# New Jersey Turnpike Stormwater Pollution Prevention Plan

NJPDES #NJG0153354

prepared by

CHURCHILL

**344 N Route 73, Berlin NJ**

April 23, 2026

# Table of Contents

**Appendix D**

Authority Compliance Statements

**Appendix E**

Highway Agency Stormwater General Permit – Authorization to Discharge
Highway Agency Stormwater General Permit – NJPDES Master General Permit Renewal

# Introduction

## Introduction

Stormwater runoff is commonly transported through Municipal Separate Storm Sewer Systems (MS4s) before discharging into local waterbodies. In an effort to prevent harmful pollutants from being washed or transported into an MS4, State stormwater regulations require that all New Jersey municipalities, state, county, and interstate transportation entities obtain a New Jersey Pollutant Discharge Elimination System (NJPDES) permit. NJPDES permits specify the minimum control measures that must be implemented by the permittee and establish the requirements for a stormwater program. One aspect of the stormwater program is preparation of the Stormwater Pollution Prevention Plan (SPPP).

The SPPP is a required document that outlines the permittee's stormwater program and describes the necessary measures taken by the permittee to be in compliance with the specific conditions, measurable goals, and implementation due dates outlined in the NJPDES permit. The SPPP is required to be reviewed at least annually and must be updated as often as necessary to reflect the changes related to the permittee's stormwater program.

Effective January 1, 2025, the New Jersey Department of Environmental Protection has renewed the Highway Agency MS4 NJPDES Master General Permit (NJ0141887). The renewed permit includes substantial changes as they relate to specific conditions, measurable goals, and implementation due dates. As a result, the New Jersey Turnpike Authority (Authority) has updated its Stormwater Pollution Prevention Plan (SPPP) for the New Jersey Turnpike (Turnpike) to comply with the conditions set forth by this renewed permit under the Authority's Authorization to Discharge Renewal No. NJG0153354.

The SPPP herein describes how the Authority complies with the NJPDES HASWGP requirements as they relate to Turnpike facilities and operations. The methods for compliance are described in more detail in the following 19 forms developed by the New Jersey Department of Environmental Protection (NJDEP). It should be noted that the provided NJDEP forms were updated on July 22, 2025. As such, the Authority is in the process of transferring the information from the 2020 forms to this updated format. Additionally, measurable goals for several of the new requirements have not been provided in the final documentation of the renewed permit. Further coordination with the NJDEP is required, and an updated SPPP will be submitted.

The SPPP will be posted on the Authority's website (www.njta.com) and revisions recorded on Form 2 – Revision History accordingly.

# Form 1

# Stormwater Pollution Prevention Team Members

# SPPP Form 1 – SPPP Team Members

| Stormwater Program Coordinator (SPC) | |
|---|---|
| Print Name and Title | Christopher Rossi<br>Senior Environmental Manager |
| Office Phone # and Email | (732) 750-5300 x8257<br>crossi@njta.gov |
| Signature and Date | |
| **Individual Responsible for Major Development Project Stormwater Management Review**<br>Please see training requirements for stormwater management reviewers on Form 13. | |
| Print Name and Title/Affiliation | James Mellett, P.E.<br>Churchill Consulting Engineers<br>General Consulting Engineer |
| Print Name and Title/Affiliation | |
| Print Name and Title/Affiliation | |
| Print Name and Title/Affiliation | |
| Print Name and Title/Affiliation | |
| **Other SPPP Team Members** | |
| Print Name and Title/Affiliation | |
| Print Name and Title/Affiliation | |
| Print Name and Title/Affiliation | |
| Print Name and Title/Affiliation | |

# Form 2

# Revision History

## SPPP Form 2 – Revision History

| Revision Date | SPC Initials | SPPP Form Changed | Reason for Revision |
|---|---|---|---|
| 08/13/2021 | | 1-19 | 2020 permit renewal update |
| 07/01/2025 | | 2-20 | 2025 permit renewal update |
| 11/20/25 | | 7-25 | Maintenance Yards & Other Ancillary Operations Form revisions and Appendix B update |
| 04/23/2026 | | 1-2, 13 | SWM Reviewer Update |
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# Form 3

# Public Involvement and Participation Including Public Notice

## SPPP Form 3 – Public Involvement and Participation Including Public Notice

| | |
|---|---|
| Website where the Stormwater Pollution Prevention Plan (SPPP) is posted online: | www.njta.com |
| Physical Location and/or website where records of public notices, meeting dates, minutes, etc. are kept: | New Jersey Turnpike Authority<br>1 Turnpike Plaza<br>Woodbridge, NJ 07095 |

Describe how the permittee complies with applicable state and local public notice requirements when providing for public participation in the development and implementation of its MS4 stormwater program:

All meetings of the Board of Commissioners, the body which regulates and sets policy for the New Jersey Turnpike Authority, are held pursuant to the requirements of the Open Public Meetings Act (N.J.S.A. 10:4-6, et seq.) which, among other things, requires advance notice of all meetings so as to allow for public input. All such meetings allow a public comment period for any member of the public to comment on any subject, including any stormwater management program.

All projects on the New Jersey Turnpike, which provide substantial improvements to various facilities or roadways, require a public hearing pursuant to Executive Order 172. The process the Authority has adopted allows for a public comment on any such project, which may include stormwater management issues.

In the event the Authority should adopt any new regulation relating to stormwater management, it will do so pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1, et seq. and N.J.A.C. 19:8-12.1 et seq. as they may be amended from time to time, which allows ample opportunity for public comment.

# Form 4

# Public Education and Outreach

# SPPP Form 4 – Public Education and Outreach

This is only required for Highway Agencies that own or operate rest areas and/or service areas.

**5 Point System:** Each year, Highway Agencies that own or operate rest areas and/or service areas must conduct activities related to educating the public on stormwater pollution prevention. Sample activities include posting stormwater information on their website or social media, running local ads, posting signs at green infrastructure sites, posting stormwater signs, billboards, or murals at rest/service areas, presenting a stormwater related display or materials at rest/service areas, and providing pet waste bags at rest/service areas.

Permittees must earn at least 5 points as described in Attachment B of the permit. Describe how you are meeting the minimum 5-point requirement.

In accordance with the new Highway Agency Stormwater General Permit requirements, the Authority will conduct three different activities that total at least 7 points as set forth in Attachment A - Point System for Public Education and Outreach Activities. These activities include posting and maintaining regulatory mechanism signage, designating and maintaining a pet waste relief area, and providing and maintaining a flyer or handout specific to regulatory mechanism education.

In terms of posting and maintaining regulatory mechanism signage, the Authority displays regulatory mechanism posters in its Service Areas within the Turnpike right-of-way. The Service Areas are inspected annually for compliance and posters are replaced as needed.

In terms of designating and maintaining a pet relief area, the Authority provides a pet relief area at one of its Service Areas within the Turnpike right-of-way. This designated area supplies pet waste bags and pet waste receptacles. The area is maintained by Authority maintenance personnel on a daily basis.

In terms of regulatory mechanism education, the Authority has engaged Applegreen and Sunoco in the display and distribution of materials related to its regulatory mechanisms within its Service Areas. The materials provided are reviewed and updated annually in conjunction with updates to the Authority's SPPP. This activity will serve to satisfy the requirement of educating service area businesses which discharge to the Authority's MS4, and the general public of hazards associated with illicit connections and improper disposal of waste.

**Records:** Indicate where public education and outreach records are maintained.

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

# Form 5

# Post-Construction Stormwater Management in New Development and Redevelopment Program

# SPPP Form 5 – Post-Construction Stormwater Management in New Development and Redevelopment Program

**Major Development:** How does the permittee define 'major development'?

The Authority defines 'major development' as an individual "development," as well as multiple developments part of a common plan, that individually or collectively meet any one or more of the following:

1.The disturbance of one or more acres of land since February 2, 2004;
2.The creation of one-quarter acre or more of "regulated impervious surface" since February 2, 2004;
3.The creation of one-quarter acre or more of "regulated motor vehicle surface" since March 2, 2021; or,
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter or more.

**Approval Process:** Describe the process for reviewing and approving major development project applications for compliance with the stormwater management rules at N.J.A.C. 7:8 et seq. Attach a flow chart if available. Provide the location of the mitigation plan (if one exists) to allow for alternative locations or designs.

Major development projects are designed by engineering consultants that are required to follow the Authority's Design Manual, which requires that stormwater management facilities be designed to comply with N.J.A.C. 7:8 et. seq.

The Authority implements a phased review process for major development projects. The Authority's General Consulting Engineer is responsible for reviewing the stormwater management design during each phase. The reviewing engineers shall have completed the required NJDEP training course.

The current Major Development Project List (Attachment D) is provided in Appendix A and will be annually updated with the MSRP Annual Report.

The Authority does not have a mitigation plan for meeting stormwater management requirements at alternative locations or by alternative means.

**Records:** Indicate the location of approved applications for major development projects.

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

# Form 6

# Regulatory Mechanisms

# SPPP Form 6 – Regulatory Mechanisms

| Regulatory Mechanism | Date of Adoption | Website | Entity Responsible for Enforcement |
|---|---|---|---|
| 1. Pet Waste Control<br>Permit cite IV.B.5.a.i. | 08/24/2017 | https://www.njta.com/about/regulations-and-policies | Local or NJ State Police |
| 2. Wildlife Feeding Control<br>Permit cite IV.B.5.a.ii. | 08/24/2017 | https://www.njta.com/about/regulations-and-policies | Local or NJ State Police |
| 3. Litter Control<br>Permit cite IV.B.5.a.iii. | 08/24/2017 | https://www.njta.com/about/regulations-and-policies | Local or NJ State Police |
| 4. Improper Disposal of Waste<br>Permit cite IV.B.5.a.iv. | 08/24/2017 | https://www.njta.com/about/regulations-and-policies | Local or NJ State Police |
| 5. Illicit Connection Prohibition<br>Permit cite IV.B.5.a.vii. | 08/24/2017 | https://www.njta.com/about/regulations-and-policies | Local or NJ State Police |

**Records:** Indicate the location of records associated with the regulatory mechanisms above and related enforcement actions.

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

# Form 7

# Litter Pick-Up Program

# SPPP Form 7 – Litter Pick-Up Program

| **Roadside Clean-up:** Describe the program and schedule for roadside clean-up of trash and debris. |
|---|
| The Authority has a litter patrol pick-up program that operates daily. The litter control program covers the entire roadway, interchanges and Authority owned and operated facilities. Trash receptacles at interchanges and facilities are emptied regularly as needed. |
| **Rest/Service Area Trash/Recycling Collection:** For Highway Agencies that own or operate rest/service areas, describe the program and schedule for regular collection of trash from litter and recycling receptacles at those locations. |
| The Authority does not operate the Service Areas. However, the Authority is responsible for the collection of trash and recycling receptacles in the parking and roadway portions of the Service Areas. The independent Service Area operators (Applegreen and Sunoco) are responsible for the collection of trash and recycling receptacles at the buildings and fueling canopies.<br><br>Trash and recycling collection occurs throughout the day as needed. The independent Service Area operators have agreements with local waste haulers to remove trash and recycling receptacles on a weekly basis. |
| **Records:** Indicate the location of records, including the dates and amount of materials collected from roadside clean-ups. |
| New Jersey Turnpike Authority<br>1 Turnpike Plaza<br>Woodbridge, NJ 07095 |

# Form 8

# Street Sweeping

# SPPP Form 8 – Street Sweeping

**Street Locations:** Attach a map or describe the location of all streets and paved parking lots that are owned or operated by the permittee.

a. Indicate which segments of limited-access roads have storm drain inlets or discharge directly to surface water.
b. Indicate which segments of non-limited-access roads have storm drain inlets or discharge directly to surface water.
c. Indicate which segments of roads do not have storm drain inlets or do not discharge directly to surface water.

All of the Authority's roadways and paved parking areas have storm drain inlets or discharge to surface waters.

**Schedule:** Describe the sweeping schedule for all streets and paved parking lots that are owned or operated by the permittee.

The Authority owns and operates mobile street sweepers on the Turnpike. The Authority also contracts with outside vendors, as needed, to supplement its sweeping efforts. The Authority does not operate the Service Areas. However, the Authority is responsible for mechanical sweeping of the parking and roadway portions of the Service Areas.

All segments of limited-access highways (including ramps and parking areas) that have storm drain inlets or discharge directly to surface water are swept on a quarterly basis. All segments of streets, ramps, and parking areas that have storm drain inlets or discharge directly to surface water but are not limited-access highways are swept on a triannual basis. All segments of streets, ramps, and parking areas that do not have a storm drain inlet or discharge directly to a surface water are swept on an annual basis.

**Records:** Indicate the location of records, including sweeping dates, areas swept, number of miles swept, and total amount of materials collected each month.

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

# Form 9

# Herbicide Application and Roadside Vegetative Waste Management

## SPPP Form 9 – Herbicide Application and Roadside Vegetative Waste Management

**Herbicide Application Management:** Describe the program for ensuring the proper application of herbicides. Include details about how the permittee ensures that herbicides are not washed into waters of the State and how they prevent erosion caused by de-vegetation.

The Authority employs NJDEP trained and licensed pesticide applicators. Training is conducted on an annual basis in order to comply with NJDEP Pesticide Regulations. Herbicide application is conducted by these applicators using EPA and NJDEP approved products. Herbicide is applied along curb lines, highway median barriers, and unobstructed shoulders that contain unwanted vegetation using computerized spray vehicles to properly distribute the herbicide and minimize overspraying. Authority maintenance personnel conduct visual inspections of de-vegetated areas on a regular basis, which includes inspecting for any erosion that may have resulted from said de-vegetation.

The Authority implements a roadside erosion control program to detect erosion along curbed and uncurbed roadways, ramps, and parking areas. This includes visually inspecting shoulders, embankments, ditches, and other vegetated areas owned or operated by the Authority at least once per year, and maintaining the stability of these areas to ensure that they are not eroding and contributing to sedimentation. Any repairs that will need to be completed are done so in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey, N.J.A.C. 2:90-1.

**Roadside Vegetative Waste Management:** Describe the program for ensuring that wood waste and yard trimmings generated by the permittee are not blown or deposited into stormwater facilities, e.g., storm drain inlets and basins.

Wood waste and yard trimmings include the following: tree parts, brush, wood chips, leaves, untreated/unpainted lumber, and grass clippings.

Authority maintenance personnel regularly collect roadside vegetative wastes and transport them to the nearest Maintenance District for temporary storage and/or disposal.

# Form 10

# Maintenance Yards and Other Ancillary Operations

# Form 11 – Maintenance Yards & Other Ancillary Operations

***Part IV.F.4.***

***Complete a separate Form 11 for each site. Indicate the number of sites the permittee owns or operates: 1 of 10***

**1. Site Name and Address**

TMD-1 Swedesboro, MP 13.2

**2. Monthly Site Inspections**

Describe the frequency and nature of inspections conducted at this site. Indicate the location of inspection logs.

Site inspections are conducted monthly. Resulting inspection logs are located at:

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

**3. Inventory List**

List all materials and machinery that are potentially exposed to stormwater.

| **Materials** | **Machinery/Equipment** |
|---|---|
| A Materials List is included in Appendix B. | A Machinery/Equipment List is included in Appendix B. |
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**4. Fueling Operations**

If fueling occurs on site, describe the BMPs in place to minimize contamination of stormwater from fueling activities. If fueling does not occur on site, explain where fueling takes place.

The Authority utilizes third-party vendors, such as Sunoco, for bulk fuel transfer and deliveries. Prior to transfer, the nearest drainage inlets are blocked, and a visual inspection of the tank field surface area is conducted for signs of any recent stains or obvious spills. Authority personnel are present during all bulk transfer operations. Suppliers are required to have the necessary equipment/supplies on board to provide initial response should a spill occur. The Authority also maintains additional spill control equipment and supplies, which are checked and inventoried monthly to ensure that used materials are replenished. After the bulk fuel transfer is complete, the transfer area is inspected for evidence of a spill or discharge. If none, temporary measures such as inlet covers and/or spill containment materials are removed. Lastly, proper signage and a clear

contact list are posted in a readily visible location for individuals responsible for spills and safe fueling equipment operations.

**5. Discharge of Stormwater from Secondary Containment**

Describe the process in place for discharging stormwater from secondary containment areas where outdoor containers are stored.

During the monthly inspections, visual inspections are conducted to ensure that bulk liquids have not contaminated the stormwater collected in the secondary containment area. If it is suspected that bulk liquids have contaminated the stormwater collected in the secondary containment area, said stormwater is hauled offsite for proper disposal. Additionally, all valves associated with the secondary containment are closed at all times except when discharging uncontaminated stormwater.

**6. Vehicle/Equipment Maintenance and Repair**

If vehicle/equipment maintenance and repair occur outdoors, describe the BMPs in place to minimize contamination of stormwater from these activities.

Vehicle and equipment maintenance and repair activities are conducted indoors. If vehicle and/or equipment maintenance is performed outdoors, drip pans are used at all times and maintenance is performed in a designated area away from storm drains.

**7. Wash Wastewater Containment**

If vehicle/equipment is washed on site, describe the BMPs in place to minimize contamination of stormwater from these activities. If not, explain where vehicle/equipment washing takes place.
If containment is used for wash wastewater, indicate what procedures are in place to prevent any unpermitted discharges of wash wastewater to storm sewer inlets, surface waters, or groundwaters of the state.
Indicate the location of records kept showing compliance with this section.

N/A

**8. Salt and Other Granular De-icing/Anti-icing Materials**

Describe where salt and other granular de-icing/anti-icing material is stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

Salt and other granular de-icing/anti-icing materials are stored in a salt shed. The salt shed utilizes a tarp, berm, or other form of stormwater exposure prevention. The salt handling areas are sufficiently swept both on a regular basis and immediately following the loading or unloading of materials.

**9. Aggregate Material, Wood Chips, and Finished Leaf Compost**

Describe where each of these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

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|---|
| Aggregate material, wood chips, and finish leaf compost are stored on site. These materials are contained by a graded surface and barrier. Additionally, the materials are stored more than 50 feet away from stormwater conveyance systems. Following the loading or unloading of these materials, all areas in front of and adjacent to the materials are swept. |
| **10. Construction and Demolition Waste, Wood Waste, and Yard Trimmings**<br>Describe where each of these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored. |
| Construction and demolition waste is stored on site. These materials are contained by a graded surface and barrier. The construction and demolition waste is stored more than 50 feet from any stormwater conveyance systems. |
| **11. Cold Patch Asphalt**<br>Describe where this material is stored. Describe the BMPs in place to minimize contamination of stormwater from this material. If not stored on site, explain where this material is stored. |
| N/A |
| **12. Street Sweepings and Storm Sewer Clean-out Materials**<br>Describe where these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored. |
| Street sweepings are stored on site. Street sweepings are stored outdoors on a concrete pad and covered by a tarp. Additionally, the street sweepings are contained by an impervious barrier. |
| **13. Scrap Tires**<br>Describe where this material is stored. Describe the BMPs in place to minimize contamination of stormwater from this material. If not stored on site, explain where this material is stored. |
| Scrap tires are stored on site in designated roll-off containers and covered when not in active use. |
| **14. Inoperable Vehicles and Equipment**<br>Describe where these are stored. Describe the BMPs in place to minimize contamination of stormwater from these. If they are not stored on site, explain where these are stored. |
| Inoperable vehicles and equipment are stored in a manner that prevents the runoff of pollutants. During the monthly inspections, visual inspections are conducted of the inoperable vehicles and equipment to check for leaks and filled drip pans. If any inoperable vehicles or equipment are found to be leaking, drip pans will be utilized immediately, and the leaks will be repaired within 30 days of initial notice. |

# Form 11 – Maintenance Yards & Other Ancillary Operations

***Part IV.F.4.***

***Complete a separate Form 11 for each site. Indicate the number of sites the permittee owns or operates: 2 of 10***

**1. Site Name and Address**

TMD-2 Moorestown, MP 37.1 NB

**2. Monthly Site Inspections**

Describe the frequency and nature of inspections conducted at this site. Indicate the location of inspection logs.

Site inspections are conducted monthly. Resulting inspection logs are located at:

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

**3. Inventory List**

List all materials and machinery that are potentially exposed to stormwater.

| **Materials** | **Machinery/Equipment** |
|---|---|
| A Materials List is included in Appendix B. | A Machinery/Equipment List is included in Appendix B. |
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**4. Fueling Operations**

If fueling occurs on site, describe the BMPs in place to minimize contamination of stormwater from fueling activities. If fueling does not occur on site, explain where fueling takes place.

The Authority utilizes third-party vendors, such as Sunoco, for bulk fuel transfer and deliveries. Prior to transfer, the nearest drainage inlets are blocked, and a visual inspection of the tank field surface area is conducted for signs of any recent stains or obvious spills. Authority personnel are present during all bulk transfer operations. Suppliers are required to have the necessary equipment/supplies on board to provide initial response should a spill occur. The Authority also maintains additional spill control equipment and supplies, which are checked and inventoried monthly to ensure that used materials are replenished. After the bulk fuel transfer is complete, the transfer area is inspected for evidence of a spill or discharge. If none, temporary measures such as inlet covers and/or spill containment materials are removed. Lastly, proper signage and a clear

contact list are posted in a readily visible location for individuals responsible for spills and safe fueling equipment operations.

**5. Discharge of Stormwater from Secondary Containment**

Describe the process in place for discharging stormwater from secondary containment areas where outdoor containers are stored.

During the monthly inspections, visual inspections are conducted to ensure that bulk liquids have not contaminated the stormwater collected in the secondary containment area. If it is suspected that bulk liquids have contaminated the stormwater collected in the secondary containment area, said stormwater is hauled offsite for proper disposal. Additionally, all valves associated with the secondary containment are closed at all times except when discharging uncontaminated stormwater.

**6. Vehicle/Equipment Maintenance and Repair**

If vehicle/equipment maintenance and repair occur outdoors, describe the BMPs in place to minimize contamination of stormwater from these activities.

Vehicle and equipment maintenance and repair activities are conducted indoors. If vehicle and/or equipment maintenance is performed outdoors, drip pans are used at all times and maintenance is performed in a designated area away from storm drains.

**7. Wash Wastewater Containment**

If vehicle/equipment is washed on site, describe the BMPs in place to minimize contamination of stormwater from these activities. If not, explain where vehicle/equipment washing takes place.
If containment is used for wash wastewater, indicate what procedures are in place to prevent any unpermitted discharges of wash wastewater to storm sewer inlets, surface waters, or groundwaters of the state.
Indicate the location of records kept showing compliance with this section.

Vehicles/equipment are washed on site. Wash wastewater is discharged directly to a sanitary sewer. Records showing compliance with the Wash Wastewater Containment requirements are located at:

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

**8. Salt and Other Granular De-icing/Anti-icing Materials**

Describe where salt and other granular de-icing/anti-icing material is stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

Salt and other granular de-icing/anti-icing materials are stored in a salt shed. The salt shed utilizes a tarp, berm, or other form of stormwater exposure prevention. The salt handling areas are sufficiently swept both on a regular basis and immediately following the loading or unloading of materials.

| |
|---|
| **9. Aggregate Material, Wood Chips, and Finished Leaf Compost**<br>Describe where each of these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored. |
| Aggregate material, wood chips, and finish leaf compost are stored on site in three-sided storage bays and are contained by a graded surface and barrier. Additionally, the materials are stored more than 50 feet away from stormwater conveyance systems. Following the loading or unloading of these materials, all areas in front of and adjacent to the materials are swept. |
| **10. Construction and Demolition Waste, Wood Waste, and Yard Trimmings**<br>Describe where each of these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored. |
| Construction and demolition waste, wood waste, and yard trimmings are stored on site. These materials are stored in three-sided storage bays contained by a graded surface and barrier. The construction debris, wood waste, and yard trimmings are stored more than 50 feet from any stormwater conveyance systems. Materials are hauled away when the bays are filled. |
| **11. Cold Patch Asphalt**<br>Describe where this material is stored. Describe the BMPs in place to minimize contamination of stormwater from this material. If not stored on site, explain where this material is stored. |
| Cold patch asphalt is stored indoors and/or under cover. |
| **12. Street Sweepings and Storm Sewer Clean-out Materials**<br>Describe where these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored. |
| Street sweepings and storm sewer clean-out materials are stored on site. These materials are dewatered in a manner that prevents discharge to the surface or ground water. Additionally, these materials are stored outdoors on concrete pads, covered by a tarp, and contained by an impervious barrier. |
| **13. Scrap Tires**<br>Describe where this material is stored. Describe the BMPs in place to minimize contamination of stormwater from this material. If not stored on site, explain where this material is stored. |
| Scrap tires are stored on site in designated roll-off containers and covered when not in active use. |
| **14. Inoperable Vehicles and Equipment**<br>Describe where these are stored. Describe the BMPs in place to minimize contamination of stormwater from these. If they are not stored on site, explain where these are stored. |
| |

Inoperable vehicles and equipment are stored in a manner that prevents the runoff of pollutants. During the monthly inspections, visual inspections are conducted of the inoperable vehicles and equipment to check for leaks and filled drip pans. If any inoperable vehicles or equipment are found to be leaking, drip pans will be utilized immediately, and the leaks will be repaired within 30 days of initial notice.

# Form 11 – Maintenance Yards & Other Ancillary Operations

***Part IV.F.4.***

***Complete a separate Form 11 for each site. Indicate the number of sites the permittee owns or operates: 3 of 10***

**1. Site Name and Address**

TMD-3 Crosswicks, MP 56.5

**2. Monthly Site Inspections**

Describe the frequency and nature of inspections conducted at this site. Indicate the location of inspection logs.

Site inspections are conducted monthly. Resulting inspection logs are located at:

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

**3. Inventory List**

List all materials and machinery that are potentially exposed to stormwater.

| Materials | Machinery/Equipment |
|---|---|
| A Materials List is included in Appendix B. | A Machinery/Equipment List is included in Appendix B. |
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**4. Fueling Operations**

If fueling occurs on site, describe the BMPs in place to minimize contamination of stormwater from fueling activities. If fueling does not occur on site, explain where fueling takes place.

The Authority utilizes third-party vendors, such as Sunoco, for bulk fuel transfer and deliveries. Prior to transfer, the nearest drainage inlets are blocked, and a visual inspection of the tank field surface area is conducted for signs of any recent stains or obvious spills. Authority personnel are present during all bulk transfer operations. Suppliers are required to have the necessary equipment/supplies on board to provide initial response should a spill occur. The Authority also maintains additional spill control equipment and supplies, which are checked and inventoried monthly to ensure that used materials are replenished. After the bulk fuel transfer is complete, the transfer area is inspected for evidence of a spill or discharge. If none, temporary measures such as inlet covers and/or spill containment materials are removed. Lastly, proper signage and a clear

contact list are posted in a readily visible location for individuals responsible for spills and safe fueling equipment operations.

**5. Discharge of Stormwater from Secondary Containment**

Describe the process in place for discharging stormwater from secondary containment areas where outdoor containers are stored.

During the monthly inspections, visual inspections are conducted to ensure that bulk liquids have not contaminated the stormwater collected in the secondary containment area. If it is suspected that bulk liquids have contaminated the stormwater collected in the secondary containment area, said stormwater is hauled offsite for proper disposal. Additionally, all valves associated with the secondary containment are closed at all times except when discharging uncontaminated stormwater.

**6. Vehicle/Equipment Maintenance and Repair**

If vehicle/equipment maintenance and repair occur outdoors, describe the BMPs in place to minimize contamination of stormwater from these activities.

Vehicle and equipment maintenance and repair activities are conducted indoors. If vehicle and/or equipment maintenance is performed outdoors, drip pans are used at all times and maintenance is performed in a designated area away from storm drains.

**7. Wash Wastewater Containment**

If vehicle/equipment is washed on site, describe the BMPs in place to minimize contamination of stormwater from these activities. If not, explain where vehicle/equipment washing takes place.
If containment is used for wash wastewater, indicate what procedures are in place to prevent any unpermitted discharges of wash wastewater to storm sewer inlets, surface waters, or groundwaters of the state.
Indicate the location of records kept showing compliance with this section.

Vehicles/equipment are washed on site. Wash wastewater is temporarily stored in a containment structure prior to disposal. The Authority performs the necessary testing and inspections on said structure to ensure that no unpermitted discharges of wash wastewater to storm sewer inlets or to surface or ground waters of the State occur. Records showing compliance with the Wash Wastewater Containment requirements are located at:

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

**8. Salt and Other Granular De-icing/Anti-icing Materials**

Describe where salt and other granular de-icing/anti-icing material is stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

Salt and other granular de-icing/anti-icing materials are stored in a salt dome. The salt dome utilizes a tarp, berm, or other form of stormwater exposure prevention. The salt handling areas are

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| sufficiently swept both on a regular basis and immediately following the loading or unloading of materials. |
| **9. Aggregate Material, Wood Chips, and Finished Leaf Compost**<br>Describe where each of these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored. |
| Aggregate material, wood chips, and finish leaf compost are stored on site. These materials are contained by a graded surface and barrier. Additionally, the materials are stored more than 50 feet away from stormwater conveyance systems. Following the loading or unloading of these materials, all areas in front of and adjacent to the materials are swept. |
| **10. Construction and Demolition Waste, Wood Waste, and Yard Trimmings**<br>Describe where each of these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored. |
| Construction and demolition waste is stored on site. The construction and demolition waste is contained by a graded surface and barrier. The construction and demolition waste is stored more than 50 feet from any stormwater conveyance systems. Materials are hauled off site when storage areas are filled. |
| **11. Cold Patch Asphalt**<br>Describe where this material is stored. Describe the BMPs in place to minimize contamination of stormwater from this material. If not stored on site, explain where this material is stored. |
| N/A |
| **12. Street Sweepings and Storm Sewer Clean-out Materials**<br>Describe where these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored. |
| N/A |
| **13. Scrap Tires**<br>Describe where this material is stored. Describe the BMPs in place to minimize contamination of stormwater from this material. If not stored on site, explain where this material is stored. |
| Scrap tires are stored on site in designated roll-off containers and covered when not in active use. |
| **14. Inoperable Vehicles and Equipment**<br>Describe where these are stored. Describe the BMPs in place to minimize contamination of stormwater from these. If they are not stored on site, explain where these are stored. |
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Inoperable vehicles and equipment are stored in a manner that prevents the runoff of pollutants. During the monthly inspections, visual inspections are conducted of the inoperable vehicles and equipment to check for leaks and filled drip pans. If any inoperable vehicles or equipment are found to be leaking, drip pans will be utilized immediately, and the leaks will be repaired within 30 days of initial notice.

# Form 11 – Maintenance Yards & Other Ancillary Operations

***Part IV.F.4.***

***Complete a separate Form 11 for each site. Indicate the number of sites the permittee owns or operates: 4 of 10***

**1. Site Name and Address**

TMD-4 Hightstown, MP 67.8 SB

**2. Monthly Site Inspections**

Describe the frequency and nature of inspections conducted at this site. Indicate the location of inspection logs.

Site inspections are conducted at the beginning of each month. Resulting inspection logs are located at:

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

**3. Inventory List**

List all materials and machinery that are potentially exposed to stormwater.

| **Materials** | **Machinery/Equipment** |
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| A Materials List is included in Appendix B. | A Machinery/Equipment List is included in Appendix B. |
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**4. Fueling Operations**

If fueling occurs on site, describe the BMPs in place to minimize contamination of stormwater from fueling activities. If fueling does not occur on site, explain where fueling takes place.

The Authority utilizes third-party vendors, such as Sunoco, for bulk fuel transfer and deliveries. Prior to transfer, the nearest drainage inlets are blocked, and a visual inspection of the tank field surface area is conducted for signs of any recent stains or obvious spills. Authority personnel are present during all bulk transfer operations. Suppliers are required to have the necessary equipment/supplies on board to provide initial response should a spill occur. The Authority also maintains additional spill control equipment and supplies, which are checked and inventoried monthly to ensure that used materials are replenished. After the bulk fuel transfer is complete, the transfer area is inspected for evidence of a spill or discharge. If none, temporary measures such as inlet covers and/or spill containment materials are removed. Lastly, proper signage and a clear

contact list are posted in a readily visible location for individuals responsible for spills and safe fueling equipment operations.

**5. Discharge of Stormwater from Secondary Containment**

Describe the process in place for discharging stormwater from secondary containment areas where outdoor containers are stored.

During the monthly inspections, visual inspections are conducted to ensure that bulk liquids have not contaminated the stormwater collected in the secondary containment area. If it is suspected that bulk liquids have contaminated the stormwater collected in the secondary containment area, said stormwater is hauled offsite for proper disposal. Additionally, all valves associated with the secondary containment are closed at all times except when discharging uncontaminated stormwater.

**6. Vehicle/Equipment Maintenance and Repair**

If vehicle/equipment maintenance and repair occur outdoors, describe the BMPs in place to minimize contamination of stormwater from these activities.

Vehicle and equipment maintenance and repair activities are conducted indoors. If vehicle and/or equipment maintenance is performed outdoors, drip pans are used at all times and maintenance is performed in a designated area away from storm drains.

**7. Wash Wastewater Containment**

If vehicle/equipment is washed on site, describe the BMPs in place to minimize contamination of stormwater from these activities. If not, explain where vehicle/equipment washing takes place.
If containment is used for wash wastewater, indicate what procedures are in place to prevent any unpermitted discharges of wash wastewater to storm sewer inlets, surface waters, or groundwaters of the state.
Indicate the location of records kept showing compliance with this section.

Vehicles/equipment are washed on site. Wash wastewater is temporarily stored in a containment structure prior to disposal. The Authority performs the necessary testing and inspections on said structure to ensure that no unpermitted discharges of wash wastewater to storm sewer inlets or to surface or ground waters of the State occur. Records showing compliance with the Wash Wastewater Containment requirements are located at:

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

**8. Salt and Other Granular De-icing/Anti-icing Materials**

Describe where salt and other granular de-icing/anti-icing material is stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

Salt and other granular de-icing/anti-icing materials are stored in a salt dome. The salt dome utilizes a tarp, berm, or other form of stormwater exposure prevention. The salt handling areas are

sufficiently swept both on a regular basis and immediately following the loading or unloading of materials.

**9. Aggregate Material, Wood Chips, and Finished Leaf Compost**

Describe where each of these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

Aggregate material, wood chips, and finish leaf compost are stored on site in three-sided storage bays and contained by a graded surface and barrier. Additionally, the materials are stored more than 50 feet away from stormwater conveyance systems. Following the loading or unloading of these materials, all areas in front of and adjacent to the materials are swept.

**10. Construction and Demolition Waste, Wood Waste, and Yard Trimmings**

Describe where each of these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

Construction and demolition waste is stored on site. The construction and demolition waste is stored in a three-sided storage bay contained by a graded surface and barrier. The construction and demolition waste is stored more than 50 feet from any stormwater conveyance systems. Materials are hauled away when the bays are filled.

**11. Cold Patch Asphalt**

Describe where this material is stored. Describe the BMPs in place to minimize contamination of stormwater from this material. If not stored on site, explain where this material is stored.

N/A

**12. Street Sweepings and Storm Sewer Clean-out Materials**

Describe where these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

Street sweepings and storm sewer clean-out materials are stored on site. These materials are dewatered in a manner that prevents discharge to the surface or ground water. Additionally, these materials are stored outdoors on concrete pads, covered by a tarp, and contained by an impervious barrier.

**13. Scrap Tires**

Describe where this material is stored. Describe the BMPs in place to minimize contamination of stormwater from this material. If not stored on site, explain where this material is stored.

Scrap tires are stored on site in designated roll-off containers and covered when not in active use.

**14. Inoperable Vehicles and Equipment**

| Describe where these are stored. Describe the BMPs in place to minimize contamination of stormwater from these. If they are not stored on site, explain where these are stored. |
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| Inoperable vehicles and equipment are stored in a manner that prevents the runoff of pollutants. During the monthly inspections, visual inspections are conducted of the inoperable vehicles and equipment to check for leaks and filled drip pans. If any inoperable vehicles or equipment are found to be leaking, drip pans will be utilized immediately, and the leaks will be repaired within 30 days of initial notice. |

# Form 11 – Maintenance Yards & Other Ancillary Operations

***Part IV.F.4.***

***Complete a separate Form 11 for each site. Indicate the number of sites the permittee owns or operates: 5 of 10***

**1. Site Name and Address**

TMD-5 Milltown, MP 80.7

**2. Monthly Site Inspections**

Describe the frequency and nature of inspections conducted at this site. Indicate the location of inspection logs.

Site inspections are conducted monthly. Resulting inspection logs are located at:

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

**3. Inventory List**

List all materials and machinery that are potentially exposed to stormwater.

| Materials | Machinery/Equipment |
|---|---|
| A Materials List is included in Appendix B. | A Machinery/Equipment List is included in Appendix B. |
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**4. Fueling Operations**

If fueling occurs on site, describe the BMPs in place to minimize contamination of stormwater from fueling activities. If fueling does not occur on site, explain where fueling takes place.

The Authority utilizes third-party vendors, such as Sunoco, for bulk fuel transfer and deliveries. Prior to transfer, the nearest drainage inlets are blocked, and a visual inspection of the tank field surface area is conducted for signs of any recent stains or obvious spills. Authority personnel are present during all bulk transfer operations. Suppliers are required to have the necessary equipment/supplies on board to provide initial response should a spill occur. The Authority also maintains additional spill control equipment and supplies, which are checked and inventoried monthly to ensure that used materials are replenished. After the bulk fuel transfer is complete, the transfer area is inspected for evidence of a spill or discharge. If none, temporary measures such as inlet covers and/or spill containment materials are removed. Lastly, proper signage and a clear

contact list are posted in a readily visible location for individuals responsible for spills and safe fueling equipment operations.

**5. Discharge of Stormwater from Secondary Containment**

Describe the process in place for discharging stormwater from secondary containment areas where outdoor containers are stored.

During the monthly inspections, visual inspections are conducted to ensure that bulk liquids have not contaminated the stormwater collected in the secondary containment area. If it is suspected that bulk liquids have contaminated the stormwater collected in the secondary containment area, said stormwater is hauled offsite for proper disposal. Additionally, all valves associated with the secondary containment are closed at all times except when discharging uncontaminated stormwater.

