS FOR ALL NJPDES PERMITS

A. REQUIREMENTS INCORPORATED BY REFERENCE

1. 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 sections B. through F. following, which are in effect upon the effective date of the final permit.

B. GENERAL CONDITIONS

- | | |
|--------------------------------------------------------|------------------------------------|
| 1. Penalties for Violations | N.J.A.C. 7:14-8.1 <i>et seq.</i> |
| 2. Incorporation by Reference | N.J.A.C. 7:14A-2.3 |
| 3. Toxic Pollutants | N.J.A.C. 7:14A-6.2(a)4.i |
| 4. Duty to Comply | N.J.A.C. 7:14A-6.2(a)1 & (a)4 |
| 5. Duty to Mitigate | N.J.A.C. 7:14A-6.2(a)5 & 11 |
| 6. Inspection and Entry | N.J.A.C. 7:14A-2.11(e) |
| 7. Enforcement Action | N.J.A.C. 7:14A-2.9 |
| 8. Duty to Reapply | N.J.A.C. 7:14A-4.2(e)3 |
| 9. Signatory Requirements for Applications and Reports | N.J.A.C. 7:14A-4.9 |
| 10. Effect of Permit/Other Laws | N.J.A.C. 7:14A-6.2(a)6, 7 & 2.9(c) |
| 11. Severability | N.J.A.C. 7:14A-2.2 |
| 12. Administrative Continuation of Permits | N.J.A.C. 7:14A-2.8 |
| 13. Permit Actions | N.J.A.C. 7:14A-2.7(c) |
| 14. Standard Reopener Clause | N.J.A.C. 7:14A-6.2(a)10 |
| 15. Permit Duration and Renewal | N.J.A.C. 7:14A-2.7(a) & (b) |
| 16. Consolidation of Permit Process | N.J.A.C. 7:14A-15.5 |
| 17. Confidentiality | N.J.A.C. 7:14A-18.2 & 2.11(g) |
| 18. Fee Schedule | N.J.A.C. 7:14A-3.1 |
| 19. Treatment Works Approval | N.J.A.C. 7:14A-22 & 23 |

C. OPERATION AND MAINTENANCE

- | | |
|-----------------------------------------|-----------------------|
| 1. Need to Halt or Reduce not a Defense | N.J.A.C. 7:14A-2.9(b) |
| 2. Proper Operation and Maintenance | N.J.A.C. 7:14A-6.12 |

D. MONITORING AND RECORDS

- | | |
|--------------------------------------------------|--------------------|
| 1. Monitoring | N.J.A.C. 7:14A-6.5 |
| 2. Recordkeeping | N.J.A.C. 7:14A-6.6 |
| 3. Signatory Requirements for Monitoring Reports | N.J.A.C. 7:14A-6.9 |

E. REPORTING REQUIREMENTS

- | | |
|--------------------------------------------------|---------------------------------------|
| 1. Planned Changes | N.J.A.C. 7:14A-6.7 |
| 2. Reporting of Monitoring Results | N.J.A.C. 7:14A-6.8 |
| 3. Noncompliance Reporting | N.J.A.C. 7:14A-6.10 & 6.8(h) |
| a. Hotline/Two Hour & Twenty-four Hour Reporting | N.J.A.C. 7:14A-6.10(c) & (d) |
| b. Written Reporting | N.J.A.C. 7:14A-6.10(e) & (f) & 6.8(h) |
| 4. Duty to Provide Information | N.J.A.C. 7:14A-2.11, 6.2(a) 14 & 18.1 |

5. Schedules of Compliance
6. Transfer

N.J.A.C. 7:14A-6.4
N.J.A.C. 7:14A-6.2(a)8 & 16.2

F. ADDITIONAL CONDITIONS

1. Operator Certification
2. Intermittent Discharges (if Applicable)

N.J.A.C. 7:10A-1.1 *et seq.*
N.J.A.C. 7:14A-6.5(a)

PART II

GENERAL REQUIREMENTS: DISCHARGE CATEGORIES

A. Additional Requirements Incorporated by Reference

1. Stormwater/Ground Water Discharge Requirements

- a. In addition to the conditions in Part I of this permit, the conditions in this section are applicable to activities at the permitted location and are incorporated by reference. The permittee is required to comply with the regulations, which are in effect as of the Effective Date of Permit (EDP) of this final permit.
- b. Conditions for General Permits at N.J.A.C. 7:14A-6.13.i.
- c. Procedures and conditions applicable to Ground Water at N.J.A.C. 7:14A-7.
- d. Pinelands rules at N.J.A.C. 7:50 *et seq.* (Where applicable)

B. General Conditions

1. Permit Area

- a. This permit applies to:
 - i. Existing facilities - Statewide; and
 - ii. New facilities - except as prohibited below.

2. Scope

- a. The issuance of this permit shall not be considered as a waiver of any applicable federal, State and local rules, regulations and ordinances.
- b. Permit conditions remain in effect and enforceable until the permit is modified, renewed or revoked by the Department.

3. Notification of Non-Compliance

- a. The permittee shall notify the Department of all non-compliance when required in accordance with N.J.A.C. 7:14A-6.10 by contacting the DEP Hotline at 1-877-WARN-DEP.
- b. The permittee shall submit a written report as required by N.J.A.C. 7:14A-6.10 within five (5) days.

