

**NEW JERSEY DEPARTMENT OF AGRICULTURE
STATE SOIL CONSERVATION COMMITTEE
Amended June 28, 2004**

<u>Policy:</u> Stormwater Permit Program Phase II	<u>Effective Date:</u> March 3, 2004
<u>SSCC Adoption:</u> March 8, 2004 Modified April 12, 2004	<u>Policy Number:</u> 20.00
<u>Supercedes:</u> Stormwater Permit Program Phase I	<u>Authorized By:</u> Charles Kuperus Secretary of Agriculture
<u>Subject:</u> Guidelines For The Stormwater Discharge Permit Program Construction General Stormwater Permit NJG0088323	

20.1 PURPOSE

This policy establishes uniform guidelines for implementing the Construction General Permit NJG0088323 for Phase II of the Stormwater Discharge Permit Program, by Soil Conservation Districts (District) and the State Soil Conservation Committee (SSCC), pursuant to rules promulgated by the Department of Environmental Protection (NJDEP). This program is implemented in conjunction with the Soil Erosion and Sediment Control Act (SESCA) program pursuant to N.J.S.A. 4:24- 39 et seq.

20.2 AUTHORITY AND GENERAL REQUIREMENT

Authorization to Discharge Stormwater is required for certain construction, clearing, grading and mining activities pursuant to the New Jersey Pollution Discharge Elimination System (NJPDES) rules in N.J.A.C. 7:14A and as a requirement of the Federal Clean Water Act, 33 U.S.C. sec. 1251 et seq.

All projects/facilities subject to this permit are required to implement a Stormwater Pollution Prevention Plan (SPPP) consisting of:

- A. Soil Erosion and Sediment Control (SESC) certified plan, subject to District or exempt municipality jurisdiction and,
- B. Construction site waste control component, specified in Attachment B of this permit and which cannot be modified by the District, exempt municipality or RFA applicant or permittee. Enforcement of compliance with this component resides solely with the NJDEP.

20.3 EFFECTIVE DATE

Effective March 3, 2004 eligible land disturbances (as described in **20.4**) received by the local District or exempt municipality on or after this date are subject to these requirements.

20.4 FACILITIES SUBJECT TO RFA REQUIREMENTS

A. Criteria for Eligible Project – The project is subject to Chapter 251, P.L. 1975, as amended, and is one or more of the following:

1. Proposed construction, clearing, grading or excavating activity that disturbs one acre or more, or that disturbs less than one acre but is part of a larger plan of development or sale and may have a stormwater discharge. (See examples below)
2. Any proposed single family home that disturbs one acre or more, or that disturbs less than one acre but are part of a larger plan of development or sale and is subject to Ch. 251. (See examples below)
3. Mining or quarrying of sand, gravel, soil, shale or clay except where mined materials are treated with oils, acids or chemicals or the facility conducts metallic ore mining, or where the stormwater discharge is subject to Federal effluent guideline limitations or has a different NJPDES permit.
4. Construction of sanitary or hazardous waste landfill before it receives waste; construction, clearing, grading or excavating activity at a sanitary or hazardous waste landfill closed in compliance with NJDEP rules if the landfill is not disrupted.
5. Project or facility in A 1-4 above certified by an exempt municipality, whose exemption was granted by the SSCC, pursuant to N.J.S.A. 4:24-48.

Example #1: Plans received on or after March 3, 2004 for development with a total remaining area that would disturb one acre or greater, all individual parcels would be subject to phase II requirements. If an overall authorization is not obtained, responsibility transfers to subsequent owners.

Example #2: Plans are received for a parcel disturbing less than an acre and part of a Chapter 251 project received prior to March 3, 2004 but not subject to phase I requirements, the phase II requirements **do not** apply.

B. Request for Authorization (RFA) Submission Timeframe

The RFA must be submitted at least 30 days prior to land disturbance. It is recommended that the RFA be submitted to the District concurrently with the SESC plan.

C. Phased Projects

1. SESC plan submitted in Sections or Phases

A RFA shall be required for each eligible construction project stage or phase at the time SESC plan certification is requested.

Example #1: If a project has received or will receive separate Ch. 251 certification for each of three phases of construction a RFA will be required for each phase. Phasing is at the sole discretion of the applicant.

Example #2: If a project was not eligible for a Phase I, RFA (less than 5 acre) and presently submits a SESC plan for its next construction phase involving one acre or more of total disturbance a RFA shall be required for the remaining phase or phases.

2. SESC Plan for the Roads and Drainage Only

Where a SESC plan was certified for roads and drainage only with remaining lots in multiple ownership and a SESC plan is required on each lot or combination of lots a RFA is required 30 days prior to construction for each lot or combination of lots for which SESC plan certification is required. (Several lot owners may jointly submit a RFA.)

3. Roads and Drainage Project Lots Conveyed to Multiple Unrelated Owners

Where a SESC plan is certified and presently in effect for roads, drainage and lot development and the project was subsequently conveyed to multiple unrelated owners, a RFA is required from each lot owner currently proposing land disturbance on their respective portion of the project; or several lot owners may collectively file for one RFA. Lot owners not currently involved in land disturbance are not required to secure authorization until 30 days prior to land disturbance.