**6. Vehicle/Equipment Maintenance and Repair**

If vehicle/equipment maintenance and repair occur outdoors, describe the BMPs in place to minimize contamination of stormwater from these activities.

Vehicle and equipment maintenance and repair activities are conducted indoors. If vehicle and/or equipment maintenance is performed outdoors, drip pans are used at all times and maintenance is performed in a designated area away from storm drains.

**7. Wash Wastewater Containment**

If vehicle/equipment is washed on site, describe the BMPs in place to minimize contamination of stormwater from these activities. If not, explain where vehicle/equipment washing takes place.
If containment is used for wash wastewater, indicate what procedures are in place to prevent any unpermitted discharges of wash wastewater to storm sewer inlets, surface waters, or groundwaters of the state.
Indicate the location of records kept showing compliance with this section.

Vehicles/equipment are washed on site. Wash wastewater is discharged directly to a sanitary sewer. Records showing compliance with the Wash Wastewater Containment requirements are located at:

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

**8. Salt and Other Granular De-icing/Anti-icing Materials**

Describe where salt and other granular de-icing/anti-icing material is stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

Salt and other granular de-icing/anti-icing materials are stored in a salt shed. The salt shed utilizes a tarp, berm, or other form of stormwater exposure prevention. The salt handling areas are sufficiently swept both on a regular basis and immediately following the loading or unloading of materials.

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| **9. Aggregate Material, Wood Chips, and Finished Leaf Compost**<br>Describe where each of these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored. |
| N/A |
| **10. Construction and Demolition Waste, Wood Waste, and Yard Trimmings**<br>Describe where each of these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored. |
| N/A |
| **11. Cold Patch Asphalt**<br>Describe where this material is stored. Describe the BMPs in place to minimize contamination of stormwater from this material. If not stored on site, explain where this material is stored. |
| N/A |
| **12. Street Sweepings and Storm Sewer Clean-out Materials**<br>Describe where these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored. |
| Street sweepings and sewer clean-out materials are stored on site. These materials are dewatered in a manner that prevents discharge to the surface or ground water. Additionally, these materials are bins, which are checked regularly for damage or leaks. |
| **13. Scrap Tires**<br>Describe where this material is stored. Describe the BMPs in place to minimize contamination of stormwater from this material. If not stored on site, explain where this material is stored. |
| Scrap tires are stored on site in designated roll-off containers and covered when not in active use. |
| **14. Inoperable Vehicles and Equipment**<br>Describe where these are stored. Describe the BMPs in place to minimize contamination of stormwater from these. If they are not stored on site, explain where these are stored. |
| Inoperable vehicles and equipment are stored in a manner that prevents the runoff of pollutants. During the monthly inspections, visual inspections are conducted of the inoperable vehicles and equipment to check for leaks and filled drip pans. If any inoperable vehicles or equipment are found to be leaking, drip pans will be utilized immediately, and the leaks will be repaired within 30 days of initial notice. |

# Form 11 – Maintenance Yards & Other Ancillary Operations

***Part IV.F.4.***

***Complete a separate Form 11 for each site. Indicate the number of sites the permittee owns or operates: 6 of 10***

**1. Site Name and Address**

TMD-6 Elizabeth, MP 100.4

**2. Monthly Site Inspections**

Describe the frequency and nature of inspections conducted at this site. Indicate the location of inspection logs.

Site inspections are conducted monthly. Resulting inspection logs are located at:

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

**3. Inventory List**

List all materials and machinery that are potentially exposed to stormwater.

| Materials | Machinery/Equipment |
|---|---|
| A Materials List is included in Appendix B. | A Machinery/Equipment List is included in Appendix B. |
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**4. Fueling Operations**

If fueling occurs on site, describe the BMPs in place to minimize contamination of stormwater from fueling activities. If fueling does not occur on site, explain where fueling takes place.

The Authority utilizes third-party vendors, such as Sunoco, for bulk fuel transfer and deliveries. Prior to transfer, the nearest drainage inlets are blocked, and a visual inspection of the tank field surface area is conducted for signs of any recent stains or obvious spills. Authority personnel are present during all bulk transfer operations. Suppliers are required to have the necessary equipment/supplies on board to provide initial response should a spill occur. The Authority also maintains additional spill control equipment and supplies, which are checked and inventoried monthly to ensure that used materials are replenished. After the bulk fuel transfer is complete, the transfer area is inspected for evidence of a spill or discharge. If none, temporary measures such as inlet covers and/or spill containment materials are removed. Lastly, proper signage and a clear

contact list are posted in a readily visible location for individuals responsible for spills and safe fueling equipment operations.

**5. Discharge of Stormwater from Secondary Containment**

Describe the process in place for discharging stormwater from secondary containment areas where outdoor containers are stored.

During the monthly inspections, visual inspections are conducted to ensure that bulk liquids have not contaminated the stormwater collected in the secondary containment area. If it is suspected that bulk liquids have contaminated the stormwater collected in the secondary containment area, said stormwater is hauled offsite for proper disposal. Additionally, all valves associated with the secondary containment are closed at all times except when discharging uncontaminated stormwater.

**6. Vehicle/Equipment Maintenance and Repair**

If vehicle/equipment maintenance and repair occur outdoors, describe the BMPs in place to minimize contamination of stormwater from these activities.

Vehicle and equipment maintenance and repair activities are conducted indoors. If vehicle and/or equipment maintenance is performed outdoors, drip pans are used at all times and maintenance is performed in a designated area away from storm drains.

**7. Wash Wastewater Containment**

If vehicle/equipment is washed on site, describe the BMPs in place to minimize contamination of stormwater from these activities. If not, explain where vehicle/equipment washing takes place.
If containment is used for wash wastewater, indicate what procedures are in place to prevent any unpermitted discharges of wash wastewater to storm sewer inlets, surface waters, or groundwaters of the state.
Indicate the location of records kept showing compliance with this section.

Vehicles/equipment are washed on site. Wash wastewater is discharged directly to a sanitary sewer. Records showing compliance with the Wash Wastewater Containment requirements are located at:

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

**8. Salt and Other Granular De-icing/Anti-icing Materials**

Describe where salt and other granular de-icing/anti-icing material is stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

Salt and other granular de-icing/anti-icing materials are stored in a salt shed. The salt shed utilizes a tarp, berm, or other form of stormwater exposure prevention. The salt handling areas are sufficiently swept both on a regular basis and immediately following the loading or unloading of materials.

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| **9. Aggregate Material, Wood Chips, and Finished Leaf Compost**<br>Describe where each of these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored. |
| N/A |
| **10. Construction and Demolition Waste, Wood Waste, and Yard Trimmings**<br>Describe where each of these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored. |
| N/A |
| **11. Cold Patch Asphalt**<br>Describe where this material is stored. Describe the BMPs in place to minimize contamination of stormwater from this material. If not stored on site, explain where this material is stored. |
| Cold patch asphalt is stored indoors and/or under cover. |
| **12. Street Sweepings and Storm Sewer Clean-out Materials**<br>Describe where these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored. |
| Street sweepings and storm sewer clean-out materials are stored on site. These materials are dewatered in a manner that prevents discharge to the surface or ground water. Additionally, these materials are stored in bins, which are regularly checked for damage or leaks. |
| **13. Scrap Tires**<br>Describe where this material is stored. Describe the BMPs in place to minimize contamination of stormwater from this material. If not stored on site, explain where this material is stored. |
| Scrap tires are stored on site in designated roll-off containers and covered when not in active use. |
| **14. Inoperable Vehicles and Equipment**<br>Describe where these are stored. Describe the BMPs in place to minimize contamination of stormwater from these. If they are not stored on site, explain where these are stored. |
| Inoperable vehicles and equipment are stored in a manner that prevents the runoff of pollutants. During the monthly inspections, visual inspections are conducted of the inoperable vehicles and equipment to check for leaks and filled drip pans. If any inoperable vehicles or equipment are found to be leaking, drip pans will be utilized immediately, and the leaks will be repaired within 30 days of initial notice. |

# Form 11 – Maintenance Yards & Other Ancillary Operations

***Part IV.F.4.***

***Complete a separate Form 11 for each site. Indicate the number of sites the permittee owns or operates: 7 of 10***

**1. Site Name and Address**

TMD-7 Newark, MP 104.7 SB

**2. Monthly Site Inspections**

Describe the frequency and nature of inspections conducted at this site. Indicate the location of inspection logs.

Site inspections are conducted monthly. Resulting inspection logs are located at:

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

**3. Inventory List**

List all materials and machinery that are potentially exposed to stormwater.

| Materials | Machinery/Equipment |
|---|---|
| A Materials List is included in Appendix B. | A Machinery/Equipment List is included in Appendix B. |
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**4. Fueling Operations**

If fueling occurs on site, describe the BMPs in place to minimize contamination of stormwater from fueling activities. If fueling does not occur on site, explain where fueling takes place.

N/A

**5. Discharge of Stormwater from Secondary Containment**

Describe the process in place for discharging stormwater from secondary containment areas where outdoor containers are stored.

During the monthly inspections, visual inspections are conducted to ensure that bulk liquids have not contaminated the stormwater collected in the secondary containment area. If it is suspected that bulk liquids have contaminated the stormwater collected in the secondary containment area, said stormwater is hauled offsite for proper disposal. Additionally, all valves associated with the

secondary containment are closed at all times except when discharging uncontaminated stormwater.

**6. Vehicle/Equipment Maintenance and Repair**

If vehicle/equipment maintenance and repair occur outdoors, describe the BMPs in place to minimize contamination of stormwater from these activities.

Vehicle and equipment maintenance and repair activities are conducted indoors. If vehicle and/or equipment maintenance is performed outdoors, drip pans are used at all times and maintenance is performed in a designated area away from storm drains.

**7. Wash Wastewater Containment**

If vehicle/equipment is washed on site, describe the BMPs in place to minimize contamination of stormwater from these activities. If not, explain where vehicle/equipment washing takes place.
If containment is used for wash wastewater, indicate what procedures are in place to prevent any unpermitted discharges of wash wastewater to storm sewer inlets, surface waters, or groundwaters of the state.
Indicate the location of records kept showing compliance with this section.

N/A

**8. Salt and Other Granular De-icing/Anti-icing Materials**

Describe where salt and other granular de-icing/anti-icing material is stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

N/A

**9. Aggregate Material, Wood Chips, and Finished Leaf Compost**

Describe where each of these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

N/A

**10. Construction and Demolition Waste, Wood Waste, and Yard Trimmings**

Describe where each of these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

N/A

**11. Cold Patch Asphalt**

Describe where this material is stored. Describe the BMPs in place to minimize contamination of stormwater from this material. If not stored on site, explain where this material is stored.

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| N/A |
| **12. Street Sweepings and Storm Sewer Clean-out Materials**<br>Describe where these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored. |
| N/A |
| **13. Scrap Tires**<br>Describe where this material is stored. Describe the BMPs in place to minimize contamination of stormwater from this material. If not stored on site, explain where this material is stored. |
| Scrap tires are stored on site in designated roll-off containers and covered when not in active use. |
| **14. Inoperable Vehicles and Equipment**<br>Describe where these are stored. Describe the BMPs in place to minimize contamination of stormwater from these. If they are not stored on site, explain where these are stored. |
| Inoperable vehicles and equipment are stored in a manner that prevents the runoff of pollutants. During the monthly inspections, visual inspections are conducted of the inoperable vehicles and equipment to check for leaks and filled drip pans. If any inoperable vehicles or equipment are found to be leaking, drip pans will be utilized immediately, and the leaks will be repaired within 30 days of initial notice. |

# Form 11 – Maintenance Yards & Other Ancillary Operations

***Part IV.F.4.***

***Complete a separate Form 11 for each site. Indicate the number of sites the permittee owns or operates: 8 of 10***

**1. Site Name and Address**

TMD-8 Secaucus, MP E111.5 SB

**2. Monthly Site Inspections**

Describe the frequency and nature of inspections conducted at this site. Indicate the location of inspection logs.

Site inspections are conducted monthly. Resulting inspection logs are located at:

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

**3. Inventory List**

List all materials and machinery that are potentially exposed to stormwater.

| **Materials** | **Machinery/Equipment** |
|---|---|
| A Materials List is included in Appendix B. | A Machinery/Equipment List is included in Appendix B. |
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**4. Fueling Operations**

If fueling occurs on site, describe the BMPs in place to minimize contamination of stormwater from fueling activities. If fueling does not occur on site, explain where fueling takes place.

The Authority utilizes third-party vendors, such as Sunoco, for bulk fuel transfer and deliveries. Prior to transfer, the nearest drainage inlets are blocked, and a visual inspection of the tank field surface area is conducted for signs of any recent stains or obvious spills. Authority personnel are present during all bulk transfer operations. Suppliers are required to have the necessary equipment/supplies on board to provide initial response should a spill occur. The Authority also maintains additional spill control equipment and supplies, which are checked and inventoried monthly to ensure that used materials are replenished. After the bulk fuel transfer is complete, the transfer area is inspected for evidence of a spill or discharge. If none, temporary measures such as inlet covers and/or spill containment materials are removed. Lastly, proper signage and a clear

contact list are posted in a readily visible location for individuals responsible for spills and safe fueling equipment operations.

**5. Discharge of Stormwater from Secondary Containment**

Describe the process in place for discharging stormwater from secondary containment areas where outdoor containers are stored.

During the monthly inspections, visual inspections are conducted to ensure that bulk liquids have not contaminated the stormwater collected in the secondary containment area. If it is suspected that bulk liquids have contaminated the stormwater collected in the secondary containment area, said stormwater is hauled offsite for proper disposal. Additionally, all valves associated with the secondary containment are closed at all times except when discharging uncontaminated stormwater.

**6. Vehicle/Equipment Maintenance and Repair**

If vehicle/equipment maintenance and repair occur outdoors, describe the BMPs in place to minimize contamination of stormwater from these activities.

Vehicle and equipment maintenance and repair activities are conducted indoors. If vehicle and/or equipment maintenance is performed outdoors, drip pans are used at all times and maintenance is performed in a designated area away from storm drains.

**7. Wash Wastewater Containment**

If vehicle/equipment is washed on site, describe the BMPs in place to minimize contamination of stormwater from these activities. If not, explain where vehicle/equipment washing takes place.
If containment is used for wash wastewater, indicate what procedures are in place to prevent any unpermitted discharges of wash wastewater to storm sewer inlets, surface waters, or groundwaters of the state.
Indicate the location of records kept showing compliance with this section.

Vehicles/equipment are washed on site. Wash wastewater is discharged directly to a sanitary sewer. Records showing compliance with the Wash Wastewater Containment requirements are located at:

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

**8. Salt and Other Granular De-icing/Anti-icing Materials**

Describe where salt and other granular de-icing/anti-icing material is stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

Salt and other granular de-icing/anti-icing materials are stored in a salt shed. The salt shed utilizes a tarp, berm, or other form of stormwater exposure prevention. The salt handling areas are sufficiently swept both on a regular basis and immediately following the loading or unloading of materials.

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|---|
| **9. Aggregate Material, Wood Chips, and Finished Leaf Compost**<br>Describe where each of these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored. |
| Aggregate material, wood chips, and finish leaf compost are stored on site in three-sided storage bays. These materials are stored more than 50 feet away from stormwater conveyance systems. Following the loading or unloading of these materials, all areas in front of and adjacent to the materials are swept. |
| **10. Construction and Demolition Waste, Wood Waste, and Yard Trimmings**<br>Describe where each of these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored. |
| Construction and demolition waste is stored on site. Construction and demolition waste is stored in a three-sided storage bay. The materials are stored more than 50 feet away from stormwater conveyance systems. Following the loading or unloading of these materials, all areas in front of and adjacent to the materials are swept. Materials are hauled away when the is filled. |
| **11. Cold Patch Asphalt**<br>Describe where this material is stored. Describe the BMPs in place to minimize contamination of stormwater from this material. If not stored on site, explain where this material is stored. |
| N/A |
| **12. Street Sweepings and Storm Sewer Clean-out Materials**<br>Describe where these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored. |
| Street sweepings are stored on site. Street sweepings are stored outdoors in a dumpster. The dumpster is regularly checked for damage or leaks. |
| **13. Scrap Tires**<br>Describe where this material is stored. Describe the BMPs in place to minimize contamination of stormwater from this material. If not stored on site, explain where this material is stored. |
| Scrap tires are stored on site in designated roll-off containers and covered when not in active use. |
| **14. Inoperable Vehicles and Equipment**<br>Describe where these are stored. Describe the BMPs in place to minimize contamination of stormwater from these. If they are not stored on site, explain where these are stored. |
| Inoperable vehicles and equipment are stored in a manner that prevents the runoff of pollutants. During the monthly inspections, visual inspections are conducted of the inoperable vehicles and equipment to check for leaks and filled drip pans. If any inoperable vehicles or equipment are |

found to be leaking, drip pans will be utilized immediately, and the leaks will be repaired within 30 days of initial notice.

# Form 11 – Maintenance Yards & Other Ancillary Operations

***Part IV.F.4.***

***Complete a separate Form 11 for each site. Indicate the number of sites the permittee owns or operates: 9 of 10***

**1. Site Name and Address**

TMD-9 Jersey City, MP N5.5

**2. Monthly Site Inspections**

Describe the frequency and nature of inspections conducted at this site. Indicate the location of inspection logs.

Site inspections are conducted monthly. Resulting inspection logs are located at:

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

**3. Inventory List**

List all materials and machinery that are potentially exposed to stormwater.

| Materials | Machinery/Equipment |
|---|---|
| A Materials List is included in Appendix B. | A Machinery/Equipment List is included in Appendix B. |
| | |
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**4. Fueling Operations**

If fueling occurs on site, describe the BMPs in place to minimize contamination of stormwater from fueling activities. If fueling does not occur on site, explain where fueling takes place.

The Authority utilizes third-party vendors, such as Sunoco, for bulk fuel transfer and deliveries. Prior to transfer, the nearest drainage inlets are blocked, and a visual inspection of the tank field surface area is conducted for signs of any recent stains or obvious spills. Authority personnel are present during all bulk transfer operations. Suppliers are required to have the necessary equipment/supplies on board to provide initial response should a spill occur. The Authority also maintains additional spill control equipment and supplies, which are checked and inventoried monthly to ensure that used materials are replenished. After the bulk fuel transfer is complete, the transfer area is inspected for evidence of a spill or discharge. If none, temporary measures such as inlet covers and/or spill containment materials are removed. Lastly, proper signage and a clear

contact list are posted in a readily visible location for individuals responsible for spills and safe fueling equipment operations.

**5. Discharge of Stormwater from Secondary Containment**

Describe the process in place for discharging stormwater from secondary containment areas where outdoor containers are stored.

During the monthly inspections, visual inspections are conducted to ensure that bulk liquids have not contaminated the stormwater collected in the secondary containment area. If it is suspected that bulk liquids have contaminated the stormwater collected in the secondary containment area, said stormwater is hauled offsite for proper disposal. Additionally, all valves associated with the secondary containment are closed at all times except when discharging uncontaminated stormwater.

**6. Vehicle/Equipment Maintenance and Repair**

If vehicle/equipment maintenance and repair occur outdoors, describe the BMPs in place to minimize contamination of stormwater from these activities.

Vehicle and equipment maintenance and repair activities are conducted indoors. If vehicle and/or equipment maintenance is performed outdoors, drip pans are used at all times and maintenance is performed in a designated area away from storm drains.

**7. Wash Wastewater Containment**

If vehicle/equipment is washed on site, describe the BMPs in place to minimize contamination of stormwater from these activities. If not, explain where vehicle/equipment washing takes place.
If containment is used for wash wastewater, indicate what procedures are in place to prevent any unpermitted discharges of wash wastewater to storm sewer inlets, surface waters, or groundwaters of the state.
Indicate the location of records kept showing compliance with this section.

N/A

**8. Salt and Other Granular De-icing/Anti-icing Materials**

Describe where salt and other granular de-icing/anti-icing material is stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

Salt and other granular de-icing/anti-icing materials are stored in a salt shed. The salt shed utilizes a tarp, berm, or other form of stormwater exposure prevention. The salt handling areas are sufficiently swept both on a regular basis and immediately following the loading or unloading of materials.

**9. Aggregate Material, Wood Chips, and Finished Leaf Compost**

Describe where each of these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

N/A

**10. Construction and Demolition Waste, Wood Waste, and Yard Trimmings**

Describe where each of these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

N/A

**11. Cold Patch Asphalt**

Describe where this material is stored. Describe the BMPs in place to minimize contamination of stormwater from this material. If not stored on site, explain where this material is stored.

Cold patch asphalt is stored indoors and/or under cover.

**12. Street Sweepings and Storm Sewer Clean-out Materials**

Describe where these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

Street sweepings and storm sewer clean-out materials are stored on site. These materials are dewatered in a manner that prevents discharge to the surface or ground water. Street sweepings and storm sewer clean-out materials are stored in 20-yard containers and are further contained by a graded surface. The containers are regularly checked for damage or leaks.

**13. Scrap Tires**

Describe where this material is stored. Describe the BMPs in place to minimize contamination of stormwater from this material. If not stored on site, explain where this material is stored.

Scrap tires are stored on site in designated roll-off containers and covered when not in active use.

**14. Inoperable Vehicles and Equipment**

Describe where these are stored. Describe the BMPs in place to minimize contamination of stormwater from these. If they are not stored on site, explain where these are stored.

Inoperable vehicles and equipment are stored in a manner that prevents the runoff of pollutants. During the monthly inspections, visual inspections are conducted of the inoperable vehicles and equipment to check for leaks and filled drip pans. If any inoperable vehicles or equipment are found to be leaking, drip pans will be utilized immediately, and the leaks will be repaired within 30 days of initial notice.

# Form 11 – Maintenance Yards & Other Ancillary Operations

***Part IV.F.4.***

***Complete a separate Form 11 for each site. Indicate the number of sites the permittee owns or operates: 10 of 10***

**1. Site Name and Address**

TMD-10 East Rutherford, MP W112.5

**2. Monthly Site Inspections**

Describe the frequency and nature of inspections conducted at this site. Indicate the location of inspection logs.

Site inspections are conducted monthly. Resulting inspection logs are located at:

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

**3. Inventory List**

List all materials and machinery that are potentially exposed to stormwater.

| **Materials** | **Machinery/Equipment** |
|---|---|
| A Materials List is included in Appendix B. | A Machinery/Equipment List is included in Appendix B. |
| | |
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**4. Fueling Operations**

If fueling occurs on site, describe the BMPs in place to minimize contamination of stormwater from fueling activities. If fueling does not occur on site, explain where fueling takes place.

The Authority utilizes third-party vendors, such as Sunoco, for bulk fuel transfer and deliveries. Prior to transfer, the nearest drainage inlets are blocked, and a visual inspection of the tank field surface area is conducted for signs of any recent stains or obvious spills. Authority personnel are present during all bulk transfer operations. Suppliers are required to have the necessary equipment/supplies on board to provide initial response should a spill occur. The Authority also maintains additional spill control equipment and supplies, which are checked and inventoried monthly to ensure that used materials are replenished. After the bulk fuel transfer is complete, the transfer area is inspected for evidence of a spill or discharge. If none, temporary measures such as inlet covers and/or spill containment materials are removed. Lastly, proper signage and a clear

contact list are posted in a readily visible location for individuals responsible for spills and safe fueling equipment operations.

**5. Discharge of Stormwater from Secondary Containment**

Describe the process in place for discharging stormwater from secondary containment areas where outdoor containers are stored.

During the monthly inspections, visual inspections are conducted to ensure that bulk liquids have not contaminated the stormwater collected in the secondary containment area. If it is suspected that bulk liquids have contaminated the stormwater collected in the secondary containment area, said stormwater is hauled offsite for proper disposal. Additionally, all valves associated with the secondary containment are closed at all times except when discharging uncontaminated stormwater.

**6. Vehicle/Equipment Maintenance and Repair**

If vehicle/equipment maintenance and repair occur outdoors, describe the BMPs in place to minimize contamination of stormwater from these activities.

Vehicle and equipment maintenance and repair activities are conducted indoors. If vehicle and/or equipment maintenance is performed outdoors, drip pans are used at all times and maintenance is performed in a designated area away from storm drains.

**7. Wash Wastewater Containment**

If vehicle/equipment is washed on site, describe the BMPs in place to minimize contamination of stormwater from these activities. If not, explain where vehicle/equipment washing takes place.
If containment is used for wash wastewater, indicate what procedures are in place to prevent any unpermitted discharges of wash wastewater to storm sewer inlets, surface waters, or groundwaters of the state.
Indicate the location of records kept showing compliance with this section.

N/A

**8. Salt and Other Granular De-icing/Anti-icing Materials**

Describe where salt and other granular de-icing/anti-icing material is stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

Salt and other granular de-icing/anti-icing materials are stored in a salt dome. The salt dome utilizes a tarp, berm, or other form of stormwater exposure prevention. The salt handling areas are sufficiently swept both on a regular basis and immediately following the loading or unloading of materials.

**9. Aggregate Material, Wood Chips, and Finished Leaf Compost**

Describe where each of these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

N/A

**10. Construction and Demolition Waste, Wood Waste, and Yard Trimmings**

Describe where each of these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

Wood waste and yard trimmings are stored on site. These materials are stored in three-sided storage bays and contained by a graded surface and barrier. The wood waste and yard trimmings are stored more than 50 feet from any stormwater conveyance systems. Materials are hauled away when the bays are filled.

**11. Cold Patch Asphalt**

Describe where this material is stored. Describe the BMPs in place to minimize contamination of stormwater from this material. If not stored on site, explain where this material is stored.

Cold patch asphalt is stored indoors and/or under cover.

**12. Street Sweepings and Storm Sewer Clean-out Materials**

Describe where these materials are stored. Describe the BMPs in place to minimize contamination of stormwater from these materials. If not stored on site, explain where these materials are stored.

Street sweepings and storm sewer clean-out materials are stored on site. These materials are dewatered in a manner that prevents discharge to the surface or ground water. stored outdoors on a concrete pad and covered by a tarp. Additionally, these materials are contained by an impervious barrier.

**13. Scrap Tires**

Describe where this material is stored. Describe the BMPs in place to minimize contamination of stormwater from this material. If not stored on site, explain where this material is stored.

Scrap tires are stored on site in designated roll-off containers and covered when not in active use.

**14. Inoperable Vehicles and Equipment**

Describe where these are stored. Describe the BMPs in place to minimize contamination of stormwater from these. If they are not stored on site, explain where these are stored.

Inoperable vehicles and equipment are stored in a manner that prevents the runoff of pollutants. During the monthly inspections, visual inspections are conducted of the inoperable vehicles and equipment to check for leaks and filled drip pans. If any inoperable vehicles or equipment are found to be leaking, drip pans will be utilized immediately, and the leaks will be repaired within 30 days of initial notice.

# Form 11

# Storm Drain Inlets

# SPPP Form 11 – Storm Drain Inlets

Storm drain inlets are the point of entry into the storm drain system.

**Inspections:** Describe the program and frequency of inspections, cleaning, and maintenance of storm drain inlets that are owned or operated by the permittee.

In accordance with the Highway Agency Stormwater General Permit requirements, Authority maintenance personnel conduct inspections at a minimum of once per year. Inspections consist of performing a visual inspection from the ground. Inlets are cleaned as needed.

Additionally, as part of the capital improvements program, affected inlets and conveyance systems are inspected and cleaned as needed.

**Design and Retrofitting:** Describe how the permittee ensures that the current design standards for storm drain inlets (specified in permit Attachment C) are incorporated in development projects. Also describe how the permittee ensures that retrofitting of storm drain inlets is completed when required.

Major development projects are designed by engineering consultants that are required to follow the Authority Design Manual, which indicates that storm drain inlets shall be designed to comply with NJDEP New Jersey Pollutant Discharge Elimination System requirements. The Authority's Design Manual addresses retrofitting of existing storm drain inlets.

**Labeling:** Describe the inspection and label maintenance plan on storm drain inlets that do not have permanent wording cast into the design.

The Authority completed an inlet re-labeling program in 2005. Subsequently installed inlets contain permanent wording cast into the grates in accordance with the Authority Design Manual and Standard Construction Details. Placards on re-labeled inlets are replaced as needed during the regular inspection of the storm drains.

**Records:** Indicate the location of records that include storm drain inlet locations, inspection dates, observations, and maintenance/repairs performed, if applicable.

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

# Form 12

# Catch Basins

# SPPP Form 12 – Catch Basins

Catch basins are the cistern, vault, chamber or well that is usually built along a street as part of the storm sewer system to capture sediment, debris and pollutants.

**Inspections:** Describe the program for inspections of catch basins that are owned or operated by the permittee.

There are no known catch basins on the Turnpike. For new projects, the design consultants will inspect the stormwater management facilities in the respective project limits to determine if there are any existing catch basins. The discovery of any existing catch basins will be reported to the Authority and inspected as required.

Existing catch basins and those installed as a result of the renewed Highway Agency Stormwater General Permit regulations shall be inspected at a minimum once per year.

**Cleaning and Maintenance:** Describe when a catch basin must be cleaned. The program must include procedures for cleaning, and shall be implemented as frequently as necessary to ensure, at a minimum, that sediment, trash, or other debris is removed as necessary to control it from entering the waters of the State, to eliminate recurring problems and maintain proper function.

Existing catch basins and those installed as a result of Highway Agency Stormwater General Permit regulations shall be cleaned at a frequency that limits the sediment buildup to 40 to 50 percent of the sump capacity. Additionally, the catch basins shall be evaluated further to determine if repair or replacement is required annually, in accordance with the inspection frequency requirement.

**Records:** Indicate the location of records that include catch basin locations, inspection dates, observations, amount of materials collected in wet tons and maintenance/repairs performed, if applicable.

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

# Form 13

# Employee Training

# SPPP Form 13 – Employee Training

**Employee Training:** Stormwater Program Coordinator (SPC) must ensure appropriate staff receive training on topics in the chart below.

| Topic | Frequency | Office/Entity Responsible for Training |
|---|---|---|
| 1. Maintenance Yard/Ancillary Operations | Annually | Engineering and/or Operations, as appropriate |
| 2. Stormwater Facility Maintenance | Annually | Engineering and/or Operations, as appropriate |
| 3. SPPP Training & Recordkeeping | Annually | Engineering and/or Operations, as appropriate |
| 4. Street Sweeping | Annually | Engineering and/or Operations, as appropriate |
| 5. Illicit Connections & Outfall Mapping | Annually | Engineering and/or Operations, as appropriate |
| 6. Outfall Stream Scouring | Annually | Engineering and/or Operations, as appropriate |
| 7. Waste Disposal Education | Annually | Engineering and/or Operations, as appropriate |
| 8. Regulatory Mechanisms | Annually | Engineering and/or Operations, as appropriate |
| 9. Construction Activity/Post-Construction Stormwater Management in New Development and Redevelopment | Annually | Engineering and/or Operations, as appropriate |

**Records:** Indicate the location of associated training sign in sheets, dates, and agendas or description for each topic for employee training.

New Jersey Turnpike Authority 1 Turnpike Plaza Woodbridge, NJ 07095

**Stormwater Management Reviewer Training:** Indicate the names of all individuals who review the stormwater management design for development and redevelopment projects on behalf of the permittee. Indicate the dates on which these individuals attended the required NJDEP training course.

James Mellett, P.E., Churchill Consulting Engineers

# Form 14

# Mapping Outfall Pipes and Stormwater Facilities

## SPPP Form 14 – Mapping Outfall Pipes and Stormwater Facilities

Visit https://www.nj.gov/dep/dwq/msrp_map_aid.htm for the NJ DEP free mapping application. Outfall pipe maps and stormwater facilities maps may be combined. Updates to these maps shall be submitted annually to include new or newly identified outfall pipes and stormwater facilities.

| **Mapping Outfall Pipes:** Attach an image or provide a link to a map of the outfall pipes owned or operated by the permittee, showing the location of the end of all MS4 outfall pipes (in tidal and non-tidal receiving waters) owned or operated by the permittee which discharge to a surface water body. Include the location and name of all surface water bodies receiving discharges from those outfall pipes. |
|---|
| See maps provided in Appendix C |
| **Mapping Stormwater Facilities:** Attach an image or provide a link to a map of the stormwater facilities owned or operated by the permittee. Include the property boundaries of the Highway Agency maintenance yards, ancillary operations, rest areas, and service areas as well as an annotated map of roadways and thoroughfares owned or operated by the permittee. The map shall include the location and type of each stormwater facility, e.g., outfalls, inlets (constructed after Jan 1, 2020), basins, subsurface infiltration/detention systems, MTDs, green infrastructure, etc. |
| See maps provided in Appendix C. Features required by the renewed Highway Agency Stormwater General Permit will be added to the stormwater facilities map by the deadline specified in the permit (EDPA + 36 months). |

# Form 15

# Outfall Pipe Inspections

# SPPP Form 15 – Outfall Pipe Inspections

**Inspection Schedule:** Describe the frequency and the program in place for inspecting outfall pipes owned or operated by the permittee.

Authority maintenance personnel conduct visual inspections of outfall pipes on a regular basis. Additionally, outfall pipe inspections are conducted in conjunction with the inspections for localized stream scouring and illicit discharges at least once every five years, with a minimum of 20% of the total number of outfalls inspected per year by the Authority's General Consulting Engineer. Outfall pipe inspections consist of performing a visual inspection from the ground and utilizing a GPS-enabled hand-held device to log inspection data. Observed maintenance needs and concerns warranting corrective action or monitoring are then logged and documented with photographs.

**Stream Scouring:** Describe the program in place to detect, investigate and control localized stream scouring from stormwater outfall pipes.

Authority maintenance personnel conduct visual inspections for localized stream scouring on a regular basis. Additionally, stream scouring inspections are conducted in conjunction with the inspections for outfall pipes and illicit discharges at least once every five years, with a minimum of 20% of the total number of outfalls inspected per year by the Authority's General Consulting Engineer to determine maintenance needs. Stream scouring inspections consist of performing a visual inspection from the ground and utilizing a GPS-enabled hand-held device to log inspection data. Observed maintenance needs and concerns warranting corrective action or monitoring are then logged and documented with photographs. Corrective action and restoration is then made in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey and/or N.J.A.C. 7:13, et seq.

**Illicit Discharges:** Describe the program in place for conducting visual dry weather inspections of outfall pipes that are owned or operated by the permittee.

Inspections to determine illicit discharges are conducted in conjunction with the inspections for outfall pipes and localized stream scouring. These inspections are conducted at least once every five years, with a minimum of 20% of the total number of outfalls inspected per year by the Authority's General Consulting Engineer. Inspections for illicit discharges consist of performing a visual inspection from the ground and utilizing a GPS-enabled hand-held device to log data. During these inspections, should outfall pipes be found to have dry weather flow or intermittent non-stormwater flow, those outfalls are noted and re-checked by Authority personnel to locate the illicit connection. The Authority will eliminate the illicit connection sources from its own activities. Investigations and actions taken are then documented using the NJDEP's Illicit Connection Inspection Report Form.

**Records:** Indicate the location of all records related to outfall pipe inspection, including the location, inspection date, inspector name, findings, preventative and corrective maintenance performed.

If scouring is observed, records of stream scouring must include the contributing source(s) of stormwater, recommended corrective action, and a prioritized list and schedule to remediate scouring cases.

If illicit discharge is observed, record results of illicit discharge investigations and actions taken using NJDEP's form at https://www.nj.gov/dep/dwq/public_complex/pdf/PC_Illicit%20Connection%20Inspection%20Report%20Formpdf.pdf. Illicit Connection Inspection Report Forms shall be submitted to the Department as an attachment to the Annual Report and Certification.

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

# Form 16

# Stormwater Facilities Inspection and Maintenance

# SPPP Form 16 – Stormwater Facilities Inspection and Maintenance

**Inspections:** Describe the program in place to inspect, clean, and maintain the stormwater facilities that are owned or operated by the permittee.

Authority maintenance personnel conduct visual inspections of stormwater management facilities on a regular basis and maintain said facilities in accordance with their respective maintenance plans. Additionally, stormwater facilities are inspected every two years by the Authority's General Consulting Engineer. These inspections consist of performing a visual inspection from the ground, and utilizing a GPS-enabled hand-held device to log inspection data and access design plans. Observed maintenance needs and concerns warranting corrective action or monitoring are then logged and documented with photographs.

During capital improvement projects, design consultants inspect the existing stormwater management facilities in the respective project limits, and include cleaning and maintenance in the new projects as needed.

**Records:** Indicate the location of records related to stormwater facilities that are owned or operated by the permittee. Records must include the type of stormwater facility, location, inspection date, inspector name, findings, preventative and corrective maintenance performed.

Also indicate the location of maintenance plans related to maintenance of stormwater facilities that are owned or operated by the permittee. NJDEP provides materials to assist with this requirement at https://www.nj.gov/dep/stormwater/maintenance_guidance.htm.

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

# Form 17

# Total Maximum Daily Load (TMDL) Information

# SPPP Form 17 – Total Maximum Daily Load (TMDL) Information

**Identification:** List the names of the adopted TMDLs, parameters addressed, and the affected water bodies associated with any segment of surface water wholly or partially within or bordering all maintenance yards, rest areas, service area properties, and new major development projects as defined by the permittee's stormwater program.

Refer to the list of TMDL reports provided at http://www.nj.gov/dep/wms/bears/tmdls.html. Utilize the TMDL look-up tool at https://www.nj.gov/dep/dwq/msrp-tmdl-rh.htm to identify impaired water bodies at locations described above.

Generally speaking, Authority operations at rest areas, service areas and new "major development" projects do not have a significant impact on adjacent surface waters do not significantly contribute to the specific pollutant loadings regulated under adopted TMDLs. Fertilizer is not used at Authority facilities or roadways and other pollutants of concern are not generated in impactful quantities.

**Strategies:** Describe how the permittee uses TMDL information to prioritize stormwater facilities maintenance projects and to address specific sources of stormwater pollutants. For guidance on TMDLs, visit https://www.nj.gov/dep/dwq/pdf/10-21-16-tmdl-tool-box.pdf.