4. Eligibility

- a. Facilities eligible for this Sand and Gravel Permit are those facilities which conduct excavation of materials using a dredge, excavator or similar machinery as a whole or part of their industrial activity, and include the following SIC (and NAICS) codes: Construction Sand and Gravel 1442 (NAICS 212321); Industrial Sand 1446 (NAICS 212322); and parts of 1499 (NAICS 212399) -facilities that excavate soil and/or fill dirt.
- b. Facilities that may not have the above referenced SIC or NAICS codes but conduct operations out of a borrow pit for the purposes of removing sand and/or soil.
- c. The following facilities and activities are not eligible for this permit:
 - i. New facilities (established after January 1, 2013) that discharge to ground water in areas classified under N.J.A.C. 7:9C as Class I-A and Class I-PL, or which discharge to ground water that contributes to surface waters classified as C1 or FW1;
 - ii. New facilities (established after January 1, 2013) that submit a request for authorization application that fail to demonstrate a facility design capable of full compliance with this permit;
 - iii. Other activities not associated with the facility's industrial activities (see sections A & B above). Activities such as composting, recycling activities and/or storage of materials not associated with the facility's on-site industrial activity are not authorized by this permit;
 - iv. Process wastewater discharges containing surfactants, flocculants, detergents and/or other chemicals used in the process of their industrial activities; and
 - v. Facilities that discharge to the surface waters of the State.

5. Authorization

- a. In order to obtain authorization under this permit (except for automatic renewal authorization under B.6. below), a complete Request for Authorization (RFA) shall be submitted in accordance with the application request posted at <http://www.state.nj.us/dep/dwq/pdf/njpdslf.pdf>
- b. Upon review of the RFA, the Department may, in accordance with N.J.A.C. 7:14A-6.13, either:
 - i. Issue notification of authorization under this permit, in which case, authorization is deemed effective;
 - 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.

6. Automatic Renewal of Authorization

- a. Authorization under this permit will be automatically renewed when this general permit is reissued, as provided by N.J.A.C. 7:14A-6.13(d)9 and N.J.A.C. 7:14A-25.4(a), as long as the discharge remains eligible.
- b. The Department shall issue a notice of renewed authorization to the permittee.

- c. If the permittee is aware of any information in the most recently submitted RFA that is no longer true, accurate, and/or complete, the permittee shall provide the correct information to the Department.
- d. A permittee whose authorization was renewed as provided above may request to be excluded from the reissued general permit in accordance with N.J.A.C. 7:14A-6.13(g).

7. Contents of the Request for Authorization (RFA)

- a. A completed RFA shall include all of the following information and shall be supplied on the Department's NJPDES_1 form which can be found at <http://www.state.nj.us/dep/dwq/pdf/njpdess1f.pdf>:
 - i. The name, mailing address and location of the facility;
 - ii. The four (4) digit Standard Industrial Classification (SIC) Code or North American Industry Classification System (NAICS) Code and Short Title;
 - iii. For new facilities or existing facilities currently issued an individual NJPDES permit: a completed RFA, a completed RSG Supplemental form, a valid Mining Certificate issued by the Office of Public Safety Compliance under the New Jersey Department of Labor, and verification of an approved Soil Erosion and Sediment Control Plan (251 Plan);
 - iv. For existing facilities currently authorized under the R13, Mining and Quarrying Stormwater General Permit: a completed RSG Supplemental format, **and** the appropriately completed Certification form; and
 - v. Other information may be requested if the Department deems it reasonably necessary for the purposes of rendering a decision for authorization under this permit.
- b. A completed and signed RFA shall be submitted to the Department at the address specified on the Department's NJPDES_1 form.

8. Requiring an Individual NJPDES Permit or Another General Permit

- a. Pursuant to N.J.A.C. 7:14A-6.13(e) the Department may require any facility authorized under this permit to apply for and obtain an individual permit, or seek and obtain authorization under another general permit.
- b. If a facility is required by the Department to obtain another NJPDES permit that would also cover the authorized stormwater and/or ground water discharge, authorization under this permit remains in effect only until the date the other permit becomes effective.

9. Specific Discharges and/or Industrial Activities Not Authorized by This Permit

- a. The following discharges are not authorized by this permit:
 - i. Rinsing of mobile fueling tankers, tankers, industrial equipment, piping, hoses, dump trucks, dumpsters, roll-off containers, other containers, totes, *etc.*;
 - ii. Rinsing of engines, radiators and other internal areas of the vehicles;
 - iii. Rinsing of vehicles used in handling and/or transporting of hazardous waste and/or hazardous materials;
 - iv. Rinsing/washing of vehicles/equipment using detergents;

- v. Mine dewatering;
- vi. Composting, recycling and/or storage of materials not listed in Part IV.C.1. of this permit;
and
- vii. Process water discharges that contain surfactants, flocculants, detergents and/or other chemicals used in the process of their industrial activities.

10. Other Permits or Regulatory Requirements

- a. Compliance with the conditions of this permit does not exempt the permittee from any other applicable permit or other regulatory requirements including, but not limited to, all federal, State and local rules and regulations.

11. Other Laws

- a. In accordance with N.J.A.C. 7:14A-6.2(a)7, this permit does not authorize any infringement of State or local laws or regulations, including, but not limited to the Pinelands rules (N.J.A.C. 7:50), N.J.A.C. 7:1E (Department rules entitled "Discharges of Petroleum and other Hazardous Substances"), and all other Department rules. No discharge of hazardous substances (as defined in N.J.A.C. 7:1E-1.6) resulting from an on-site 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.

12. Notification of Changes

- a. Prior to any physical or operational alterations or additions to the permitted facility the permittee shall give written notification to the Department within 90 days of any planned alteration or addition is expected to result in any change in the permittee's discharge and/or residuals use or disposal practices, including the cessation of discharge in accordance with N.J.A.C. 7:14A-6.7.
- b. Prior to any change of ownership the current permittee shall comply with the requirements of N.J.A.C. 7:14A-16.2, pertaining to notification of change of ownership.