Where roads and drainage are installed and the municipality holds a bond for the project, the original project owner may request authorization for the entire project. This assumes that the original project owner accepts responsibility for compliance. Responsibility for compliance will remain with that owner.

20.5 SUMMARY OF REQUIREMENTS

A. NJPDES Permit Conditions Require:

1. All projects as defined by Ch. 251, to comply with the SESCO, N.J.S.A.4:24-39 et seq., and implementing rules;
2. Any single family lot with 1 or more acres of disturbance, or a single family lot with less than 1 acre but part of a larger plan of development or

- sale shall comply with this permit when the requirements of the SESCO N.J.S.A. 4:24-39 et seq. and implementing rules apply;
3. Construction site waste control must be performed as specified in Attachment B of this permit and include such items as discarded building materials, concrete truck washout, chemicals, litter, sanitary waste, and other solid or hazardous waste at the construction site that may cause adverse impacts to water quality. Enforcement of compliance with this permit condition resides solely with the NJDEP.
 4. The following responsibilities must be performed for the NJDEP by the owner or **“operating entity”** (as defined in N.J.A.C. 7:14A-1.2 and as identified below):
 - (a) Inspect the project weekly and within 24 hours after each rain event during construction.
 - (b) Maintain inspection reports on site and retain all compliance records during the construction period and for 5 years after completion of the project.
 - (c) Make available inspection reports to the NJDEP or the District (if requested by NJDEP or the District.)
 - (d) Report problems and violations to the NJDEP.
 - (e) Prepare annual reports.
 - (f) Maintain on site or adjacent to the site, spill kits for pesticides, petroleum products, solvents, acids, etc., as specified in Attachment B of this permit.
 - (g) All instances of non-compliance, not reported under N.J.A.C. 7:14A-6.10 shall be reported to NJDEP annually.

The **operating entity** generally has operational control over site specifications or over those daily activities necessary to ensure compliance with permit conditions.

20.6 RFA APPLICATION SUBMISSION REQUIREMENTS

A. District Certified SESC Plan for a “Project” defined in Ch. 251

The RFA applicant shall submit to the District:

- (1) Completed RFA
- (2) \$300 Fee made payable to “Treasurer, State of New Jersey”
- (3) SESC Plan submitted for District certification

B. Exempt Municipal Certified SESC Plan for a “Ch. 251 Project”

The RFA applicant shall submit to the District:

1. Completed RFA
2. \$300 Fee made payable to “Treasury, State of New Jersey”
3. Evidence of municipal certification of the SESC Plan
 - (a) “Verification to the Conservation District of Municipal Certification Soil Erosion and Sediment Control Plan” form.
 - (b) Copy of certified plan (If requested by the District)
 - (c) Evidence of SESC plan certification signed by municipal engineer or other authorized municipal official

- (d) Hydraulic and Hydrologic Data Summary Form for Stormwater Management Basins (If forms is required by the District) (w/ electronic files if used)

20.7 FEES AND FEE EXEMPTIONS

- A. **Fees** - \$300 payable by check, money order or public agency voucher made payable to Treasurer, State of New Jersey. All vouchers must be signed by the district and returned to the applicant for processing payment. Copies of the signed voucher shall be submitted to the SSCC in accordance with **20.10 B**.
- B. **Fee Exemptions** - Public Schools (Kindergarten – 12th grade); Religious; and Charitable Institutions are exempt from fees but must comply with all other RFA program requirements including all NJPDES permit conditions in **20.5** above and submission requirements in **20.6**. Such activities must provide evidence to the District of fee exemption status. (*Examples-Exemption from fees: public and parochial schools, religious institutions and cemeteries owned by religious institutions; and charitable organization projects. **The fee exemption does not apply to private schools***).

20.8 RFA PHASE II ELIGIBILITY- REVIEW AND CERTIFICATION

- A. **New Projects** - Construction projects commencing on or after March 3, 2004 provided that the SESC plan was received by the District or exempt municipality on or after March 3, 2004 are subject to the Phase II Requirements.
- B. **Existing Projects-** Construction projects commencing before March 3, 2004 and whose SESC plan was received prior to March 3, 2004 are not subject to Phase II except as required in **20.4C**, Phased Projects.

Certified projects, eligible for a Phase I authorization which did not obtain an authorization or commence construction activity prior to March 3, 2004 will be subject to Phase II requirements.

- C. **Time Period for Grant or Denial of Certification-**The District shall grant or deny certification of the RFA within a period of 30 days after submission of a complete application for RFA unless, by material agreement in writing between the District and the persons requesting authorization, the period of 30 days shall be extended for an additional 30 days. Failure of the District to grant or deny certification within said time period shall constitute certification of the RFA. Application requirements are set forth in sections **20.6** and **20.7** above.

- D. District Certification-** The District Board shall approve RFA's at a regular or special District meeting and record same in the official District minutes. The Chairman or designee shall sign and date the Authorization to Discharge Stormwater (ATD).

20.9 DURATION OF RFA CERTIFICATION

RFA certification period is concurrent with the Ch 251 certification period of three and one half years.