Designers must take TMDLs into account during the design of any project in accordance with the Authority's Design Manual. This includes projects at rest areas, maintenance districts, and or work along the roadways. Additionally, the Authority requires that the design engineers document their review of applicable TMDLs during Phase projects.

# Form 18

# Additional Measures and Optional Measures

# SPPP Form 18 – Additional Measures and Optional Measures

| **Additional Measures:** Describe any Best Management Practice(s) and the related measurable goal or numeric effluent limitations that are expressly required by the Department to be included in the permittee's stormwater program by a TMDL. |
|---|
| N/A |
| **Optional Measures:** Describe any Best Management Practice(s) the permittee has developed that extend beyond the requirements of the permit that prevents or reduces water pollution. |
| N/A |

# Form 19

# Shared or Contracted Services

# SPPP Form 19 – Shared or Contracted Services

**Arrangements:** List the permit conditions that are satisfied through a shared or contracted service where an entity other than the permittee is implementing BMP(s) or control measure(s) on behalf of the permittee. Include the name of the responsible entity and describe the arrangements in place.

Independent service area operators (Applegreen and Sunoco) are responsible for the Service Areas within the New Jersey Turnpike right-of-way. Sunoco operates the fueling stations and Applegreen oversees the services within the service area building. Operator's agreements between the Authority, Applegreen, and Sunoco define the roles and responsibilities of each operator including maintenance, services to be provided, and financial obligations. Additionally, all work that is completed within the Service Areas is overseen by the Authority to ensure compliance with BMPs and other permit conditions.

**Records:** The permittee is responsible for maintaining the appropriate documentation related to permit conditions, including those satisfied through shared services, in the SPPP and on the Annual Report and Certification. Indicate the physical location of the written agreements and records.

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

# Appendix A

## New Jersey Turnpike Attachment D –

## Major Development Project List

# Turnpike Major Development

Highway Agency: New Jersey Turnpike Authority | NJPDES#:NJG: NJG0153354 | PI ID#: DST240001 | Calender Year: 2025

| Liaison | Project Name | Description (e.g, new alignment, widening, etc.) | Municipality/County | 5G3 Construction Stormwater Permit Auth. | Total Area of Disturbance (acres) | DLUR Stormwater Permit Review? (Y,N) | Water Quality Treatment Required? | Waiver Claimed Under N.J.A.C 7:8-5:2(e)? (Y,N) | Project Design Engineer | Project Reviewers(s) |
|---|---|---|---|---|---|---|---|---|---|---|
| Richard Reuter | T500.827 | Commercial Vehicle Inspection Facility at Former 11N MP 100.4 | Union | 1953980 | 1.97 | GWW GP-10B, FHA IP and WDIP | No | No | GFT | HNTB |
| Peter Singofen | T100.658 | Superstructure Replacement, Turnpike Structure No. E111.15, Milepost E110.6 to E111.6 | Hudson County | 1128689 | 2.71 | N | N | N | Michael Baker | HNTB |

# Appendix B

## 2025 SPPP Facility Inventory Forms

## Form 10 – Maintenance Yards and Other Ancillary Operations

### New Jersey Turnpike Authority

### Stormwater Pollution Prevention Plan

| | |
|---|---|
| Facility Name: | NEW JERSEY Turnpike Authority District #1 |
| Facility Location: | TMO1 SWEDESBORO |

The purpose of this form is to obtain the information needed to comply with the regulations set forth in the Highway Agency Stormwater General Permit (HASWGP). These responses will assist the Authority in determining what measures are needed to comply with its stormwater discharge permit requirements and minimize stormwater pollutants that may enter the waters of the State.

If you have any questions about the stormwater permit requirements or need assistance in completing this inspection form please contact the following:

Tammy Trabucco, Senior Environmental Supervisor
New Jersey Turnpike Authority
Tel. (732) 750-5300 x8246
Cel. (201) 966-0436
trabucco@njta.com

Completed inspection forms should be emailed to Tammy Trabucco by June 1st yearly.

## I. Materials Inventory

A general list of materials present at each maintenance yard or ancillary operation which could be a source of pollutants in a stormwater discharge is required. These materials include, but are not limited to, raw materials, intermediate products, final products, waste materials, by-products, fuels, lubricants, solvents, and detergents. Review the list below and identify the type of materials that are stored on-site and are exposed to stormwater. Materials stored in a permanent structure and are therefore not exposed to stormwater do not need to be included in the list. Include any additional materials not already shown in the list in the spaces provided.

| Materials Exposed to Stormwater | | | |
|---|---|---|---|
| Material | Stored On-Site (yes/no) | Storage Location (indoors/outdoors) | Container Type (drum, tank, bucket, etc.) |
| Salt | YES | Out doors | N/A |
| Sand/Gravel/Soil | YES | Out doors | N/A |
| Street Sweepings | YES | Out doors | N/A |
| Asphalt Mix | NO | N/A | N/A |
| Paint | NO | N/A | N/A |
| Pesticides/Herbicides | NO | N/A | N/A |
| Gasoline | YES | Out doors | N/A |
| Diesel Fuel | YES | Out doors | Tank |
| Heating Oil | NO | N/A | Tank |
| Kerosene | NO | N/A | N/A |
| Hydraulic Fluid | YES | Indoors | N/A |
| Antifreeze | YES | Indoors | Drum |
| Motor Oil | YES | Indoors | Drum |
| Waste Oil | YES | Indoors | Drum |
| Transmission Fluid | YES | Indoors | Drum |
| Batteries | YES | Indoors | Drum |
| Degreasing Fluid/Parts Washer | YES | Indoors | Container Bucket |
| Detergent | NO | N/A | N/A |
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## II. Machinery and Equipment

A general list of machinery present at each maintenance yard or ancillary operation which could be a source of pollutants in a stormwater discharge is required. Review the list below and identify the type(s) of machinery that are stored on-site and are exposed to stormwater. Machinery stored in a permanent structure and are therefore not exposed to stormwater do not need to be included in the list. Include any additional machinery not already shown in the list in the spaces provided.

| Machinery Exposed to Stormwater | | |
|---|---|---|
| Machinery | Stored On-Site (yes/no) | Storage Location (indoors/outdoors) |
| Pick-up Trucks | YES | Outdoors |
| Dump Trucks | YES | Outdoors |
| Backhoes | NO | N/A |
| Loaders | YES | Outdoors |
| Bulldozers | NO | N/A |
| Painting Equipment | NO | N/A |
| Paving Equipment | NO | N/A |
| Sweepers | NO | N/A |
| Snow Plows | YES | Indoor / Outdoor |
| Tractors | NO | N/A |
| Mowers | YES | Inside / Outside |
| Generators | YES | Inside / Outdoor |
| Equipment Trailers | YES | Outdoors |
| Screeners | NO | N/A |
| Wood Chippers | NO | N/A |
| Compressors | YES | Outdoors |
| Excavators | NO | N/A |
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# Form 10 – Maintenance Yards and Other Ancillary Operations

## New Jersey Turnpike Authority

## Stormwater Pollution Prevention Plan

| | |
|---|---|
| Facility Name: | New Jersey Turnpike Authority |
| Facility Location: | TMD-2 Moorestown |

The purpose of this form is to obtain the information needed to comply with the regulations set forth in the Highway Agency Stormwater General Permit (HASWGP). These responses will assist the Authority in determining what measures are needed to comply with its stormwater discharge permit requirements and minimize stormwater pollutants that may enter the waters of the State.

If you have any questions about the stormwater permit requirements or need assistance in completing this inspection form please contact the following:

Tammy Trabucco, Senior Environmental Supervisor
New Jersey Turnpike Authority
Tel. (732) 750-5300 x8246
Cel. (201) 966-0436
trabucco@njta.com

Completed inspection forms should be emailed to Tammy Trabucco by June 1st yearly.

## I. Materials Inventory

A general list of materials present at each maintenance yard or ancillary operation which could be a source of pollutants in a stormwater discharge is required. These materials include, but are not limited to, raw materials, intermediate products, final products, waste materials, by-products, fuels, lubricants, solvents, and detergents. Review the list below and identify the type of materials that are stored on-site and are exposed to stormwater. Materials stored in a permanent structure and are therefore not exposed to stormwater do not need to be included in the list. Include any additional materials not already shown in the list in the spaces provided.

| Materials Exposed to Stormwater | | | |
|---|---|---|---|
| Material | Stored On-Site (yes/no) | Storage Location (indoors/outdoors) | Container Type (drum, tank, bucket, etc.) |
| Salt | Yes | Indoors | Shed |
| Sand/Gravel/Soil | Yes | Outdoors | Bins |
| Street Sweepings | Yes | Outdoors | Concrete Pad |
| Asphalt Mix | Yes | Both | Buckets - Bags |
| Paint | Yes | Indoors | |
| Pesticides/Herbicides | Yes | Outdoors | Shed |
| Gasoline | Yes | Both | Tanks and cabinet |
| Diesel Fuel | Yes | Both | Tanks and cabinet |
| Heating Oil | No | | |
| Kerosene | No | | |
| Hydraulic Fluid | Yes | Indoors | |
| Antifreeze | Yes | Indoors | |
| Motor Oil | Yes | Indoors | Drums |
| Waste Oil | Yes | Outdoors | Tank |
| Transmission Fluid | Yes | Indoors | Drums |
| Batteries | Yes | Outdoors | Covered Pallet |
| Degreasing Fluid/Parts Washer | Yes | Indoors | Drums |
| Detergent | Yes | Indoors | Drums |
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## II. Machinery and Equipment

A general list of machinery present at each maintenance yard or ancillary operation which could be a source of pollutants in a stormwater discharge is required. Review the list below and identify the type(s) of machinery that are stored on-site and are exposed to stormwater. Machinery stored in a permanent structure and are therefore not exposed to stormwater do not need to be included in the list. Include any additional machinery not already shown in the list in the spaces provided.

| Machinery Exposed to Stormwater | | |
|---|---|---|
| Machinery | Stored On-Site (yes/no) | Storage Location (indoors/outdoors) |
| Pick-up Trucks | Yes | Both |
| Dump Trucks | Yes | Both |
| Backhoes | Yes | Outdoors |
| Loaders | Yes | Outdoors |
| Bulldozers | Yes | Outdoors |
| Painting Equipment | Yes | Indoors |
| Paving Equipment | Yes | Both |
| Sweepers | Yes | Both |
| Snow Plows | Yes | Outdoors |
| Tractors | Yes | Both |
| Mowers | Yes | Both |
| Generators | Yes | Both |
| Equipment Trailers | Yes | Outdoors |
| Screeners | No | |
| Wood Chippers | Yes | Both |
| Compressors | Yes | Both |
| Excavators | Yes | Both |
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## Form 10 – Maintenance Yards and Other Ancillary Operations

### New Jersey Turnpike Authority

### Stormwater Pollution Prevention Plan

| | |
|---|---|
| Facility Name: | TMD-3 CROSSWICKS |
| Facility Location: | ~504 WARD AVE CROSSWICKS |

The purpose of this form is to obtain the information needed to comply with the regulations set forth in the Highway Agency Stormwater General Permit (HASWGP). These responses will assist the Authority in determining what measures are needed to comply with its stormwater discharge permit requirements and minimize stormwater pollutants that may enter the waters of the State.

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| Materials Exposed to Stormwater | | | |
|---|---|---|---|
| Material | Stored On-Site (yes/no) | Storage Location (indoors/outdoors) | Container Type (drum, tank, bucket, etc.) |
| Salt | YES | outdoor | SALT Dome |
| Sand/Gravel/Soil | GRAVEL | outdoors | outside dirt |
| Street Sweepings | NO | — | |
| Asphalt Mix | NO | — | |
| Paint | NO | — | |
| Pesticides/Herbicides | NO | — ? | |
| Gasoline | yes | indoors | HAZ-MAT shed |
| Diesel Fuel | yes | indoors | HAZ-MAT shed |
| Heating Oil | NO | — | |
| Kerosene | NO | — | |
| Hydraulic Fluid | yes | indoors | DRUM |
| Antifreeze | yes | indoors | DRUM |
| Motor Oil | yes | indoors | DRUM |
| Waste Oil | yes | | |
| Transmission Fluid | yes | indoors | DRUM |
| Batteries | yes | | |
| Degreasing Fluid/Parts Washer | yes | | |
| Detergent | NO | — | |
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## II. Machinery and Equipment

A general list of machinery present at each maintenance yard or ancillary operation which could be a source of pollutants in a stormwater discharge is required. Review the list below and identify the type(s) of machinery that are stored on-site and are exposed to stormwater. Machinery stored in a permanent structure and are therefore not exposed to stormwater do not need to be included in the list. Include any additional machinery not already shown in the list in the spaces provided.

| Machinery Exposed to Stormwater | | |
|---|---|---|
| Machinery | Stored On-Site (yes/no) | Storage Location (indoors/outdoors) |
| Pick-up Trucks | yes | outdoors |
| Dump Trucks | yes | out doors |
| Backhoes | NO | |
| Loaders | yes | out doors |
| Bulldozers | NO | |
| Painting Equipment | NO | — |
| Paving Equipment | NO | — |
| Sweepers | NO | — |
| Snow Plows | yes | outdoors |
| Tractors | yes | outdoors |
| Mowers | yes | outdoors |
| Generators | yes | out doors |
| Equipment Trailers | yes | out doors |
| Screeners | NO | — |
| Wood Chippers | NO | — |
| Compressors | yes | out doors |
| Excavators | NO | — |
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## Form 10 – Maintenance Yards and Other Ancillary Operations

**New Jersey Turnpike Authority**

**Stormwater Pollution Prevention Plan**

| | |
|---|---|
| Facility Name: | TM04 - Hightstown |
| Facility Location: MM 67.5 | 396 Franklin St. E. Windsor Twp. |

The purpose of this form is to obtain the information needed to comply with the regulations set forth in the Highway Agency Stormwater General Permit (HASWGP). These responses will assist the Authority in determining what measures are needed to comply with its stormwater discharge permit requirements and minimize stormwater pollutants that may enter the waters of the State.

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New Jersey Turnpike Authority
Tel. (732) 750-5300 x8246
Cel. (201) 966-0436
trabucco@njta.com

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A general list of materials present at each maintenance yard or ancillary operation which could be a source of pollutants in a stormwater discharge is required. These materials include, but are not limited to, raw materials, intermediate products, final products, waste materials, by-products, fuels, lubricants, solvents, and detergents. Review the list below and identify the type of materials that are stored on-site and are exposed to stormwater. Materials stored in a permanent structure and are therefore not exposed to stormwater do not need to be included in the list. Include any additional materials not already shown in the list in the spaces provided.

| Materials Exposed to Stormwater | | | |
|---|---|---|---|
| Material | Stored On-Site (yes/no) | Storage Location (indoors/outdoors) | Container Type (drum, tank, bucket, etc.) |
| Salt / BRINE SALT | YES | OUTDOORS | SALT DOME |
| Sand/Gravel/Soil | YES | OUTDOORS | 3-SIDED CONCRETE PAD (TARP) |
| Street Sweepings | YES | OUTDOORS | 3-SIDED CONCRETE PAD (TARP) |
| Asphalt Mix | ND | — | N/A |
| Paint | ND | — | N/A |
| Pesticides/Herbicides | YES | OUTDOORS | HAZ-MAT SHED |
| Gasoline | YES | INDOORS | HAZ-MAT CONTAINER |
| Diesel Fuel | YES | INDOORS | HAZ-MAT CONTAINER |
| Heating Oil | ND | — | N/A |
| Kerosene | ND | — | N/A |
| Hydraulic Fluid | YES | INDOORS | DRUMS |
| Antifreeze | YES | INDOORS | DRUMS |
| Motor Oil | YES | INDOORS | DRUMS |
| Waste Oil | YES | INDOORS | DRUMS |
| Transmission Fluid | YES | INDOORS | DRUMS |
| Batteries | YES | INDOORS | N/A |
| Degreasing Fluid/Parts Washer | YES | INDOORS | N/A |
| Detergent | ND | — | N/A |
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## II. Machinery and Equipment

A general list of machinery present at each maintenance yard or ancillary operation which could be a source of pollutants in a stormwater discharge is required. Review the list below and identify the type(s) of machinery that are stored on-site and are exposed to stormwater. Machinery stored in a permanent structure and are therefore not exposed to stormwater do not need to be included in the list. Include any additional machinery not already shown in the list in the spaces provided.

| Machinery Exposed to Stormwater | | |
|---|---|---|
| Machinery | Stored On-Site (yes/no) | Storage Location (indoors/outdoors) |
| Pick-up Trucks | YES | OUT |
| Dump Trucks | YES | OUT |
| Backhoes | NO | N/A |
| Loaders | YES | OUT |
| Bulldozers | NO | N/A |
| Painting Equipment | NO | N/A |
| Paving Equipment | YES | OUT |
| Sweepers | YES | OUT |
| Snow Plows | YES | OUT |
| Tractors | YES | OUT |
| Mowers | YES | OUT |
| Generators | YES | OUT |
| Equipment Trailers | YES | OUT |
| Screeners | NO | N/A |
| Wood Chippers | NO | N/A |
| Compressors | YES | OUT |
| Excavators | NO | N/A |
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## Form 10 – Maintenance Yards and Other Ancillary Operations

**New Jersey Turnpike Authority**

**Stormwater Pollution Prevention Plan**

| | |
|---|---|
| Facility Name: TMD 5 | |
| Facility Location: Milltown NJ | |

The purpose of this form is to obtain the information needed to comply with the regulations set forth in the Highway Agency Stormwater General Permit (HASWGP). These responses will assist the Authority in determining what measures are needed to comply with its stormwater discharge permit requirements and minimize stormwater pollutants that may enter the waters of the State.

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New Jersey Turnpike Authority
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Cel. (201) 966-0436
trabucco@njta.com

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## I. Materials Inventory

A general list of materials present at each maintenance yard or ancillary operation which could be a source of pollutants in a stormwater discharge is required. These materials include, but are not limited to, raw materials, intermediate products, final products, waste materials, by-products, fuels, lubricants, solvents, and detergents. Review the list below and identify the type of materials that are stored on-site and are exposed to stormwater. Materials stored in a permanent structure and are therefore not exposed to stormwater do not need to be included in the list. Include any additional materials not already shown in the list in the spaces provided.

| Materials Exposed to Stormwater | | | |
|---|---|---|---|
| Material | Stored On-Site (yes/no) | Storage Location (indoors/outdoors) | Container Type (drum, tank, bucket, etc.) |
| Salt | ✓ yes | OUT DOORS | SALT SHED |
| Sand/Gravel/Soil | ✓ yes | OUT DOORS | BIN LOCATION |
| Street Sweepings | ✓ yes | OUTDOORS | BIN LOCATION |
| Asphalt Mix | NO | — | — |
| Paint | NO | — | — |
| Pesticides/Herbicides | NO | — | — |
| Gasoline | yes | EL. OUT DOORS | FLAMMABLE LOCKER |
| Diesel Fuel | yes | OUT DOORS | FLAMMABLE LOCKER |
| Heating Oil | NO | — | — |
| Kerosene | NO | — | — |
| Hydraulic Fluid | yes | INSIDE | DRUMS |
| Antifreeze | yes | INSIDE | DRUMS |
| Motor Oil | yes | INSIDE | DRUMS |
| Waste Oil | yes | OUT SIDE | WASH OIL BIN |
| Transmission Fluid | yes | INSIDE | DRUMS |
| Batteries | yes | OUT SIDE | ON PALLET |
| Degreasing Fluid/Parts Washer | yes | INSIDE | WASH BIN |
| Detergent | yes | INSIDE | STORAGE FACILITY |
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## II. Machinery and Equipment

A general list of machinery present at each maintenance yard or ancillary operation which could be a source of pollutants in a stormwater discharge is required. Review the list below and identify the type(s) of machinery that are stored on-site and are exposed to stormwater. Machinery stored in a permanent structure and are therefore not exposed to stormwater do not need to be included in the list. Include any additional machinery not already shown in the list in the spaces provided.

| Machinery Exposed to Stormwater | | |
|---|---|---|
| Machinery | Stored On-Site (yes/no) | Storage Location (indoors/outdoors) |
| Pick-up Trucks | yes | OUT DOORS |
| Dump Trucks | yes | OUT DOORS |
| Backhoes | NO | — |
| Loaders | yes | OUT DOORS |
| Bulldozers | NO | — |
| Painting Equipment | NO | — |
| Paving Equipment | yes | OUT DOORS |
| Sweepers | yes | OUT DOORS |
| Snow Plows | yes | OUT DOORS |
| Tractors | yes | OUT DOORS |
| Mowers | yes | OUT DOORS |
| Generators | yes | IN STORAGE CONTAINER |
| Equipment Trailers | yes | OUT DOORS |
| Screeners | NO | — |
| Wood Chippers | NO | — |
| Compressors | yes | OUT DOORS |
| Excavators | NO | — |
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# Form 10 – Maintenance Yards and Other Ancillary Operations

## New Jersey Turnpike Authority

## Stormwater Pollution Prevention Plan

| | |
|---|---|
| Facility Name: | TMD 6 |
| Facility Location: | ELIZABETH |

The purpose of this form is to obtain the information needed to comply with the regulations set forth in the Highway Agency Stormwater General Permit (HASWGP). These responses will assist the Authority in determining what measures are needed to comply with its stormwater discharge permit requirements and minimize stormwater pollutants that may enter the waters of the State.

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New Jersey Turnpike Authority
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Cel. (201) 966-0436
trabucco@njta.com

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## I. Materials Inventory

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| Materials Exposed to Stormwater | | | |
|---|---|---|---|
| Material | Stored On-Site (yes/no) | Storage Location (indoors/outdoors) | Container Type (drum, tank, bucket, etc.) |
| Salt | Yes | Outdoors | Salt Shed |
| Sand/Gravel/Soil | Yes | Outdoors | Bin Area |
| Street Sweepings | Yes | Outdoors | Bin Area |
| Asphalt Mix | Yes | Indoors | Buckets |
| Paint | Yes | Indoors | Buckets |
| Pesticides/Herbicides | Yes | Outdoor Shed | Drum |
| Gasoline | Yes | Outdoors | Flammable Locker |
| Diesel Fuel | Yes | Outdoors | Flammable Locker |
| Heating Oil | No | N/A | N/A |
| Kerosene | No | N/A | N/A |
| Hydraulic Fluid | Yes | Indoors | Drums |
| Antifreeze | Yes | Indoors | Drums |
| Motor Oil | Yes | Indoors | Drums |
| Waste Oil | Yes | Outdoors | Waste Oil Bin |
| Transmission Fluid | Yes | Indoors | Drums |
| Batteries | Yes | Outdoors | Stationed On Pallet |
| Degreasing Fluid/Parts Washer | Yes | Indoors | Wash Bin |
| Detergent | Yes | Indoors | Storage Room |
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## II. Machinery and Equipment

A general list of machinery present at each maintenance yard or ancillary operation which could be a source of pollutants in a stormwater discharge is required. Review the list below and identify the type(s) of machinery that are stored on-site and are exposed to stormwater. Machinery stored in a permanent structure and are therefore not exposed to stormwater do not need to be included in the list. Include any additional machinery not already shown in the list in the spaces provided.

| Machinery Exposed to Stormwater | | |
|---|---|---|
| Machinery | Stored On-Site (yes/no) | Storage Location (indoors/outdoors) |
| Pick-up Trucks | Yes | Outdoors |
| Dump Trucks | Yes | Outdoors |
| Backhoes | No | N/A |
| Loaders | Yes | Outdoors |
| Bulldozers | No | N/A |
| Painting Equipment | No | N/A |
| Paving Equipment | Yes | Outdoors |
| Sweepers | Yes | Outdoors |
| Snow Plows | Yes | Outdoors |
| Tractors | Yes | Outdoors |
| Mowers | Yes | Outdoors |
| Generators | Yes | Storage |
| Equipment Trailers | Yes | Outdoors |
| Screeners | No | N/A |
| Wood Chippers | Yes | Indoors |
| Compressors | Yes | Outdoors |
| Excavators | No | N/A |
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## Form 10 – Maintenance Yards and Other Ancillary Operations

### New Jersey Turnpike Authority

### Stormwater Pollution Prevention Plan

| | |
|---|---|
| Facility Name: | Northern Division HQ (TMD 7) |
| Facility Location: | 14 Port Street, Newark, NJ 07114 |

The purpose of this form is to obtain the information needed to comply with the regulations set forth in the Highway Agency Stormwater General Permit (HASWGP). These responses will assist the Authority in determining what measures are needed to comply with its stormwater discharge permit requirements and minimize stormwater pollutants that may enter the waters of the State.

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| Materials Exposed to Stormwater | | | |
|---|---|---|---|
| Material | Stored On-Site (yes/no) | Storage Location (indoors/outdoors) | Container Type (drum, tank, bucket, etc.) |
| Salt | NO | | |
| Sand/Gravel/Soil | NO | | |
| Street Sweepings | NO | | |
| Asphalt Mix | NO | | |
| Paint | NO | | |
| Pesticides/Herbicides | NO | | |
| Gasoline | YES | | UNDERGROUND TANKS |
| Diesel Fuel | YES | | " " |
| Heating Oil | NO | | |
| Kerosene | NO | | |
| Hydraulic Fluid | YES | INDOORS | DRUMS |
| Antifreeze | YES (AUTO) | " | CONTAINERS |
| Motor Oil | YES | " | DRUMS |
| Waste Oil | YES | OUTDOORS | TANK |
| Transmission Fluid | YES | INDOORS | DRUMS |
| Batteries | NO | | |
| Degreasing Fluid/Parts Washer | YES (AUTO) | INDOORS | TANK |
| Detergent | NO | | |
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## II. Machinery and Equipment

A general list of machinery present at each maintenance yard or ancillary operation which could be a source of pollutants in a stormwater discharge is required. Review the list below and identify the type(s) of machinery that are stored on-site and are exposed to stormwater. Machinery stored in a permanent structure and are therefore not exposed to stormwater do not need to be included in the list. Include any additional machinery not already shown in the list in the spaces provided.

| Machinery Exposed to Stormwater | | |
|---|---|---|
| Machinery | Stored On-Site (yes/no) | Storage Location (indoors/outdoors) |
| Pick-up Trucks | YES | INDOOR & OUTDOORS |
| Dump Trucks | YES | OUTDOORS |
| Backhoes | NO | |
| Loaders | YES | OUTDOORS |
| Bulldozers | NO | |
| Painting Equipment | NO | |
| Paving Equipment | NO | |
| Sweepers | YES | INDOORS |
| Snow Plows | NO | |
| Tractors | NO | |
| Mowers | NO | |
| Generators | YES | OUTDOORS |
| Equipment Trailers | YES | OUTDOORS |
| Screeners | NO | |
| Wood Chippers | NO | |
| Compressors | YES | OUTDOORS |
| Excavators | NO | |
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# Form 10 – Maintenance Yards and Other Ancillary Operations

## New Jersey Turnpike Authority

## Stormwater Pollution Prevention Plan

| | |
|---|---|
| Facility Name: | TURNPIKE MAINTENANCE DISTRICT 8 |
| Facility Location: | SECAUCUS |

The purpose of this form is to obtain the information needed to comply with the regulations set forth in the Highway Agency Stormwater General Permit (HASWGP). These responses will assist the Authority in determining what measures are needed to comply with its stormwater discharge permit requirements and minimize stormwater pollutants that may enter the waters of the State.

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| Materials Exposed to Stormwater | | | |
|---|---|---|---|
| Material | Stored On-Site (yes/no) | Storage Location (indoors/outdoors) | Container Type (drum, tank, bucket, etc.) |
| Salt | YES | OUTDOORS | SALT SHED |
| Sand/Gravel/Soil | YES | OUTDOORS | BIN |
| Street Sweepings | YES | OUTDOORS | DUMPSTER |
| Asphalt Mix | NO | | |
| Paint | NO | | |
| Pesticides/Herbicides | NO | | |
| Gasoline | YES | OUTDOORS | TANK |
| Diesel Fuel | YES | OUTDOORS | TANK |
| Heating Oil | NO | | |
| Kerosene | NO | | |
| Hydraulic Fluid | YES | INDOORS | DRUM |
| Antifreeze | YES | INDOORS | DRUM |
| Motor Oil | YES | INDOORS | DRUM |
| Waste Oil | YES | INDOORS | TANK |
| Transmission Fluid | | INDOORS | DRUM |
| Batteries | YES | INDOORS | STORAGE ROOM |
| Degreasing Fluid/Parts Washer | YES | INDOORS | AUTO SHOP |
| Detergent | YES | INDOORS | STORAGE ROOM |
| | | | |
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## II. Machinery and Equipment

A general list of machinery present at each maintenance yard or ancillary operation which could be a source of pollutants in a stormwater discharge is required. Review the list below and identify the type(s) of machinery that are stored on-site and are exposed to stormwater. Machinery stored in a permanent structure and are therefore not exposed to stormwater do not need to be included in the list. Include any additional machinery not already shown in the list in the spaces provided.

| Machinery Exposed to Stormwater | | |
|---|---|---|
| Machinery | Stored On-Site (yes/no) | Storage Location (indoors/outdoors) |
| Pick-up Trucks | YES | OUTDOORS |
| Dump Trucks | YES | OUTDOORS |
| Backhoes | NO | |
| Loaders | YES | OUTDOORS |
| Bulldozers | NO | |
| Painting Equipment | NO | |
| Paving Equipment | NO | |
| Sweepers | NO | |
| Snow Plows | YES | OUTDOORS |
| Tractors | YES | OUTDOORS |
| Mowers | YES | OUTDOORS |
| Generators | YES | OUTDOORS |
| Equipment Trailers | YES | OUOTDOORS |
| Screeners | NO | |
| Wood Chippers | NO | |
| Compressors | YES | OUTDOORS |
| Excavators | NO | |
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## Form 10 – Maintenance Yards and Other Ancillary Operations

### New Jersey Turnpike Authority

### Stormwater Pollution Prevention Plan

| | |
|---|---|
| Facility Name: | TMD9 Jersey City |
| Facility Location: | Jersey City, NJ |

The purpose of this form is to obtain the information needed to comply with the regulations set forth in the Highway Agency Stormwater General Permit (HASWGP). These responses will assist the Authority in determining what measures are needed to comply with its stormwater discharge permit requirements and minimize stormwater pollutants that may enter the waters of the State.

If you have any questions about the stormwater permit requirements or need assistance in completing this inspection form please contact the following:

Tammy Trabucco, Senior Environmental Supervisor
New Jersey Turnpike Authority
Tel. (732) 750-5300 x8246
Cel. (201) 966-0436
trabucco@njta.com

Completed inspection forms should be emailed to Tammy Trabucco by June 1st yearly.

## I. Materials Inventory

A general list of materials present at each maintenance yard or ancillary operation which could be a source of pollutants in a stormwater discharge is required. These materials include, but are not limited to, raw materials, intermediate products, final products, waste materials, by-products, fuels, lubricants, solvents, and detergents. Review the list below and identify the type of materials that are stored on-site and are exposed to stormwater. Materials stored in a permanent structure and are therefore not exposed to stormwater do not need to be included in the list. Include any additional materials not already shown in the list in the spaces provided.

| Materials Exposed to Stormwater | | | |
|---|---|---|---|
| Material | Stored On-Site (yes/no) | Storage Location (indoors/outdoors) | Container Type (drum, tank, bucket, etc.) |
| Salt | yes | indoor | salt shed |
| Sand/Gravel/Soil | yes | indoor | preloaded in truck |
| Street Sweepings | yes | outdoor | open container 2cyd |
| Asphalt Mix /coldpatch | yes | indoor | 50lb bags / pallet |
| Paint | yes | indoor | aerosol can & gallon can |
| Pesticides/Herbicides | no | — | — |
| Gasoline | yes | outdoor | in ground tank |
| Diesel Fuel | yes | outdoor | in ground tank |
| Heating Oil | no | — | — |
| Kerosene | no | — | — |
| Hydraulic Fluid | yes | indoor | storage tank & drum |
| Antifreeze | yes | indoor | gallon container |
| Motor Oil | yes | indoor | storage tank & drum |
| Waste Oil | yes | outdoor | storage tank |
| Transmission Fluid | yes | indoor | drum |
| Batteries | yes | indoor | parts room |
| Degreasing Fluid/Parts Washer | yes | indoor | drum |
| Detergent | yes | indoor | janitorial closet |
| | | | |
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| | | | |

## II. Machinery and Equipment

A general list of machinery present at each maintenance yard or ancillary operation which could be a source of pollutants in a stormwater discharge is required. Review the list below and identify the type(s) of machinery that are stored on-site and are exposed to stormwater. Machinery stored in a permanent structure and are therefore not exposed to stormwater do not need to be included in the list. Include any additional machinery not already shown in the list in the spaces provided.

| Machinery Exposed to Stormwater | | |
|---|---|---|
| Machinery | Stored On-Site (yes/no) | Storage Location (indoors/outdoors) |
| Pick-up Trucks | yes | outdoor |
| Dump Trucks | yes | outdoor |
| Backhoes | no | — |
| Loaders | yes | outdoor |
| Bulldozers | no | — |
| Painting Equipment | no | — |
| Paving Equipment | no | — |
| Sweepers | yes | outdoor |
| Snow Plows | yes | outdoor |
| Tractors | yes | outdoor |
| Mowers | yes | outdoor |
| Generators | yes | outdoor |
| Equipment Trailers | yes | outdoor |
| Screeners | no | — |
| Wood Chippers | no | — |
| Compressors | yes | outdoor |
| Excavators | no | — |
| | | |
| | | |
| | | |
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| | | |
| | | |

# Form 10 – Maintenance Yards and Other Ancillary Operations

## New Jersey Turnpike Authority

## Stormwater Pollution Prevention Plan

| | |
|---|---|
| Facility Name: TMD-10 | |
| Facility Location: East Rutherford | |

The purpose of this form is to obtain the information needed to comply with the regulations set forth in the Highway Agency Stormwater General Permit (HASWGP). These responses will assist the Authority in determining what measures are needed to comply with its stormwater discharge permit requirements and minimize stormwater pollutants that may enter the waters of the State.

If you have any questions about the stormwater permit requirements or need assistance in completing this inspection form please contact the following:

Tammy Trabucco, Senior Environmental Supervisor
New Jersey Turnpike Authority
Tel. (732) 750-5300 x8246
Cel. (201) 966-0436
trabucco@njta.com

Completed inspection forms should be emailed to Tammy Trabucco by June 1st yearly.