C. Closing a Facility

1. Requirements for Closing a Facility

- a. The permittee shall remove all operating equipment including but not limited to trucks, earth moving equipment and pumps and miscellaneous parts.
- b. The permittee shall empty the contents of all tanks and clean the tanks of all residues. The contents of the tanks shall be disposed of in accordance with applicable rules and regulations.
- c. The permittee shall remove all remaining aggregate piles or the permittee shall permanently stabilize the aggregate piles in accordance with the technical standards listed in the *Standards for Soil Erosion and Sediment Control in New Jersey*.
- d. The permittee shall restore and/or stabilize all disturbed areas of the site in accordance with the technical standards listed in the *Standards for Soil Erosion and Sediment Control in New Jersey*.
- e. The permittee shall submit a Permit Revocation Request Form which can be found at http://www.state.nj.us/dep/dwq/pdf/storm_revoke.pdf.

- f. The permittee shall continue to comply with the terms and conditions of the permit until notification of termination of the permit has been issued.
- g. At closure of a quarry, due diligence must include consideration of technically enhanced naturally occurring radioactive materials (TENORM). At the time of closure, contact the Bureau of Environmental Radiation (BER) at (609) 984-5400 for a determination on whether a gamma scan is required. BER, in consultation with the Division of Water Supply and Geoscience, will make a determination based on the geologic region of the State.

PART III

There are no monitoring requirements for the RSG permit.

PART IV

SPECIFIC REQUIREMENTS: NARRATIVE

DEFINITIONS AND ACRONYMS

A. Definitions

1. Stormwater Definitions

- a. Unless otherwise stated in this permit, the definitions set forth at N.J.A.C. 7:14A-1.2 are incorporated into this permit.
- b. Other terms used in this permit are defined as follows:
 - i. "Best Management Practice (BMP)" means methods that have been determined to be the most effective, practical means of preventing or reducing pollution from non-point sources.
 - ii. "Borrow pits" means any excavation pit that may or may not intercept the ground water table. The common feature of these basins is that they are topographic depressions that are used to extract materials for the facility's operations and **are not** designed to hold, retain, or treat and/or transmit stormwater and/or pollutants.
 - iii. "Category One waters" means those waters designated in the tables in N.J.A.C. 7:9B-1.15(c) through (h), for purposes of implementing the anti-degradation policies set forth at N.J.A.C. 7:9B-1.5(d), *et seq.*
 - iv. "EDP" means Effective Date of the Permit.
 - v. "EDPA" means Effective Date of the Permit Authorization.
 - vi. "Mine Dewatering" means any water that is impounded or that collects in a mine and is pumped, drained or otherwise removed from the mine through the efforts of the mine operator and is discharged to surface waters.
 - vii. "MQGP" means the Mining and Quarrying General Stormwater Permit (R13)
 - viii. "Non-Process" water means any water including stormwater runoff which is not used in manufacturing or processing.
 - ix. "Pinelands waters" means all waters within the boundaries of the Pinelands area, except those waters designated as FW1 in N.J.A.C. 7:9B-1.15(h) Table 6, as established in the Pinelands Protection Act (N.J.S.A. 13:18A-1 *et seq.*) and shown on Plate 1 of the "Comprehensive Management Plan" adopted by the New Jersey Pinelands Commission in November 1980.
 - x. "PL" means the general surface water classification applied to Pineland waters.
 - xi. "Process wastewater" means any water which, used during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling

water. This definition includes the terms commercial wastewater and industrial wastewater as used in 40 CFR Part 503.

- xii. "Source materials" means any materials, located at the facility and directly or indirectly related to process or other industrial activities, which could be a source of pollutants in a stormwater discharge that is subject to N.J.A.C. 7:14A-24.2. Source materials include, but are not limited to: raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels; and lubricants, solvents, and detergents that are related to process or other industrial activities.
- xiii. "Stormwater" means water resulting from precipitation (including rain or snow) that runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewerage or drainage facilities.
- xiv. "Vehicles and Equipment" means any of the following, but is not limited to: pickup trucks, cars, SUVs, forklifts, front-end loaders, backhoes, road sweepers, other mobile earth-moving equipment and man lifts used on-site in the facility's operations.

B. Stormwater Acronyms Used in this Permit

- 1. **BMPs** – Best Management Practices
- 2. **DCP** – Drainage Control Plan
- 3. **DGW** – Discharge to Ground water
- 4. **DSW** – Discharge to Surface water
- 5. **EDP** – Effective Date of Permit
- 6. **EDPA** – Effective Date of Permit Authorization
- 7. **MQGP** - Mining and Quarrying Stormwater General Permit
- 8. **NAICS** – North American Industry Classification System
- 9. **N.J.A.C.** – New Jersey Administrative Code
- 10. **NJPDES** – New Jersey Pollutant Discharge Elimination System
- 11. **N.J.S.A.** – New Jersey Statutes Annotated
- 12. **SIC** – Standard Industrial Code
- 13. **SPPP** – Stormwater Pollution Prevention Plan

STORMWATER

A. Permit Overview

1. Summary of Stormwater Permit Requirements

- a. The permittee shall develop, implement, update and maintain a Stormwater Pollution Prevention Plan (SPPP), which includes a Drainage Control Plan (DCP). (*See Part IV.B.1. & Part IV.B.2.*)
- b. The permittee shall develop, implement, update, and maintain site specific Best Management Practices (BMPs) to achieve the design criteria as specified in the permit. (*See Part IV.C.1.-4.*)
- c. The permittee shall be responsible for supervising and managing the operation and maintenance of the facility, which includes routine inspections of the facility. (*See Part IV.F.1.*)
- d. The permittee shall summarize facility inspections in written reports and submit reports and certifications to ensure compliance with this permit. (*See Part IV.H.*)
- e. The permittee shall retain copies of all maintenance records, and copies of all reports (including the SPPP, and soil erosion and sediment control plans) required by this permit. (*See Part IV.I.*)