All Ch. 251 plan certification extensions (renewals or recertifications without changes) are subject to the rules in effect at the time of initial certification. All Ch. 251 plan extensions require the reissuance of the Authorization to Discharge, (with no additional fee), indicating the new expiration date. Expired Ch. 251 applications are subject to the most current rules in effect at the time of resubmittal. Ch. 251 plan resubmittals occurring on or after March 3, 2004 shall be subject to Phase II requirements.

20.10 DISTRIBUTION OF DOCUMENTS AND FEES

- A.** The District will forward the original copy of the ATD to the applicant and retain the original RFA form. A copy of the ATD shall also be sent to the appropriate municipal official for the exempt municipality.
- B.** By the end of each week the District will forward to the SSCC the following:
- (1) All fees received during the week for **Complete RFA's only** along with two (2) photocopies of checks or vouchers. The RFA number must be written on the check and/or voucher. (Fees for RFA's deemed **incomplete** shall be held in a secure location until the RFA form is complete. Complete applications must include disturbance area and site coordinates)
 - (2) A copy of each **complete** RFA form
 - (3) A copy of each ATD concurrent with Ch 251 plan certification
 - (4) A copy of the District certified SESC Application Form
 - (5) A copy of verification of Exempt Municipality SESC Plan Certification. (if applicable)
 - (6) Document transmittal and routing form. (Only the white and canary copies submitted. The pink copy shall be retained for district file)

20.11 DISTRICT CODE NUMBERING SYSTEM FOR RFA APPLICATIONS

1. The RFA shall be assigned a series of four numbers which include the county code and municipal code; fiscal year of submission; and chronological application number in the fiscal year. On July 1 the new fiscal year commences the use of the new fiscal year code (starting July 1, 2005 use 05) and the chronological code starts with 01.

Example: The RFA assigned code for the 20th RFA for fiscal year 2004 located in Hamilton Township, Mercer County is: 11-03-04-20. If that application was the first application received on July 1, 2004 it would be coded 11-03-05-01.

2. Where a project is located in more than one municipality, utilize the code for the municipality containing the greatest portion of the project.
3. The County and Municipal codes are as follows:

County and Municipality Code Numbers

Atlantic County

01-01	Absecon City	01-13	Hammonton Town
01-02	Atlantic City	01-14	Linwood City
01-03	Brigantine City	01-15	Longport Boro.
01-04	Buena Boro.	01-16	Margate City
01-05	Buena Vista Twp.	01-17	Mullica Twp.
01-06	Corbin City	01-18	Northfield City
01-07	Egg Harbor City	01-19	Pleasantville City
01-08	Egg Harbor Twp.	01-20	Port Republic City
01-09	Estell Manor City	01-21	Somers Point City
01-10	Folsom Boro.	01-22	Ventnor City
01-11	Galloway Twp.	01-23	Weymouth Twp.
01-12	Hamilton Twp.		

Bergen County

02-01 Allendale Boro.	02-36 Montvale Boro.
02-02 Alpine Boro.	02-37 Moonachie Boro.
02-03 Bergenfield Boro.	02-38 New Milford Boro.
02-04 Bogota Boro.	02-39 North Arlington Boro.
02-05 Carlstadt Boro.	02-40 Northvale Boro.
02-06 Cliffside Park Boro.	02-41 Norwood Boro.
02-07 Closter Boro.	02-42 Oakland Boro.
02-08 Cresskill Boro.	02-43 Old Tappan Boro.
02-09 Demarest Boro.	02-44 Oradell Boro.
02-10 Dumont Boro.	02-45 Palisades Park Boro.
02-11 Elmwood Park Boro.	02-46 Paramus Boro.
02-12 East Rutherford Boro.	02-47 Park Ridge Boro.
02-13 Edgewater Boro.	02-48 Ramsey Boro.
02-14 Emerson Boro.	02-49 Ridgefield Boro.
02-15 Englewood City	02-50 Ridgefield Park Twp.
02-16 Englewood Cliffs Boro.	02-51 Ridgewood Village
02-17 Fair Lawn Boro.	02-52 River Edge Boro.
02-18 Fairview Boro.	02-53 River Vale Twp.
02-19 Fort Lee Boro.	02-54 Rochelle Park Twp.
02-20 Franklin Lakes Boro.	02-55 Rockleigh Boro.
02-21 Garfield City	02-56 Rutherford Boro.
02-22 Glen Rock Boro.	02-57 Saddle Brook Twp.
02-23 Hackensack City	02-58 Saddle River Boro.
02-24 Harrington Park Boro.	02-59 South Hackensack Twp.
02-25 Hasbrouk Heights Boro.	02-60 Teaneck Twp.
02-26 Haworth Boro.	02-61 Tenafly Boro.
02-27 Hillsdale Boro.	02-62 Teterboro Boro.
02-28 Ho-Ho-Kus Boro.	02-63 Upper Saddle River Boro.
02-29 Leonia Boro.	02-64 Waldwick Boro.
02-30 Little Ferry Boro.	02-65 Wallington Boro.
02-31 Lodi Boro.	02-66 Washington Twp.
02-32 Lyndhurst Twp.	02-67 Westwood Boro.
02-33 Mahwah Twp.	02-68 Woodcliff Lake Boro.
02-34 Maywood Boro.	02-69 Wood-Ridge Boro.
02-35 Midland Park Boro.	02-70 Wyckoff Twp.