## I. Materials Inventory

A general list of materials present at each maintenance yard or ancillary operation which could be a source of pollutants in a stormwater discharge is required. These materials include, but are not limited to, raw materials, intermediate products, final products, waste materials, by-products, fuels, lubricants, solvents, and detergents. Review the list below and identify the type of materials that are stored on-site and are exposed to stormwater. Materials stored in a permanent structure and are therefore not exposed to stormwater do not need to be included in the list. Include any additional materials not already shown in the list in the spaces provided.

| Materials Exposed to Stormwater | | | |
|---|---|---|---|
| Material | Stored On-Site (yes/no) | Storage Location (indoors/outdoors) | Container Type (drum, tank, bucket, etc.) |
| Salt | Y | Indoors | Salt Dome |
| Sand/Gravel/Soil | Y | Outdoors | Open Bin on a slab |
| Street Sweepings | Y | Outdoors | Open Bin on a slab |
| Asphalt Mix | Y | Indoors | Buckets |
| Paint | Y | Indoors | Cans/Buckets |
| Pesticides/Herbicides | N | | |
| Gasoline | Y | Indoors/Underground | Gas Cans &Fuel Tanks |
| Diesel Fuel | Y | Indoors/Underground | Gas Cans &Fuel Tanks |
| Heating Oil | N | | |
| Kerosene | N | | |
| Hydraulic Fluid | Y | Indoors | Bulk Fluid Tank |
| Antifreeze | Y | Indoors | Bottle |
| Motor Oil | Y | Indoors | Bulk Fluid Tank |
| Waste Oil | Y | Outdoors | Waste Oil Tank |
| Transmission Fluid | Y | Indoors | Bulk Fluid Tank |
| Batteries | Y | Indoors | Pallet |
| Degreasing Fluid/Parts Washer | Y | Indoors | Parts Washer/Drum |
| Detergent | Y | Indoors | Bottle |
| | | | |
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| | | | |
| | | | |

## II. Machinery and Equipment

A general list of machinery present at each maintenance yard or ancillary operation which could be a source of pollutants in a stormwater discharge is required. Review the list below and identify the type(s) of machinery that are stored on-site and are exposed to stormwater. Machinery stored in a permanent structure and are therefore not exposed to stormwater do not need to be included in the list. Include any additional machinery not already shown in the list in the spaces provided.

| Machinery Exposed to Stormwater | | |
|---|---|---|
| Machinery | Stored On-Site (yes/no) | Storage Location (indoors/outdoors) |
| Pick-up Trucks | Y | Outdoors |
| Dump Trucks | Y | Outdoors |
| Backhoes | N | |
| Loaders | Y | Outdoors |
| Bulldozers | N | |
| Painting Equipment | Y | Indoors |
| Paving Equipment | N | |
| Sweepers | N | |
| Snow Plows | Y | Outdoors |
| Tractors | Y | Outdoors |
| Mowers | Y | Outdoors |
| Generators | Y | Indoors |
| Equipment Trailers | Y | Outdoors |
| Screeners | N | |
| Wood Chippers | N | |
| Compressors | Y | Indoors&Outdoors |
| Excavators | N | |
| | | |
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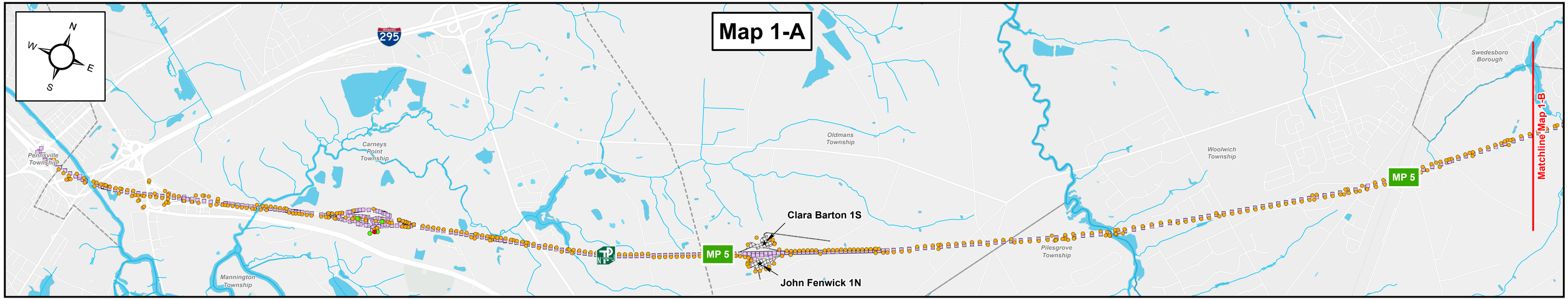
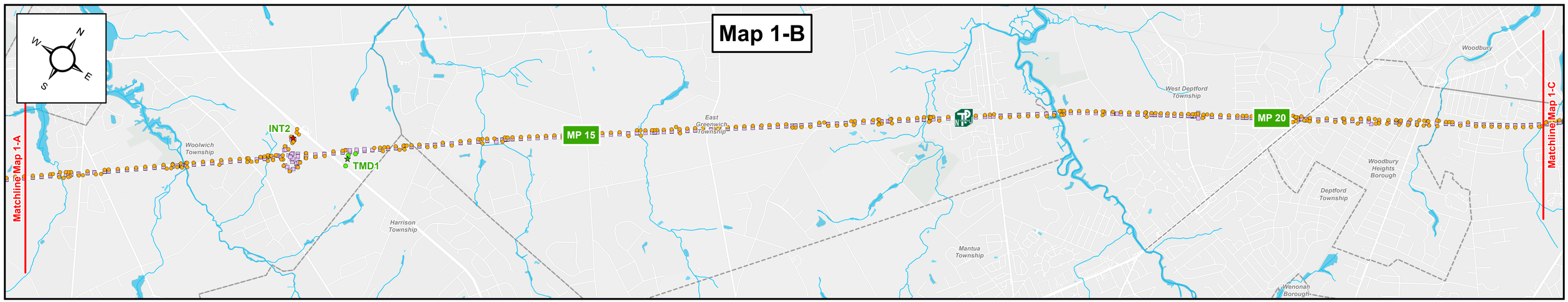
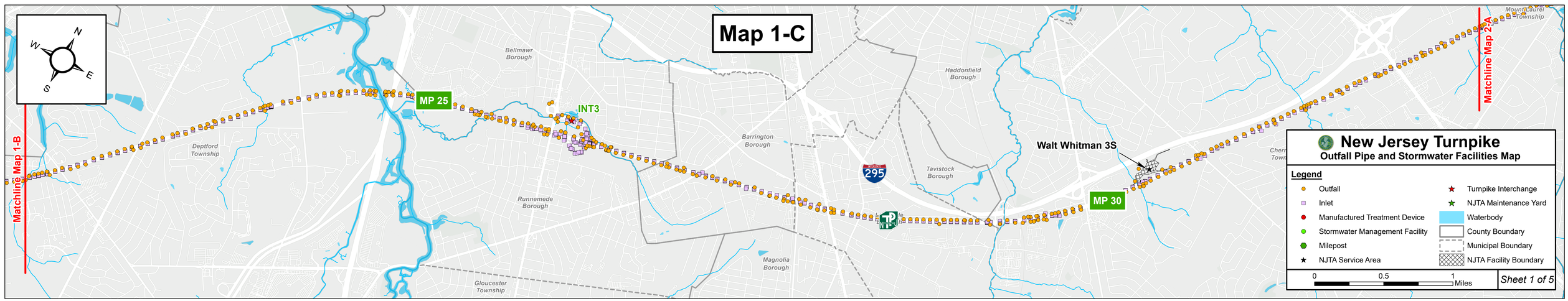
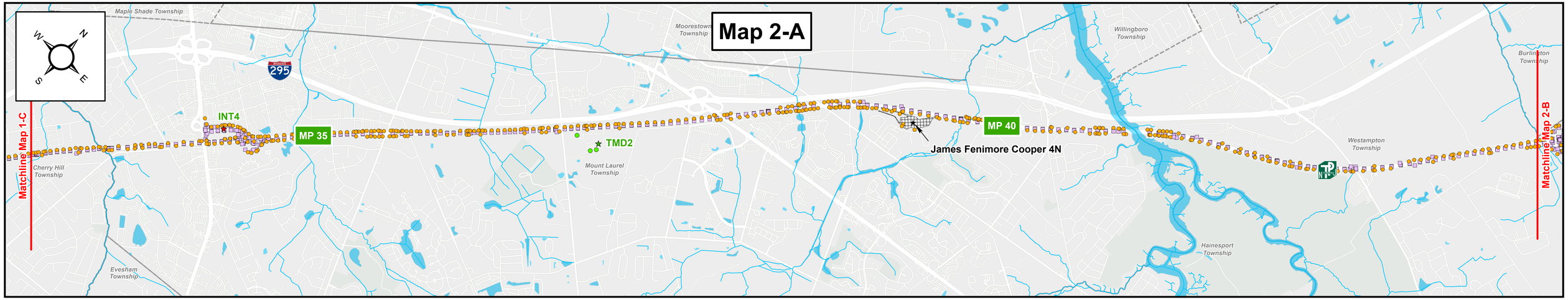
# Appendix C

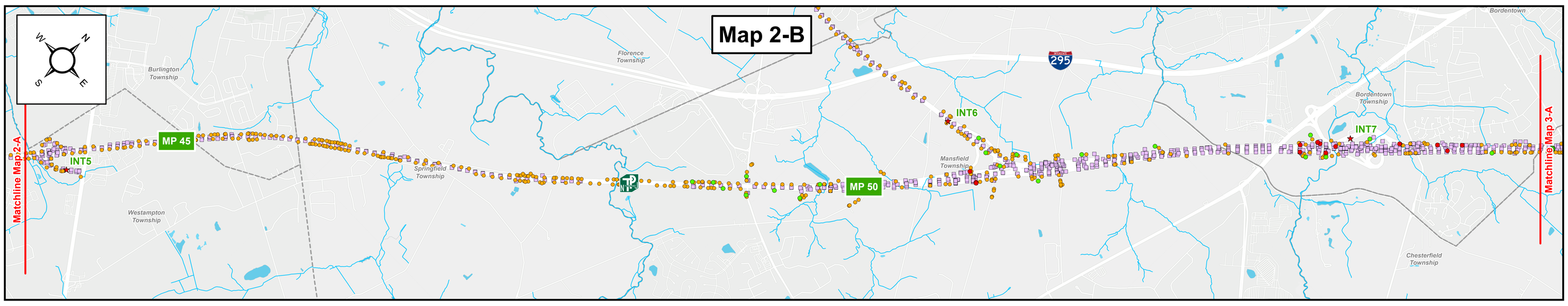
## Outfall Pipe and Stormwater Facilities Maps

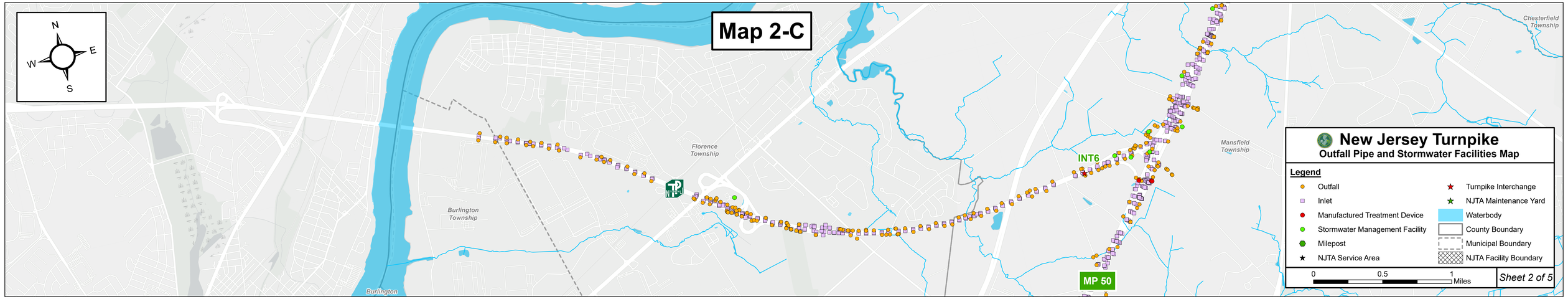

Map 1-A
N
W
E
S
295
Pennsville Township
Carneys Point Township
Oldmans Township
Woolwich Township
Swedesboro Borough
Mannington Township
Pilesgrove Township
MP 5
Clara Barton 1S
John Fenwick 1N
Matchline Map 1-B

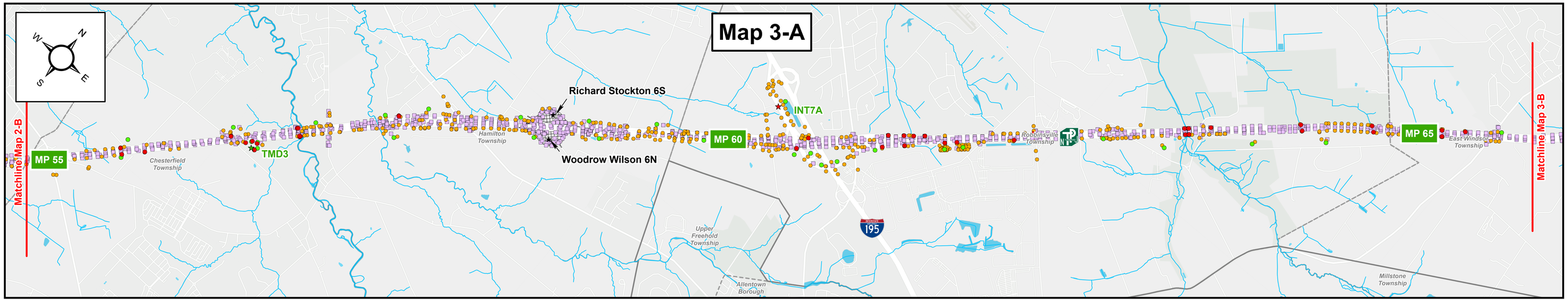

Map 1-B
N
W
E
S
Matchline Map 1-A
Matchline Map 1-C
INT2
TMD1
MP 15
MP 20
Woolwich Township
Harrison Township
East Greenwich Township
West Deptford Township
Mantua Township
Woodbury
Woodbury Heights Borough
Deptford Township
Wenonah Borough

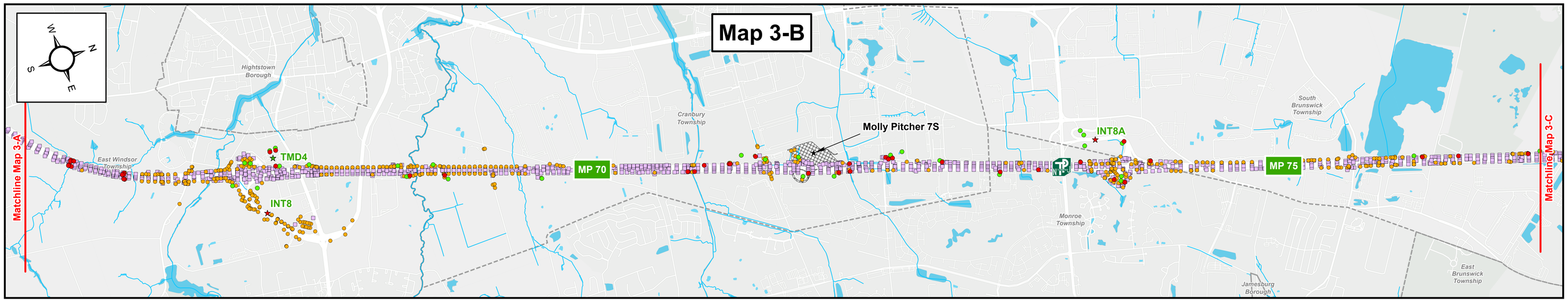

Map 1-C
N
W
E
S
Matchline Map 1-B
Matchline Map 2-A
MP 25
INT3
MP 30
Walt Whitman 3S
Bellmawr Borough
Deptford Township
Runnemede Borough
Barrington Borough
Haddonfield Borough
Tavistock Borough
Magnolia Borough
Gloucester Township
Mount Laurel Township
295
New Jersey Turnpike
Outfall Pipe and Stormwater Facilities Map
Legend
Outfall
Inlet
Manufactured Treatment Device
Stormwater Management Facility
Milepost
NJTA Service Area
Turnpike Interchange
NJTA Maintenance Yard
Waterbody
County Boundary
Municipal Boundary
NJTA Facility Boundary
0
0.5
1
Miles
Sheet 1 of 5

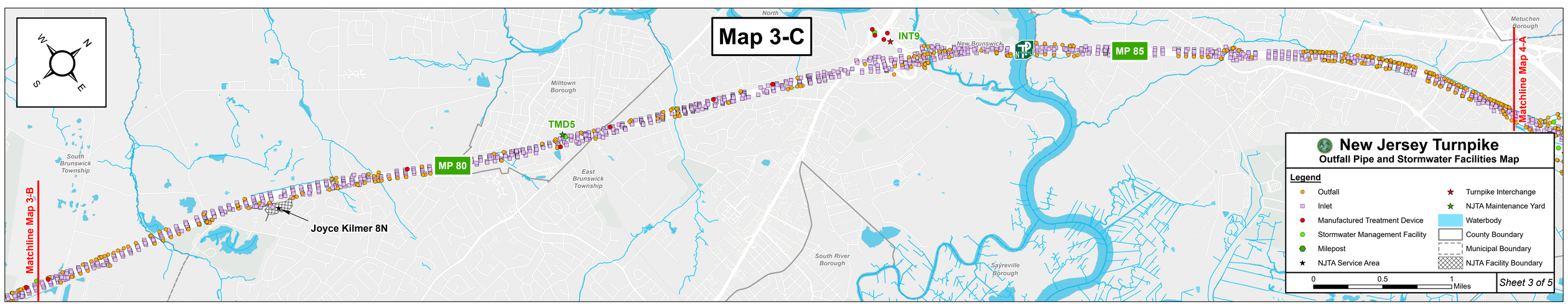

Map 2-A
Maple Shade Township
Moorestown Township
Willingboro Township
Burlington Township
Cherry Hill Township
Mount Laurel Township
Westampton Township
Hainesport Township
Evesham Township
INT4
MP 35
TMD2
MP 40
James Fenimore Cooper 4N
295
Matchline Map 1-C
Matchline Map 2-B


Map 2-B
Burlington Township
Florence Township
Springfield Township
Mansfield Township
Westampton Township
Bordentown
Bordentown Township
Chesterfield Township
295
INT5
MP 45
MP 50
INT6
INT7
Matchline Map2-A
Matchline Map 3-A


Map 2-C
Florence Township
Burlington Township
Mansfield Township
Chesterfield Township
Burlington
INT6
MP 50
New Jersey Turnpike
Outfall Pipe and Stormwater Facilities Map
Legend
Outfall
Inlet
Manufactured Treatment Device
Stormwater Management Facility
Milepost
NJTA Service Area
Turnpike Interchange
NJTA Maintenance Yard
Waterbody
County Boundary
Municipal Boundary
NJTA Facility Boundary
0
0.5
1
Miles
Sheet 2 of 5




## New Jersey Turnpike
### Outfall Pipe and Stormwater Facilities Map

**Legend**

- Outfall
- Inlet
- Manufactured Treatment Device
- Stormwater Management Facility
- Milepost
- NJTA Service Area
- Turnpike Interchange
- NJTA Maintenance Yard
- Waterbody
- County Boundary
- Municipal Boundary
- NJTA Facility Boundary

0 0.5 1 Miles

# Map 4-A

Matchline Map 3-C

Matchline Map 4-B

INT10

MP 90

INT11

TMD6A

Thomas Edison 10S

Grover Cleveland 10N

MP 95

INT12

Metuchen

Edison Township

Woodbridge Township

Rahway

Carteret Borough

Linden

Elizabeth

# Map 4-B

Matchline Map 4-A

Matchline Map 4-C

Matchline Map 5-A & 5-B

INT13

MP 100

INT13A

TMD6

INT14

TMD7

MP 105

Newark

INT15E

INT15W

Harrison

Kearny

Secaucus

# Map 4-C

Matchline Map 4-B

INT13A

Elizabeth

Newark

Bayonne

Jersey City

TMD9

Hoboken

## New Jersey Turnpike

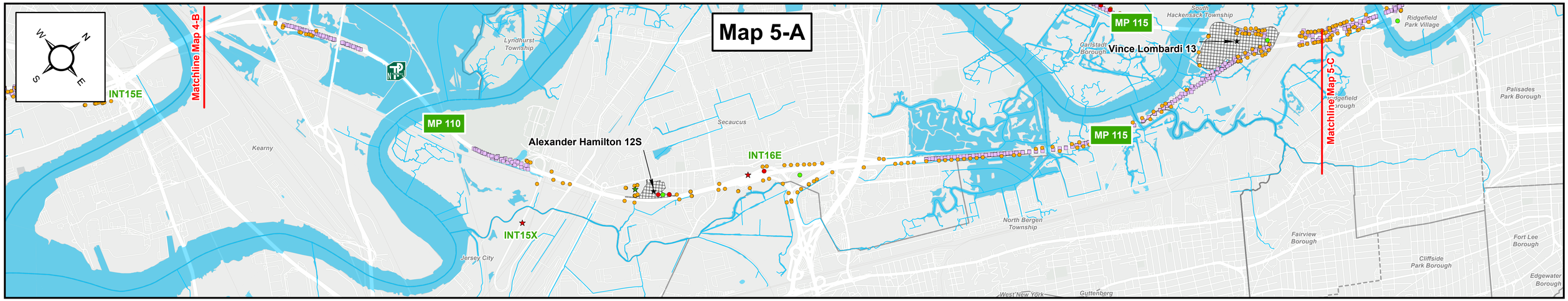
### Outfall Pipe and Stormwater Facilities Map

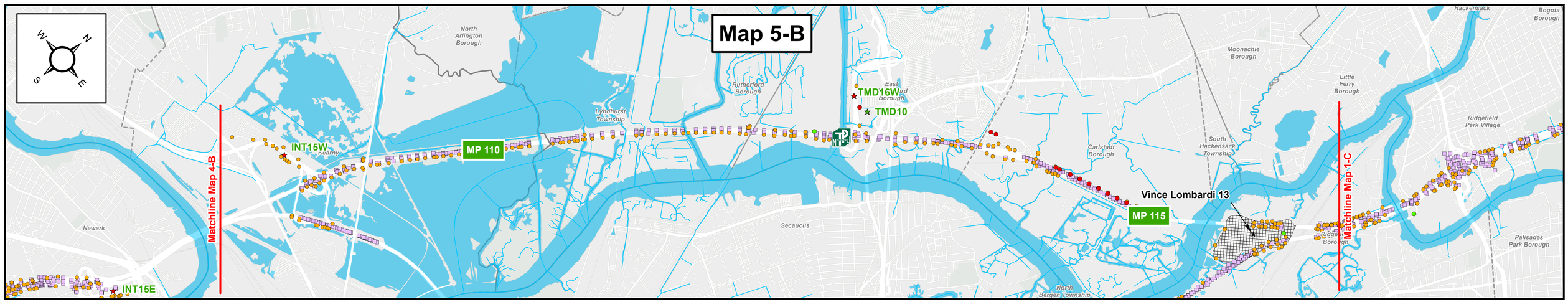
**Legend**

- Outfall
- Inlet
- Manufactured Treatment Device
- Stormwater Management Facility
- Milepost
- NJTA Service Area
- Turnpike Interchange
- NJTA Maintenance Yard
- Waterbody
- County Boundary
- Municipal Boundary
- NJTA Facility Boundary

0 0.5 1 Miles

Sheet 4 of 5


Map 5-A
INT15E
Matchline Map 4-B
MP 110
Alexander Hamilton 12S
INT16E
INT15X
MP 115
Vince Lombardi 13
Matchline Map 5-C
Kearny
Lyndhurst Township
Secaucus
Jersey City
North Bergen Township
West New York
Guttenberg
Fairview Borough
Cliffside Park Borough
Fort Lee Borough
Edgewater Borough
Palisades Park Borough
Ridgefield Park Village
South Hackensack Township
Carlstadt Borough


Map 5-B
INT15W
INT15E
MP 110
Matchline Map 4-B
TMD16W
TMD10
Vince Lombardi 13
MP 115
Matchline Map 1-C
North Arlington Borough
Rutherford Borough
East Rutherford Borough
Lyndhurst Township
Kearny
Newark
Secaucus
North Bergen Township
Carlstadt Borough
South Hackensack Township
Moonachie Borough
Little Ferry Borough
Ridgefield Park Village
Palisades Park Borough
Hackensack
Bogota Borough


Map 5-C
MP 120
Matchline Map 5-A & 5-B
Teaneck Township
Ridgefield Park Village
Ridgefield Borough
Leonia Borough
Palisades Park Borough
Fort Lee Borough
Englewood
Englewood Cliffs Borough
Tenafly Borough
Alpine Borough
New Jersey Turnpike
Outfall Pipe and Stormwater Facilities Map
Legend
Outfall
Inlet
Manufactured Treatment Device
Stormwater Management Facility
Milepost
NJTA Service Area
Turnpike Interchange
NJTA Maintenance Yard
Waterbody
County Boundary
Municipal Boundary
NJTA Facility Boundary
0
0.5
1
Miles
Sheet 5 of 5

# Appendix D

## Additional Highway Agency Stormwater General Permit Requirements

*Good Housekeeping – Excess De-Icing/Anti-Icing Material Management*

As part of its street sweeping program outlined in SPPP Form 8 – Street Sweeping, the Authority operates mobile sweepers on the Turnpike, and also contracts with outside vendors, as needed, to supplement its sweeping efforts. As such, the Authority will use this program to also aid in its management of excess de-icing/anti-icing material. Following a storm event, the Authority will increase the frequency of its street sweeping efforts to remove any piles of excess salt and de-icing/anti-icing materials that have been deposited during spreading operations on streets, ramps, and parking areas within 72 hours.

*Good Housekeeping – Tree Replacement Management*

Authority projects are designed by engineering consultants that are required to follow the Authority's Design Manual. The Authority will issue an update to its design manual to meet the requirements of the renewed Highway Agency Stormwater General Permit requirements.

*Stormwater Program Coordinator (SPC) Training*

The Authority requires that the individual listed as the Stormwater Program Coordinator on SPPP Form 1 – SPPP Team Members complete the mandatory Department training regarding their responsibilities to implement the stormwater program once every permit cycle. Record of their certification will be shown on the Department's 'Stormwater Program Coordinator Training Certification List'. Additionally, the Authority maintains a copy of these records at the following physical location:

New Jersey Turnpike Authority
1 Turnpike Plaza
Woodbridge, NJ 07095

*Annual Employee Training*

In addition to the employee training outlined on SPPP Form 13 – Employee Training, the Authority will also require that the appropriate staff receiving training on De-icing/Anti-icing Material Application, and the Watershed Improvement Plan. This will include any outside vendors and/or contractors retained by the Authority. The Authority will require that these trainings be conducted annually, and the location of the associated training sign in sheets, dates, and agendas or descriptions for each topic will be maintained at the following location:

New Jersey Turnpike Authority
1 Turnpike Plaza

Woodbridge, NJ 07095

*Watershed Improvement Plan*

The Authority is compiling the necessary information to meet the minimum standards outlined in the Watershed Improvement Plan requirements. The Authority will update its SPPP with the Phase 1 – Watershed Inventory, Phase 2 – Watershed Assessment Report, and Phase 3 – Watershed Improvement Plan Final Report by the deadlines specified in the permit.

# Appendix E

## Permit Information

- **Highway Agency Stormwater General Permit – Authorization to Discharge**
- **Highway Agency Stormwater General Permit – NJPDES Master General Permit Renewal**

State of New Jersey

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Watershed Protection and Restoration
Bureau of NJPDES Stormwater Permitting
P.O. Box 420 – 501 E. State St., 1st Flr
Trenton, NJ 08625-0420
Tel: (609) 633-7021 / Mail Code - 501-02A

SHAWN M. LATOURETTE
Commissioner

December 18, 2024

**SENT VIA EMAIL** to: crossi@njta.com

Christopher Rossi
NJ Turnpike Auth
PO Box 5042
Woodbridge, NJ 07095

Re: Stormwater Discharge General Permit Authorization Renewal
Category: R12 - MS4 - Highway Agency Stormwater (GP)
NJPDES: NJG0153354 / PI ID #: 222955
NEW JERSEY TURNPIKE
Woodbridge Twp, Middlesex County

Dear Stormwater Program Coordinator:

Enclosed is New Jersey Pollutant Discharge Elimination System (NJPDES) Authorization to Discharge Renewal No. NJG0153354 (Category R12 - MS4 - Highway Agency Stormwater (GP)) issued under the authority of Stormwater NJPDES Master General Permit No. NJ0141887 (Highway Agency Master GP).

The Highway Agency Master GP and associated documents are posted at https://www.nj.gov/dep/dwq/highway.htm, which includes a Response to Comments document that includes a summary of the significant and relevant comments received during the public comment period, the Department's responses, and an explanation of any changes from the draft action.

If you have any questions or comments regarding the above referenced action, please contact Miranda Muniz through email at Miranda.Muniz@dep.nj.gov.

Sincerely,

Gabriel Mahon

Gabriel Mahon, Chief
Bureau of NJPDES Stormwater Permitting

**New Jersey Department of Environmental Protection**

**Division of Watershed Protection and Restoration**
**Bureau of NJPDES Stormwater Permitting**
**P.O. Box 420 – 501 E. State St., 1st Flr**
**Trenton, NJ 08625-0420**
**Tel: (609) 633-7021 / Mail Code - 501-02A**

# AUTHORIZATION TO DISCHARGE
# R12 - MS4 - Highway Agency Stormwater (GP)

**Facility Name:** New Jersey Turnpike

**Permit Number:** NJG0153354

**Program Interest No.:** 222955

**Facility Address:**
1 Turnpike Plaza
Woodbridge, NJ 07095

**Type of Activity:** Stormwater Discharge General Permit Authorization Renewal

**Owner:**
NJ Turnpike Auth
PO Box 5042
Woodbridge, NJ 07095

**Operating Entity:**
NJ Turnpike Auth
PO Box 5042
Woodbridge, NJ 07095

| **Issuance Date:** | **Effective Date:** | **Expiration Date:** |
|---|---|---|
| 12/18/2024 | 01/01/2025 | 12/31/2029 |

Your Request for Authorization under NJPDES General Permit No. NJ0141887 has been approved by the New Jersey Department of Environmental Protection.

Gabriel Mahon **Date:** 12/18/2024

Gabriel Mahon, Chief
Bureau of NJPDES Stormwater Permitting
Division of Watershed Protection and Restoration
New Jersey Department of Environmental Protection

(Terms, conditions and provisions attached hereto)

# PART I
# GENERAL REQUIREMENTS: NJPDES

## A. General Requirements of all NJPDES Permits

### 1. Requirements Incorporated by Reference

a. The permittee shall comply with all conditions set forth in this permit and with all the applicable requirements incorporated into this permit by reference. The permittee is required to comply with the regulations, including those cited in paragraphs b. through e. following, which are in effect as of the effective date of the final permit.

b. General Conditions

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

c. Operation And Maintenance

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

d. Monitoring And Records

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

e. Reporting Requirements

| | |
|---|---|
| Planned Changes | N.J.A.C. 7:14A-6.7 |
| Reporting of Monitoring Results | N.J.A.C. 7:14A-6.8 |
| Noncompliance Reporting | N.J.A.C. 7:14A-6.10 & 6.8(h) |
| Hotline/Two Hour & Twenty-four Hour Reporting | N.J.A.C. 7:14A-6.10(c) & (d) |
| Written Reporting | N.J.A.C. 7:14A-6.10(e) &(f) & 6.8(h) |
| Duty to Provide Information | N.J.A.C. 7:14A-2.11, 6.2(a)14 & 18.1 |
| Schedules of Compliance | N.J.A.C. 7:14A-6.4 |
| Transfer | N.J.A.C. 7:14A-6.2(a)8 & 16.2 |

# PART II

# GENERAL REQUIREMENTS: DISCHARGE CATEGORIES

## A. Additional Requirements Incorporated By Reference

### 1. Additional Requirements

a. In addition to the requirements in Part I of this permit, the permittee is required to comply with the following requirements which are in effect as of the effective date of the final permit.

i. The Stormwater Management rules at N.J.A.C. 7:8.

ii. Conditions for General Permits at N.J.A.C. 7:14A-6.13.

iii. Additional Conditions applicable to UIC permits at N.J.A.C. 7:14A-8.9, UIC Corrective Action (N.J.A.C. 7:14A-8.11) and UIC Operating Criteria (N.J.A.C. 7:14A-8.16).

iv. Conditions for reopening and modification of MS4 permits at N.J.A.C. 7:14A-16.4(b) and N.J.A.C. 7:14A-25.7(b).

v. Requirements for Discharges to Ground Water at N.J.A.C. 7:14A-7.

vi. National Pollutant Discharge Elimination System (NPDES) Electronic Reporting rule at 40 CFR Part 127.

## B. General Conditions

### 1. Notification of Non-Compliance

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

### 2. Discharge of Pollutants

a. For discharges authorized by this permit, the permittee is exempt from N.J.A.C. 7:14A-6.2(a)2. This exemption means that the discharge of any pollutant not specifically regulated in this NJPDES permit or listed and quantified in the Request for Authorization (RFA) shall not constitute a violation of the permit.

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

a. The following documents and reports shall be electronically submitted via the Department's designated electronic submission services:

i. General permit authorization requests, i.e., RFAs (https://dep.nj.gov/dwq/permitting_information/permits_application_forms_and_checklists/#additional_forms);

ii. General permit termination/revocation requests (https://dep.nj.gov/dwq/permitting_information/permits_application_forms_and_checklists/#additional_forms); and

iii. Municipal separate storm sewer system (MS4) annual reports (see Part IV.K.).

**4. Other Regulatory Requirements**

a. Permit conditions remain in effect and enforceable until and unless the permit is modified, renewed, or revoked by the Department.

b. The issuance of this permit shall not be considered as a waiver of any applicable federal, State, or local rules, regulations, and regulatory mechanisms.

c. In accordance with N.J.A.C. 7:14A-6.2(a)7, this permit does not authorize any infringement of State or local law or regulations, including, but not limited to, N.J.A.C. 7:50 (the Pinelands rules), N.J.A.C. 7:1-E (Discharges of Petroleum and other Hazardous Substances), regulations concerning threatened and endangered species and their designated critical habitat, and other Department rules. No discharge of hazardous substances (as defined in N.J.A.C. 7:1E-1.6) resulting from an onsite spill shall be deemed to be "pursuant to and in compliance with this permit" within the meaning of the Spill Compensation and Control Act at N.J.S.A. 58:10-23.11c.

d. While the permittee is required to comply with applicable operation and maintenance requirements of N.J.A.C. 7:14A-6.12(a), the permittee is exempt from the operations and maintenance manual requirements of N.J.A.C. 7:14A-6.12(c). This exemption applies only to discharges authorized under this permit and does not alter the operation and maintenance requirements for stormwater facilities specified in this permit or N.J.A.C. 7:8.

## C. Eligibility

**1. Permit Scope**

a. This general permit applies to all stormwater discharges from small MS4s at highways or other thoroughfares that are owned or operated by a "Highway Agency" under N.J.A.C. 7:14A-25.2(a)3.

b. For purposes of this permit and as described under N.J.A.C. 7:14A-25.2(a)3, a "Highway Agency" is a county, state, interstate, or federal agency that operates a small MS4 at a "highway or other thoroughfare" (including a maintenance or service facility or rest area for such a thoroughfare). A "highway or other thoroughfare" does not include:

i. Any thoroughfare confined to the grounds of a single building, or of two or more buildings that are not a "public complex" as described in N.J.A.C. 7:14-A-25.2(a)2 (unless that building(s) is a maintenance or service facility for a highway or other thoroughfare not confined to such grounds);

ii. Any thoroughfare confined to the grounds of a "public complex" (each such thoroughfare is instead considered part of the "public complex"); or

iii. Any thoroughfare (other than the Palisades Interstate Parkway) confined to an officially designated park, forest, recreational area, natural area, wildlife management area, or area set aside for water supply protection.

c. The short title of this permit is the Highway Agency Permit.

**2. Authorized Discharges**

a. Authorized Stormwater Discharges – Except as provided in Part II.C.3. below, this permit authorizes all new and existing stormwater discharges to surface water and groundwater from:

i. Small MS4s (as defined at N.J.A.C. 7:14A-1.2) that are owned or operated by a "Highway Agency".

ii. Maintenance yards and other ancillary operations, excluding wood waste recycling and wood composting operations, that are owned or operated by a "Highway Agency" under 1.a. above.

b. Authorized Non-Stormwater Discharges – Except as identified in Part II.C.3.e. below, the following new and existing non-stormwater discharges from small MS4s owned or operated by the permittee and from Highway Agency maintenance yards and other ancillary operations are authorized under this permit:

i. Potable water line flushing and discharges from potable water sources, excluding the discharge of filter backwash and first flush water from potable well development/redevelopment activities utilizing chemicals in accordance with N.J.A.C. 7:9D. The volume of first flush water, which is a minimum of three times the volume of the well water column, shall be handled and disposed of properly;

ii. Uncontaminated ground water, e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters;

iii. Air conditioning condensate (excluding contact and non-contact cooling water and industrial refrigerant condensate);

iv. Irrigation water (including landscape and lawn watering runoff);

v. Flows from springs, riparian habitats, wetlands, water reservoir discharges, and diverted stream flows;

vi. Residential car washing water and dechlorinated swimming pool discharges from single family residential homes;

vii. Sidewalk, driveway and street wash water;

viii. Flows from firefighting activities;

ix. Flows from clean water rinsing of beach maintenance equipment immediately following use and only if the equipment is used for its intended purpose;

x. Flows from clean water rinsing of equipment and vehicles used in the application of salt and de-icing/anti-icing materials. Prior to rinsing, all equipment shall be cleaned using dry methods such as shoveling and sweeping. Recovered materials are to be returned to storage or properly discarded; and

xi. Rinsing of equipment in Part II.C.2.b.ix. and x., above is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

**3. Discharges Not Authorized**

a. This permit does not authorize "stormwater discharge associated with industrial activity" as defined in N.J.A.C. 7:14A-1.2 except as otherwise specifically provided in this permit:

i. Types of facilities that the permittee might operate and that are considered to be engaging in "industrial activity" include but are not limited to certain:
1) landfills,
2) transportation facilities (including certain local passenger transit and air transportation facilities),
3) facilities that manage domestic sewage or sewage sludge,
4) steam electric power generating facilities, and
5) facilities that process and/or compost recyclable materials as defined in N.J.A.C. 7:26A (Recycling Rules) including wood waste recycling and leaf composting facilities; and

ii. Any permittee that has stormwater discharges associated with industrial activities shall submit a separate RFA or individual permit application for that discharge.

b. This permit does not authorize "stormwater discharges associated with construction activity" as described in N.J.A.C. 7:14A-24.10(a) which is defined as the discharge to surface water of stormwater from construction activity that disturbs at least one acre:

i. Any permittee that operates a construction site with such a discharge shall submit a separate RFA under NJPDES Permit No. NJ0088323 (General Stormwater Permit Construction Activity), or an application for an individual permit for that discharge. An RFA submitted for this permit does not qualify as an RFA for such a discharge. See https://dep.nj.gov/njpdes-stormwater/industrial-stormwater-program/ for information regarding these two types of permits.

c. This permit does not authorize any stormwater discharge that is authorized under another NJPDES permit. The permittee does not have to implement measures contained in this NJPDES permit for stormwater discharges at Highway Agency properties owned or operated by that permittee that are regulated under a separate NJPDES stormwater permit authorizing those discharges.

d. This permit does not authorize stormwater discharges from projects or activities that conflict with an adopted Areawide Water Quality Management Plan.

e. This permit does not authorize stormwater discharges listed in Part II.C.2.b., above, that are determined to be a significant contributor of pollutants to or from the MS4, which must be addressed as an illicit connection as specified in Part IV.F.2.b. and Part IV.F.3.d. of this permit, or as an improper disposal of waste.

**4. Exclusions**

a. Any owner, operator, and/or discharger authorized by this general permit may request to be excluded from the coverage of the general NJPDES permit by applying for an individual permit. The owner, operator, and/or discharger shall submit an application in accordance with N.J.A.C. 7:14A-4, with reasons supporting the request, to the NJDEP. The request shall be processed under N.J.A.C. 7:14A-15, 16 and 17. The request shall be granted by the issuance of an individual permit if the reasons cited by the owner, operator, and/or discharger are adequate to support the request.

b. An owner, operator, and/or discharger excluded from this general NJPDES permit solely because of an existing individual permit may request that that individual permit be revoked or modified, as appropriate, and that the discharge be authorized by this general NJPDES permit. An authorization under this General Permit can only be issued on or after the revocation or modification of the individual permit.

## D. Administrative Process

**1. Automatic Renewal**

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

**2. Notification of Change in Ownership and/or Permittee/Operating Entity**

a. As set forth at N.J.A.C. 7:14A-16.2, prior to any change in ownership and/or the permittee/operating entity, the current permittee shall provide written notice to the Department at least thirty (30) days prior to the proposed transfer date.

i. Written notice to the Department shall be in the form of a completed Application for Transfer of a NJPDES Permit form, which is available on the Department's website (See B.3. above).

**3. Notification of Changes to the Facility/Permit Contacts**

a. The permittee shall notify the Department within 30 days of a change in contact information for any of the following persons associated with the facility/permit:

i. Permittee/Operating Entity Contact;

ii. Property Owner Contact;

iii. Facility Contact; or

iv. Fees/Billing Contact.

b. Notification to the Department shall be in the form of a completed Contact Information Update form (i.e. NJPDES-2 form), which is available on the Department's website (See B.3. above).