B. Requirements for All Facilities

1. Stormwater Pollution Prevention Plan (SPPP)

- a. The SPPP shall include a written narrative and a Drainage Control Plan (see Part IV. B.2. below). The SPPP shall include all areas and activities that may impact stormwater quality, and include all items in Attachment A (required practices for fueling operations, vehicle maintenance and good housekeeping practices);
- b. The SPPP shall address all stormwater and ground water discharges associated with industrial activities, including source materials, at the facility;
- c. The SPPP shall identify the BMPs that are in practice to eliminate, reduce, or minimize exposure of all industrial activity and source material to stormwater or ground water;
- d. The SPPP shall demonstrate that upon implementation, the stormwater and ground water discharges associated with industrial activity meet the conditions of this permit;
- e. The SPPP shall identify BMPs to stabilize surface soils and reduce sediment transport, using BMPs outlined in the Standards for Soil Erosion and Sediment Control in New Jersey where appropriate, in accordance with the Soil Erosion and Sediment Control Act N.J.S.A. 4:24-39 *et seq.*;
- f. The SPPP shall identify production and non-production areas that have a high potential for soil erosion or a known soil erosion problem. Appropriate vegetative, structural, or stabilization measures shall be selected to limit erosion and sediment transport in these areas;

- g. The SPPP shall be prepared, implemented and maintained in accordance with good engineering practices and shall include, at a minimum, all of the items and information in Attachment B: "Contents of the Stormwater Pollution Prevention Plan";
- h. The SPPP must include (or cite the location of) the following (if applicable):
 - i. Any spill reports prepared under section 313 in Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986, 42 U.S.C. 9601 *et seq.*;
 - ii. Any Spill Prevention Control and Countermeasures Plan (SPCC Plan) prepared under 40 CFR 112 and section 311 of the Clean Water Act, 33 U.S.C. 1321; any Discharge Prevention, Containment and Countermeasure Plan (DPCC Plan); and Discharge Cleanup and Removal Plan (DCR Plan) prepared under N.J.A.C. 7:1E.

2. Drainage Control Plan (DCP)

- a. A Drainage Control Plan is a series of controls that the facility establishes that ensures that all stormwater remains onsite. The DCP contains both a written narrative and a Drainage Control map.
- b. Drainage Control shall be established at a minimum within 6 months of EDPA for all areas.
- c. The Drainage Control Plan shall have been incorporated into the facility's SPPP.
- d. DCP shall be revised and updated whenever necessary to reflect the current conditions at the facility.
- e. The contents of the Drainage Control Map (unless otherwise specified by the Department) shall be legible and clearly depict the following:
 - i. The Drainage Control Map shall be in 1" = 400';
 - ii. Site boundary of the facility;
 - iii. A title block containing tax block and lot number;
 - iv. North directional arrow;
 - v. Final grading of drainage area, including flow arrows showing drainage;
 - vi. Location of flow diversion structures;
 - vii. Areas of industrial activity (e.g. maintenance, fueling, equipment storage);
 - viii. Access roads;
 - ix. Existing buildings and other structures;
 - x. Employee parking; and
 - xi. Certification of the DCP shall be from a Responsible Corporate Officer or Duly Authorized Representative as defined in N.J.A.C. 7:14A-4.9, or by a Professional Engineer's certification. This certification shall include the date prepared and date of subsequent revisions.
- f. Drainage Control Plan (DCP)
 - i. The DCP shall be prepared and implemented within six (6) months of EDPA.

- ii. The DCP shall be kept onsite and be available for review by the Department.

C. Specific Best Management Practices

1. BMPs – Management of Other Materials

- a. Wood chips, tree stumps and other tree debris shall only be stored in a manner such that runoff from the storage area shall infiltrate into the ground. Runoff from the storage areas shall not flow into borrow pits that intersect the ground water table.
- b. Runoff from storage of wood chips cannot discharge to surface water bodies. Tree trunks, brush piles, tree limbs, etc. can be stored in any manner as long as they are not stored in wetlands, transition zones or any other manner with a direct connection to a surface water body.
- c. Salt shall only be stored on-site in a manner consistent with the Department's policy on salt storage or the National Salt Institutes guidance on salt storage; both of which can be found in Attachment B of the permit.

2. BMPs – Facility Entrance

- a. All stormwater at the facility entrance shall be retained on-site.
- b. The permittee shall establish and implement BMPs to prevent or minimize transport of sediment and dust off-site, which may include the use of sweepers to remove the material.

3. BMPs – Dust Control

- a. Spraying, with non-process water is permitted under this permit for use on unpaved access roads, to maximize dust control and minimize the off-site tracking of sand, soil, sediment or similar materials. However at no time can this discharge from this activity cause a discharge to surface water or be permitted to run off-site.

4. BMPs – Other

- a. All facilities shall establish and implement BMPs to prevent the discharge of oil, grease thinners, degreasers, lubricants, and contact cooling water to the ground or surface waters of the State during maintenance of stationary equipment.

D. Specific Requirements

1. Laboratory wastes must be managed in accordance with all applicable State laws and regulations

2. Maintenance, Fueling and Good Housekeeping Practices

- a. The facility must implement BMPs for good housekeeping practices, fueling and maintenance yard operations listed in Attachment A of the permit (when applicable).

E. Non-stormwater Discharges Allowed by this Permit

1. After the Effective Date of Permit Authorization (EDPA) the permit allows for the rinsing of vehicles and equipment under the following conditions:

- a. Rinsing of vehicles/equipment shall be restricted to using water only, with no detergents;
- b. Vehicle rinsing shall be of the external parts and undercarriage of the vehicles and limited to the removal of grit, grime, dust, dirt and incidental road salt;
- c. Equipment and vehicles used in the application/handling of salt and de-icing materials shall be rinsed with water only, immediately following salt and de-icing material applications. Prior to rinsing with water, all residual salt and de-icing materials shall be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (*e.g.*, shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded;
- d. Truck beds and earth moving buckets/clamshells may be rinsed provided the following conditions are met:
 - i. The equipment was used to move and/or excavate de-icing salt and/or non-hazardous, non-contaminated soil;
 - ii. The bulk of the soil and/or salt has been physically removed by shoveling, raking, sweeping or other means.
- e. Rinse water from activities listed in E.1. a.-d. above shall not be diverted to any borrow pit that has intercepted the ground water table or cause a discharge to surface water. All discharge from the above mentioned activities shall be directed to infiltrate into the ground.
- f. Allowable discharges to the borrow pits that have intersected the ground water:
 - i. Return water from the process area;
 - ii. Overland flow of incidental stormwater from around the borrow pit.