Burlington County

03-01 Bass River Twp.	03-21 Medford Lakes Boro.
03-02 Beverly City	03-22 Moorestown Twp.
03-03 Bordentown City	03-23 Mt. Holly Twp.
03-04 Bordentown Twp.	03-24 Mt. Laurel Twp.
03-05 Burlington City	03-25 New Hanover Twp.
03-06 Burlington Twp.	03-26 No. Hanover Twp.
03-07 Chesterfield Twp.	03-27 Palmyra Boro.
03-08 Cinnaminson Twp.	03-28 Pemberton Boro.
03-09 Delanco Twp.	03-29 Pemberton Twp.
03-10 Delran Twp.	03-30 Riverside Twp.
03-11 Eastampton Twp.	03-31 Riverton Boro.
03-12 Edgewater Park Twp.	03-32 Shamong Twp.
03-13 Evesham Twp.	03-33 Southampton Twp.
03-14 Fieldsboro Boro.	03-34 Springfield Twp.
03-15 Florence Twp.	03-35 Tabernacle Twp.
03-16 Hainesport Twp.	03-36 Washington Twp.
03-17 Lumberton Twp.	03-37 Westampton Twp.
03-18 Mansfield Twp.	03-38 Willingboro Twp.
03-19 Maple Shade Twp.	03-39 Woodland Twp.
03-20 Medford Twp.	03-40 Wrightstown Boro.

Camden County

04-01 Audubon Boro.	04-20 Laurel Springs Boro.
04-02 Audubon Park Boro.	04-21 Lawnside Boro.
04-03 Barrington Boro.	04-22 Lindenwold Boro.
04-04 Bellmawr Boro.	04-23 Magnolia Boro.
04-05 Berlin Boro.	04-24 Merchantville Boro.
04-06 Berlin Twp.	04-25 Mount Ephraim Boro.
04-07 Brooklawn Boro.	04-26 Oaklyn Boro.
04-08 Camden City	04-27 Pennsauken Twp.
04-09 Cherry Hill Twp.	04-28 Pine Hill Boro.
04-10 Chesilhurst Boro.	04-29 Pine Valley Boro.
04-11 Clementon Boro.	04-30 Runnemede Boro.
04-12 Collingswood Boro.	04-31 Somerdale Boro.
04-13 Gibbsboro Boro.	04-32 Stratford Boro.
04-14 Gloucester City	04-33 Tavistock Boro.
04-15 Gloucester Twp.	04-34 Voorhees Twp.
04-16 Haddon Twp.	04-35 Waterford Twp.
04-17 Haddonfield Boro.	04-36 Winslow Twp.
04-18 Haddon Heights Boro.	04-37 Woodlynne Boro.
04-19 Hi-Nella Boro.	

Cape May County

05-01 Avalon Boro.
05-02 Cape May City
05-03 Cape May Point Boro.
05-04 Dennis Twp.
05-05 Lower Twp.
05-06 Middle Twp.
05-07 North Wildwood City
05-08 Ocean City

05-09 Sea Isle City
05-10 Stone Harbor Boro
05-11 Upper Twp.
05-12 West Cape May Boro.
05-13 West Wildwood Boro.
05-14 Wildwood City
05-15 Wildwood Crest Boro.
05-16 Woodbine Boro

Cumberland County

06-01 Bridgeton City
06-02 Commercial Twp.
06-03 Deerfield Twp.
06-04 Downe Twp.
06-05 Fairfield Twp.
06-06 Greenwich Twp.
06-07 Hopewell Twp.

06-08 Lawrence Twp.
06-09 Maurice River Twp.
06-10 Millville City
06-11 Shiloh Boro.
06-12 Stow Creek Twp.
06-13 Upper Deerfield Twp.
06-14 Vineland City

Essex County

07-01 Belleville Twp.
07-02 Bloomfield Twp.
07-03 Caldwell Twp.
07-04 Cedar Grove Twp.
07-05 East Orange City
07-06 Essex Fells Boro.
07-07 Fairfield Twp.
07-08 Glen Ridge Boro.
07-09 Irvington Twp.
07-10 Livingston Twp.
07-11 Maplewood Twp.

07-12 Millburn Twp.
07-13 Montclair Town
07-14 Newark City
07-15 North Caldwell Boro.
07-16 Nutley Town
07-17 Orange Twp.
07-18 Roseland Boro.
07-19 South Orange Village
07-20 Verona Boro.
07-21 West Caldwell Boro.
07-22 West Orange Twp.

Gloucester County

08-01 Clayton Boro.	08-13 Newfield Boro.
08-02 Deptford Twp.	08-14 Paulsboro Boro.
08-03 East Greenwich Twp.	08-15 Pitman Boro.
08-04 Elk Twp.	08-16 South Harrison Twp.
08-05 Franklin Twp.	08-17 Swedesboro Boro.
08-06 Glassboro Boro.	08-18 Washington Twp.
08-07 Greenwich Twp.	08-19 Wenonah Boro.
08-08 Harrison Twp.	08-20 West Deptford Twp.
08-09 Logan Twp.	08-21 Westville Boro.
08-10 Mantua Twp.	08-22 Woodbury City
08-11 Monroe Twp.	08-23 Woodbury Heights Boro.
08-12 National Park Boro.	08-24 Woolwich Twp.