**4. Request for Authorization**

a. A single RFA is required for the entire eligible discharge from the small MS4 owned or operated by a Highway Agency. Multiple RFAs are not required for multiple operations (e.g., maintenance yards or other ancillary operations, garages, and/or offices owned or operated by the permittee on the property of the Highway Agency), however these operations shall be included in the RFA as applicable.

b. An RFA under this general permit shall include: A completed Checklist and Request for MS4 Stormwater Permits and any other information as required by the Department.

c. Upon receipt of an RFA the Department may, in accordance with N.J.A.C. 7:14A-6.13, do one of the following:

i. Issue notification of authorization under this permit;

ii. Deny authorization under this permit and require submittal of an application for an individual permit; or

iii. Deny authorization under this permit and require submittal of an RFA for another general permit.

d. The Department may notify a person that the discharge is authorized by a general permit, even if the person has not submitted an RFA. A person so notified may nonetheless request an individual permit under C.4. above.

# PART III
# Recordkeeping and Reporting

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

# PART IV

# SPECIFIC REQUIREMENTS: NARRATIVE

## Notes and Definitions

## A. Footnotes

### 1. Acronyms

a. Stormwater acronyms included in this permit are as follows:

i. "BMP" - Best Management Practice

ii. "CFR" - Code of Federal Regulations

iii. "EDPA" - Effective Date of Permit Authorization

iv. "EPA" - United States Environmental Protection Agency

v. "GIS" – Geographic Information System

vi. "MS4" - Municipal Separate Storm Sewer System

vii. "MSRP" - Municipal Stormwater Regulation Program

viii. "MTD" - Manufactured Treatment Device

ix. “MY” – Maintenance Yard

x. "N.J.A.C." - New Jersey Administrative Code

xi. "NJPDES" - New Jersey Pollutant Discharge Elimination System

xii. "N.J.S.A." - New Jersey Statutes Annotated

xiii. "RFA" - Request for Authorization

xiv. “SPC” – Stormwater Program Coordinator

xv. "SPPP" - Stormwater Pollution Prevention Plan

xvi. "TMDL" - Total Maximum Daily Load

xvii. “WIP” – Watershed Improvement Plan

### 2. Internal Cross References

a. For the purposes of this permit:

i. References to Part IV Notes and Definitions are preceded with the words “Notes and Definitions”, e.g., Notes and Definitions Part IV.A.1 refers to Acronyms; and

# Notes and Definitions

ii. References to Part IV of the Highway Agency Permit are not preceded by descriptive text, e.g., Part IV.A.1 refers to Stormwater Program Requirements.

## B. Definitions

### 1. Definitions

a. All words and terms used in this permit shall have meanings as defined in the "Regulations Concerning the New Jersey Pollutant Discharge Elimination System" (N.J.A.C. 7:14A), unless otherwise stated or unless the context clearly requires a different meaning.

b. Definitions for terms A through O

i. “Anti-icing” means the proactive application of melting products to driving or walking surface before a storm. Anti-icing helps prevent snow and ice from bonding to the pavement, allowing workers to clear the surfaces more easily and creating safe winter conditions.

ii. "Catch Basin" means a cistern, vault, chamber, or well that is typically built along a street and below an inlet grate as part of the storm sewer system that is designed to capture and retain sediment, debris, and pollutants so those particles do not pass on to the stormwater sewer system.

iii. “Culvert” means a pipe or other man-made structure conveying a watercourse under a road, railroad, bridge, driveway, etc.

iv. “De-icing” means the reactive application of ice-control products to driving or walking surfaces to melt existing snow and ice.

v. "Effective Date of Permit Authorization" means the date the permittee's authorization to discharge under this permit becomes effective. This date may be found on the permittee's Authorization to Discharge page.

vi. "Green infrastructure" means green infrastructure as defined in N.J.A.C. 7:8.

vii. “Ground water discharge point” means the lowest invert elevation of any stormwater facility where stormwater discharges into the surficial ground water aquifer.

viii. “Hazard Tree” means a tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees.
1) Has an infectious disease or insect infestation;
2) Is dead or dying;
3) Obstructs the view of traffic signs or the free passage of pedestrians or vehicles where pruning attempts have not been effective;
4) Is or has the potential to cause obvious damage to structures (such as building foundations, sidewalks, bridges, retaining walls, noise barriers, etc.); or
5) Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or Licensed Tree Expert.

ix. “HUC 14” or “hydrologic unit code 14” means an area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey. (N.J.A.C. 7:9B)

x. "Illicit connection" means any physical or non-physical connection that discharges the following to a municipal separate storm sewer system (unless that discharge is authorized under a NJPDES permit other than the NJPDES permit for discharges from that system):
1) Domestic sewage;
2) Non-contact cooling water, process wastewater, or other industrial waste (other than stormwater); or
3) Any category of non-stormwater discharges that a permittee for the MS4 identifies as a source or significant contributor of pollutants pursuant to 40 C.F.R. 122.26(d)(2)(iv)(B)(1) or 122.34(b)(3)(iii).

xi. "Limited-access highway" means every highway, street, or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street, or roadway, and includes any highway designated as a "freeway" or "parkway" by authority of law.

xii. "Maintenance plan" means a maintenance plan pursuant to N.J.A.C. 7:8-5.2(b) and 5.8 prepared by the design engineer for the stormwater management measures incorporated into the design of a major development. Alternately, a maintenance plan may be developed and/or modified after the stormwater facility has been constructed based on operational experience.

xiii. “Maintenance yard and ancillary operation” means a maintenance and storage yard owned or operated by the permittee on the property of the Highway Agency, including but not limited to, fleet or maintenance shop with outdoor storage areas, impound yard, permanent and mobile fueling location, salt/sand storage location, and snow disposal area.

xiv. “Major Development” means a major development as defined in N.J.A.C. 7:8.

xv. "Manufactured treatment device" means a pre-fabricated stormwater treatment structure utilizing settling, filtration, absorptive/adsorptive materials, vortex separation, vegetative components, and/or other appropriate technology to remove pollutants from stormwater runoff.

xvi. “MS4 interconnection” means any point at which one MS4 system is connected to a second MS4 system in such a way that it allows for direct discharges into the second system."

xvii. “Municipal separate storm sewer" (or MS4 conveyance) means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) as defined in more detail at N.J.A.C. 7:14A-1.2.

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

c. Definitions for terms P through Z

i. "Permanent structure" means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of preventing wind driven rainfall from coming in contact with stored de-icing/anti-icing material). A fabric frame structure is a permanent structure if it meets the following specifications:
1) Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing/anti-icing materials;
2) The design shall prevent stormwater run-on and run-through, and the fabric cannot leak;
3) The structure shall be erected on an impermeable slab;
4) The structure cannot be open sided; and
5) The structure shall have a roll up door or other means of preventing wind driven rainfall from coming in contact with stored de-icing/anti-icing material.

ii. “Point source” means any discernible, confined, and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

iii. “Regulatory mechanism” means an ordinance, permit, standard, contract language, or any other procedure, that will be enforced by the permittee.

iv. “Rest Area” means a roadside facility that provides parking at a minimum, including service areas, scenic overlooks, weigh stations, truck park/sleep areas, and emergency pull-off areas.

v. "Small MS4" means all municipal separate storm sewers (other than "large" or "medium" municipal separate storm sewer systems as defined in N.J.A.C. 7:14A-1.2) that are:
1) Owned or operated by municipalities described under N.J.A.C. 7:14A- 25.1(b);
2) Owned or operated by county, State, interstate, or Federal agencies, and located at Public Complexes as described under N.J.A.C. 7:14A-25.2(a)2;
3) Owned or operated by county, State, interstate, or Federal agencies, and located at highways and other thoroughfares as described under N.J.A.C. 7:14A-25.2(a)3; or
4) Owned or operated by county, State, interstate, Federal, or other agencies, and receive special designation under N.J.A.C. 7:14A-25.2(a)4.

vi. "Solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids.

vii. "Storm drain inlet" means the point of entry into the storm sewer system.

viii. "Stormwater" means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities or is conveyed by snow removal equipment.

ix. "Stormwater facility" means stormwater infrastructure including, but not limited to, catch basins, infiltration basins, detention basins, green infrastructure (GI), filter strips, riparian buffers, infiltration trenches, sand filters, constructed wetlands, wet basins, bioretention systems, low flow bypasses, Manufactured Treatment Devices (MTDs), and stormwater conveyances.

x. "Stormwater management basin" means a stormwater management basin as defined in N.J.A.C. 7:8.

xi. "Stormwater management measure" means a stormwater management measure as defined in N.J.A.C. 7:8.

xii. “Stormwater runoff” means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

xiii. "Stream scouring" means the erosion or removal of streambed or bank material by the physical action of flowing water and the sediment that it carries.

xiv. “Street tree” means a tree planted in the sidewalk, planting strip, and/or in the permittee's right-of-way adjacent to (or specified distance from) the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the permittee's right-of-way, i.e., islands, medians, pedestrian refuges. Trees within the permittee’s right-of-way of limited access highways are not considered street trees.

xv. “Subsurface infiltration/detention system" means a vault, perforated pipe, and/or stone bed that is located entirely below the ground surface and that temporarily stores and attenuates stormwater runoff.

xvi. “Total maximum daily load” or “TMDL” means a total maximum daily load formally established pursuant to Section 7 of the Water Quality Planning Act (N.J.S.A. 58:11A-7) and Section 303(d) of the Clean Water Act, 33 U.S.C. §§12512 et seq. A TMDL is the sum of individual wasteload allocations for point sources, load allocations for nonpoint sources of pollution, other sources such as tributaries or adjacent segments, and allocations to a reserve or margin of safety for an individual pollutant.

xvii. “Tree” means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

xviii. “Waters of the State” means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction” (see N.J.A.C. 7:9B-1.4).

xix. "Wood waste" means source separated whole trees, tree trunks, tree parts, tree stumps, brush, and lumber (non-chemically treated, glued, dyed, or painted).

xx. "Yard trimmings" (N.J.A.C. 7:26A-1.3) means grass clippings, leaves, wood chips from tree parts, and brush.

# MS4 - Highway Agency Stormwater (GP)

## A. Minimum Standards for Stormwater Management Program

### 1. Stormwater Program Requirements

a. The permittee shall develop, update, implement, and enforce an MS4 stormwater program. A primary objective of the MS4 stormwater program shall be to implement best management practices and other measures that are designed to reduce the discharge of pollutants from the permittee's MS4, maintenance yards and other ancillary operations, to the maximum extent practicable pursuant to N.J.A.C. 7:14A-25.6(a)1 and 40 CFR 122.34(a), to protect water quality, and to satisfy the applicable water quality requirements of the Clean Water Act.

b. The permittee shall modify and update its MS4 stormwater program (including applicable plans and appropriate regulatory mechanisms) to conform with applicable new legislation or new or amended regulations.

   i. Such modification and update shall be completed and effective within 12 months of written notification by the Department of the need for modification and update.

c. The permittee shall develop, update, implement, and maintain a written Stormwater Pollution Prevention Plan (SPPP) that documents the permittee's MS4 stormwater program and describes the measures necessary for compliance with all permit conditions.

d. A principal executive officer or a ranking elected official shall designate a duly authorized Stormwater Program Coordinator (SPC) who has the knowledge to manage the implementation and compliance of the permittee's MS4 stormwater program and shall be responsible for the following:

   i. Coordinating the permittee's implementation of its MS4 stormwater program, permit conditions, and SPPP;

   ii. Signing and dating the SPPP; and

   iii. The completion and submittal of the Municipal Stormwater Regulation Program (MSRP) Annual Report, consistent with Part IV.K.

e. The permittee shall notify the Department of any SPC assignment changes and designate a new SPC within thirty (30) days of the change through the completion of the Stormwater Program Coordinator Information Update Sheet, which can be found on the Department's website (See Part II.B.3. above).

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

a. The permittee shall include in the SPPP, at a minimum, information that:

   i. Identifies the person designated as the SPC per Part IV.A.1.d. above, and the members of the stormwater team, which is comprised of the people responsible for implementing or coordinating the stormwater program activities;

   ii. Describes the measures the permittee has established to ensure compliance with all components of this permit with details regarding how each element of the stormwater program is implemented and tailored specifically to their Highway Agency;

   iii. Identifies each individual maintenance yard and ancillary operation on a separate form within the SPPP that includes the site-specific details of each yard or ancillary operation;

iv. Documents all shared or contracted services as allowed under Part IV.A.3., below;

v. Notes the location of all records/documentation required by this permit; and

vi. Reflects the measurable goals, implementation schedules, recordkeeping, and other requirements of this permit.

b. The permittee's SPPP shall be submitted electronically to the Department via the NJDEP Online Stormwater Document Submittal Service on or before EDPA + 6 months.

c. The SPPP shall be posted on the permittee's dedicated stormwater webpage or other approved webpage (See Part IV.B.2.) on or before EDPA + 6 months.

d. The permittee shall review the SPPP at least annually and update it as often as necessary to reflect changes related to the permittee's MS4 stormwater program. Any amendments to the SPPP:

i. Shall continue to meet the requirements of this permit;

ii. Shall be incorporated into the SPPP;

iii. Shall be recorded on the SPPP revisions page;

iv. Shall be signed and dated by the SPC;

v. Shall be submitted electronically as in b. above to the Department within thirty (30) days of the amendments; and

vi. Shall be posted on the permittee's dedicated stormwater webpage or other approved webpage within thirty (30) days of the amendments.

e. The permittee shall amend the SPPP to adequately address any deficiencies identified by the Department within thirty (30) days of notice, unless otherwise specified by the Department.

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

a. The permittee may rely on another entity (e.g., governmental, stormwater utility, private, or nonprofit organization such as a watershed association) to satisfy one or more of the permit conditions, or component thereof, through the implementation of best management practices or control measures, provided that:

i. The other entity implements best management practice(s), control measure(s), or component(s) thereof, which are at least as stringent and as frequent as the corresponding permit requirement;

ii. The other entity agrees in writing or is required by law to implement the measure(s) or component(s) thereof, in such a manner that complies with the permit on the permittee's behalf;

iii. The permittee specifies in its SPPP which permit conditions will be implemented by each other entity; and

iv. The permittee specifies in its SPPP the name of each other entity.

b. If permit requirements are contracted to an outside entity to be completed in whole or in part, work shall be completed in a manner that is in compliance with this permit.

c. The permittee is responsible for compliance with this permit if the other entity fails to implement the measure(s) or component(s) thereof.

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

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

a. The permittee shall comply with applicable State and local public notice requirements when providing for public participation in the development and implementation of the MS4 stormwater program. Requirements include, but are not limited to:

i. The Open Public Meetings Act ("Sunshine Law," N.J.S.A. 10:4-6 et seq.); and

ii. Statutory procedures for the enactment of ordinances (N.J.S.A. 40:49-2), including the stormwater control ordinance and other ordinances adopted to comply with Part IV of this permit.

b. The permittee shall maintain records necessary to demonstrate compliance with the public participation requirements of Part IV.B.1.a. above.

c. All permittees shall comply with this requirement on EDPA.

### 2. Dedicated Stormwater Webpage

a. The permittee shall develop a dedicated stormwater webpage and make the following elements of its MS4 stormwater program available to the public by providing links to the latest version of the following:

i. Stormwater Pollution Prevention Plan (excluding inspection logs and other recordkeeping documents);

ii. Pet Waste Control Regulatory Mechanism;

iii. Wildlife Feeding Control Regulatory Mechanism;

iv. Litter Control Regulatory Mechanism;

v. Improper Disposal of Waste Regulatory Mechanism;

vi. MS4 Outfall Pipe Map;

vii. MS4 Infrastructure Map (due on or before EDPA + 36 months as per Part IV.G.); and

viii. Watershed Improvement Plan (due in accordance with the phases identified in Part IV.H.).

b. If the permittee does not have a specific website for their Highway Agency, they shall request approval via email to stormwatermanager@dep.nj.gov to post their stormwater documents listed in a. above on an alternate website hosted by their county (for county-owned Highway Agencies), state agency (for state-owned Highway Agencies), or federal agency (for federally-owned Highway Agencies).

c. All permittees shall comply with this requirement on or before EDPA + 6 months.

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

### 1. Local Public Education and Outreach

a. Permittees shall implement a Public Education and Outreach Program that focuses on educational and pollution prevention activities about the impacts of stormwater discharges on surface water and ground water and involves the public in reducing pollutants in stormwater and mitigating flow. The permittee shall:

   i. Annually conduct activities that total at least 7 points as set forth in Attachment A – Point System for Public Education and Outreach Activities;

   ii. Include at least three different activities;

   iii. Ensure that at least one of the activities involves educating businesses, which discharge to the permittee's MS4, and the general public of hazards associated with illicit connections and improper disposal of waste;

   iv. The permittee may conduct public education and outreach activities not included in Attachment A of the permit provided that those activities are submitted to the Department for review and approval prior to being conducted; and

   v. Keep records necessary to demonstrate compliance, including date of activities and any other relevant documentation.

b. All permittees shall comply with this requirement on EDPA.

## D. Minimum Standards for Construction Site Stormwater Runoff

### 1. Construction Site Stormwater Runoff Requirements

a. Construction site stormwater runoff activities are authorized under a separate NJPDES permit, which is typically the Construction Activity NJPDES Stormwater General Permit No. NJ0088323 pursuant to N.J.A.C. 7:14A-25.6(b)2, or an individual stormwater permit pursuant to N.J.A.C. 7:14A-24.7(a)2. (See Part II.C.3.b.)

b. Pursuant to N.J.A.C. 7:14A-25.7(b), the permittee is not required to reference construction site stormwater runoff control in its SPPP.

c. All permittees shall comply with this requirement on EDPA.

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

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

a. The permittee shall develop, update, implement, and enforce its stormwater management program to address post construction stormwater runoff in new development and redevelopment and to ensure compliance with the Stormwater Management rules at N.J.A.C. 7:8.

b. The permittee shall ensure that its stormwater management program addresses stormwater runoff from "major development" as defined in the Stormwater Management rules at N.J.A.C. 7:8.

c. The permittee shall ensure that the post construction stormwater management program complies with the applicable design, performance, and maintenance standards established under N.J.A.C. 7:8 for "major development".

d. The permittee shall meet the stormwater management requirements for a "major development" for any public roadway project that has determined a preferred alternative or reached an equivalent milestone as follows:

   i. A "major development" that reached a preferred alternative or equivalent milestone prior to March 2, 2021, is subject to the requirements of N.J.A.C. 7:8 in effect on March 2, 2021; and

   ii. A "major development" that reached a preferred alternative or equivalent milestone on or after March 2, 2021, is subject to the requirements of N.J.A.C. 7:8 in effect on the date the preferred alternative or equivalent milestone is reached.

   iii. Should the permittee initiate a substantial change to a "major development" that had previously reached a preferred alternative or equivalent milestone, the "major development" shall instead be subject to the requirements of N.J.A.C. 7:8 in effect when the amended milestone is reached.

   iv. Notwithstanding the requirements above, any public roadway project that has determined a preferred alternative or equivalent milestone by March 2, 2021, shall not be subject to N.J.A.C. 7:8-5.3(b), (c), or (d) provided that major development project appears on the list of projects provided to the Department pursuant to N.J.A.C. 7:8-5.3(k).

e. The permittee shall review and analyze development plans for compliance with N.J.A.C. 7:8 even if a permit is required by the Department for the same or similar activity, e.g., a Land Use permit.

f. The permittee shall ensure that "major development" projects are constructed in accordance with the approved development plans.

g. The permittee shall ensure that the engineer that reviews stormwater management designs for development and redevelopment projects for compliance with N.J.A.C. 7:8 shall be independent from the design engineer.

h. The permittee shall ensure that all review engineers are up to date with the Department's Stormwater Management Design Review Course, as per Part IV.F.8.

i. The permittee shall ensure that all review engineers are up to date with the Department's Stormwater Management Rule Amendment Training if required, as per Part IV.F.9.

j. The permittee shall include each approved major development on the Major Development Project List.

k. The permittee shall submit the Major Development Project List to the Department annually with the MSRP Annual Report.

l. The Stormwater Management rules (N.J.A.C. 7:8), independently and as implemented in this permit, apply to all areas of the Highway Agency.

m. All permittees shall comply with this requirement on EDPA.

**2. Variance From the Design and Performance Standards for Stormwater Management Measures**

a. The permittee may be granted a variance from the design and performance standards at N.J.A.C. 7:8-5.3 through 5.6 by the Department for aspects of a particular major development project provided requirements b. through f. below are completed.

b. The permittee shall create a written report which demonstrates how the requirements of N.J.A.C. 7:8-4.6(a)1, 2, and 3 and the requirements of Part IV.E. are met. At a minimum, this demonstration shall include the following information in the written report:

   i. An explanation as to why it is impracticable to accomplish the onsite stormwater management requirements of N.J.A.C. 7:8; and

   ii. A demonstration of how the proposed offsite mitigation will ensure that the requirements of N.J.A.C. 7:8-5.3 through 5.6 are met.

   iii. If the variance that resulted in the mitigation project being required is from the green infrastructure standards at N.J.A.C. 7:8-5.3, then, notwithstanding the requirement at N.J.A.C. 7:8-4.6(a)3.vi. regarding the use of green infrastructure BMPS in Table 5-1, the mitigation project may use green infrastructure BMPs listed in either Table 5-1 or Table 5-2 provided that the project is a public roadway project and all other requirements of Part IV.E.2. are met.

c. The permittee shall create no adverse impacts to surrounding properties as a result of granting the variance pursuant to the requirements set forth above.

d. The permittee shall submit the written report to the Department electronically via the NJDEP Online Stormwater Document Submittal Service.

e. The permittee shall not begin construction of a project until written approval of the requested variance from the design and performance standards is received from the Department.

f. The permittee shall provide documentation to the Department that the approved mitigation was accomplished within 30 days of completion of the mitigation project(s).

g. The use of the waiver provisions at N.J.A.C. 7:8-5.2 are not subject to the requirements above.

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

### 1. Regulatory Mechanisms

a. Pet Waste Control: The permittee shall adopt and enforce an appropriate regulatory mechanism that:

   i. Requires pet owners or their keepers to immediately and properly dispose of their pet's solid waste deposited on any part of the Highway Agency property or prohibit pets from being allowed on Highway Agency property.

   ii. Any owner or keeper who requires the use of a service animal shall be exempt from these provisions while such animal is being used for that purpose.

b. Wildlife Feeding Control: The permittee shall adopt and enforce an appropriate regulatory mechanism that prohibits the feeding of any wildlife, e.g., Canada Geese, on Highway Agency property owned or operated by the permittee.

   i. Exclusions include unconfined wildlife at environmental education centers and feral cats as part of an approved Trap-Neuter-Release program.

c. Litter Control: The permittee shall enforce the existing State litter statute at N.J.S.A. 13:1E-99.3 or adopt and enforce an appropriate regulatory mechanism that is at least as stringent as the State litter statute.

d. Improper Disposal of Waste: The permittee shall adopt and enforce an appropriate regulatory mechanism prohibiting the improper spilling, dumping, or disposal of materials other than stormwater into the MS4 excluding those discharges as allowable under Part II.C.2.b.

e. Permittees shall comply with this requirement on EDPA.

**2. Good Housekeeping**

a. The permittee shall develop and implement the following good housekeeping measures described in b. through o. below.

b. Illicit Connections: The permittee shall prevent illicit connections into the MS4. In addition, the permittee shall inspect outfalls and eliminate any observed illicit discharges in accordance with Part IV.F.3.

i. Permittees shall implement this requirement on EDPA.

c. Litter Pick-Up Program: The permittee shall develop and implement a litter pick up program that includes roadside cleanup of trash and debris and regular collection of refuse from litter and recycling receptacles owned and operated by the permittee, including those located at rest areas.

i. The permittee shall maintain records of roadside clean-ups and estimates of the total amount of trash and debris collected; and

ii. Permittees shall implement this requirement on EDPA.

d. Quarterly Street Sweeping: The permittee shall sweep, at a minimum of once every three months, or more frequently as necessary to eliminate recurring problems, all segments of limited-access highways (including ramps and parking areas) that are owned or operated by the permittee and have storm drain inlets or discharge directly to surface water.

i. Permittees shall implement this requirement on EDPA.

e. Triannual Street Sweeping: The permittee shall sweep, at a minimum of once every four months, or more frequently as necessary to eliminate recurring problems, all segments of streets, ramps, and parking areas that are owned or operated by the permittee and have storm drain inlets or discharge directly to surface water but are not limited-access highways.

i. Permittees shall implement this requirement on EDPA.

f. Annual Street Sweeping: The permittee shall sweep, at a minimum of once per year, or more frequently as necessary to eliminate recurring problems, all segments of streets, ramps and parking areas that are owned or operated by the permittee but do not have storm drain inlets or discharge directly to surface water.

i. Permittees shall implement this requirement on EDPA.

g. Storm Drain Inlet Labeling: The permittee shall label all storm drain inlets that eventually discharge to surface water and do not have permanent wording cast into the structure of the inlet to indicate that it drains into a local waterway. This applies to inlets that are located at rest areas, maintenance facilities, and along streets with sidewalks.

i. The permittee shall maintain the legibility of storm drain inlet labels and replace any labels that are missing or not legible;

ii. The permittee shall maintain records of which inlets have been labeled; and

iii. Permittees shall implement this requirement on EDPA.

h. Storm Drain Inlet Retrofitting: The permittee shall comply with the standards set forth in Attachment B (Design Standards for Storm Drain Inlets) of this permit to control passage of solid and floatable materials through storm drain inlets owned or operated by the permittee.

i. The permittee shall retrofit all storm drain inlets owned or operated by the permittee with the standards set forth in Attachment B on or before EDPA + 59 months.

i. Storm Drain Inlet Installation: The permittee shall install storm drains that include a catch basin or other BMP designed to collect solids directly below the inlet grate in areas that drain to surface waters. This applies to new storm drain inlet installations that are due to construction that is not considered a major development as defined by N.J.A.C. 7:8.

i. As an alternative, the permittee shall install a BMP downstream of the storm drain inlet to capture solids before the stormwater reaches the surface water discharge point;

ii. Storm drains installed on bridges or culverts are exempt from this requirement;

iii. Storm drains are exempt from this standard when additional hydraulic losses will result in unavoidable adverse hydraulic impacts; and

iv. Permittees shall implement this requirement on EDPA.

j. Herbicide Application Management: The permittee shall restrict the application of herbicides as follows:

i. In a manner that prevents the herbicides from being washed into the waters of the State;

ii. In a manner that prevents erosion caused by de-vegetation;

iii. Not on or adjacent to storm drain inlets;

iv. Not on steeply sloping ground unless it is unsafe or unfeasible to access with equipment;

v. Only along curb lines, highway median barriers, and unobstructed shoulders that contain unwanted vegetation;

vi. Only within a 2-foot radius around structures where overgrowth presents a safety hazard and where it is unsafe to mow; and

vii. Permittees shall implement this requirement on EDPA.

k. Excess De-Icing/Anti-Icing Material Management: The permittee shall remove, within 72 hours after the end of the storm event, conditions permitting, piles of excess salt and de-icing/anti-icing materials that have been deposited during spreading operations (e.g., piles resulting from accidental spillage or when spreading equipment is started or stopped) on streets, ramps, and parking areas owned or operated by the permittee. Excess de-icing material removed may be returned to storage or properly managed if unsuitable for reuse.

i. Permittees shall implement this requirement on EDPA.

l. Vegetative Waste Management: The permittee shall ensure the proper pickup, handling, storage, and disposal of wood waste and yard trimmings generated by the permittee to minimize the impact of vegetative maintenance activities on stormwater discharge quality. At a minimum, the permittee shall:

   i. Ensure that wood waste and yard trimmings are not swept, raked, blown, or otherwise deposited onto other areas, such as streets or parking areas, where the material can be transported by the MS4 system;

   ii. Ensure that no person sweeps, rakes, blows, or otherwise places loose wood waste and yard trimmings into streets or parking areas; and

   iii. Permittees shall implement this requirement on EDPA.

m. Tree Replacement Management: The permittee shall ensure that any tree removed from the property owned or operated by the permittee be replaced with a tree of equal or greater size or according to the following:

   i. Any street tree removed with DBH of 2.5” to 5.99” shall be replaced with one tree with caliper of 2-2.5” or more;

   ii. Any tree removed with DBH of 6” to 12.99” shall be replaced with one tree with caliper of 2-2.5” or more;

   iii. Any tree removed with a DBH of 13” to 22.99” shall be replaced with two trees with caliper of 2-2.5” or more;

   iv. Any tree removed with a DBH of 23” to 32.99” shall be replaced with three trees with caliper of 2-2.5” or more;

   v. Any tree removed with DBH of 33” or greater shall be replaced with four trees with caliper of 2-2.5” or more;

   vi. Any tree removed shall be replaced within one year of removal, within the timeframe of project completion, or in accordance with other mitigation requirements, as applicable;

   vii. If the permittee determines that some or all required replacement trees cannot be replanted as part of the project during which the removal occurred, then the permittee shall do one of the following:
   - Plant replacement trees in a separate area; or
   - Pay a fee of $300 per tree removed unless it can be demonstrated that the actual cost of the tree(s) purchase and installation is less. This fee shall be placed into a fund dedicated to tree planting and continued maintenance of trees.

   viii. The permittee may remove any trees within a tree farm if the farm is in active operation, this includes nurseries, fruit orchards, and garden centers;

   ix. The permittee may remove any trees pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental remediation, NJDEP approved habitat enhancement plan, or NJDEP Division of Parks and Forestry approved deforestation plan without any additional compensation required;

   x. The permittee may remove any trees involving approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife without any additional compensation required;

xi. The permittee may remove hazard trees with no replacement requirement;

xii. The permittee may remove trees from in or around stormwater management basins that are not designed to have trees, including those that are interfering or have the potential to interfere with the function of the basin, and those that are causing or have the potential to cause structural damage to the basin with no replacement requirement;

xiii. The permittee may remove trees on dams in accordance with the Dam Safety Standards at N.J.A.C. 7:20 with no replacement requirement;

xiv. The permittee may remove trees along existing roadways to meet sight distance and clear zone requirements with no replacement requirement;

xv. The permittee may plant replacement trees in alternative area(s);

xvi. Mitigation for tree removal other than preservation (i.e., replanting trees, monetary compensation, or purchasing credits from mitigation banks) that is conducted in accordance with other regulatory requirements (e.g., Flood Hazard Area Riparian Zone Mitigation or No Net Loss Reforestation Act) that meet those requirements can also be credited toward compliance with this requirement;

xvii. The permittee shall maintain a log of the alternative area(s) designated for tree replacement planting(s); and

xviii. All permittees shall implement this requirement on EDPA.

n. Roadside Erosion Control: The permittee shall develop a program to detect and repair erosion along curbed and uncurbed roadways, ramps, and parking areas owned or operated by the permittee and to inspect and maintain the stability of shoulders, embankments, ditches, and soils along these areas to ensure that they are not eroding and contributing to the sedimentation of receiving waters or stormwater infrastructure:

i. Inspections of roadways, ramps, and parking areas shall occur at least once per year;

ii. Any repairs shall be completed as soon as practicable, but no later than 90 days from discovery, unless the Department has approved an alternative schedule of completion or Department permites are required;

iii. Made in accordance with Standards for Soil Erosion and Sediment Control in New Jersey, N.J.A.C. 2:90-1 or the New Jersey Department of Transportation Soil Erosion and Sediment Control Standards, as applicable; and

iv. Permittees shall implement this requirement on or before EDPA + 12 months.

o. Outdoor Refuse Containers and Dumpsters: The permittee shall ensure that refuse containers and dumpsters that are outdoors or exposed to stormwater are managed as follows:

i. Must always be covered with a tarp, lid, or under a permanent structure to prevent the contact of waste materials with stormwater unless actively being filled or emptied; Temporary demolition containers (e.g., rubble, construction waste, and wood waste) or containers that hold large bulky items, e.g., furniture, do not need to be covered as long as they do not contain putrescible waste;

ii. Must be leak proof to prevent the discharge of leachate from the contents of the container. Temporary demolition containers (e.g., rubble, construction waste, and wood waste) or containers that hold large bulky items, e.g., furniture, do not need to be leak proof as long as they do not contain putrescible waste;

iii. Clean roll-offs or other open top containers used to collect clean household recyclables (such as cans, bottles, or paper, but not including materials such as electronics) must be covered when not in use, at the end of each workday, and before any anticipated storm event;

iv. This measure is not intended for litter receptacles; recycling receptacles; and refuse containers at industrial facilities where the discharge of stormwater from the area is regulated by a valid NJPDES permit; and

v. Permittees shall implement this requirement on EDPA.

p. The permittee shall maintain a log sufficient to demonstrate compliance with this section.

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

a. The permittee shall develop, update, and implement a program to ensure adequate long-term cleaning, operation, and maintenance of all stormwater facilities owned or operated by the permittee to restrict pollutants from entering the waters of the State, to eliminate recurring problems, and maintain proper function. This program shall include all stormwater infrastructure, including but not limited to b. through h. below.

b. Stormwater Outfall Inspections and Maintenance for Condition: At a minimum, the permittee shall:

i. Conduct outfall inspections at least once every five years, with a minimum of 20% of the total number of outfalls inspected per year;

ii. Document conditions under which an outfall must be cleaned, repaired, and maintained;

iii. Remove trash and debris within 30 days of discovery;

iv. Investigate, within 30 days of receipt, of all complaints and reports of loss of structural integrity;

v. Complete repairs as soon as practicable, but no later than 30 days of investigation, unless the Department approves an alternative schedule of completion; and

vi. Document all outfall inspections, investigations, and actions taken using the Department's Outfall Inspection Form at https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/.

c. Stormwater Outfall Inspections and Maintenance for Stream Scouring: At a minimum, the permittee shall:

i. Conduct outfall inspections for localized stream scouring of the stream banks or bottom and the surrounding area in the vicinity of the outfall(s) caused by the outfall(s) at least once every five years, with a minimum of 20% of the total number of outfalls inspected per year;

ii. Document details for detecting, investigating, and controlling any localized stream scouring of the stream banks or bottom and the surrounding area in the vicinity of the outfall(s);

iii. Investigate, within 30 days of receipt, all complaints, and reports of stream scouring;

iv. Identify sources of stormwater, within 3 months, that contribute to the scouring from the outfall(s) when localized stream scouring is detected;

v. Take corrective action to reduce stormwater rate or volume within the contributing drainage area, when feasible, for sources of scouring that are located on property owned or operated by the permittee;

vi. Complete remediation of localized stream scouring as soon as practicable, but no later than 12 months of discovery, unless the Department approves an alternative schedule of completion;

vii. Provide progress reports on remediation of stream scouring to the Department on a quarterly basis until completion;

viii. Conduct stream scouring restoration in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey at N.J.A.C. 2:90-1, e.g., Conduit Outlet Protection 12-1, and the requirements for bank stabilization and channel restoration found at N.J.A.C. 7:13; and

ix. Document all outfall inspections, investigations, and actions taken to remediate stream scouring using the Department's Stream Scouring Investigation Recordkeeping Form at https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/.

d. Stormwater Outfall Inspections and Maintenance for Illicit Discharge Detection and Elimination: At a minimum, the permittee shall:

i. Conduct outfall inspections to determine if dry weather flow or other evidence of illicit discharge is present at least once every five years, with a minimum of 20% of the total number of outfalls per year;

ii. Document details for conducting visual dry weather inspections to determine if dry weather flow (flow occurring 72 hours after a rain event) or other evidence of illicit discharge is present;

iii. Investigate, within 30 days of receipt of complaints and reports of illicit discharge;

iv. Investigate, within 30 days of identification of dry weather flows to determine if illicit discharge is present;

v. Investigate, within 30 days, to determine the source of illicit discharge;

vi. Eliminate as soon as practicable, but no later than within 12 months of discovery, non-stormwater discharges that are traced to their source and found to be illicit connections, unless the Department approves an alternative schedule of completion;

vii. Provide progress reports on elimination of illicit discharges to the Department on a quarterly basis until completion; and

viii. Document all outfall inspections, investigations, and actions taken to remediate illicit discharge(s) using the Department's Illicit Connection Inspection Report Form.

e. Storm Drain Inlet Inspection, Cleaning, and Maintenance: At a minimum, the permittee shall:

i. Perform inspections of all storm drain inlets at a minimum of once per year; and

ii. Describe conditions under which a storm drain inlet must be cleaned and maintained to ensure, at a minimum, that sediment, trash, or other debris is removed to eliminate recurring problems and maintain proper function.

f. Catch Basin Inspection, Cleaning, and Maintenance: At a minimum, the permittee shall:

   i. Include inspections of all catch basins at a minimum of once per year for permittees who own or operate less than 2,500 catch basins. Permittees who own or operate 2,500 catch basins or more shall inspect a minimum of 20% of the total or 2,500 per year, whichever is greater, rotating the schedule in such a way that all catch basins are inspected at least once every five years on approximately the same frequency; and

   ii. Describe the conditions under which a catch basin must be cleaned and maintained, including any specific procedures that must be followed at a frequency to ensure, at a minimum, that sediment, trash, or other solid or floatable material or other obstructions are removed.

   iii. For guidance related to catch basin cleaning, refer to the EPA Catch Basin Technology Overview and Assessment at https://nepis.epa.gov/Exe/ZyPURL.cgi?Dockey=300002QL.TXT.

g. MS4 Conveyance Inspection, Cleaning, and Maintenance: At a minimum, the permittee shall:

   i. Include inspections at a frequency to determine if cleaning and/or maintenance are necessary. The frequency for inspections shall be based on known areas of storm sewer back-ups/complaints, and other relevant factors;

   ii. Ensure that sediment, trash, or other solids or floatable material is removed; and

   iii. Describe the conditions under which areas of the MS4 conveyance system must be cleaned and maintained.

h. Stormwater Facility Inspection, Cleaning, and Maintenance (excluding b. through g. above): At a minimum, the permittee shall:

   i. Inspect all stormwater facilities pursuant to approved maintenance plans; and

   ii. Conduct cleaning and maintenance pursuant to approved maintenance plans, or more frequently as needed (see the Department's maintenance guidance at https://dep.nj.gov/stormwater/maintenance-guidance/).

   iii. If no plan or guidance exists for a particular type of stormwater facility, the permittee shall inspect the infrastructure at least four times annually; and

   iv. If there are no approved maintenance plans for certain stormwater facilities, the permittee may create one by following the Department's Best Management Practice Manual at https://dep.nj.gov/stormwater/bmp-manual/ or other maintenance guidance at https://dep.nj.gov/stormwater/maintenance-guidance/.

i. The permittee shall maintain a log sufficient to demonstrate compliance with e. through h. above, including but not limited to the following (example Maintenance Logs and Inspection Records forms are available on the Department's MS4 website under the maintenance guidance link):
   i. Type of stormwater facility;

   ii. Location information of the facility with geographic coordinates;

   iii. Name of inspector;

   iv. Date of inspection;

   v. Date of most recent precipitation or snowmelt event;

vi. Presence of standing water or discharge;

vii. Observations of the structural integrity;

viii. History of problems and complaints;

ix. Evidence of current or previous flooding;

x. Any preventative and corrective maintenance performed; and

xi. Any additional information or findings, if appropriate.

j. If stormwater facilities (excluding b. through d. above) are found not to be functioning properly, cleaning, corrective maintenance and repairs shall be completed as soon as practicable, but no later than 90 days from discovery, unless the Department is notified ahead of time of an alternative schedule of completion.

k. The permittee shall prioritize cleaning, corrective maintenance and repairs based upon environmental, health, and safety concerns.

l. Maintenance or repairs to stormwater facilities shall be made in accordance with N.J.A.C. 7:8.

m. Any changes to stormwater facilities that were originally approved as part of a major development project must be reviewed for compliance with N.J.A.C. 7:8 and the permittee's Stormwater Program as applicable, by a design review engineer who has completed the Department's Stormwater Management Design Review course, as well as any amendment training that was required.

n. Permittees shall develop and implement this program on EDPA.