F. Operations and Maintenance

1. Operation and Maintenance Requirements

- a. The permittee shall be responsible for supervising and managing the operation and maintenance of this facility, and any BMPs which are implemented by the permittee to achieve compliance with the conditions of the permit, in accordance with the requirements identified in the SPPP. Proper operation and maintenance may require the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with conditions of the permit.

G. Annual Inspections, Annual Reports and Certifications

1. Annual Inspections and Annual Certification

- a. Beginning the first year of authorization, and each year thereafter the permittee shall conduct an annual inspection in accordance with N.J.A.C. 7:14A-24.9(a).2.i, to assess all areas contributing to stormwater to ground water discharges, and evaluate the effectiveness of the implemented BMPs, in order to determine whether the SPPP is being implemented in accordance with the permit conditions. The permittee shall determine whether additional measures are needed to meet the permit conditions as required under ***Attachment B***.

- b. The permittee shall submit a complete Certification form, in accordance with H. below. The Annual Certification shall be submitted to the Department in accordance with the requirements contained in *Part IV, Section H. Submittals* of this permit.

2. Annual Report

- a. Beginning the first year of authorization, and each year thereafter the permittee shall prepare an annual report summarizing the annual inspection in accordance with N.J.A.C. 7:14A-24.9(a).2.ii. The annual report is not to be submitted to the Department but shall be made part of the facility's SPPP and made available for inspection. The annual report shall include:
 - i. The date of inspection;
 - ii. Name(s) and title(s) of the inspector(s); and
 - iii. A summary of the findings of the annual inspection, including any incidents of non-compliance. All instances of noncompliance shall be identified in the annual certification in accordance with N.J.A.C. 7:14A-24.9(a).2.ii.

H. Permit Submittals and Deadlines

1. Submittal Requirements

- a. Each facility previously authorized under the Mining and Quarrying Stormwater General Permit (R13) shall submit the Department's Certification form annually, certifying that they have:
 - i. Updated their SPPP; and
 - ii. Conducted an annual inspection and are in compliance with their SPPP and permit conditions.
- b. Each facility that was not previously authorized under the Mining and Quarrying Stormwater General Permit (R13), shall submit the Department's Certification form within the time frame specified under G. 2 above.
- c. The Department's Certification form is available on the Department's website at www.state.nj.us/dep/dwq/forms_storm.htm or by calling the Bureau of Nonpoint Pollution Control at (609) 633-7021.

2. Submittal Deadlines for Facilities Not Previously Authorized under the MQGP (R13)

- a. SPPP preparation and implementation certification submittal requirement for facilities that were not previously authorized under the MQGP. NOTE: Facilities previously authorized under the Mining and Quarrying General Stormwater Permit that have previously submitted their SPPP preparation and implementation certification(s) are not required to resubmit these certifications.
 - i. Submit the Certification form, certifying that the SPPP was prepared and implemented, within six (6) months from the Effective Date of Permit Authorization (EDPA).
- b. Annual Certification submittal requirements for facilities that were not previously authorized under the Mining and Quarrying Stormwater General Permit.

- i. Submit the Certification form, certifying the annual inspection was conducted, annually, beginning six (6) months from the EDPA.

3. Submittal Deadlines for facilities previously authorized under the MQGP (R13)

- a. SPPP update certification submittal requirements for facilities previously authorized under the MQGP:
 - i. Submit the Certification form, certifying that the SPPP was updated, with the annual certification.
- b. Annual Certification submittal requirements for facilities that were previously authorized under the MQGP.
 - i. Submit the Certification form, certifying the annual inspection was conducted, annually.

4. Where to Send All Permit Submittals

- a. All permit Certification submittals shall be sent to the following address:
 - i. New Jersey Department of Environmental Protection
Mail Code 401-02B
Division of Water Quality
Bureau of Nonpoint Pollution Control
P.O. Box 420
401 East State Street, 3rd Floor
Trenton, NJ 08625-0420

I. Record Keeping

1. Agency and Public Review

- a. All SPPPs prepared under this permit shall be available to the public for inspection and duplication upon request, pursuant to N.J.A.C. 7:14A-18.1. The SPPP shall be signed by the permittee and the original shall be retained at the facility for use and NJDEP inspection. Upon request, a copy of the SPPP shall be delivered to the Department within five (5) business days of the date of the request. The permittee may claim any portion of the SPPP confidential in accordance with N.J.A.C. 7:14A-18.3. The Department's decision regarding such claims shall be made in accordance with N.J.A.C. 7:14A-18.5.
- b. The permittee shall keep a copy of the updated SPPP on-site and have it available for inspection at all times.

Attachment A

BEST MANAGEMENT PRACTICES

The following BMPs shall be implemented for maintenance and fueling areas including ancillary operations (for example: mobile fueling), vehicle maintenance, good housekeeping practices (including on-site laboratories) and secondary containment (where applicable):

A. Maintenance areas

An inventory of all materials and machinery located within the maintenance areas which could be a source of pollutants in a stormwater discharge, shall be included in your facility's SPPP. The materials in question include, but are not limited to: raw materials; intermediate products; final products; waste materials; by-products; machinery and fuels; and lubricants, solvents, and detergents that are related to the maintenance areas or ancillary operations.