Hudson County

09-01 Bayonne City	09-07 Kearny Town
09-02 East Newark Boro.	09-08 North Bergen Twp.
09-03 Guttenburg Town	09-09 Secaucus Town
09-04 Harrison Town	09-10 Union City
09-05 Hoboken City	09-11 Weehawken Twp.
09-06 Jersey City	09-12 West New York Town

Hunterdon County

10-01 Alexandria Twp.	10-14 High Bridge Boro.
10-02 Bethlehem Twp.	10-15 Holland Twp.
10-03 Bloomsbury Boro.	10-16 Kingwood Twp.
10-04 Califon Boro	10-17 Lambertville City
10-05 Clinton Town	10-18 Lebanon Boro.
10-06 Clinton Twp.	10-19 Lebanon Twp.
10-07 Delaware Twp.	10-20 Milford Boro.
10-08 East Amwell Twp.	10-21 Raritan Twp.
10-09 Flemington Boro.	10-22 Readington Twp.
10-10 Franklin Twp.	10-23 Stockton Boro.
10-11 Frenchtown Boro	10-24 Tewksbury Twp.
10-12 Glen Gardner Boro.	10-25 Union Twp.
10-13 Hampton Boro.	10-26 West Amwell Twp.

Mercer County

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| 11-01 East Windsor Twp. | 11-08 Pennington Boro. |
| 11-02 Ewing Twp. | 11-09 Princeton Boro. |
| 11-03 Hamilton Twp. | 11-10 Princeton Twp. |
| 11-04 Hightstown Boro. | 11-11 Trenton City |
| 11-05 Hopewell Boro. | 11-12 Washington Twp. |
| 11-06 Hopewell Twp. | 11-13 West Windsor Twp. |
| 11-07 Lawrence Twp. | |

Middlesex County

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| 12-01 Carteret Boro. | 12-14 N. Brunswick Twp. |
| 12-02 Cranbury Twp. | 12-15 Old Bridge Twp. |
| 12-03 Dunellen Boro. | 12-16 Perth Amboy City |
| 12-04 East Brunswick Twp. | 12-17 Piscataway Twp. |
| 12-05 Edison Twp. | 12-18 Plainsboro Twp. |
| 12-06 Helmetta Boro. | 12-19 Sayreville Boro. |
| 12-07 Highland Park Boro. | 12-20 South Amboy City |
| 12-08 Jamesburg Boro. | 12-21 South Brunswick Twp. |
| 12-09 Metuchen Boro. | 12-22 South Plainfield Boro. |
| 12-10 Middlesex Boro. | 12-23 South River Boro. |
| 12-11 Milltown Boro. | 12-24 Spotswood Boro. |
| 12-12 Monroe Twp. | 12-25 Woodbridge Twp. |
| 12-13 New Brunswick City | |

Monmouth County

- 13-01 Aberdeen Twp.
- 13-02 Allenhurst Boro.
- 13-03 Allentown Boro.
- 13-04 Asbury Park City
- 13-05 Atlantic Highlands Boro.
- 13-06 Avon-by-the-Sea Boro.
- 13-07 Belmar Boro.
- 13-08 Bradley Beach Boro.
- 13-09 Brielle Boro.
- 13-10 Colts Neck Twp.
- 13-11 Deal Boro.
- 13-12 Eatontown Boro.
- 13-13 Englishtown Boro.
- 13-14 Fair Haven Boro.
- 13-15 Farmingdale Boro.
- 13-16 Freehold Boro.
- 13-17 Freehold Twp.
- 13-18 Hazlet Twp.
- 13-19 Highlands Boro.
- 13-20 Holmdel Twp.
- 13-21 Howell Twp.
- 13-22 Interlaken Boro.
- 13-23 Keansburg Boro.
- 13-24 Keyport Boro.
- 13-25 Little Silver Boro.
- 13-26 Loch Arbour Village
- 13-27 Long Branch City
- 13-28 Manalapan Twp.
- 13-29 Manasquan Boro.
- 13-30 Marlboro Twp.
- 13-31 Matawan Boro.
- 13-32 Middletown Twp.
- 13-33 Millstone Twp.
- 13-34 Monmouth Beach Boro.
- 13-35 Neptune Twp.
- 13-36 Neptune City Boro.
- 13-37 Ocean Twp.
- 13-38 Oceanport Boro.
- 13-39 Red Bank Boro.
- 13-40 Roosevelt Boro.
- 13-41 Rumson Boro.
- 13-42 Sea Bright Boro.
- 13-43 Sea Girt Boro
- 13-44 Shrewsbury Boro.
- 13-45 Shrewsbury Twp.
- 13-46 South Belmar Boro.
- 13-47 Spring Lake Boro.
- 13-48 Spring Lake Hghts. Boro.
- 13-49 Tinton Falls Boro.
- 13-50 Union Beach Boro.
- 13-51 Upper Freehold Twp.
- 13-52 Wall Twp.
- 13-53 West Long Branch Boro.