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

a. Documenting Best Management Practices: The permittee shall implement Best Management Practices (BMPs) at all maintenance yards and ancillary operations (MYs) to restrict pollutants from entering the waters of the State.

i. Each MY and ancillary operation shall be identified by its own form in the SPPP which shall include a description of the site-specific activities and associated BMPs; and

ii. Permittees shall implement this requirement upon EDPA.

b. Site Inspections: The permittee shall inspect the entire site, including the site periphery, to identify conditions that would contribute to stormwater contamination, illicit discharges, or negative impacts to the permittee's MS4.

i. Inspections shall be conducted monthly under dry conditions;

ii. Inspections shall also be conducted monthly during precipitation or a snowmelt event when possible;

iii. Between monthly inspections, if instances of non-compliance are observed, corrective actions shall be initiated immediately;

iv. Maintain a log on-site sufficient to demonstrate compliance with this section, including but not limited to:
- Name of inspector;
- Date of inspection;
- Date of most recent precipitation or snowmelt event;
- Relevant findings;
- Conditions requiring attention; and
- Remedial actions taken.

v. The location of the log shall be noted in the SPPP; and

vi. Permittees shall implement this requirement on EDPA.

c. Inventory List: The permittee shall maintain a list of all materials and machinery that are potentially present at each maintenance yard or ancillary operation which could be a source of pollutants in a stormwater discharge. These materials include, but are not limited to, raw materials, intermediate products, final products, waste materials, by-products, machinery and fuels, lubricants, solvents, and detergents. Materials or machinery that are stored in a permanent structure and therefore not exposed to stormwater do not need to be included in the list.

i. Permittees shall implement this requirement on EDPA.

d. Container Labels and Storage: The permittee shall properly label and store all containers as follows:

i. Labels shall be legible, clean, and visible;

ii. Containers shall be kept in good condition;

iii. Containers shall be protected from damage and spillage;

iv. Containers shall be tightly closed when not in use;

v. Containers stored outside shall be covered and placed on spill platforms or clean pallets. An area that is graded and/or bermed to prevent run-through of stormwater may be used in place of spill platforms or clean pallets;

vi. Outdoor storage locations shall be regularly maintained to allow for proper inspection and accessibility; and

vii. Permittees shall implement this requirement on EDPA.

e. Spill Kits: The permittee shall conduct cleanups of spills of liquids or dry materials immediately after discovery, as follows:

i. Spills that are suspected to be a threat to human health or the environment shall be immediately reported to the NJDEP Hotline at 1-877-WARNDEP (1-877-927-6337);

ii. All spills shall be cleaned using dry absorbent material and cleaning methods only, e.g., kitty litter, sawdust, etc.;

iii. All dry absorbent materials shall be swept up once spill is absorbed and disposed of properly;

iv. Store clean-up materials, spill kits, and drip pans near all liquid transfer areas;

v. Ensure that clean-up materials are protected from rainfall; and

vi. Permittees shall implement this requirement on EDPA.

f. Bulk Liquid Storage: The permittee shall surround above ground tanks with a secondary containment barrier, such as a spill containment dike, to contain the drips and spillage that might happen during operations. This applies for new and existing aboveground storage tanks containing bulk liquid (including but not limited to gasoline, diesel fuel, heating oil, hydraulic oil, and used oil), and new liquid de-icing/anti-icing tanks, as follows:

i. The containment area shall be impervious;

ii. The containment area shall be able to contain the volumetric capacity of at least 110% of the largest tank's capacity within the containment area;

iii. The containment area shall be constructed so that no volume of bulk liquid can escape through drains, storm sewer systems, or to the surface waters or ground waters of the state;

iv. All accessory pipes, hoses, valves, and pumps shall also be located within the containment area or under cover and not exposed to stormwater. It is recommended that the tank be protected to prevent stormwater from accumulating in the containment structure; and

v. Permittees shall implement this requirement on or before EDPA + 12 months.

g. Fueling and other Bulk Liquid Operations: The permittee shall establish, maintain, and implement standard BMPs to address vehicle fueling, receipt of bulk fuel and other bulk liquid deliveries, and inspection and maintenance of storage tanks, including the associated piping and pumps, as follows:

i. A trained employee shall be present to supervise the bulk transfer of fuel or other bulk liquids to ensure BMPs are followed;

ii. Place drip pans under all hose and pipe connections and other leak-prone areas during bulk transfer of fuels or other bulk liquids;

iii. Block storm sewer inlets or contain tank trucks used for bulk transfer with temporary berms or temporary absorbent booms during the transfer process;

iv. If temporary berms or booms are being used instead of blocking the storm sewer inlets, all hose connection points associated with the transfer of fuel or other bulk liquids shall be within the temporarily bermed or boomed area during the loading/unloading of bulk fuels or other bulk liquids;

v. Clearly post, in a prominent area of the fueling area, the contact information for the person(s) responsible for spill response and instructions for safe operation of fueling equipment that include all the following: "Topping off of vehicles, mobile fuel tanks, and storage tanks is strictly prohibited."; "Stay in view of fueling nozzle during dispensing.";

vi. Immediately repair or replace any equipment, tanks, pumps, piping, and fuel or other bulk liquid dispensing equipment found to be leaking or in disrepair; and

vii. Permittees shall implement this requirement on EDPA.

h. Discharge of Stormwater from Secondary Containment: The permittee shall only discharge stormwater accumulated in a secondary containment area, e.g., fuel storage, de-icing/anti-icing solution storage, brine solution, as follows:

   i. Conduct visual inspections to ensure that bulk liquids have not contaminated the stormwater collected in the secondary containment area when dealing with materials that can be observed, e.g., petroleum;

   ii. If the contents of the tank are not visible in stormwater, e.g., brine solution, the permittee shall determine based on recent tank inspections and bulk liquid transfers that the bulk liquids have not contaminated the stormwater collected in the secondary containment area;

   iii. If the permittee cannot determine that the stormwater in the secondary containment area is uncontaminated, then the stormwater shall be hauled offsite for proper disposal;

   iv. If the secondary containment area contains a valve, this valve shall remain closed at all times except as described above; and

   v. Permittees shall implement this requirement on EDPA.

i. Vehicle and Equipment Maintenance: The permittee shall conduct vehicle and equipment maintenance and/or repair activities indoors. However, if these activities cannot be performed indoors, the permittee shall perform vehicle and equipment maintenance in a manner that prevents the exposure of pollutants to stormwater as follows:

   i. For projects that last more than one day, portable tents or covers shall be placed over the equipment being serviced when not being worked on;

   ii. Drip pans shall be used at all times;

   iii. These activities shall only occur in designated areas away from storm drains, or storm drain inlets shall be blocked, to prevent stormwater runoff from entering the storm drain inlets; and

   iv. Permittees shall implement this requirement on EDPA.

j. Wash Wastewater Containment: The permittee shall discharge wash wastewater to a sanitary sewer. However, if this wash wastewater cannot be discharged to a sanitary sewer, the permittee shall manage any equipment and vehicle washing activities so that there are no unpermitted discharges of wash wastewater to storm sewer inlets or to surface or ground waters of the State, as follows:

   i. Wash wastewater shall be temporarily stored in a containment structure prior to proper disposal;

   ii. The containment structure(s) containing the wash wastewater shall not leak;

   iii. Any underground tanks and associated piping shall be tested for integrity every three (3) years using appropriate methods determined by “The List of Leak Detection Evaluations for Storage Tank Systems” created by the National Work Group on Leak Detection Evaluations, or as determined appropriate and certified by a professional engineer for the site-specific containment structure(s);

   iv. Any cathodically-protected containment system shall have a passing cathodic protection survey every three years;

v. Before each use of the wash wastewater containment, inspections shall be performed of all visible portions of containment structures to ensure that they are structurally sound;

vi. Containment structures shall be prevented from overfilling as a result of operations, malfunctions of equipment, or human error;

vii. Wash wastewater shall not be introduced to the containment structure when it is determined to be at 95% capacity;

viii. Each volumetric measurement shall be measured and recorded to the nearest ½ inch using the "Underground Vehicle Wash Water Storage Tank Use Log" form on the Department's website at https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/highway-agency-s

ix. Leak containment structures shall be emptied and taken out of service immediately upon detection of deterioration that could result in a leak;

x. All necessary repairs shall be conducted to ensure structural integrity before placing a containment structure back into service;

xi. Any spills or suspected release of hazardous substances shall be immediately reported to the NJDEP Hotline at 1-877-WARN DEP (1-877-927-6337) which will be followed by a site investigation in accordance with N.J.A.C. 7:26C and N.J.A.C 7:26E if the discharge is confirmed;

xii. All wash wastewater from pump-outs and clean-outs shall be disposed of properly;

xiii. A log of equipment and vehicle wash wastewater containment structure pump-outs (removes only water) and clean-outs (removes all water and sludge) shall be maintained that includes the date and method of removal, mode of transportation (including name of hauler if applicable) and the location of disposal. See "Underground Vehicle Wash Water Storage Tank Pump Out Log" form on the Department's MS4 website at https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/highway-agency-s and

xiv. Permittees shall implement this requirement on EDPA.

k. Salt and Other Granular De-icing/Anti-icing Material Storage and Handling: The permittee shall establish, maintain, and implement salt and de-icing/anti-icing material storage and handling BMPs as follows:

i. Store material in a permanent structure;

ii. Prevent the exposure of stored salt and other granular de-icing/anti-icing material to rain, snow, or stormwater run-on. Stormwater runoff containing de-icing/anti-icing material from a material storage and handling area is not authorized for discharge under this permit;

iii. Prevent spillage;

iv. Minimize tracking of materials from loading and unloading operations;

v. Loading and unloading materials shall be conducted during dry weather, when possible;

vi. Minimize loader travel distance between the storage area and the spreading vehicle;

vii. Sweep (or clean using other dry-cleaning methods), after loading and unloading, the areas surrounding the storage structure to eliminate the contact of de-icing/anti-icing materials with stormwater that were tracked away from storage areas;

viii. Spilled material may be returned to storage or properly discarded if unsuitable for reuse;

ix. Excess material not used during spreading activities shall be returned to the storage area.

x. Temporary storage of salt and other granular de-icing/anti-icing materials in a non-permanent structure is permitted only when a permanent structure is under construction, repair, or replacement;

xi. Stormwater run-on and de-icing/anti-icing material runoff shall be minimized when de-icing/anti-icing material is temporarily stored;

xii. Materials in temporary storage shall be covered, e.g., in a temporary structure or under a tarp, when not in use;

xiii. Temporary storage shall not exceed 30 days unless otherwise approved in writing by the Department; and

xiv. Permittees shall implement this requirement on EDPA.

l. Aggregate Material, Wood Chips, and Finished Leaf Compost Storage: The permittee shall store materials such as sand, gravel, stone, topsoil, wood chips, and finished leaf compost as follows:

i. Materials shall be stored a minimum of 50 feet from surface water bodies, storm sewer inlets, and/or ditches or other stormwater conveyance channels;

ii. Materials shall be stored in a manner to minimize stormwater run-on and pollutant runoff via surface grading, dikes and/or berms, (which may include sandbags, hay bales and curbing, among others), or three-sided storage bays;

iii. Situate the open side of the storage bays on the upslope where possible;

iv. Sweep all areas in front of storage bays and adjacent to storage areas after loading/unloading;

v. Materials shall not be processed, e.g., composting, chipping, grinding, screening, and/or size-reducing, under this permit authorization;

vi. Permittees conducting processing activities of these materials, e.g., composting, chipping, grinding, screening, and/or size-reducing, shall obtain an appropriate NJPDES Industrial Stormwater Discharge permit for those activity(ies). Contact the Industrial Stormwater Permitting Unit at industrialstormwaterpermitting@dep.nj.gov or the MS4 Unit at stormwatermanager@dep.nj.gov to determine which stormwater permit application would be appropriate; and

vii. Permittees shall implement this requirement on EDPA.

m. Construction and Demolition Waste, Wood Waste, and Yard Trimmings Storage: The permittee may store construction and demolition waste, wood waste, and yard trimmings as follows:

i. Materials shall be removed within six (6) months of placement into storage;

ii. Materials shall be stored a minimum of 50 feet from surface water bodies, storm sewer inlets and/or ditches, or other stormwater conveyance channels;

iii. Materials shall be stored in a manner to control stormwater run-on and pollutant runoff via surface grading, dikes and/or berms (which may include sandbags, hay bales and curbing, among others), or three-sided storage bays;

iv. Situate the open side of the storage bays on the upslope where possible;

v. The area in front of storage bays and adjacent to storage areas shall be swept clean after loading/unloading;

vi. Materials shall not be processed, e.g., composting, chipping, grinding, screening, and/or size-reducing, under this permit authorization;

vii. Permittees conducting processing activities of these materials, e.g., composting, chipping, grinding, screening, and/or size-reducing, shall obtain an appropriate NJPDES Industrial Stormwater Discharge permit for those activity(ies). Contact the Industrial Stormwater Permitting Unit at industrialstormwaterpermitting@dep.nj.gov or the MS4 Unit at stormwatermanager@dep.nj.gov to determine which stormwater permit application would be appropriate; and

viii. Permittees shall implement this requirement on EDPA.

n. Cold Patch Asphalt Storage: The permittee shall store cold patch asphalt as follows:

i. In a permanent structure or on an impervious surface and covered with a waterproof material, e.g., tarp or 10-mil plastic sheeting;

ii. Contained by an impervious barrier to control leachate and stormwater run-on or run-through; and

iii. Permittees shall implement this requirement on EDPA.

o. Street Sweepings and Storm Sewer Clean-out Material Storage: The permittee shall store street sweepings, storm sewer and catch basin clean-out materials, stormwater basin clean-out materials, and other similar materials as follows:

i. Shall only be stored temporarily and shall be removed for disposal within six (6) months of placement into storage;

ii. Shall be dewatered in a manner that prevents discharge to surface or ground water;

iii. Shall not include liquids, wastes which are removed from sanitary sewer systems, or material which constitutes hazardous waste in accordance with N.J.A.C. 7:26G;

iv. Shall be stored in leak-proof containers or on an impervious surface and covered with a waterproof material, e.g., tarp or 10-mil plastic sheeting;

v. Shall be contained by an impervious barrier to control leachate and stormwater run-on or run-through; and

vi. Permittees shall implement this requirement on EDPA.

p. Scrap Tires: The permittee shall store scrap tires as follows:

i. In a covered container or enclosure to prevent exposure to stormwater.

ii. If a covered container or enclosure is not available, tires shall be stored on an impervious surface and covered with a waterproof material, e.g., tarp or 10-mil plastic sheeting; and

iii. Permittees shall implement this requirement on EDPA.

q. Inoperable Vehicles or Equipment: The permittee shall store any inoperable vehicles and equipment as follows:

i. In a manner that prevents stormwater runoff of pollutants;

ii. No internal components may be exposed;

iii. For inoperable vehicles and equipment that have exposure of internal components, such as body damage, rust damage, missing body panels, or broken windows, such that the exterior is no longer impervious to precipitation, portable tents or covers must be placed over vehicles;

iv. Inoperable vehicles and equipment shall be managed so there are no leaking fluids;

v. Designated storage areas must be located at least fifty (50) feet away from storm drain inlets;

vi. Monthly inspections must be conducted to ensure that BMPs are implemented properly, including inspections for leaks, and filled drip pans;

vii. If any inoperable vehicle or equipment is found to be leaking, drip pans shall be utilized immediately;

viii. Leaks must be repaired, or the fluid must be drained from the vehicle within 30 days; and

ix. Permittees shall implement this requirement on EDPA.

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

a. The permittee shall ensure that all individuals who serve as Stormwater Program Coordinators (SPC) complete mandatory Department training regarding their responsibilities to implement the stormwater program at their Highway Agency.

b. The Department will conduct free interactive SPC trainings approximately twice each year.

c. SPCs are required to attend this training within EDPA + 12 months and once per permit cycle thereafter.

d. In the event of SPC turnover, the permittee shall comply with the conditions set forth in Part IV.A.1.e. and ensure that the new SPC attends the next available Department training session.

e. Previous recordings of SPC training sessions will be posted on the MSRP webpage, but viewing a pre-recorded session can only be used for informational purposes and will not satisfy this requirement.

**6. Annual Employee Training**

a. The permittee shall develop, update, and implement a program that ensures duty-specific annual training of all individuals responsible for the implementation of the stormwater program on the following topics:

i. SPPP;

ii. Construction Site Stormwater Runoff;

iii. Post-Construction Stormwater Management in New Development and Redevelopment;

iv. Regulatory Mechanisms;

v. Good Housekeeping;

vi. Stormwater Facility Maintenance;

vii. Maintenance Yard Operations and Other Ancillary Operations;

viii. De-icing/Anti-icing Material Application;

ix. MS4 Mapping; and

x. Watershed Improvement Plan.

b. The permittee shall ensure that the training describes the procedures necessary to ensure compliance with all permit conditions and includes site-specific details described in the SPPP, at a minimum.

c. The permittee shall ensure that all individuals receive initial training on those stormwater topics applicable to their title and duties within 3 months of commencement of duties.

d. Methods of training may include in-person group training sessions, e-Learning sessions, on-the-job/field training, and instructional videos.

e. The permittee shall document and maintain records of the training of each individual employee of the permittee, indicating participant(s) name, title, signature, date(s) of training, agenda or topic(s) discussed, and instructor(s) name and title or video title and website link address(es).

f. The permittee shall ensure the adequate training of external contractors, consultants, and vendors by requiring compliance with training outlined in the permittee's SPPP by including it as a condition of the contract.

g. Permittees shall implement these requirements on EDPA.

**7. De-icing/Anti-icing Material Application Training**

a. The permittee shall develop a de-icing/anti-icing material application training program.

b. The permittee shall ensure that all individuals (including employees, contractors, or volunteers) who apply de-icing/anti-icing material on permittee owned or operated roadways, ramps, and parking areas complete de-icing/anti-icing material application training at a minimum of once per year.

c. The permittee shall document and maintain records of the training of each individual, indicating participant(s) name, title, signature, date(s) of training, and instructor(s) name.

d. Permittees shall implement these requirements on EDPA.

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

a. The permittee shall ensure that all individuals that review and approve stormwater management designs for major development projects on behalf of the permittee for compliance with the Stormwater Management rules at N.J.A.C. 7:8 have completed this mandatory Department-provided training. Information regarding this training can be found on the Department's website at https://dep.nj.gov/stormwater/stormwater-management-design-review-course/.

b. This SWMDR training course covers the rule's requirements, calculation methodologies, and how to review a major development project. This training shall be completed, at a minimum, once every five years.

c. A list of the individuals that completed this training course is posted on the Department's MS4 website, including their five-year expiration date.

d. Permittees shall implement this requirement on EDPA.

**9. Stormwater Management Rule Amendment Training**

a. Whenever the Stormwater Management rules at N.J.A.C. 7:8 are amended and the Department determines that training is warranted, the permittee shall ensure that all individuals that have completed the SWMDR course in Part IV.F.8. above also complete this mandatory Department-provided training. If training is required, the Department will issue email notification to Stormwater Program Coordinators and individuals listed on the Department's SWMDR certified list.

b. If the Department issues notice of Stormwater Management Rule Amendment training, the reviewer shall complete the training no later than one (1) year after the adoption of the amendment(s) to the Stormwater Management rules at N.J.A.C. 7:8.

## G. Minimum Standards for MS4 Mapping

**1. MS4 Infrastructure Map**

a. The permittee shall develop, update, and maintain an electronic MS4 Infrastructure Map that delineates the location of the following stormwater features that are owned or operated by the permittee, including their associated attributes noted in parentheses:

i. MS4 outfalls (receiving surface water name, type of outfall);

ii. MS4 ground water discharge points (type);

iii. MS4 interconnections (type, upstream entity, downstream entity);

iv. Storm drain inlets (type, catch basin present, label present, retrofitted);

v. MS4 manholes;

vi. MS4 conveyance (type, direction of flow);

vii. MS4 pump stations;

viii. Stormwater management measures (type);

ix. Streets, ramps, parking areas, and thoroughfares; and

x. Property boundaries of rest area(s), maintenance yard(s) and other ancillary operations (type).

b. The permittee shall ensure that the MS4 Infrastructure Map is:

i. Reviewed and updated annually, or more frequently as necessary, to include the location or attributes of any new or newly identified MS4 infrastructure;

ii. Posted on the permittee's webpage and included as a weblink within the SPPP;

iii. Submitted to the Department as a georeferenced shapefile, geodatabase, or an AutoCAD file (with all other non-applicable data stripped out) via the NJDEP Online Stormwater Document Submittal Service on or before EDPA + 36 months. If the DEP Mapping Tool is used, then no separate submittal is required as the data is automatically submitted to the Department via the mapping tool; and

iv. This time frame does not extend the deadline for the submission of the MS4 outfall pipe map, or the submission of the stormwater facilities map as per the 2020 permit.

c. The permittee may submit a proposed alternative timeline for the submission of MS4 conveyance and interconnection data to the Department on or before EDPA + 36 month. Proposals must include the following at a minimum;

i. Proposed alternative deadline for submission;

ii. Proposed interim milestone submissions;

iii. Amount of conveyance mapped at the time of the proposal; and

iv. Estimate of unmapped conveyance remaining.

## H. Minimum Standards for the Watershed Improvement Plan

### 1. General Watershed Improvement Plan Requirements

a. The permittee shall develop a Watershed Improvement Plan in three (3) phases specified below that describe what actions the permittee will take to:

i. Improve water quality by reducing the contribution of pollutant parameters for all receiving subwatersheds within and bordering the Highway Agency owned or operated property that have percent reductions listed for stormwater in the Total Maximum Daily Loads (See the New Jersey Watershed Evaluation Tool at https://experience.arcgis.com/experience/f40f65d807bb4372bd92b48bb98f1972);

ii. Improve water quality by reducing the contribution of pollutant parameters for all receiving subwatersheds within and bordering the Highway Agency owned or operated property that have water quality impairments as per the Department's Integrated Report. (See the 303(d) list portion of the Department's Integrated Report at https://dep.nj.gov/wms/bears/water-quality-assessment/integrated-report/); and

iii. Reduce and/or eliminate stormwater flooding within the Highway Agency owned or operated property, prioritizing the areas of flooding for corrective actions based on threat to human health and safety, environmental impacts, and frequency of occurrence.

b. The permittee shall provide other MS4 permittees that discharge to shared subwatershed(s) the following data if requested by other MS4 permittee(s):

i. MS4 interconnection locations; and

ii. Information regarding the ownership of specific stormwater infrastructure.

**2. Phase 1 – Watershed Inventory**

a. The permittee shall prepare an electronic map which includes the items listed below. The permittee may use any information available from the Department's GIS database at https://gisdata-njdep.opendata.arcgis.com/ to assist with the preparation of this inventory. Permittees may use their current MS4 Infrastructure Map as the base map:

i. All stormwater outfalls owned or operated by the permittee;

ii. The drainage area for each outfall (drainage areas may be delineated by computer analysis and any available topography including LIDAR data);

iii. The receiving waterbodies of each outfall;

iv. The water quality classification of all receiving waterbody segments;

v. All known stormwater interconnections from the permittee's storm or sanitary sewer system into another entities' storm or sanitary sewer system included on the permittee's MS4 infrastructure map;

vi. All known stormwater interconnections into the permittee's storm or sanitary sewer system from another entities' storm sewer system included on the permittee's MS4 infrastructure map;

vii. The drainage area from the permittee's system for each interconnection (drainage areas may be delineated by computer analysis and any available topography including LIDAR data);

viii. All storm drain inlets owned or operated by the permittee;

ix. Areas associated with each TMDL for waters that lie within or bordering the Highway Agency owned or operated property, including roadways, access roads, ramps, rest areas, maintenance yards, and all other ancillary operations. Excess parcels not associated with roadways, rest areas, maintenance yards, and other ancillary operations, to be added to the map as the data becomes available;

x. Area associated with each water quality impairment for waters that lie within or bordering the Highway Agency owned or operated property, including roadways, access roads, ramps, rest areas, maintenance yards, and all other ancillary operations. Excess parcels not associated with roadways, rest areas, maintenance yards, and other ancillary operations, to be added to the map as the data becomes available;

xi. Areas associated with MS4 related stormwater flooding; and

xii. Impervious areas owned or operated by the permittee.

b. The permittee shall submit the Watershed Inventory to the Department via the NJDEP Online Stormwater Document Submittal Service by EDPA + 36 months.

**3. Phase 2 - Watershed Assessment Report**

a. The permittee shall conduct an initial Phase 2 public information session at the start of the Watershed Assessment Report phase as follows:

i. Must conduct a public information session in each of the permittee's permitted regions;

ii. Must notify the MS4 Case Manager of the date of the public information session 60 days prior;

iii. Must post the date of the public information session on the permittee's website;

iv. Must, at a minimum, present the information gathered from Phase 1 – Watershed Inventory and the preliminary goals of the permittee's Watershed Improvement Plan;

v. Must record all input received from public information session attendees; and

vi. Must hold additional public information sessions if all attendees could not be accommodated or all of the necessary information could not be adequately presented in a single session.

b. The permittee shall prepare a report to include the following, at a minimum:

i. An assessment of potential water quality and quantity improvement BMPs to be implemented at all permittee owned or operated maintenance yards, ancillary operations, and rest areas by subwatershed and parameter;

ii. An estimate of the percent reduction in loading of the TMDL/impaired parameters and stormwater runoff quantity due to BMPs in i. above;

iii. An estimate of funding needs for each BMP identified in i. above, and identification of potential funding sources, including funding available through the New Jersey Water Bank (NJWB), the formation of a Stormwater Utility (SWU), FEMA BRIC grants, etc. as applicable;

iv. An estimate of an implementation schedule for the BMPs associated with i. above;

v. An assessment of potential water quality and quantity improvement BMPs to be implemented as part of all future capital improvement projects associated with any roadway, access road, or ramp owned or operated by the permittee by subwatershed and parameter; and

vi. A summary of input received from the public information session(s) as per a. above.

c. The permittee shall submit the Watershed Assessment Report to the Department via the NJDEP Online Stormwater Document Submittal Service by EDPA + 48 months.

d. The permittee shall ensure that the Watershed Assessment Report is posted, along with an announcement of a 60-day comment period for formal public input on the permittee's website or Department-approved alternate website.

e. The permittee shall conduct a final Phase 2 public information session no more than 45 days after the start of the 60-day comment period as follows:

i. Must conduct a public information session in each of the permittee's permitted regions;

ii. Must notify the MS4 Case Manager of the date of the public information session 60 days prior;

iii. Must post the date of the public information session on the permittee's website;

iv. Must present, at a minimum, the findings of the Watershed Assessment Report;

v. Must record all input received from public information session attendees; and

vi. Must hold additional public information sessions if all attendees could not be accommodated or all the necessary information could not be adequately presented in a single session.

**4. Phase 3 – Watershed Improvement Plan Final Report**

a. The permittee shall prepare the final report to include the following, at a minimum:

i. A summary of proposed locations and load reductions of water quality and quantity improvement BMPs to be implemented at permittee owned or operated maintenance yards, ancillary operations, and rest areas;

ii. The proposed implementation schedule for the water quality and quantity improvement BMPs at permittee owned or operated maintenance yards, ancillary operations, and rest areas;

iii. Costs, broken down by project and year for water quality and quantity improvement BMPs at permittee owned or operated maintenance yards, ancillary operations, and rest areas and the funding opportunities that will be sought;

iv. A summary of potential water quality and quantity improvement BMPs to be implemented as part of all future capital improvement projects associated with any roadway, access road, or ramp owned or operated by the permittee;

v. A summary of the public comments received during the 60-day comment period and corresponding public information session, and the changes made to the final report resulting from those public comments;

vi. A summary of how the projects will be coordinated with other regulatory requirements;

vii. A summary of any collaboration with other MS4 permittees; and

viii. A summary of problems identified that are outside the jurisdiction of the permittee, if any, and opportunities to address them. These can be related to pollutant loading due to agricultural properties, interconnections from other entities, etc.

b. The permittee shall submit the final Watershed Improvement Plan Report to the Department via the NJDEP Online Stormwater Document Submittal Service by EDPA + 59 months.

c. The permittee shall ensure that the final Watershed Improvement Plan Report is posted on the permittee's website or Department-approved alternate website.

d. The permittee shall conduct a Phase 3 public information session within 60 days after the final Watershed Improvement Plan Report is submitted to the Department as follows:

i. Must conduct a public information session in each of the permittee's permitted regions;

ii. Must notify the MS4 Case Manager of the date of the public information session 60 days prior;

iii. Must post the date of the public information session on the permittee's website;

iv. Must present, at a minimum, the findings of the final Watershed Improvement Plan Report;

v. Must record all input received from public information session attendees; and

vi. Must hold additional public information sessions if all attendees could not be accommodated or all the necessary information could not be adequately presented in a single session.

e. The permittee shall begin implementation of the Watershed Improvement Plan in accordance with the schedule set forth in the Plan.

f. The permittee shall update this Plan, when necessary, based upon the biennial review of the revisions to the impairments of the permittee's waterbodies as per the Department's Integrated Report and newly adopted TMDLs.

# I. Additional and Optional Measures

### 1. Incorporation of Additional Measures

a. Additional Measures are non-numeric, e.g., best management practices, or numeric effluent limitations that are expressly required to be included in a permittee's stormwater program by a TMDL, a regional stormwater management plan, or other elements of an adopted areawide Water Quality Management Plan.

b. The Department will provide written notice of the adoption of any Additional Measure(s) to any affected permittee. The Department will list each adopted Additional Measure in a minor modification to the permit. The required Additional Measure(s) will also specify the implementation schedule.

### 2. Incorporation of Optional Measures

a. Optional Measures are BMPs, developed by the permittee, that extend beyond the requirements of the MS4 NJPDES permit and that prevent or reduce pollution and flooding to waters of the State.

b. The permittee may, at its own discretion, incorporate Optional Measures into its MS4 stormwater program. Such BMPs shall be identified in the SPPP as Optional Measures.

c. Failure to implement an Optional Measure identified in the SPPP shall not be considered a violation of the NJPDES permit.

# J. Recordkeeping

### 1. Standard Recordkeeping Requirements

a. The permittee shall retain copies of all records required to demonstrate compliance with this permit on site for a period of at least five years.

b. The permittee shall provide a copy of all records to the Department upon request.

c. Permittees shall implement this requirement on EDPA.

# K. Annual Report and Certification

### 1. Annual Reporting Requirements

a. The permittee shall complete an Annual Report and Certification using the Department's electronic MSRP Annual Report service tool in the Regulatory Services Portal at https://www.njdeponline.com. The Annual Report shall summarize the status of compliance with the permit conditions for the subject year between January 1 and December 31.

b. The permittee shall include the Major Development Project List for any major development projects approved during the calendar year and upload it as an attachment to the Annual Report.

c. The permittee shall include all certifications required at N.J.A.C. 7:8-5.3(j).

d. The permittee shall complete the following forms each calendar year (available at https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/highway-agency-st and upload them as attachments to the Annual Report:

   i. Outfall Inspection Forms;

   ii. Illicit Connection Inspection Report Forms; and

   iii. Stream Scouring Investigation Recordkeeping Forms.

e. The Stormwater Program Coordinator shall certify, sign, and date the Annual Report.

f. Submit an Annual Report and Certification: on or before May 1st annually.

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

The permittee shall annually conduct educational activities that total at least **7 points** from three different activities listed below. Each activity may only be done once each year for points. At least one of the activities shall involve education about the hazards associated with illicit connections and improper disposal of waste. The permittee shall maintain records of activity dates and educational materials related to the activity.

**Activity meets the requirement for education about the hazards associated with illicit connections and improper disposal of waste.*

| Activity | Description | Points |
|---|---|---|
| Social Media | Post stormwater materials from your Highway Agency on a social media site quarterly, such as a Facebook, Instagram, or Twitter page. This may include links to other stormwater resources, your dedicated stormwater webpage, or the NJDEP stormwater website (www.njstormwater.org). | 1 |
| Newsletter and Newspaper Ads | Use Department-approved stormwater education materials to publish an ad in a newsletter or newspaper quarterly that serves the permittee. | 1 |
| Radio and Television Ads | Quarterly broadcast a stormwater-related radio or television public service announcement from www.cleanwaternj.org on a local radio or public service channel. | 1 |
| Stormwater Facility Signage | Post and/or maintain a minimum of six (6) signs on property owned or operated by the permittee at green infrastructure sites, stormwater management basins or other stormwater management measures that describe the function and importance of the facility, contact phone number, permittee identification number, and/or website for more information. | 3 |
| Billboard/Sign | Produce and/or maintain a stormwater-related billboard or large sign/digital sign for display on a roadway, bus, bus stop vestibule, recreation field, rest area, or other common public gathering area. | 1 |
| Mural | Produce and/or maintain a stormwater pollution themed mural, storm drain art or other artwork at a common public gathering area. | 2 |
| Stormwater Display | Present a stormwater-related display or materials at any rest area or at any community event, e.g., county or state fair, parade, community gathering, or other similar public venue. | 1 |
| Promotional Item Giveaway | Distribute an item or items with a stormwater related message (e.g., refrigerator magnets, temporary tattoos, key chains, bookmarks, pet waste bag dispensers, coloring books, and pens or pencils) at any rest area or | 2 |

| Activity | Description | Points |
|---|---|---|
| | at any community event, e.g., county or state fair, parade, community gathering, or other similar public venue. | |
| Designated Pet Relief Area(s) | Designate and/or maintain a pet waste relief area at any rest area and provide pet waste bags and pet waste receptacles. | 3 |
| Regulatory Mechanism Signage* | Post and/or maintain a minimum of six (6) signs on property owned or operated by the permittee that describes the purposes of Regulatory Mechanisms and the benefits to water quality and the community, e.g. including water quality benefits to pet waste receptacles, no feeding wildlife signage, litter pickup signage, etc. | 3 |
| Regulatory Mechanism Education* | Provide and maintain a flyer or handout specific to any regulatory mechanisms in place to address Pet Waste, Wildlife Feeding, Litter Control, and Improper Disposal of Waste, at any rest area or at any community event, e.g., county or state fair, parade, community gathering, or other similar public venue. Provide a link to the appropriate public facing webpage where these regulatory mechanisms are posted. | 1 |
| Storm Drain Labeling Campaign* | Organize a project to label and/or maintain storm drain labels (that are not already precast with a message) with a scout troop, local school district, or faith-based group, or other community youth group for a minimum of 40 labels. This project could also include stenciling over precast labels to improve legibility. | 1 |
| Litter Cleanup Campaign* | Sponsor or organize a litter cleanup for a community group along a local waterway, public park, stormwater facility, or in an area with storm drains that discharge to a local lake or waterway. | 3 |
| Report Excess Road Salt Pile Program | Maintain a website or phone number for the public to report piles of excess de-icing/anti-icing materials that have been deposited during spreading operations on streets, ramps, and parking areas owned or operated by the permittee after 72 hours after the end of a storm event. | 3 |
| Road Salt Education Campaign | Provide and maintain a flyer or handout for homeowners specific to proper de-icing/road salt application at any rest area or at any community event, e.g., county or state fair, parade, community gathering, or other similar public venue. | 1 |

**Attachment B – Design Standards for Storm Drain Inlets**

## Application of Design Standard

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

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

## Design Standard

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

- The New Jersey Department of Transportation (NJDOT) bicycle safe grate standards described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (see www.state.nj.us/transportation/about/publicat/pdf/BikeComp/introtofac.pdf); or

- A grate where each individual clear space in that grate has an area of no more than seven (7.0) square inches or is not greater than 0.5 inches across the smallest dimension. Note that the Residential Site Improvement Standards at N.J.A.C. 5:21 include requirements for bicycle safe grates.

Examples of grates subject to this standard include grates in grate inlets; the grate portion (non-curb opening portion) of combination inlets; grates on storm sewer manholes; ditch grates; trench grates; and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads, (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors used to collect stormwater from the surface into a storm drain or surface water body.

For curb-openings inlets, including curb-opening inlets in combination inlets, the clear space in the curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches or be no greater than two (2.0) inches across the smallest dimension.