B. Fueling (including ancillary operations)

1. No topping off vehicles, mobile fuel tanks, and storage tanks. Drip pans must be used under all hose and pipe connections and other leak-prone areas during bulk transfer of fuels.
2. During bulk fuel transfer, either block storm sewer inlets, or contain tanks within temporary berms or temporary absorbent booms. If temporary berm containment of tanks is used instead of blocking the storm sewer inlets, all hose connection points associated with the transfer of fuel should be within the temporary berms during the loading/unloading of bulk fuels. A trained employee should always be present to supervise during bulk fuel transfer.
3. Clearly post, in a prominent area of the facility, instructions for safe operation of fueling equipment, and appropriate contact information for the person(s) responsible for spill response.
4. Any equipment, tanks, pumps, piping and fuel dispensing equipment found to be leaking or in disrepair must immediately be repaired or replaced or taken out of service until repair or replacement is possible.

C. Vehicle Maintenance

1. Perform all vehicle and equipment maintenance at an indoor location with a paved floor whenever possible. For projects that must be performed outdoors that last more than one day, portable tents or covers must be placed over the equipment being serviced when not being worked on, and drip pans must be used.
2. For vehicles too large that it would be impractical to have maintenance conducted indoors or under portable tents, outdoor maintenance must be conducted on an impervious surface with no discharge to surface or ground waters of the State. All wastewater generated by this maintenance activity shall be collected and appropriately managed and disposed.

D. General Good Housekeeping practices (including on-site laboratories)

1. Properly mark or label all containers. Labels must be kept clean and visible. All containers must be kept in good condition and tightly closed when not in use. When practical, containers must be stored indoors. If indoor storage is not practical, containers may be stored outside as long as they are covered and placed on spill platforms. An area that is graded and/or bermed that prevents run-through of stormwater may be used in place of spill platforms. Outdoor storage locations must be regularly maintained.
2. Conduct cleanups of any spills of liquids or dry materials immediately after discovery. Clean-up materials, spill kits and drip pans must be kept near any liquid transfer areas, protected from rainfall. Clean all maintenance areas with either:
 - a. Dry cleaning methods using a dry, absorbent material (i.e., kitty litter, sawdust, etc.) and the rest of the area is to be swept. Collected waste is to be disposed of properly; or
 - b. Wet cleaning methods shall be conducted only on impervious surfaces and all waste water generated by such activity shall be collected, appropriately managed and disposed of properly.

E. Good Housekeeping Practices for salt and other de-icing material handling (if applicable)

If storing de-icing materials on-site, the SPPP shall include the following required practices to minimize the exposure of salt and other de-icing materials to stormwater from storage, loading and unloading areas and activities:

1. Practices to minimize the spillage of salt and de-icing materials during loading and unloading activities.
2. At the completion of loading and unloading activities, spilled salt and de-icing materials shall be removed using dry cleaning methods and either reused or properly discarded.
3. Sweeping by hand or mechanical means of storage and loading/unloading areas shall be done on a regular basis. More frequent sweeping is required following loading/unloading activities. Sweeping shall also be conducted immediately following, as practicable, loading/unloading activities.
4. Tracking of materials from storage and loading/unloading areas shall be minimized.
5. Minimize the distance salt and de-icing materials are transported during loading/unloading activities.

F. Inspections:

Inspections of the maintenance and fueling areas shall be conducted as part of your facility's regular inspections.

G. Discharge of Stormwater from Secondary Containment

The discharge pipe/outfall from a secondary containment area must have a valve and the valve must remain closed at all times except as described below. The facility may discharge

stormwater that accumulated in the secondary containment area if a visual inspection is performed to ensure that the contents of the above ground storage tank have not come in contact with the stormwater to be discharged. Visual inspections are only effective when dealing with materials that can be observed, like petroleum. If the contents of the tank are not visible in stormwater, your facility must rely on previous tank inspections to determine with some degree of certainty that the tank has not leaked. If your facility cannot make a determination with reasonable certainty that the stormwater in the secondary containment area is uncontaminated by the contents of the tank, then the stormwater should be hauled for proper disposal. For facilities subject to the Spill Prevention, Control and Countermeasures (SPCC) and/or Discharge Prevention Control and Countermeasures (DPCC) regulations, refer to www.epa.gov/oem/content/spcc/index.htm and www.nj.gov/dep/rpp/brp/dp/index.htm for specific requirements relative to discharges from secondary containment.

**ATTACHMENT B:
CONTENTS OF THE
STORMWATER
POLLUTION PREVENTION PLAN**

RSG - Sand and Gravel Stormwater General Permit

Table of Contents

I.	Stormwater Pollution Prevention Plan.....	1
II.	Stormwater Pollution Prevention Team.....	1
III.	Description of Existing Environmental Management Plans.....	1
IV.	Site Assessment	2
	A. Inventory Requirements.....	2
	B. Drainage Control Requirements	2
	C. Narrative Description of Existing Conditions.....	3
V.	Best Management Practices (BMP) Selection and Plan Design.....	3
	A. Removal, Cover or Control of Industrial Activities.....	4
	B. Spill Prevention and Response.....	4
	C. Good Housekeeping.....	5
	D. Site Stabilization and Dust Control.....	6
	E. Preventative Maintenance.....	6
	F. Inspections and Evaluation Process	6
VI.	Implementation Schedule.....	7
VII.	General Plan Requirements.....	7
	A. Required Signatures for SPPP and Certification Form.....	7
	B. Plan Location and Public Access	8
	C. Certification of Stormwater Pollution Prevention Plan	8

I. Stormwater Pollution Prevention Plan

The following outline provides the key elements of an acceptable Stormwater Pollution Prevention Plan (SPPP). The purpose of the SPPP is to meet the following objectives:

- A. To identify potential sources of pollution and source materials onsite which may reasonably be expected to affect the quality of stormwater discharges associated with industrial activity;
- B. To describe and ensure that practices are implemented to eliminate and/or reduce pollutants from source materials in stormwater discharges associated with industrial activity; and
- C. To ensure compliance with the terms and conditions of this permit.