Morris County

14-01	Boonton Town	14-21	Montville Twp.
14-02	Boonton Twp.	14-22	Morris Twp.
14-03	Butler Boro.	14-23	Morris Plains Boro.
14-04	Chatham Boro.	14-24	Morristown Town
14-05	Chatham Twp.	14-25	Mountain Lakes Boro.
14-06	Chester Boro.	14-26	Mount Arlington Boro.
14-07	Chester Twp.	14-27	Mount Olive Twp.
14-08	Denville Twp.	14-28	Netcong Boro.
14-09	Dover Town	14-29	Parsippany-Troy Hills Twp.
14-10	East Hanover Twp.	14-30	[Passaic Twp.] *
14-11	Florham Park Boro.	14-31	Pequannock Twp.
14-12	Hanover Twp.	14-32	Randolph Twp.
14-13	Harding Twp.	14-33	Riverdale Boro.
14-14	Jefferson Twp.	14-34	Rockaway Boro.
14-15	Kinnelon Boro.	14-35	Rockaway Twp.
14-16	Lincoln Park Boro.	14-36	Roxbury Twp.
14-17	Long Hill Twp.		
14-18	Madison Boro.	14-37	Victory Gardens Boro.
14-19	Mendham Boro.	14-38	Washington Twp.
14-20	Mendham Twp.	14-39	Wharton Boro.
14-21	Mine Hill Twp.		

** (Passaic Twp. and Long Hill Twp. area was renamed Long Hill Twp. as result of the November 1992, local referendum)*

Ocean County

15-01	Barnegat Twp.	15-18	Long Branch Twp.
15-02	Barnegat Light Boro.	15-19	Manchester Twp.
15-03	Bay Head Boro.	15-20	Mantoloking Boro.
15-04	Beach Haven Boro.	15-21	Ocean Twp.
15-05	Beachwood Boro.	15-22	Ocean Gate Boro.
15-06	Berkeley Twp.	15-23	Pine Beach Boro
15-07	Brick Twp.	15-24	Plumsted Twp.
15-08	Dover Twp.	15-25	Point Pleasant Boro.
15-09	Eagleswood Twp.	15-26	Pt. Pleasant Beach Boro.
15-10	Harvey Cedars Boro.	15-27	Seaside Heights Boro.
15-11	Island Heights Boro	15-28	Seaside Park Boro.
15-12	Jackson Twp.	15-29	Ship Bottom Boro.
15-13	Lacey Twp.	15-30	S. Toms River Boro.
15-14	Lakehurst Boro.	15-31	Stafford Twp.
15-15	Lakewood Twp.	15-32	Surf City Boro.
15-16	Lavalette Boro.	15-33	Tuckerton Boro.
15-17	Little Egg Harbor Twp.		

Passaic County

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| 16-01 | Bloomington Boro. | 16-09 | Pompton Lakes Boro. |
| 16-02 | Clifton City | 16-10 | Prospect Park Boro. |
| 16-03 | Haledon Boro. | 16-11 | Ringwood Boro. |
| 16-04 | Hawthorne Boro. | 16-12 | Totowa Boro. |
| 16-05 | Little Falls Twp. | 16-13 | Wanaque Boro. |
| 16-06 | North Haledon Boro. | 16-14 | Wayne Twp. |
| 16-07 | Passaic City | 16-15 | West Milford Twp. |
| 16-08 | Paterson City | 16-16 | West Paterson Boro. |

Salem County

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|-------|---------------------------|-------|-----------------------|
| 17-01 | Alloway Twp. | 17-09 | Pennsville Twp. |
| 17-02 | Carneys Point Twp. | 17-10 | Pilesgrove Twp. |
| 17-03 | Elmer Boro. | 17-11 | Pittsgrove Twp. |
| 17-04 | Elsinboro Twp. | 17-12 | Quinton Twp. |
| 17-05 | Lower Alloways Creek Twp. | 17-13 | Salem City |
| 17-06 | Mannington Twp. | 17-14 | Upper Pittsgrove Twp. |
| 17-07 | Oldmans Twp. | 17-15 | Woodstown Boro. |
| 17-08 | Penns Grove Boro. | | |

Somerset County

- | | | | |
|-------|---------------------|-------|--------------------------|
| 18-01 | Bedminster Twp. | 18-12 | Millstone Twp. |
| 18-02 | Bernards Twp. | 18-13 | Montgomery Twp. |
| 18-03 | Bernardsville Boro. | 18-14 | North Plainfield Boro. |
| 18-04 | Bound Brook Boro. | 18-15 | Peapack/ Gladstone Boro. |
| 18-05 | Branchburg Twp. | 18-16 | Raritan Boro. |
| 18-06 | Bridgewater Twp. | 18-17 | Rocky Hill Boro |
| 18-07 | Far Hills Boro. | 18-18 | Somerville Boro. |
| 18-08 | Franklin Twp. | 18-19 | South Bound Brook Boro. |
| 18-09 | Green Brook Twp. | 18-20 | Warren Twp. |
| 18-10 | Hillsborough Twp. | 18-21 | Watchung Boro. |
| 18-11 | Manville Boro | | |