## Exemptions from the Design Standard

- Where each individual clear space in the curb opening in existing curb-opening inlets does not have an area of more than nine (9.0) square inches;
- Where the review agency determines that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
- Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device, e.g., manufactured treatment device, or a catch basin hood, that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

  A rectangular space four and five-eighths inches long and one and one-half inches wide; or
  A bar screen having a bar spacing of 0.5 inches;

  Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

- Where flows are conveyed through a trash rack that has parallel bars with one inch (1") spacing between the bars, to the elevation of the water quality design storm as specified in N.J.A.C. 7:8; or
- Where the Department determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet the standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

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

RESPONSE TO COMMENTS

Comments were received on the draft NJPDES Master General Permit No. NJ0141887 issued on August 23, 2024. The 30-day public comment period began on August 22, 2024, when the Public Notice was published in the Atlantic City Press. The Public Notice was also published in the Star Ledger, and The Times on August 21, 2024. The public comment period ended on September 24, 2024, at the close of the Public Hearing on the draft permit. The following person[s] commented on the draft permit:

1. Jolyn Mitchell, CPWM, Assistant Superintendent of Public Works, Salem County, in a letter dated September 23, 2024.
2. Chris Sotiro, Policy and Program Coordinator, New Jersey Future, in a letter dated September 24, 2024.
3. Bill Koppenaal, P.E., Administrator, Department of Engineering & Planning, Sussex County in a letter dated September 24, 2024.
4. Environmental Protection Agency in a letter dated September 30, 2024.

**General Comments**

1. COMMENT: The NJDEP may not fully understand or be aware of the challenges faced by local and county government agencies in the ongoing demands placed on these entities as it pertains to the day-to-day operations of a transportation system.

The Highway Agency General Permit encompasses but one of the many requirements borne by these local and county government entities. Locally, these agencies face ever more complex and difficult rules, regulations and requirements which are assigned to a very limited contingent of staffing professionals and public workers. It becomes unattainable when these rules and regulations continue to expand and increase the burden of compliance expectations on the limited resources of the local agencies. Local agencies facing a myriad of competing needs and demands always find themselves in a position of prioritizing the allocation of very limited resources toward both regulatory and highway safety demands.

Compounding this difficulty are a variety of factors which serve to hinder the expansion of work production to meet the expanding needs and expectations. While the Permit goals & objectives may be beneficial it appears lost that the local agencies tasked with meeting these regulatory requirements are faced with significant hardships when working to meet these expectations. Continued expansion of permit requirements represents a significant burden to the agency and local citizens.

Resources should be made available at the state level to assist local agencies with the implementation of these permits and expansion of the basic requirements stipulated therein. Resource needs include both professional subject matter experts, professionals to augment development of permit programs, and funding to implement programs. [3]

RESPONSE 1: The Department acknowledges the commentor's concerns and need for resources to comply with the requirements in this renewal permit and has developed many resources to assist MS4 permittees with meeting the requirements of the permit, as explained further below.

However, as explained on page 48 of the draft permit fact sheet, most of the surface waters in the State are impaired for at least one pollutant and the existence of the impairments places the need to improve water quality on the existing dischargers to those waters. In many of the waters there are no other discharges into these waters other than municipal stormwater. In addition, many areas of the State experience stormwater related flooding which can be alleviated through the implementation of proactive stormwater facilities' maintenance programs. Requirements to

address water quality impairments and to perform stormwater facility maintenance are not new and have been included in previous MS4 permits, including the Highway Agency Permit.

In order to assist permittees with various aspects of permit compliance, the Department has developed a variety of resources for MS4 permittees (as noted below), and will continue to develop new resources according to need and as Departmental resources are available. Specifically, the Department currently provides the following resources:

- The free-of-charge 12-hour Stormwater Management Design Reviewer Course (SWMDR) for stormwater management design reviewers twice per year,
- Stormwater rule amendment training (when needed) to address amendments to the Stormwater Management rules, within one year of the effective date of any rule amendments,
- Multiple employee and municipal board and governing body members training videos,
- Stormwater Program Coordinator (SPC) training,
- SPC Technical Training for assistance meeting the MS4 Infrastructure Map and Watershed Improvement Plan (WIP) requirements.
- A free to use mapping application, templates, available one-on-one direct technical assistance, and guidance and training for using the available tools. This training is offered either in person or virtually, upon request of the permittee, to assist with the mapping of the permittees' stormwater infrastructure.
- Direct technical assistance for the dedicated stormwater webpage development. See https://www.nj.gov/dep/dwq/msrp_outreach_material.htm for examples and contact information.
- A wide range of guidance manuals, model regulatory mechanisms, forms and template materials which are available at https://www.state.nj.us/dep/dwq/msrp_home.htm.

The Department is also preparing updates to the Highway Agency guidance documents, forms, and templates, etc. which will be available following the renewal of this permit. Once these documents are completed, the Department will email the permittees' SPCs and post them on its website at https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/highway-agency-stormwater-permit/.

As a continual effort to prepare guidance and assistance to our permittees, the Department has created a WIP Guidance Webpage that may be accessed at https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/watershed-improvement-plan-resource-page/. This webpage hosts the most updated guidance and tools that the Department has prepared for the creation and implementation of permittees' WIPs. Additionally, the webpage hosts the Department's newest free web-based application, titled New Jersey Watershed Evaluation Tool (NJ-WET). This easy-to-use tool aggregates all of the most updated public stormwater data and other data required to be included in the permittee's WIP. The tool is hosted by the Department as an interactive map that allows users to view permittee specific data, create PDF maps, and extract permittee specific data. The following data layers are available through NJ-WET: TMDLs, HUC 14s, Water Quality Impairments, Surface Water Quality Classifications, and Impervious Areas. Templates for each phase of the WIP will be added to the website as they are developed. Once the WIP templates are completed, the Department will email the permittees' SPCs and post them on the website. The Department will also offer a 30-day informal comment period for permittees and other stakeholders to review the WIP template for Highway Agencies and provide suggested changes, etc. Permittees will also be notified via email when the final version of the template is posted online. While the Department will offer a specific 30-day informal comment period for the WIP template, informal comments or suggestions for improvements are always welcomed and may be emailed to StormwaterManager@dep.nj.com.

The Department is continually looking to provide financial assistance to its permittees to aid in permit compliance. The Department is currently finalizing a funding program to aid county MS4s in developing their stormwater infrastructure maps. Counties also have the ability to establish a regional stormwater utility that would generate money from fees to be used for implementing their stormwater program. Permittees also have the ability to access low to zero interest loans to implement stormwater management projects through the NJ Water Bank.

The Department encourages neighboring Highway Agencies to work together with neighboring municipalities, other Highway Agencies, and/or Public Complexes to develop more regional approaches to improving stormwater quality and reducing stormwater-related flooding as these approaches can include shared services among two or more permittees to reduce each individual permittee's cost burdens in complying with permit requirements.

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

2. COMMENT: Ensuring the Implementation of Green Infrastructure
New Jersey Future (NJF) regards green infrastructure as an integral stormwater management practice that achieves co-benefits for the economy, society, and climate mitigation. The Department should prioritize nature-based solutions to stormwater runoff, like green infrastructure. We recommend NJDEP to encourage green infrastructure and the maintenance of these projects throughout the permit. NJDEP should:

- Require coordination with local and county Complete and Green Streets policies and ordinances. Development and redevelopment projects should take every opportunity to incorporate green streets elements to manage stormwater, such as permeable pavement, tree pits, and bioswales where applicable.
- Require collaboration on Complete and Green Streets projects with relevant local entities, such as municipalities, counties, and state agencies. Redevelopment and capital improvement projects should seek to coordinate efforts with *Working for Smarter Growth...More Livable Places and Open Spaces* overlapping infrastructure upgrades, such as lead service line removals, to save both time and money for all parties involved.
- Require permittees to address approved Total Maximum Daily Loads (TMDLs) through green infrastructure and prioritize maintenance and repairs in those areas.
- The New Jersey Department of Transportation's (NJDOT) current Complete Streets policy has not been updated since 2009 and does not include green infrastructure requirements. The policy should be updated by incorporating language from the 2019 Complete and Green Streets Model Policy. [2]

RESPONSE 2: The Department agrees that green infrastructure is an integral stormwater best management practice that achieves co-benefits for the economy, society, and climate mitigation. Accordingly, the Department included a requirement in amendments to the Stormwater Management rules at N.J.A.C. 7:8 which were adopted in March of 2020 that new major development and redevelopment must implement green infrastructure best management practices, unless a waiver is granted in accordance with the rules.

However, requiring permittees to coordinate with local and county Complete and Green Streets policies and ordinances, and requiring permittees to collaborate on Complete and Green Streets projects with local municipalities, counties, and state agencies, is beyond the scope of this permit renewal. In addition, requesting that the New Jersey Department of Transportation (NJDOT) update its current Complete Streets policy is also beyond the scope of this permit renewal action.

Requiring permittees to address approved TMDLs through green infrastructure and to prioritize maintenance and repairs in those areas for over 600 TMDLs, which are covered in 50 TMDL documents for pollutants which include pathogens, total phosphorus, mercury, PCBs, and various other pollutants is not always possible or advisable. There may also be numerous other more cost effective strategies, including source reduction and other types of structural BMPs, for reducing pollutant loading. While green infrastructure BMPs may be a viable option, the Stormwater Management rules as noted above specifically only require green infrastructure BMPs for new major development and redevelopment.

Additionally, the Watershed Improvement Plan (WIP) is a new requirement in this permit renewal, included as Part IV.H. of the permit, and the goal in instituting a WIP is to make reasonable progress towards restoring water quality in the impaired waters of the state, including those waters with adopted/approved TMDLs. In the first phase of the

WIP, the permittee shall summarize and include the area associated with each TMDL, and water quality impairment, for waters that lie within or bordering the Highway Agency owned or operated property, including roadways, access roads, ramps, rest areas, maintenance yards, and all other ancillary operations.

The second phase of the WIP must include an assessment of potential water quality and quantity improvement BMPs to be implemented at all permittee owned or operated maintenance yards, ancillary operations, and rest areas by subwatershed and parameter and an estimate of the percent reduction in loading of the TMDL/impaired parameters and stormwater runoff quantity due to those BMPs.

The third phase of the WIP shall include a summary of proposed locations and load reductions of water quality and quantity improvement BMPs to be implemented at permittee owned or operated maintenance yards, ancillary operations, and rest areas.

It is important to note that permittees are only required to complete an assessment of percent reduction in loading, funding needs, and implementation schedules for potential BMPs to be implemented at permittee owned or operated maintenance yards, ancillary operations, and rest areas due to the large number of roadways, access road, and ramp miles typically owned or operated by Highway Agency permittees. The impacts from stormwater generated from roadways, access roads, and ramps owned or operated by the permittee are to be addressed during all future capital improvement projects, which may trigger the green infrastructure BMP requirement in the aforementioned Stormwater Management rules at N.J.A.C. 7:8. In order to assist permittees with choosing appropriate BMPs for future capital improvement projects that properly address the TMDLs/impairments in the permittee's corresponding HUC14s, a summary, or library, of those BMPs are to be included in the permittees' WIPs. The Department has created a stormwater project matrix to assist permittees with selecting the appropriate BMPs. The project matrix and a project summary can be found on the Department's website https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/watershed-improvement-plan-resource-page/.

Finally, as for prioritizing maintenance and repairs of green infrastructure projects, Part IV.F.3.a. of the permit requires the permittee to develop, update, and implement a program to ensure adequate long-term cleaning, operation, and maintenance of all stormwater facilities owned or operated by the permittee to restrict pollutants from entering the waters of the State, to eliminate recurring problems, and maintain proper function. Green infrastructure is a category of "stormwater facility" and is adequately covered under Stormwater Facility Inspection, Cleaning, and Maintenance in Part IV.F.3.h. of the permit.

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

3. COMMENT: Step Up Permit Enforcement
While not explicitly outlined in the permit, NJDEP will need to be proactive and consistent in its enforcement of permittees to ensure compliance. In the Draft Permit's Fact Sheet, it is noted that most permittees during the last cycle did not include their TMDLs in their Stormwater Pollution Prevention Plan (SPPP) despite the requirement to do so in the 2020 permit. To ensure full compliance with the permit, NJF advises NJDEP to increase the staff capacity of the compliance and enforcement unit in Water Resource Management. Compliance audits should include an initial education and support component where highway agencies that are found to be lacking are then required to complete hands-on training that would help them come into compliance. [2]

RESPONSE 3: The Department acknowledges the commenter's concerns regarding enforcement of permit requirements and the need for effective training for permittees and their employees, however, staff capacity and compliance and enforcement activities are outside the scope of this permit renewal.

The renewal permit now requires the Stormwater Program Coordinators (SPCs) of Highway Agencies to complete the mandatory SPC Training, which is offered at least twice per year at no cost to attendees. An entire segment of this training is devoted to the requirements of the Watershed Improvement Plan (WIP) and provides links to online resources.

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

4. COMMENT: It appears many of the sections have expanded and have defined repair requirements. Target timeframes could be identified but should not be established as set standards. The County should be able to develop and control the best management of transportation structure maintenance including prioritization in consideration of available resources, complexity of projects, right-of-way, permitting needs, materials, engineering and competing needs. [3]

RESPONSE 4: The Department acknowledges the commentors concerns about defined repair requirements and associated repair schedules in the renewal permit. The Department recognizes that repair schedules may vary depending on the complexity and cost of the project and acknowledges that often, the necessary repairs may not be able to be completed within the timeframes required by the permit. Part IV.F.2.n. (Roadside Erosion Control) and Part IV.F.3. (Inspection and Maintenance of Stormwater Facilities Owned or Operated by the Permittee) require 90-day and 30-day repair schedules respectively.

As discussed in the 2023 Tier A MS4 permit renewal, all MS4 permittees have been required to certify annually in the Annual Reports that all their stormwater facilities were functioning properly. However, through enforcement inspections, compliance assistance audit and numerous complaints, the Department has discovered that the cleaning, maintenance and repairs that are necessary for stormwater facilities to operate properly as designed has been noticeably lacking. The lack of cleaning, maintenance and repairs of stormwater facilities ultimately leads to increased flooding causing public safety issues, as well as the discharge of pollutants to waterbodies of the State.

The Department maintains that ensuring proper maintenance is not a new requirement and the enhanced requirement to perform repairs within certain timeframes is a progression of the requirement to ensure proper operation and maintenance, with the added language in compliance with the Federal NPDES MS4 rules at 40 CFR 122.34(a) which state that MS4 permit conditions be expressed in "clear, specific and measurable terms" which EPA has also commented on in various previous draft MS4 General Permits. The Department also maintains that this requirement is consistent with the intent of the federal MS4 program's pollution prevention requirements at 40 CFR Part 122.34(b)(6). Additionally, since the adoption of the 2023 Tier A permit, no permittee has requested an alternative timeframe to complete necessary repairs. Therefore, the Department has no reason to believe that these proposed timeframes cannot be met for the most common level of repairs.

Further, in recognition that some repairs may be more complicated and require additional time, it should also be noted that the Department included a provision in the renewal permit for permittees to request extensions of the original time frames. As such, the Department maintains that the standard timeframes allotted in the renewal permit are sufficient and provide flexibility to the permittee should repairs not be feasible within the indicated timeframe.

No changes have been made to the final permit as a result of these comments.

5. COMMENT: EPA suggests NJDEP includes page numbering consistent with previous finalized permits (i.e., Page XX of YY) for the public's and permittee's ease of reference. [4]

RESPONSE 5:
The Department understands EPA's concerns regarding ease of reference within the permit.

**The Department has added page numbers consistent with previous finalized permits in the final version of the permit.**

**Permit Section II: General Requirements: Discharge Category**

6. COMMENT: Regarding Part II.A.1.iv, is the rule cited consistent with the SCOTUS July 2024 decision in overturning chevron deference?
Court Case NJ-22-451, 603 U.S. (2024)

Relentless, Inc. vs. Department of Commerce, No. 22-12-19 [1]

RESPONSE 6: N.J.A.C. 7:14A-16.4(b)21 and N.J.A.C. 7:14A-25.7(b) are two rules that have been governing the MS4 permits since their inception in New Jersey in 2004.

The US Supreme Court Case referenced only applies to federal statutes/agencies and does not apply to state agencies or to this permit for several reasons.

First, the case referenced relied on language within the federal Administrative Protective Act regarding judicial review, but New Jersey Administrative Procedure Act does not contain similar language. Second, the case involved statutory interpretation, rather than regulatory interpretation, as here. The Department notes that it is well-settled in New Jersey that agencies receive deference on their regulatory interpretation not only due to the agency's technical expertise, but also because the agency wrote the rule, so it is in the best position to interpret the rule's meaning.

Third, the Department would like to note that a comment on a draft permit is not the correct place to challenge the New Jersey Administrative Code; rule challenges occur in the Appellate Division.

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

7. COMMENT: Please remove "including the washing of fire fighting vehicles" as this language is not included as an authorized discharge under the current Highway Agency permit. [4]

RESPONSE 7: As the Department has previously stated in the response to comments for the 2020 Highway Agency General Permit and the 2018 Tier A Municipal Stormwater General Permit, the Department does not consider the washing of firefighting vehicles to be a significant source of pollutants to MS4 discharges and is a necessary measure undertaken to ensure their proper operation, thus fitting into the category of "firefighting activities." However, since this type of non-stormwater discharge is not applicable to Highway Agencies the Department agrees to remove the language that authorizes the "washing of fire fighting vehicles" from the final permit

**This change affects Part II.C.2.b.viii of the final permit.**

8. COMMENT: Flows from clean water rinsing of beach maintenance equipment and flows from clean water rinsing of equipment and vehicles used in the application of salt and de-icing/anti-icing materials are identified as authorized stormwater discharges. The aforementioned categories are not included in 40 CFR § 122.34(b)(3)(ii). [4]

RESPONSE 8: As the Department has previously stated in the response to comments for the 2020 Highway Agency General Permit, the categories of non-stormwater discharges at Part II.C.2.b.ix – xi are not additions and were included in the 2020 Highway Agency permit at Part II.C.2.b.ix - xi and in the 2009 permit at Part I.A.2.d.ix. The Department considers clean water rinsing of beach maintenance equipment and equipment and vehicles used in the application of salt and de-icing materials a necessary measure undertaken to ensure their proper operation and not to be significant source of pollutants to MS4 discharges when done in accordance with Part II.C.2.b.ix–xi of the permit.

No changes have been made as a result of this comment.

9. COMMENT:
The term RFA has previously been defined at Part II.B.2.a. EPA suggests NJDEP update the paragraph to "Any permittee that has stormwater discharges associated with industrial activities shall submit a separate ~~Request for Authorization~~ (RFA) or individual permit application for that discharge." [4]

RESPONSE 9: The Department thanks EPA for their suggestion and has removed "Request for Authorization" from Part II.C.3.a.ii of the final permit.

**This change affects Part II.C.3.a.ii of the final permit.**

**Permit Section IV.A.2. Stormwater Pollution Prevention Plan (SPPP) Requirements**

10. COMMENT: The proposed permit renewal identifies the agency's SPPP must be updated within 6 months of EDPA. Consider modifying the timeframe to EDPA + 12 months. This would coincide with the next annual update and certification and thereby reduce demands on already stretched staffing resources. [3]

RESPONSE 10: The Department understands the commenters' concerns regarding resources needed to update the SPPP and will be providing an updated version of the SPPP template to follow this renewal permit to assist permittees with meeting this permit requirement.

The Department anticipates this updated SPPP document to be finalized shortly, and permittees will be notified via email when the final version of the SPPP, as well as the other guidance materials, forms, and templates are available on the website. Also note that the SPPP is not intended to be a technical engineering document, but rather a plainly worded document that describes the measures the permittee is taking to comply with their permit and can also be used to educate employees on their job responsibilities. Also, as compliance is not required with any significantly modified or new permit requirements until later in the permit term, the SPPP does not need to reflect those requirements until they become effective.

Permittees are also encouraged to contact their county case managers with any questions regarding completing their SPPPs, as well as any other MS4 permit-related questions. See https://www.nj.gov/dep/dwq/msrp_managers.htm to obtain the name of your respective case manager.

The 2020 Highway Agency permit required permittees to create, review annually, and update as often as necessary to reflect changes in their stormwater program, a SPPP. Permittees should already have an up-to-date SPPP that reflects their current stormwater program and therefore should only need to update their SPPP to reflect any new requirements in the permit. Therefore, the Department maintains that EDPA + 6 months is an adequate amount of time for permittees to update their existing SPPP to meet the requirements of the renewal permit.

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

**Permit Section IV.C.1. Local Public Education and Outreach**

11. COMMENT: This requirement, as proposed, places an undue financial and staffing burden on the County. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP. If newly required by all Highway Agencies, not just owners of rest stops, Salem County would suggest alternative and creative options that wouldn't burden the taxpayers. [1]
RESPONSE 11: The Department acknowledges the commentors' concerns related to completing the local public education and outreach requirements for all permittees, not just those Highway Agencies with rest stops.

The Department has updated "Attachment A – Points System for Public Education and Outreach Activities" to include a multitude of activities, including ones that can be accomplished digitally and do not require additional funding. There are many flyers and handout templates on the Department's website for permittees to use, free of charge. In an effort to provide increased flexibility to permittees that do not own or operate rest areas or service areas, the Department included in the renewal permit the ability for permittees to develop their own public education and outreach activities not included in Attachment A of the permit, provided that those activities are submitted to the Department for review and approval prior to being conducted.

This permit requirement is due annually and therefore, the permittee may take the entirety of the year, beginning from the effective date of the permit authorization, to implement their new or updated public outreach and education program. If any costs are involved, those costs can be spread out through the calendar year. Since public outreach

and education is already being conducted by all Tier A permittees across the state, Highway Agency permittees may choose to work with neighboring municipalities to implement their program. This could potentially save time and cost, depending on the types of activities that were chosen.

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

12. COMMENT: EPA suggests NJDEP consider modifying the section to read: "Annually conduct activities that total at least 7 points as set forth in Attachment A (Point System for Public Education and Outreach Activities) of this permit." Adding the clarification language to this permit condition will make it readily clear to the permittee and public where to find applicable activities, including activities that will meet the requirement to educate businesses, and the general public of hazards associated with illicit connections and improper disposal of waste. EPA recognizes that Part IV.C.1.a.iv cites Attachment A in the context of conducting public education and outreach activities not listed in Attachment A; however, EPA suggests also stating Attachment A in Part IV.C.1.a.i so that it is clear to the public and permittee where the list of approved public education and outreach activities are identified. [4]

RESPONSE 12: The Department agrees with EPA regarding their suggestion and has added "as set forth in Attachment A – Point System for Public Education and Outreach Activities" to Part IV.C.1.a.i for clarity.

**This change affects Part IV.C.1.a.i of the final permit.**

**Permit Section IV.D.1. Construction Site Stormwater Runoff**

13. COMMENT: The County of Salem does not have the necessary manpower to enforce this section as it currently outlined and enforced at the local level. Salem County is requesting clarification of "Construction Site" as referenced in this section. [1]
RESPONSE 13: This requirement regarding Construction Site Stormwater Runoff in the permit renewal has been a permit requirement since the 2004 Highway Agency permit and has simply been carried forward from the existing 2020 Highway Agency permit.

The Department maintains a separate general stormwater permit to address stormwater runoff associated with construction activities (5G3), as identified in Part IV.D.1 of the permit to satisfy the requirement. This 5G3 general stormwater permit authorizes stormwater discharges to surface water from certain construction activities, including clearing, grading, and excavation (generally, construction activities that disturb one acre or more of land, or disturb less than one acre but are part of a larger plan of development or sale), as described in the Stormwater Management Rule, N.J.A.C. 7:8.

The Department would also like to note that the local soil district offices are responsible for administering this permit in partnership with the NJDEP. It is the permittee's responsibility to ensure that projects undertaken by the permittee, or those that occur within the permittee's jurisdiction, obtain the proper 5G3 permit authorization but are not required to issue, review, or enforce the requirements of the 5G3 general permit.

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

**Permit Section IV.E.1. Minimum Standards for Post Construction Stormwater Management in Development and Redevelopment**

14. COMMENT: Maintaining Consistency with Stormwater Management Rules Amendments:
NJF commends the Department for its efforts to maintain consistent language between the draft permit and proposed amendments to N.J.A.C. 7:8 Stormwater Management Rules.

- Regarding Part IV.E.1 of the renewal permit, "Minimum Standards for Post-Construction Stormwater Management in Development and Redevelopment," the definition of major

development should be updated to reflect anticipated amendments to N.J.A.C. 7:8-5.5 Stormwater Runoff Quality Standards.

- As written, the permittee's post-construction stormwater management program would apply to major developments, including "new development and redevelopment projects that individually or collectively result in [...] the creation of one-quarter acre or more of a combination of 'regulated impervious surface' and 'regulated motor vehicle surface' that are owned or operation by the Highway Agency".
- Through the Department's Resilient Environments and Landscapes (REAL) rule proposal, N.J.A.C. 7:8-5.5 Stormwater Runoff Quality Standards now require water quality treatment for redeveloped motor vehicle surfaces, even if there is no net increase of one-quarter acre. [2]

RESPONSE 14: The Department acknowledges the commenter's support for the Department's efforts to maintain consistent language between the permit and proposed amendments to the N.J.A.C. 7:8 Stormwater Management rule.

In Notes and Definitions Part IV.B.1.a.xiv, the renewal permit states that, "'Major Development' means a major development as defined in N.J.A.C. 7:8." Part IV.E.1.b states that, "The permittee shall ensure that its stormwater management program addresses stormwater runoff from 'major development' as defined in the Stormwater Management rules at N.J.A.C. 7:8." Since the definition in the permit does not specifically define "major development" but instead refers the definition found in N.J.A.C. 7:8, when the rule amendments are adopted, the permit will immediately be referencing the updated definition.

In regard to the NJPACT REAL rule proposal, Part IV.E.1.a, b, c, and e of the renewal permit all reference the requirements at N.J.A.C. 7:8 and do not specifically define those requirements in the permit. Therefore, once the amendments to N.J.A.C. 7:8 are adopted, the permit requires permittees to immediately address those amendments in all projects thereafter.

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

**Permit Section IV.F.2. Pollution Prevention/Good Housekeeping**

15. COMMENT: Quarterly Street Sweeping – This requirement, as proposed, places an undue financial and staffing burden on the County. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP. As a rural county with miles of roadway constructed without curb, gutter or storm sewers; this mandate is excessive. Salem County would suggest alternative options to address organic material and would suggest consideration for approval of a unique/county specific plan to accommodate the goals of the permit. [1]

16. COMMENT: Triannual Street Sweeping – This requirement, as proposed, places an undue financial and staffing burden on the County. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP. As a rural county with miles of roadway constructed without curb, gutter or storm sewers; this mandate is excessive. Salem County would suggest alternative options to address organic material and would suggest consideration for approval of a unique/county specific plan to accommodate the goals of the permit. [1]

17. COMMENT: Annual Street Sweeping – This requirement, as proposed, places an undue financial and staffing burden on the County. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP. As a rural county with miles of roadway constructed without curb, gutter or storm sewers; this mandate is excessive. Salem County would suggest alternative options to address organic material and would suggest consideration for approval of a unique/county specific plan to accommodate the goals of the permit. [1]

18. COMMENT: Sweeping should include a provision for the county's inspection and sweep only if needed. Why expend resources sweeping if the facility has been inspected and determined clean? [3]

RESPONSE 15-18: The Department acknowledges the commentors' concerns related to permit requirements for street sweeping. Street Sweeping has been a permit requirement since the 2004 Highway Agency permit. The sweeping requirements proposed in this permit renewal carry forward the language from the 2020 Highway Agency permit without change. These requirements continue to meet the reduction/elimination of solid and floatable materials requirement in the Federal MS4 rule at 40 CFR 122.34(b)(6)(ii) and N.J.A.C. 7:14A-25.6(b)6.

The regulatory basis for the street sweeping requirements in this renewal permit and past permits is noted in the draft permit Fact Sheet. In the Background section of the Fact Sheet, which begins on page 44, it is explained that the majority of the surface waters, in terms of subwatersheds, in the State are documented in the Department's "Integrated Water Quality Assessment Reports" as being impaired for one or more stormwater related pollutants. Further, the "Clean Stormwater and Flood Reduction Act" notes that it is "estimated that up to 60 percent of the State's existing water pollution is attributable to stormwater and nonpoint sources of pollution."

Many pollutants are associated with the solid and floatable materials that street sweeping removes from the road's surfaces. For example, oils, metals, and other pollutants from normal vehicle wear and tear become deposited on the roads and adhere to the materials removed by street sweeping. These pollutants can kill fish and other aquatic life and contaminate drinking water supplies. Leaves and grass clippings that accumulate along the gutters of roads also contribute pollutants to surface and ground waters as they decompose and are washed along into the storm sewer system, contributing to harmful conditions in the surface waters.

The Department reviewed the surface water quality impairments and TMDLs in the Integrated Report, as noted in the Fact Sheet, when preparing this permit renewal and found that water quality impairments associated with these types of pollutants are present across the State. As these materials are present on all types of roads in the State, removing these materials and their associated pollutants from the roads before they are conveyed further through the storm sewer system is an effective pollution reduction measure designed to restore the surface water quality to meet the Surface Water Quality Standards at N.J.A.C. 7:9B, and is a necessary cleaning measure to ensure the proper operation of the MS4s.

No changes have been made to the final permit as a result of these comments.

19. COMMENT: EPA suggests NJDEP add a requirement that permittees identify/document streets that meet the different frequencies to assist in implementation of this requirement. As permittees were required to implement the enhanced sweeping requirements as part of the 2020 MS4 permit, EPA believes it should not be a burdensome requirement and will further assist permittees in ensuring specified categories of streets are being swept in accordance with the frequencies identified in the permit. EPA suggests including the following statement "The permittee shall maintain records of street sweeping, including the date and areas swept, number of miles of streets swept, and the total amount of materials collected in wet tons" for quarterly, triannual and annual sweeping as specified in Part IV.F.2.d, e., and f. [4]

20. COMMENT: Storm Drain Inlet Retrofitting: EPA suggests NJDEP include a requirement for permittees to maintain records of which inlets have been Retrofitted. [4]

21. COMMENT: Storm Drain Inlet Installation: EPA suggests NJDEP include a requirement for permittees to maintain records for new storm drain inlet installations due to construction that is not considered a major development as defined by N.J.A.C. 7:8. [4]

22. COMMENT: Roadside Erosion Control: As NJDEP states "inspections of roadways, ramps, and parking areas shall occur at least once per year;", EPA suggests also specifically requiring an on-site log sufficient to demonstrate compliance with this section and specifying what should be included in the log, at a minimum and state the log must be kept with the SPPP. [4]

RESPONSE 19-22: The Department acknowledges EPA's concerns related to demonstrating compliance with the requirements for Good Housekeeping. However, this information is already required to be collected as per the Recordkeeping requirements in the permit at Part IV.J.

Additionally, the permittees are also required to submit some of this information to the Department in their Annual Reports. All recordkeeping information is also required to be made available by the permittee upon request. Also, in Part IV.F.2.p, the permit states that, "the permittee shall maintain a log sufficient to demonstrate compliance with this section". This requirement applies to street sweeping, inlet inspection, roadside erosion and all other requirements in the Good Housekeeping section of the permit.

In the SPPP template provided by the Department, permittees are asked to label each street under their jurisdiction that corresponds with the quarterly, triannual and annual requirements. In the annual report, permittees are asked if all the required streets were swept, the total miles swept, and the total amount of materials collected in tons. Additionally, logging which inlets have been retrofitted and any new storm drain installation is required to be documented in the infrastructure maps that must be submitted to the Department.

The Department maintains that the current requirements for monitoring and documenting street sweeping, inlet retrofitting and installation, and roadside erosion control activities are adequate.

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

23. COMMENT: Storm Drain Inlet Retrofitting – This requirement, as proposed, places an undue financial and staffing burden on the County. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP. Salem County would suggest that retrofitting continue to be met throughout resurfacing of roadway projects and additional time be permitted to complete all retrofitting. As the draft requirement is proposed, this places a cost of $600,000 over the next 5 years solely in retrofitting storm drain inlets. [1]

RESPONSE 23: The Department understands the commenters' concerns regarding the increased costs for some permittees due to the revised storm drain inlet retrofitting requirement, and notes that this requirement pertains to the storm drain inlets, not the catch basins located below the inlet.

The Department maintains that the requirement for permittees to retrofit all remaining permittee owned or operated storm drain inlets to meet the standards set forth in Attachment B by EDPA + 59 months is appropriate. Permittees have been required to retrofit any storm drain inlets that come in contact with repaving activities since the first iteration of the MS4 general permits in 2004. The Department anticipates that the percentage of inlets that permittees will need to retrofit (outside of those that are in non-compliance of the existing requirement during repaving, etc.) is relatively low since permittees have been working on retrofitting their storm drain inlets that were associated with repaving projects for approximately 20 years. By the compliance date of December 1, 2029, permittees will have had 25 years to complete the inlet retrofits, which is generally longer than the estimated average lifespan of a paved road. It must also be noted that retrofitting most storm drain inlets can be accomplished with relatively minimal cost by bolting a bar, plate, or grate over the large curb opening, which is a much less costly option than replacing the entire inlet structure.

One of the main purposes of retrofitting the storm drain inlet openings is to reduce the size amount of solid and floatable materials that can pass through the inlet, so those materials are not transported through the storm sewer system to the surface waters. Reducing the size of these materials also has another important, and cost saving, purpose which is to prevent those materials from accumulating in the storm sewer and causing backups of flow and flooding. Removing these materials from the stormwater before they enter the downstream parts of the system is less costly overall as it will reduce the incidents of catch basin and conveyance system cleaning which usually requires heavy machinery to remove the storm drain inlet in order to gain access to the infrastructure below so a vacuum truck can extract the accumulated material.

The renewal permit retains "Exemptions from the Design Standards" in Attachment B – Design Standards for Storm Drain Inlets to continue to provide permittees appropriate flexibility regarding the inlet retrofits.

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

24. COMMENT: NJF supports the requirement to retrofit all applicable storm drain inlets by the end of the permit's 5-year cycle. [2]

RESPONSE 24: The Department acknowledges the commenter's support for the requirement to retrofit all applicable storm drain inlets by the end of the permit's 5-year cycle.

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

25. COMMENT: Storm Drain Inlet Installation – This requirement, as proposed, places an undue financial and staffing burden on the County. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP. By placing this mechanism in a storm drain inlet, it increases manpower needs to ensure flow is possible through an inlet grate. Compliance with this requirement will contribute to additional flooding. Additional flooding will adversely affect emergency evacuation routes established for the nuclear power generating station located in Salem County. [1]

RESPONSE 25: The Department notes that this is a new condition not included in the 2020 Highway Agency permit. This requirement applies to the installation of new storm drain inlets and is not a requirement to begin retrofitting existing storm drain inlets. This requirement is being added in the renewal permit to reduce the amount of solid and floatable material being discharged into the receiving waters and to meet the reduction/elimination of solid and floatable materials requirement in the Federal rule at 40 CFR 122.34(b)(6)(ii).

Additional costs should be minimal for most permittees as retrofitting existing storm drain inlets to add catch basins or other BMPs is not required. This requirement will only be triggered when permittees install new storm drain inlets that are not part of a project that meets the definition of "major development", and the cost of installing a new storm drain inlet with a catch basin should be minimal relative to the cost of the overall improvement project and are minimal compared to the overall water quality benefit they produce.

Catch basins would only be required when there is no other BMP (such as a stormwater management basin, MTD, or downstream catch basin) located between the new storm drain inlet and the outfall and are not required to be installed on bridges or culverts. Further, storm drains are exempt from needing catch basins if the hydraulic losses will result in unavoidable adverse hydraulic impacts. If a permittee believes that installation of any catch basin pursuant to this permit requirement will result in adverse hydraulic impacts, that permittee shall document the engineering findings of such impacts and note such in the SPPP. The permittee is also required to maintain those records in accordance with Part IV.J. of the permit.

Since this permit requirement does not require permittees to immediately begin installing catch basins in existing storm drain inlets and the overall number of storm drain inlets that would be subject to this requirement is not substantial, the Department does not feel that this creates an undue burden on the permittee.

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

26. COMMENT: Vegetative Waste Management – If this requirement, as proposed, would require alteration to current equipment, it would place an undue financial and staffing burden on the County. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP. [1]

RESPONSE 26: The requirement to properly manage vegetative waste was carried forward with minimal change from the 2020 Highway Agency permit. The minor rewording in the renewal permit clarifies the requirements for

the proper management of wood waste and yard trimmings in order to minimize the impact of vegetative maintenance activities on stormwater discharge quality. The requirements are also broken out in a manner that is clear and enforceable. The clarification does not add any additional requirements and will not require additional equipment or resources to be implemented. Therefore, no additional time is necessary to come into compliance.

This requirement is intended to ensure the appropriate management of materials generated from activities such as mowing, tree trimming, and wood chipping along permittee owned roads or at other properties owned or operated by the Highway Agency. This is so that these materials are not transported into the MS4 thus increasing maintenance requirements and resulting in increased costs for the permittee. This requirement is also intended to eliminate these materials from being discharged from the MS4 to surface water bodies ultimately resulting in negative impacts in those receiving waters.

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

27. COMMENT: Tree Replacement Management – This requirement is not consistent with Highway Agencies routine duties. Should the need arise for a tree to be removed from the property owned or operated by the permittee, it would be to protect the safety and welfare of the residents. A Highway Agency does not have the jurisdiction, responsibility or burden to maintain a tree farm including nurseries, fruit orchards, and garden centers. Furthermore, regulating removal/replacement of trees less than DBH of 4" is not consistent with various NJDEP's Best Management Practices that Salem County is familiar with. This requirement, as proposed, places an undue financial and staffing burden on the County. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP. [1]
RESPONSE 27: This new permit requirement is derived from discussions with stakeholders during the 2019 Stormwater Management rule stakeholder outreach sessions. These discussions included improvements to the Stormwater Management program and the ongoing need for enhanced stormwater management strategies. Trees play a critical, often overlooked, role in the water cycle and can mitigate stormwater runoff issues. This good housekeeping requirement is intended to ensure that permittees are considering these undervalued assets in their water quality management efforts. This permit renewal requires permittees to replace certain trees in an effort to reduce stormwater runoff and pollutants, and to promote infiltration of rainwater into the soil. This requirement was also added to the 2023 MS4 Tier A permit and 2024 MS4 Public Complex permit renewals and does not require permittees to plant trees to make up for past removals.