II. Stormwater Pollution Prevention Team

The permittee shall form and identify a Stormwater Pollution Prevention Team in the SPPP. The SPPP shall name a specific individual or individuals within the facility organization who are members of the team. The permittee shall form and maintain a SPPP team, which is responsible for developing, implementing and maintaining the SPPP in accordance with the permit using good engineering practices. The plan shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's SPPP which are provided below.

III. Description of Existing Environmental Management Plans

The SPPP team shall evaluate the facility's existing environmental management plans and programs for consistency with this permit and determine which provisions, if any, from these other plans can be incorporated by reference into the SPPP.

Examples of plans which may be referred to when applicable to the site include: Discharge Prevention Containment and Countermeasure (DPCC), Discharge Cleanup and Removal (DCR), Preparedness Prevention and Contingency Plan (PPCP, 40 CFR Parts 264 and 265), the Spill Prevention Control and Countermeasures (SPCC) requirements (40 CFR Part 112), the National Pollutant Discharge Elimination System Toxic Organic Management Plan (NPDES TOMP, 40 CFR Parts 413, 433, and 469), and the Mining Safety and Health Administration (MSHA) Federal Mine Safety and Health Act of 1977. A copy of any plans referred to in the SPPP should be kept on-site with the SPPP.

IV. Site Assessment

The Site Assessment shall describe the physical facility and the potential pollutant sources (materials, activities and areas) which may be reasonably expected to affect the quality of stormwater discharges. The key elements of the site assessment shall include, at a minimum, the following requirements:

A. Inventory Requirements

Each facility must develop and update annually, as appropriate, an inventory which includes, at a minimum, the following: list of the general categories of source materials that have been used, loaded/unloaded, stored, treated, spilled, leaked and/or disposed onsite in a manner to allow exposure to stormwater.

B. Drainage Control Requirements

1. A Drainage Control Plan is a series of controls that the facility establishes that ensures that all stormwater remains onsite. The DCP contains both a written narrative and a Drainage Control map.
2. Drainage Control shall be established at a minimum within 6 months of EDPA for all areas.
3. The Drainage Control Plan shall have been incorporated into the facility's SPPP.
4. DCP shall be revised and updated whenever necessary to reflect the current conditions at the facility.
5. The contents of the Drainage Control Map shall include:
 - a. Unless otherwise specified by the Department, the Drainage Control Map shall be a 1" = 400' scale, which is legible and clearly depicts the following information where applicable:
 - i. Site boundary of facility;
 - ii. A title block containing tax block and lot number;
 - iii. North directional arrow;
 - iv. Date prepared and subsequent revisions;
 - v. Final grading of drainage areas, including flow arrows showing drainage;
 - vi. Location of flow diversion structures;
 - vii. Location of ground water discharge structures;
 - viii. Areas of industrial activity (e.g. maintenance, fueling, equipment storage);

- ix. Access roads;
- x. Existing buildings and other structures;
- xi. Employee and customer parking; and
- xii. Certification of DCP shall be from a Responsible Corporate Officer or Duly Authorized Representative as defined in N.J.A.C. 7:14A-4.9, or by a Professional Engineer's certification.

C. Narrative Description of Existing Conditions

The SPPP shall include a narrative description concerning the existing management of all source materials at the facility which are handled, treated, stored, disposed, or which otherwise exist in a manner allowing contact with stormwater. The narrative description shall address the following where appropriate:

1. Description of type of industrial activities and/or areas (e.g., fueling, material handling, manufacturing or processing areas) at the site;
2. The actual or potential pollutant categories associated with each industrial area and/or activity where source materials are likely to be exposed to stormwater including, but not limited to: fueling stations, loading/unloading areas, maintenance shops, areas where spills and/or leaks of source materials frequently occur, equipment or vehicle cleaning areas, outdoor storage areas, outdoor manufacturing or processing areas, onsite waste disposal areas, above ground liquid storage tanks, outside storage of raw materials, by-products, or finished products, (e.g., fueling area - diesel fuels, gasoline, petroleum hydrocarbons); and
3. A description of existing management practices employed to: a) eliminate contact of source materials with stormwater; b) minimize or reduce pollutants from source materials through structural or non-structural measures; c) divert stormwater to specific areas on-site, including diversion areas; and e) prevent any discharges of stormwater, domestic wastewater, non-contact cooling water, or process wastewater to surface water.

V. Best Management Practices (BMP) Selection and Plan Design

The permittee shall evaluate the information from the site assessment phase of this plan to identify potential and existing sources of stormwater contaminated by source material. The evaluation and selection of the BMP's addressing each area, and/or activity where source materials are exposed to stormwater discharging to ground water, shall be documented in the SPPP and shall include at a minimum the following:

A. Removal, Cover or Control of Industrial Activities (including storage of de-icing materials)

1. Except as specified and required in Part IV, Section B.1.h.ii. of the permit, if applicable, for certain specific exposures of source materials, all other source materials shall be moved indoors, covered, used, handled, and/or stored in a manner so as to prevent contact with stormwater that is discharged to ground water. Each BMP that prevents such contact shall be identified and discussed in the SPPP.
2. Salt shall only be stored on-site in a manner consistent with one of the following:
 - a. The NJDEP De-Icing Storage Material Storage Requirements and Policy: accessible online at http://www.nj.gov/dep/dwq/pdf/deicing_policy.pdf.
 - b. The Salt Institute's proper salt storage guidelines: accessible online at <http://www.saltinstitute.org/Uses-benefits/Winter-road-safety/Salt-storage>.

In addition, the surrounding area shall be maintained to minimize or prevent the salt and other de-icing materials from coming in contact with the ground, being exposed to storm water, and entering into the waters of the State (see Good Housekeeping in Attachment A of this permit).