Sussex County

- | | |
|-------------------------|------------------------|
| 19-01 Andover Boro. | 19-13 Lafayette Twp. |
| 19-02 Andover Twp. | 19-14 Montague Twp. |
| 19-03 Branchville Boro. | 19-15 Newton Town |
| 19-04 Byram Twp. | 19-16 Ogdensburg Boro. |
| 19-05 Frankford Twp. | 19-17 Sandyston Twp. |
| 19-06 Franklin Boro. | 19-18 Sparta Twp. |
| 19-07 Fredon Twp. | 19-19 Stanhope Boro. |
| 19-08 Green Twp. | 19-20 Stillwater Twp. |
| 19-09 Hamburg Boro. | 19-21 Sussex Boro. |
| 19-10 Hampton Twp. | 19-22 Vernon Twp. |
| 19-11 Hardyston Twp. | 19-23 Walpack Twp. |
| 19-12 Hopatcong Boro. | 19-24 Wantage Twp. |

Union County

- | | |
|-----------------------------|--------------------------|
| 20-01 Berkeley Heights Twp. | 20-12 Plainfield City |
| 20-02 Clark Twp. | 20-13 Rahway City |
| 20-03 Cranford Twp. | 20-14 Roselle Boro. |
| 20-04 Elizabeth City | 20-15 Roselle Park Boro. |
| 20-05 Fanwood Boro. | 20-16 Scotch Plains Twp. |
| 20-06 Garwood Boro. | 20-17 Springfield Twp. |
| 20-07 Hillside Twp. | 20-18 Summit City |
| 20-08 Kenilworth Boro. | 20-19 Union Twp. |
| 20-09 Linden City | 20-20 Westfield Town |
| 20-10 Mountainside Boro. | 20-21 Winfield Twp. |
| 20-11 New Providence Boro. | |

Warren County

- | | |
|--------------------------|---------------------------|
| 21-01 Allamuchy Twp. | 21-13 Knowlton Twp. |
| 21-02 Alpha Boro. | 21-14 Liberty Twp. |
| 21-03 Belvidere Town | 21-15 Lopatcong Twp. |
| 21-04 Blairstown Twp. | 21-16 Mansfield Twp. |
| 21-05 Franklin Twp. | 21-17 Oxford Twp. |
| 21-06 Frelinghuysen Twp. | [21-18 Pahaquarry Twp.]** |
| 21-07 Greenwich Twp. | 21-19 Phillipsburg Town |
| 21-08 Hackettstown Town | 21-20 Pohatcong Twp. |
| 21-09 Hardwick Twp. | 21-21 Washington Boro. |
| 21-10 Harmony Twp. | 21-22 Washington Twp. |
| 21-11 Hope Twp. | 21-23 White Twp. |
| 21-12 Independence Twp. | |

****(*Pahaquarry Twp and Hardwick Town area renamed as Hardwick Twp, July 2, 1997*)**

20.12 DISTRICT RECORD KEEPING AND RECORDS RETENTION

- A. The District shall maintain relevant program records. Files may be separate or combined with the Ch 251 file. The RFA file retention period is the same as Ch 251 records pursuant to the SSCC Records Retention schedule. Essential District records are as follows:
- i. Chronological log of all RFA's
 - ii. The original copy of all RFA's
 - iii. Photocopy of applicant check or voucher
 - iv. Copy of all ATD's

20.13 ENFORCEMENT AND PENALTIES

Compliance with the ATD requires compliance with the certified SESC plan. Failure to submit a RFA or obtain an ATD, should be referred to the NJDEP for enforcement action (refer to NJDEP and District phone numbers and contacts in the Appendix.) The NJDEP will coordinate with the district on all such enforcement actions.

- A. **Penalties-** Violations of the NJPDES rules or the General Permit NJG0088323 is subject to the penalties in the NJ Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq., of up to \$50,000 per day, with each day constituting a separate and distinct offense. Such penalties are in addition to penalties under the Soil Erosion and Sediment Control Act of \$3,000 per day with each day being a separate and distinct offense.
- B. **Failure to Secure Discharge Authorization-** A facility/applicant shall immediately respond to and comply with District notification of the requirements of the RFA program. Those facilities which fail to comply may be referred to the regional NJDEP enforcement office using the SSCC transmittal form with a copy to the SSCC. A joint field review of the facility and joint determination of general permit applicability is recommended if there are any questions about applicability.
- C. **Compliance with the Conditions of the Authorization** –Technical compliance with the soil erosion and sediment control component of the stormwater discharge authorization is the same as compliance with the certified SESC plan. This means, for district certified **SESC plans**, enforcement of SESC compliance resides solely with the District. For any **exempt municipality certified plans**, compliance with the certified plan resides initially with the municipality because discharge authorization compliance is again the same as compliance with the certified soil erosion control plan and because the District is responsible for issuance of the discharge authorization based upon municipal certification of the SESC plan. If the municipality fails to require compliance with the SESC plan, the District may require the appropriate municipal officials to take needed actions or the District can initiate action to return jurisdiction to the district in accordance with N.J.S.A. 4:24-48 and N.J.A.C. 2:90-1.7 (f). Enforcement for

compliance with the construction site waste control component of ATD resides solely with the NJDEP.