B. Spill Prevention and Response

1. The permittee shall develop and implement a Spill Prevention Plan.
2. Areas where actual or potential spills of source materials can occur and are exposed to stormwater discharges shall be identified clearly in the SPPP (the accompanying drainage points shall also be identified). Specific material handling procedures, storage requirements and use of equipment such as diversion valves shall be developed and practiced to prevent and/or eliminate spills and/or leaks of source materials from being exposed to stormwater. A valid SPCC or DPCC shall satisfy this requirement provided the plan includes spill prevention/cleanup for all site chemicals, wastewater and raw materials.

3. At a minimum, the Plan required under B.1. above shall include the following:
 - a. Spill Response Coordinator;
 - b. Procedures for preventing and/or cleaning up spills;
 - c. List of available spill cleanup materials, including brooms, shovels, absorbents, heavy equipment, containers, etc. (The list should include normal level of inventory that will be kept onsite);
 - d. Description of employee training, including:
 - i. Location of spill cleanup materials, containers and equipment;
 - ii. Procedures for preventing and/or cleaning up spills;
 - iii. Company Spill Response Coordinator (the coordinator can be listed by Title, such as, Plant Manager);
 - iv. List of emergency phone numbers.
 - e. Description of routine inspections for spills, leaks, damage to containment and spill structures. Inspections should be done at least weekly; and
 - f. Routine inventory of spill cleanup materials and equipment.

C. Good Housekeeping

The SPPP must include a good housekeeping program to help maintain a clean and orderly work place. For certain activities or areas, the discharge of stormwater exposed to source materials may be prevented merely by using good housekeeping methods. The following are some simple procedures that a facility can consider incorporating into an effective good housekeeping program:

1. Conduct cleanup immediately after discovery of leaks and spills;
2. Implement careful material storage practices;
3. Improve operation and maintenance of industrial machinery and processes;
4. Maintain up-to-date material inventory;
5. Maintain well organized work areas;
6. Provide regular pickup and disposal of waste materials;

7. Maintain dry and clean floors and ground surfaces by using brooms, shovels, vacuum cleaners, or cleaning machines; and
8. Train employees about good housekeeping practices.

D. Site Stabilization and Dust Control

The SPPP shall include standards for site stabilization and dust control designed to prevent transport of particulate and sediment from areas devoid of vegetation and to prevent downstream soil erosion caused by routine operations and uncontrolled stormwater runoff. At a minimum, the standards shall meet the technical standards found in *the Standards for Soil and Erosion and Sediment Control in New Jersey* and shall include:

1. Traffic control to prevent or minimize disturbance of unstabilized areas and to prevent disturbance of vegetative covers and/or other dust control mechanisms;
2. Entrance/exit stabilization to prevent or minimize transport of sediment and dust outside the site property line; and
3. Dust control to prevent or minimize movement of dust and sediment from exposed oil areas;

E. Preventative Maintenance

The SPPP shall include a Preventative Maintenance Program to include timely and regular inspections and maintenance of stormwater management devices (e.g., cleaning oil/water separators, catch basins, drip pans, detention basins, and routine inspections of facility equipment and operations to detect faulty equipment. Equipment (such as tanks, piping, containers, and drums) should be checked regularly for signs of deterioration.

F. Inspections and Evaluation Process

1. Regular Inspections

The SPPP shall require regular inspections of the facility's equipment, exposed source materials and industrial areas to provide that all elements of the SPPP are in place and working properly. Inspections shall be conducted by qualified, trained plant personnel. Records of these inspections shall be kept onsite with the SPPP. These inspection records shall consist of the following, at a minimum: date of inspection; location of and problem(s) identified; steps taken to correct problem(s) and prevent recurrence; and inspector's names and title. In addition these inspection records shall record any incidents such as leaks or accidental discharges, and any failures or breakdowns of structural BMPs.

2. Annual Inspections

The SPPP shall also require an annual inspection and shall include an annual report of the entire facility in accordance with Part IV, Section G. of this permit.

3. Evaluation Process

The SPPP shall include a system to routinely and continually evaluate the SPPP for effectiveness, any flaws that may have developed, and maintenance that may be required. The routine evaluation must include, but not be limited to, regular and annual inspections, inspection logs and records, internal reporting, plan revisions to correct any flaws detected in the SPPP or to reflect changes/additions at the facility, and logs of preventative maintenance performed at the facility. In addition, the Annual Reports and Certifications required under Part IV, Section G. are integral to the evaluation process.

VI. Implementation Schedule

- A. The SPPP shall include an implementation schedule for all structural and non-structural BMP's including a schedule(s) for removal, coverage, minimization of exposure of source material to stormwater, and/or stormwater diversion or treatment. The schedule shall meet the deadlines established in the permit in accordance with Part IV, Section H. of the permit.
- B. Upon completion of the initial SPPP, those BMP's (e.g., spill response, good housekeeping) that may readily be implemented shall be done so within 30 days, if not already practiced.

VII. General Plan Requirements

This section provides additional requirements on the administrative requirements related to finalizing your SPPP. It covers (1) required signatures, (2) requirements for plan location and access, and (3) required certifications.

A. Required Signatures for SPPP and Certification Form

The SPPP and Certification form shall be signed by a responsible officer as defined in N.J.A.C. 7:14A-4.9 and submitted to the Department at the address listed on the Certification form.

B. Plan Location and Public Access

1. The SPPP and inspection and preventative maintenance records or logs shall be maintained on site at all times. These documents must be made available, upon request, to a representative of the Department.
2. The SPPP shall be made available to the public upon request. The facility may claim any portion of the SPPP as confidential in accordance with the provisions set forth in N.J.A.C. 7:14A-18.2.

C. Certification of Stormwater Pollution Prevention Plan

The Certification Form shall be signed verifying that the SPPP has been prepared and implemented in accordance to Part IV, Section H. of this permit. The Certification form is to then to be submitted in accordance to Part IV, Section G. of this permit. This verification on the Certification form reflects that all activities on-site and any changes to the facility's operations have been incorporated into the facility's SPPP.