- D. Alleged Problems Arising from a Third-Party Complaint to the NJDEP** – District will determine if there is non-compliance with the SESC plan and corrective actions will be required by the District where needed. NJDEP will not become involved in SESC site inspection, compliance or enforcement action unless requested by the District. This procedure will also apply to exempt municipalities with any SESC complaint referred to the District for investigation regarding SESC compliance.
- E. Coordination with DEP Personnel** – Directories of District personnel, NJDEP Bureau of Nonpoint Pollution Control and Enforcement personnel will be distributed to Districts by the SSCC to facilitate coordination. Regional meetings with NJDEP enforcement personnel, SSCC staff and respective District personnel will be periodically scheduled to facilitate communication and coordination.

20.14 ENFORCEMENT COORDINATION WITH NJDEP

A. Initial Coordination

1. Each NJDEP Regional Bureau will provide an organizational chart and contact information to the SSCC and each District in its jurisdictional county area as follows: **Northern** (Bergen, Hudson/Essex/Passaic, Hunterdon, Morris, Somerset, Sussex, Warren); **Central** (Mercer, Middlesex, Monmouth, Ocean, Union); **Southern** (Burlington, Camden, Cape-Atlantic, Cumberland, Gloucester, Salem). Note that the Somerset-Union District coordination is with the Northern and Central Regional Bureau.
2. Each NJDEP Regional Bureau Chief will set an initial meeting with each of their area's District Managers (at the District office) for the purpose of management and staff getting acquainted and discussing area specific concerns and coordination issues.
3. Each NJDEP Regional Bureau Chief and District Manager will distribute this protocol to their respective staffs and conduct training as necessary.
4. Each District may add language to their violation notices and other enforcement action letters as follows: ***Please note that the cited violations may also be violations of the NJPDES General Permit NJG0088323 and the NJ Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq., which provides for penalties of up to \$50,000 per day, per violation, with each day the violation continues constituting a separate and distinct offense.***

B. Continuing Coordination

1. Each NJDEP Regional Bureau Chief in coordination with the SSCC will arrange to host periodic regional meetings with all District Managers in their jurisdictional areas to discuss current case issues and any coordination issues which might arise. The frequency of these meetings (quarterly, bi-annually, etc.) will be determined by consensus.
2. Any complaints received by the NJDEP Regional Enforcement Bureaus from the general public or public agencies or officials regarding District regulated activities will be referred to the appropriate District, with a copy to the SSCC, for investigation, follow up and feedback to the complainant, NJDEP and SSCC.
3. NJDEP's Water Compliance and Enforcement management (Administrator & Regional Bureau Chief's) will attend the quarterly District Managers meetings with the Department of Agriculture (NJDA) to discuss overall legal, policy and coordination issues.
4. Whenever possible and practical, NJDEP, SSCC and District staff will be jointly trained in new laws, rules, topics or initiatives which mutually impact the organizations.

C. Enforcement Coordination

1. Any District may copy (via mail or fax) the appropriate NJDEP Regional Bureau and the SSCC on significant actions taken by the District, as the District deems important, for protecting water quality. (For example a notice of significant violation.) A significant violation is one which negativity impacts or has high potential to negativity impact water quality in a significant manner. Likewise, any NJDEP Regional Bureau will copy (via mail or fax) the appropriate District and SSCC on any significant actions taken by NJDEP.
2. If a District desires enforcement assistance from NJDEP, it will fax a copy of a completed *SSCC Site Status/ Enforcement Request Form* (request form copy attached) to the appropriate NJDEP Regional Bureau. The NJDEP Regional Bureau will contact the District to schedule a joint inspection of the site within five (5) days of receipt of the form, and subsequently follow up with formal enforcement action after consultation with the District.

20.15 PROJECTS WITH AN EXISTING INDIVIDUAL PERMIT

If a facility owner or operating entity advises the District that a project/facility is not eligible for the construction general permit because the site has received an individual permit, the District should request a copy of the individual permit for file documentation.

20.16 TRANSFER OF AUTHORIZATION FOR DISCHARGE STORMWATER

Subsequent owner(s) or operating entities of a project must file with the District for the ATD to remain valid. Transfer of authorization is specified in the General Permit and at N.J.A.C. 7:14A-6.13(n). The new owner or operating entity shall notify the District in writing indicating the names of the previous and current owner or operating entity, utilizing the Transfer of Authorization Form.

20.17 REQUESTS FOR INTERPRETATIVE GUIDANCE REGARDING APPLICABILITY OF A SITE TO THE STORMWATER DISCHARGE PERMIT PROGRAM

General Information-Requests from a landowner proposing a project; to the District and if additional information is needed, refer to the NJDEP at 609-633-7021.

Procedural Issues-Contact the SSCC at 609-292-5540.

Technical Applicability of the RFA to land disturbances, contact: the local District, Appendix A-6; or NJDEP at 609-633-7021; or for enforcement issues contact the NJDEP Regional Enforcement Office. (see Appendix A-7)