The Department acknowledges the commentor's statement about removing trees from their property to protect the safety and welfare of residents. The Department notes that trees of this nature would fall under the category of a "Hazard Tree" as defined in the permit and would therefore be exempt from the replacement requirement. This requirement also does not require the Highway Agency permittees to "maintain a tree farm including nurseries, fruit orchards, and garden centers" as mentioned above.

This tree replacement permit requirement would be triggered, for example, if a highway agency was undertaking a road improvement or expansion project that involved removing healthy trees that met the minimum threshold of a 2.5" DBH tree, as per Part IV.F.2.m of the renewal permit.

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

28. COMMENT: NJF supports the requirement that specified trees be replaced if they are removed from the property owned or operated by the permittee. [2]

RESPONSE 28: The Department acknowledges the commenter's support for the requirement that specified trees be replaced if they are removed from the property owned or operated by the permittee.

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

29. COMMENT: Roadside Erosion Control – Salem County is requesting guidance/an explanation of what is expected to be included in annual inspections of roadways, ramps and parking areas. Visual inspections of roadways, ramps and parking areas are considered part of the daily operations in the Highway Agency. If annual inspections are required, what specifically would NJDEP expect to be documented?
This requirement, as proposed, places an undue financial and staffing burden on the County. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP. [1]

30. COMMENT: Roadside Erosion: 90-day repair should be extended if the repair is included in a programmed capital project. Some repairs will require design, permitting and possibly right-of-way. The county should be able to assess this and as appropriate develop a capital project which would not be subject to the 90-day. Additionally, project programming should be a local government determination not a NJDEP determination. [3]

RESPONSE 29-30: This permit renewal re-incorporates the Roadside Erosion Control requirement from the original 2004 Highway Agency permit. This requirement has been reintroduced in response to citizen complaints and Department inspections and observations of roadside erosion. New Jersey has approximately 35,600 miles of roads, and more highways per square mile than any other state, and erosion of or along these streets, highways, and other roads contributes suspended solids, sediment and other materials to storm sewer systems and waterways. This condition is being restored in the permit to provide additional water quality protection, and as a stormwater facility maintenance requirement, as roads are considered to be part of the permittees' stormwater conveyance systems.

The introduction of suspended solids, sediment, and other pollutants not only causes an increase in permittee costs for ditch, culvert, and catch basin cleaning to ensure proper operation and maintenance and prevent associated flooding, it is also the single largest contributor of pollution to our nation's waters. Sedimentation and the deposition of material eroded by runoff from roads and roadsides can significantly impact water quality, and when not maintained, this erosion can also convey a significant number of pollutants in the stormwater runoff. Sedimentation can also lead to a decrease in water carrying and storage capacities of streams and reservoirs, as well as destroying fish and other aquatic habitats.

The Department recognizes that permittees may be concerned that implementing this condition will incur more costs and resources and acknowledges that often the necessary road repairs may not be able to be implemented within the 90 days due to repair and cost constraints noted in the comment. The permit gives permittees the ability to provide the Department with an alternative schedule of completion within 90 days of discovery. As such, the Department maintains that the requirement at Part IV.F.2.n. is sufficient and provides flexibility to the permittee should repairs not be feasible within 90 days.

The Department also recognizes that permittees may be concerned that implementing this condition will expand the burden of inspection activities and incur more costs and resources. As stated by the commentor, visual inspections of roadways, ramps and parking areas are considered part of the daily operations. The Department reiterates that there is no requirement for permittees to schedule separate roadside erosion inspections as these inspections can occur incidental to conducting routine inspections or other activities as long as the inspections are properly documented. As such, the permittee should not incur any additional significant costs due to inspection. Permittees will be required to inspect and maintain the stability of shoulders, embankments, ditches, and soils along these streets at a minimum of once per year to ensure that they are not eroding and contributing to clogging or destabilization of stormwater infrastructure, or sedimentation of receiving waters. Any driveway, street, and parking area repairs would need to be conducted for public safety reasons, as well as to ensure the proper operations and maintenance of the stormwater conveyance system.

Logs sufficient to demonstrate compliance with this permit requirement can include, but are not limited to, the date of inspection, name of inspector, road inspected, observed instances of roadside erosion, and whether repairs are required. This information can be included on other permit related inspection logs with other information such as storm drain inlet inspections, street sweeping logs, or storm drain inlet label inspection logs.

No changes have been made to the final permit as a result of these comments.

31. COMMENT: Outdoor Refuse Containers & Dumpsters: EPA recommends NJDEP also specify that outdoor containers holding metal signs (i.e., from Highway Agency sign manufacturing shops or waste signs) be covered when not in use, at the end of each workday and before any anticipated storm event. [4]

RESPONSE 31: The temporary storage of newly manufactured signs is not believed to be a significant contributor of pollutants at this time. The majority of waste signage, which fall under the category of waste materials, would be included in the requirements in part IV.F.2.o.i. of the permit which states that refuse containers and dumpsters that are outdoors or exposed to stormwater must always be covered with a tarp, lid or under a permanent structure to prevent the contact of waste materials with stormwater unless actively being filled or emptied. Therefore, the Department feels that the permit adequately addresses the management of metal signs.

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

**Permit Section IV.F.3. Inspection and Maintenance of Stormwater Facilities Owned or Operated by the Permittee**

32. COMMENT: This requirement, as proposed, places an undue financial and staffing burden on the County. The required 30-day window would not always provide adequate time in which Salem County would be able to conduct required maintenance in house or by securing contractors via Public Contract Law procedures. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP paired with a more reasonable time frame allowed for follow-up maintenance. [1]

33. COMMENT: The 30-day repair timeframe for outfall condition should be extended to 90 days. Additionally, some repairs will require design, permitting and possibly right-of-way. The county should be able to assess this and as appropriate develop a capital project which would not be subject to the 90-day timeframe. Additionally, project programming should be a local government determination not a NJDEP determination. [3]

RESPONSE 32-33: The Department recognizes the commenters' concerns regarding the requirement to complete structural repairs on outfalls within 30 days of investigation. However, the requirement to ensure that the permittee's stormwater facilities are functioning properly has been a requirement since the 2004 Highway Agency permit. This requirement exists so that permittees discover and address problems with any storm drain inlets, outfalls, catch basins and other stormwater facilities in a timely manner to avoid adverse water quality and/or quantity impacts, and to avoid more costly repairs if the stormwater facilities continue to deteriorate. When they are identified early, these problems may be fixed through minor maintenance and cleaning activities, before they require costly repair and replacement, or result in damaging flooding, injuries or pollutant discharges.

While the permit renewal requires a timeframe of 30 days for corrective maintenance and repairs, the permit gives permittees the ability to provide the Department with an alternative schedule of completion within 30 days of investigation. As such, the Department maintains that the requirement at Part IV.F.3.b.v. is sufficient and provides adequate flexibility to the permittee should maintenance and repairs not be feasible within 30 days.

No changes have been made to the final permit as a result of these comments.

34. COMMENT: Stormwater Outfall Inspections and Maintenance for Illicit Discharge Detection and Elimination): EPA suggests removing the word "of" from beginning of sentence, so the requirement reads as "Document ~~of~~ all outfall inspections, …" [4]

RESPONSE 34: The Department thanks EPA for their suggestion and has made the suggested change.

**This change affects Part IV.F.3.d.viii of the final permit.**

**Permit Section IV.F.4. Best Management Practices at Maintenance Yards and Other Ancillary Operations**

35. COMMENT: Bulk Liquid Storage: Secondary Containment – this needs to be clarified if the expansion applies to new & existing de-icing tanks or only new de-icing tanks. Additionally, construction or providing for secondary containment can require advanced site plan designs, permitting, costs and budget allocations. An EDPA + 12 months will not provide ample time for agencies with multiple locations and storage tanks, nor will it provide for the budgeting component. The permit should identify a priority for compliance, e.g. possibly based upon the liquid stored, along with a percentage of system completion based upon the number of tanks in operation. Additionally, for existing serviceable tanks this should be enforced as part of a system upgrade or replacement. Specific budget requests will require a minimum of EDPA + 18 months for the funding to even be allocated. Once funding is allocated the design, bidding/purchase and construction can occur. [3]

RESPONSE 35: The Department recognizes the commenters' concerns regarding the addition of bulk liquid storage BMPs. This is a new requirement for Highway Agency permittees. Secondary containment for containers utilized in the normal course of storage, transfer, or use of bulk liquids is necessary for preventing leaks and spills from becoming illegal discharges to the MS4 system or directly to surface or ground water. Secondary containment is also required to hold leaks and leakage where they can be cleaned up and removed prior to their discharge into groundwater, or surface waters of the State.

Secondary containment for any existing bulk liquid material storage may include concrete blocks, so long as they are leak- proof, hold 110% of the capacity of the tank, and are on an impervious surface. Since the requirement for secondary containment is limited to new and existing above ground storage tanks containing bulk liquid materials (including but not limited to gasoline, diesel, fuel, heating oil, hydraulic oil, and used oil) and only new liquid deicing/anti-icing tanks, the Department determined that 12 months from EDPA is enough time to allocate funding for secondary containment for future installation of liquid de-icing/anti-icing tanks as well as adding secondary containment to existing non de-icing/anti-icing tanks.

No changes have been made to the final permit as a result of these comments.

36. COMMENT: Fueling and other Bulk Liquid Operations. It will be extremely difficult to assure a trained employee is available and present for bulk fluid deliveries. Limiting the delivery schedule and impacting critical safety services. Alternate methods need to be evaluated. [3]

RESPONSE 36: The Department acknowledges the commentors' concerns regarding the requirement for a trained employee to be present during bulk liquid deliveries. However, the requirement to provide Annual Employee Training to employees according to the employees' specific job duties has been required since the 2004 MS4 permits. This training is required to educate employees on how to perform their jobs in compliance with the permit requirements as they pertain to each permittee.

Stormwater contamination can occur from residual spillage from topping off fuel tanks, not being attentive during loading and unloading procedures, or improper cleanup after a spill occurs. The renewal permit shall continue to require permittees to establish, maintain, and implement standard BMPs for vehicle fueling; receipt of bulk fuel deliveries; and inspection and maintenance of storage tanks, including the associated piping and fuel pumps.

The Department also maintains that adequate training is essential for the success of the MS4 program and some form of employee training has been required since the 2004 Highway Agency permit. The requirement for a trained employee to be present during fuel or other bulk liquid transfers to ensure BMPs are followed is critical since the entity delivering the fuel or other bulk liquid is not trained in how to best prevent the potential discharge of pollutants to highway agency's MS4. The renewal permit provides the permittee with the flexibility to train multiple employees on proper bulk liquid transfer BMPs so that the same employee is not required to be present at every bulk

liquid transfer. The Annual Employee training for this specific job duty will ensure that the BMPs required by the permit will be properly implemented at the time of receipt of fuel or other bulk liquids.

Furthermore, the Department is developing a new Stormwater Program Coordinator training to train SPCs, so they are not only better familiar with the permit requirements, but also for SPCs to better inform or train other staff. SPCs will be required to attend this training EDPA + 12 months, and once per permit cycle thereafter. The Department will post recordings of previous trainings to the webpage (https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/highway-agency-stormwater-permit/) for permittees' continual use.

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

37. COMMENT: Inoperable Vehicles or Equipment: Acquisition of tents and drip pans would be subject to the County Purchasing regulations. Implementation at EDPA does not account for procuring (purchasing), delivery, or setup of such devices. The initial inspection should have a EDPA + 3 months implementation with the purchase and deployment of tents and/or drip pans implementation of EDPA + 9 months. [3]

RESPONSE 37: While many permittees store inoperable vehicles or equipment at their maintenance yards, management of these sources of stormwater pollution was not addressed in the 2020 Highway Agency permit. MS4 stormwater compliance audits confirmed that many permittees are storing vehicles and/or equipment in various states of disrepair in their maintenance yards. This permit renewal authorizes permittees to store inoperable vehicles or equipment, provided portable tents or covers are placed over and drip pans under any leaking vehicle or equipment, and use designated areas that must be located at least fifty (50) feet away from storm drains for the storage of inoperable vehicles or equipment.

The Department recognizes that permittees may need to store certain inoperable vehicles and equipment at maintenance and/or other ancillary yards, but permittees must ensure that the storage of these vehicles and other equipment is managed in a manner to prevent contaminants, as a result of the inoperable vehicles, from being transported via stormwater into the surface and ground waters.

Specifically, inoperable vehicles and equipment with intact bodies and exteriors capable of preventing the contact of stormwater with internal components and fluids capable of discharging pollutants and not leaking any fluids may be stored indefinitely. For those that have body damage, rust damage, missing body panels, or broken windows, such that the exterior is no longer impervious to precipitation must have portable tents or covers placed over those vehicles. If any inoperable vehicle is found to be leaking, drip pans must be utilized immediately, and that leak must be repaired or that fluid must be drained from the vehicle. For all inoperable vehicles and equipment in storage, the permittee must ensure that there is designated storage areas sited away from storm drain inlets, and monthly inspections are conducted for leaks and filled drip pans. These BMPs are designed to prevent stormwater exposure to potential pollutants generated by the vehicles while in storage. This change provides the permittees with a more economical usage of the end-of-life vehicles and equipment while still providing adequate environmental protection.

Compliance with this requirement would only entail the use of minimal and inexpensive equipment, such as tarps, tents and drips pans. The acquisition of this inexpensive equipment is only required when inoperable vehicles and equipment that have exposure of internal components, such as body damage, rust damage, missing body panels, or broken windows, such that the exterior is no longer impervious to precipitation. Since the discharge of vehicle fluids would be considered an illegal unpermitted discharge, permittees shall implement this requirement upon EDPA.

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

38. COMMENT: Inoperable Vehicles or Equipment: As NJDEP states "monthly inspections must be conducted to ensure that BMPs are implemented properly, including inspections for leaks, and filled drip pans;", EPA suggests also specifically requiring an on-site log sufficient to demonstrate compliance with this section, including but not limited to: - Name of inspector; - Date of inspection; - Date of most recent precipitation or snowmelt event; -

Relevant findings; - Conditions requiring attention; and - Remedial actions taken. The permittee should also note the location of this log in its SPPP. [4]

RESPONSE 38: The Department acknowledges EPA's concern for maintaining a log for inoperable vehicles or equipment. As per Part IV.F.4.b of the permit, the permittee shall inspect the entire site, including the site periphery, monthly (under both dry and wet conditions, when possible), and identify conditions that would contribute to stormwater contamination, illicit discharges, or negative impacts to the permittee's MS4. Leaking vehicles would fall under conditions that would contribute to stormwater contamination and should already be present in the inspection logs. Inspection logs are required to be kept with the SPPP and must be made available upon Department request according to Part IV.J of the permit.

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

**Permit Section IV.F.6. Annual Employee Training**

39. COMMENT: NJF supports requiring Stormwater Program Coordinators (SPC) to attend a Department-hosted SPC course. [2]

RESPONSE 39: The Department acknowledges the commenter's support for requiring Stormwater Program Coordinators (SPC) to attend a Department-hosted SPC course.

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

40. COMMENT: It is unreasonable to require the Highway Agency to require attendance and compensate vendors for their time spent in training. Services are provided by vendors to the Highway Agency under the direction of the Highway Agency. Salem County suggests a more feasible way to communicate the requirements of the Highway Agency's NJPDES permit to contracted vendors.
This requirement, as proposed, places an undue financial and staffing burden on the County. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP. [1]

RESPONSE 40: The Department disagrees that the extension of employee training to vendors will place an undue financial burden on permittees. Since the issuance of the 2004 Highway Agency permit, the Department has required the permittee to train ALL staff that conduct activities required by the Highway Agency permit, which should have included contractors or vendors if those job responsibilities were outsourced to vendors or contractors.

Employee, and by extension vendor, training is essential to meeting the requirements of the Highway Agency MS4 permit to the maximum extent practicable. This permit renewal retains the training requirements included in the 2020 Highway Agency permit, and clarifies some topics that were listed as biennial in the 2020 Highway Agency permit, but should have been covered annually during the SPPP training. Annual training also supports the annual reviews/updates that permittees are required to make to the SPPP and will ensure that the employees are trained on the most up-to-date stormwater program requirements and information.

The Department's position is that permittees should not incur any additional costs associated with training external contractors, consultants, and vendors as these individuals can be invited to the same in-person or virtual training sessions being held for Highway Agency employees. It should also be noted that employees, including external contractors and vendors, only need to be trained on the specific stormwater-related tasks they are performing and do not need to be present for all training topics. These training sessions should not need to take an extensive amount of time, and training for most tasks should be able to be completed in a few hours' time.

The Department maintains that it is important to train employees of external contractors, consultants, and vendors if they are conducting activities required by the permit in order to ensure that these individuals are conducting those activities consistent with the permittee's SPPP and the requirements of the permit. Over the years, the Department

has observed poor implementation of many permit requirements during audits and inspections by the Enforcement staff, and therefore maintains employee training as a crucial and necessary permit requirement.

Additionally, the Department would like to note that all services being provided by external contractors, consultants, or vendors need to be documented in writing in the SPPP and some may need to be recorded as shared services in accordance with Part IV.A.3. In the case of a shared or outsourced service, training requirements can and should be incorporated into the written agreement with that entity, before any work related to the permit requirements begins. That way, the permittee and those external contractors are all on the same page regarding how to perform activities in compliance with the Highway Agency MS4 permit.

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

41. COMMENT: NJF supports requiring review engineers to complete a Stormwater Management Design Review Course. [2]

RESPONSE 41: The Department acknowledges the commenter's support for requiring review engineers to complete a Stormwater Management Design Review Course.

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

42. COMMENT: NJF supports requiring review engineers to complete Stormwater Management Rule Amendment Training. [2]

RESPONSE 42: The Department acknowledges the commenter's support for requiring review engineers to complete Stormwater Management Rule Amendment Training.

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

**Permit Section IV.G.1. MS4 Infrastructure Map**

43. COMMENT: Facilitating Regional Watershed Planning:
NJF supports the Department's efforts to encourage highway agencies to satisfy permit conditions via cooperative agreements with local or regional governments and private or non-profit organizations. Specifically, with regard to the new Watershed Improvement Plan (WIP) requirements, permittees can reduce costs and time spent by coordinating efforts or sharing data with municipalities, which also must complete individual WIPs. Below are areas where the Department can better facilitate cooperation:

- Permittees are required to meet MS4 mapping minimum standards and share the completed data with the Department by EDPA + 36 months, outlined in Part IV.G.1.a.

  Expanding this requirement also to include sharing the mapping data with the Stormwater Program Coordinators of affected municipalities would assist local governments by eliminating any crossover with their own MS4 mapping requirements. [2]

RESPONSE 43: The Department acknowledges the commenter's support for the Department's efforts to encourage Highway Agencies to satisfy permit conditions via cooperative agreements with local or regional governments.

Part IV.H.1.b. of the renewal permit requires Highway Agencies to share their mapping data with affected municipalities. When requested by other MS4 permittees that discharge within the shared subwatershed(s), Highway Agency permittees are required to provide their MS4 interconnection locations and stormwater infrastructure

ownership information to these MS4 permittees. In addition, this information will be uploaded onto the Department's MS4 public mapping layer making it available for viewing by any other users.

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

44. COMMENT: Placing the responsibility of delineating the location of the stormwater features listed in Part IV.G.1 of the draft permit renewal that are owned or operated by the permittee, including their associated attributes noted in parentheses, is an unreasonable request that would require unnecessary staffing and resources. Should this information be necessary, on a case-by-case basis, the information can be obtained from a previously established database within the State of New Jersey such as NJ Geo Web, for example. [1]

45. COMMENT: Mapping of All MS4 infrastructure:
a. Stormwater conveyances need to be better defined.
b. Additional time should be provided to collect the requested data. The data requested will be significantly more complex to acquire than other MS4 components. Consider providing 5 years to complete the data acquisition with annual goals of 25% with the first 25% acquired within 24 months of the EDPA. [3]

RESPONSE 44-45: The Department understands the commenters' concerns about completing the enhanced infrastructure mapping. However, the previous stormwater infrastructure mapping will provide a good foundation for the addition of the new mapping requirements in this renewal permit.

Specifically, permittees should have already developed a map of their outfall pipes pursuant to the 2004 and 2009 Highway Agency permits, and then converted that mapping information, as well as any new outfalls, into an electronic Outfall Pipe Map and submitted that to the Department as of December 21, 2020, which was required by the 2020 Highway Agency permit. This map was required to show the location of the end of all MS4 outfall pipes (in tidal and non-tidal receiving waters) owned or operated by the permittee which discharge to a surface water body. The outfall pipe map was also required to include the location and name of all surface water bodies receiving discharges from those outfall pipes

Additionally, permittees should have also already completed a Stormwater Facilities Map and submitted it to the Department as of January 1st, 2023, which was also required by the 2020 Highway Agency permit. This map was required to include:

i. Storm drain inlets constructed after EDPA;
ii. Stormwater management basins;
iii. Subsurface infiltration/detention systems;
iv. Manufactured treatment devices (MTDs);
v. Green infrastructure;
vi. Property boundaries of the Highway Agency maintenance yard(s), ancillary operations, rest areas, and service areas as well as an annotated map of roadways and thoroughfares owned or operated by the permittee; and
vii. Include the type of each stormwater facility.

Since all permittees were required to complete these two requirements as of January 1, 2023, the MS4 Infrastructure Map requirement for this renewal permit should only require some additional attribute fields and potential rearrangement of existing data to be considered complete. Stormwater infrastructure that is now required to be collected by this renewal permit includes:

i. MS4 ground water discharge points;
ii. MS4 interconnections;
iii. Storm drain inlets (inlets constructed after 1/1/2020 were due to be mapped 1/1/2023);
iv. MS4 manholes;

v. MS4 conveyance; and
vi. MS4 pump stations.

As per the draft Highway Agency permit Fact Sheet issued on August 23, 2024, the Department asserts that enhanced stormwater infrastructure mapping is necessary to ensure and improve the proper operation and maintenance of the storm sewer systems throughout the State as permittees must be aware of the location of their storm sewer system components in order to conduct proper operation and maintenance, which is critical to the protection of public health, safety, and the environment.

Proper operation and maintenance of this infrastructure consequently improves the quality of the stormwater that is managed by that infrastructure, aiding in the goal of improving water quality. Proper maintenance of stormwater infrastructure also ensures that that infrastructure will operate as designed during storm events to alleviate localized flooding due to stormwater runoff. For example, performing street sweeping removes material containing pollutants from the road surfaces that can cause water quality impairments and prevents that same material from clogging inlets, catch basins and conveyance pipes which can cause localized flooding and public safety concerns.

Further, knowing the location of storm sewer system components is also necessary when implementing a stream scouring and illicit discharge detection and elimination program in order to be able to identify likely sources causing scouring and illicit discharges.

The Department will continue to make available a free to use mapping application and ArcGIS Online licenses as well as one-on-one direct technical assistance, and guidance and training for using the application in order to ease the potential cost burden of the mapping requirement. This training is offered either in person or virtually, upon request of the permittee, to assist with the mapping of the permittees' stormwater infrastructure.

No changes have been made to the final permit as a result of these comments.

46. COMMENT: The fact sheet includes additional details such as the original due date for each map element (page 43 of 54). For example, the fact sheet states: "a summary of the proposed mapping requirements is as follows (note that the required attributes are in parentheses and the new stormwater infrastructure elements to be mapped are included in **bold text**):

> • MS4 outfalls (receiving surface water name, type of outfall) (receiving surface water name, type of outfall – EPA notes this is a duplicate statement) (was due 1/1/2021 and electronically by 12/21/2020);
> • **MS4 ground water discharge points (type);**
> • **MS4 interconnections (type, upstream entity, downstream entity)**;
> • Storm drain inlets (type, catch basin present, label present, retrofitted) (inlets constructed after 1/1/2020 were due to be mapped 1/1/2023);
> • **MS4 manholes;**
> • **MS4 conveyance (type, direction of flow);**
> • **MS4 pump stations;**
> • Stormwater management measures (type) (manufactured treatment devices (MTDs), green infrastructure, stormwater management basins and infiltration/detention systems were due 1/1/2023); • Streets, ramps, parking areas, and thoroughfares (was due 1/1/2023); and • Property boundaries of rest area(s), maintenance yard(s) and other ancillary operations (type) (was due 1/1/2023)."

EPA suggests NJDEP include the additional detail (e.g., original due dates for each required element and emphasis of new map requirements in bold text) in the permit itself so the new requirements are clear to the public and the permittee. [4]

RESPONSE 46: The Department does not include requirement deadlines from previous permits in subsequent permit renewal language. The permittee can refer to the Highway Agency permit's Fact Sheet which will remain posted on the Department's webpage with the draft permit for information about requirements and due dates in

previous iterations of the Highway Agency permit. The Department will also develop a deliverables timeline that will reference prior mapping requirements.

No changes have been made to the final permit as a result of these comments.

**Permit Section IV.H.1. General Watershed Improvement Plan Requirements**

47. COMMENT: Placing the burden on a Highway Agency of all the above outlined requirements to implement a Watershed Improvement Plan is unacceptable. Salem County's Highway Agency provides an array of public works activities, with limited staff, to the community outside of all reporting and requirements set forth in the NJPDES Permit. It is Salem County's position that other established government agencies currently have knowledge, skill and resources available to meet these goals. [1]

48. COMMENT: Watershed Improvement Plan: Development and implementation of the described plan represent a complex and demanding task for a County Government. Of particular concern should be:

a. Available staff time, staff expertise, available date, available software programs, the sheer enormity of the data sets being requested, the related data being requested and understanding most government agencies already operate with significant work backlogs, this seems like a very complex, difficult and long-range planning task for the local government to undertake.
b. MS4s are rarely the originator of the impairment source. MS4s collect and covey stormwater runoff from numerous private properties. More focus should be directed to controlling the non-point issues resulting in the creation of the impairment. These are monumental issues that should not be pushed to the local governments to manage. The county road surface is almost negligible in comparison to the actual non-point contributors.
c. Land Use and control is a function of the local municipal governments. Development and success of a WIP will be dependent upon close collaboration between all levels of government. It is not practical to accomplish this using the current levels of staffing at Sussex County.
d. Similar plan development efforts at any government level have required years of time and significant investment of both professional and financial resources. As such, if this is to remain a component of the permit the phase implementation schedules should be significantly extended.
e. Identification and implementation of phase two should be expected to require significant project scoping efforts and is not reasonable to accomplish under such a limited schedule. Plans could be developed on a case-by-case basis with a priority of locations established as part of Phase 1. When considering local government operating constraints, it is completely reasonable to anticipate planning, scoping, design and implementation of these plans will require significantly longer implementation schedules.
f. It will be impossible for existing staffing resources to absorb this task. Expansion of staff and retaining professional consultants will be required to complete this goal. Additionally, even beginning the process will be subject inclusion in a new annual budget request seeking Commissioner Approval to hiring new staff, retaining consultants, and advancing the plan development process. [3]

RESPONSE 47-48: The Department acknowledges the commentors' concerns and challenges presented regarding the development and implementation of a Watershed Improvement Plan (WIP). However, all dischargers to the waters of the State, including MS4s, have a mutual obligation to control those discharges so they do not cause or contribute to water quality impairments. Further, the Department disagrees that county road surface is negligible in comparison to non-point contributors. Highway agencies own or operate vast areas of impervious surfaces and are among the largest overall contributors of stormwater related pollution in the State. It would not be appropriate for the Department to attempt to pass the responsibility to reduce pollution from highway agencies onto other

established government agencies, though the highway agency would be free to enlist those agencies as partners in developing their WIP. As noted in the Fact Sheet, the Department determined that a more specific permit requirement than the related 2020 permit requirement, such as requiring each Highway Agency permittees to develop, or take part in a regional WIP, was necessary to obtain pollutant reductions from stormwater discharges. The 2020 Highway Agency permit required permittees to evaluate the TMDLs that had been developed for their waters and develop strategies to address their discharges of stormwater related pollutants. The 2020 permit required:

i. "The permittee shall annually review approved or adopted TMDL reports to identify stormwater related pollutants listed therein and associated with any segment of surface water wholly or partially within or bordering all: maintenance yards; rest areas; service area properties; and new "major development" projects as defined by the permittee's stormwater program.
ii. The permittee shall use this TMDL information to, at a minimum (1) Assist in the selection and design of stormwater BMPs for "major development" projects, and the prioritization of stormwater facility maintenance, including schedules for repairs required at Part IV.B.6.b.vi. (Stream Scouring) and IV.C.3. (Stormwater Facilities Maintenance); and (2) Identify and develop strategies to address specific sources of stormwater related pollutants contributing to discharges authorized under this permit. Strategies may include but are not limited to those found in the implementation section of approved or adopted TMDL reports (for examples see "Total Maximum Daily Load (TMDL) Guidance" found at https://dep.nj.gov/wp-content/uploads/njpdes-stormwater/stormwater_tmdl-tool-box.pdf (note that this link has been updated from the 2020 permit)).
iii. The permittee shall annually update its SPPP to list information identified in i. above.
iv. The permittee shall incorporate any strategies identified in i. above as an Optional Measure. See Part IV.E (Optional Measures), and Part IV.A.2.c (SPPP).
v. The permittee shall meet the minimum standards of this permit, and the measurable goals (including any recordkeeping) and implementation schedules for Total Maximum Daily Load (TMDL) Information specified in Attachment A (Measurable Goals and Implementation Schedule)."

Since 2020, the Department conducted numerous compliance assistance audits, and most permittees did not include any information about their TMDLs in their SPPPs. Furthermore, they did not explain in their SPPPs how they would prioritize maintenance and repairs in those areas, nor provide any strategies developed to improve water quality in TMDL affected waters. While the requirement in the 2020 permit could have led to some water quality improvements in the TMDL associated waters, if implemented, this permit requirement did not address the surface water quality impairments, include a specific timeframe for implementation, or provide for improvements to achieve compliance with the wasteload allocations specified in the TMDLs. It should also be noted that each permittee is only responsible for addressing the contribution of the pollutant(s) causing the surface water quality impairment(s) that are discharged from their MS4, and each permittee's WIP would therefore be tailored to the unique circumstances of that Highway Agency and their respective subwatersheds. The Department does not have the information, resources, or authority to make those decisions for the permittee. Similar to the requirement in the 2020 Highway Agency permit, permittees are required to update their WIPs when necessary, based upon the biennial (every 2 years) review of the revisions to the impairments of the permittee's waterbodies as per the Department's Integrated Report and newly adopted TMDLs.

Based on current information including, but not limited to, surface water quality impairments, TMDLs, Harmful Algal Blooms (HABs), upgrades to the surface water quality classifications, and flooding due to storm events including Hurricane Ida, the Department determined additional measures, including the development of a WIP, were necessary to address these concerns. Specifically, Part IV.H.1.a. requires that permittees improve water quality by reducing the contribution of pollutant parameters for all receiving waters within and bordering the Highway Agency that have impairments and that have percent reductions listed for stormwater in the Total Maximum Daily Loads. Each discharger, including each MS4 discharger, is responsible to reduce their loading contribution of the applicable

parameter to meet the waste load allocations (WLAs) set forth in these final Total Maximum Daily Load (TMDL) documents as percent reductions. The goal in instituting a WIP is to make reasonable progress towards restoring water quality in the impaired waters of the State, including those waters with adopted/approved TMDLs. Many of the surface waters subject to TMDLs and impairments do not have point source discharges outside of the contributions from MS4 systems.

The correct completion of these tasks will take time; therefore, the Department maintains that the timeframes allotted in this renewal permit are appropriate due to the amount of information that must first be developed, then evaluated for potential BMPs to be implemented at all permittee owned or operated maintenance/ancillary yards and rest areas appropriate for the pollutant(s) and area. This information then is required to be coordinated with other stakeholders, including the other MS4s discharging to the same subwatersheds, and the public. The Department would also like to note that permittees will be required to discuss their WIP progress within their annual reports and their SPPP.

As a continual effort to prepare guidance and assistance to our permittees, the Department has created a WIP Guidance Webpage that may be accessed at https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/watershed-improvement-plan-resource-page/. This webpage hosts the most updated guidance and tools that the Department has prepared for the creation and implementation of permittees' WIPs. Additionally, the webpage hosts the Department's newest free web-based application, titled New Jersey Watershed Evaluation Tool (NJ-WET). This easy-to-use tool aggregates all of the most updated public data related to stormwater hosted by the Department in an interactive map that allows users to view permittee specific data, create PDF maps, and extract permittee specific data. The following public data layers hosted by the Department are available through NJ-WET: TMDLs, HUC 14s, Water Quality Impairments, Surface Water Quality Classifications, Overburdened Communities, and Impervious Areas. Templates for each phase will be added to the website as they become available. Once the Highway Agency WIP templates are completed, the Department will email the permittees' SPCs and post them on the website. The Department will also offer a 30-day informal comment period for permittees and other stakeholders to review the WIP template and provide suggested changes, etc. Permittees will also be notified via email when the final version of the template is posted online.

Training on the WIP will also be part of the required SPC Training. The recordings of the training sessions will be made available on the webpage for continual use after the training sessions. In addition to the webpage and the required SPC training, the Department has also created an optional Technical Assistance training for permittees who wish to learn more about the MS4 Infrastructure Map and Watershed Inventory Report requirements, including a demonstration of NJ-WET that will also be posted to the webpage.

The Department would like to remind permittees that they can decrease some of the resource burdens by utilizing shared service agreements with other MS4 permittees, including municipalities, counties, and the State, to satisfy some permit requirements. Counties also have the opportunity to form or be part of a larger stormwater utility, which would be an alternate funding mechanism to use to satisfy permit requirements.

As noted above, each discharger, including each MS4 discharger, is ultimately responsible to reduce their loading contribution of the applicable parameter(s) to meet the waste load allocations (WLAs) set forth in the final Total Maximum Daily Load (TMDL) documents as percent reductions. The Department's guidance to permittees for impaired waters, where no TMDL has been established, will explain how permittees can make informed decisions based on the potential source(s) of the pollutant(s), and available technology, while complying with the CWA requirement noted above.

Finally, the Department is continually looking to provide financial assistance to its permittees to aid in permit compliance. The Department is currently finalizing a funding program to aid county MS4s in developing their stormwater infrastructure maps, as well as investigating other potential programs to provide additional resources.

No changes have been made to the final permit as a result of these comments.

49. COMMENT: Facilitating Regional Watershed Planning:

In Part IV.H, Phases 2 and 3 of the WIP require permittees to conduct public information sessions to report on the Watershed Assessment Reports and the WIP Final Reports, respectively, for each of the permittee's permitted regions. The Department should encourage permittees to coordinate these public information sessions with local governments that are required to schedule similar sessions for their municipal-based WIPs. [2]

RESPONSE 49: Although the Department encourages coordination in many aspects of the WIP process between MS4s within the same watersheds, the public information sessions are not feasible to coordinate across certain MS4 permit sectors. Since the Highway Agency permit is being renewed two years after the Tier A permit was renewed, it is not possible to align these permits' WIP schedules on a task-by-task basis. If the Department required Highway Agencies to coordinate their public information sessions with local governments' sessions, that would only give Highway Agencies one year to conduct their Phase 1 mapping and inventory tasks.

When the Public Complex permit was renewed one year after the Tier A permit renewal, the Department did compress the schedule for Public Complex permittees because their smaller footprints require less work in Phase 1 than Tier A permittees, but Highway Agencies extend across multiple areas so they could not be expected to complete their mapping and inventory tasks on a compressed schedule. However, Highway Agencies that have reached Phases 2 and 3 may choose to coordinate their public outreach sessions with any Tier A municipalities' sessions that may be occurring during the same time frame.

Part IV.H.1. of the renewal permit requires Highway Agency permittees to share their MS4 mapping data with other MS4 permittees within their shared subwatershed(s); Part IV.H.2. requires mapping of all known stormwater interconnections between the permittee's storm or sanitary sewer system and other entities' storm or sanitary sewer systems; Part IV.H.3. requires permittees to conduct public information session(s) in each of their permitted regions; and Part IV.H.4. requires a summary of any collaboration with other MS4 permittees.

While each MS4 permittee, including each Highway Agency MS4 permittee, is individually responsible for complying with the requirement to develop a WIP, the Department requires the permittee to solicit input from other stakeholders, including other MS4 permittees discharging to the same subwatersheds. While the Department is not requiring MS4 permittees to create regional WIPs, it would support that effort as noted below and also encourages permittees to work together in developing more regionalized WIPs, especially where a regional approach would be more effective at meeting the surface water quality standards or would result in accelerated water quality improvements. Regionalized WIPs will be accepted as compliant with this requirement, as long as each permittee's responsibilities under the regional WIP are clearly outlined and agreed upon by the group of permittees covered by the regional WIP. Also, while establishing a regional stormwater management plan pursuant to N.J.A.C. 7:8-3 would likely meet most, if not all, of the WIP requirements, the creation of a regional stormwater management plan pursuant to N.J.A.C. 7:8-3 is not specifically required under this permit.

Further, the Department will prioritize regional WIPs in terms of Department assistance, funding opportunities, and review and approval.

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

50. COMMENT: Facilitating Regional Watershed Planning:
The Department should provide guidance to improve coordination with local and regional stormwater management plans and WIPs to ensure plans are consistent and address climate-related hazards. [2]

RESPONSE 50: Permittees are encouraged to explore the idea of working together to establish and implement a regional WIP. The Department posted draft guidance for the WIP, as well as a WIP template, to assist Tier A and Public Complex permittees with understanding the information that will need to be included in the WIPs for an informal 30-day comment period beginning on October 30, 2024. This comment period was established to allow those permittees and other stakeholders to review the template and provide suggested changes, etc. The Department's review and potential changes will be directed at ensuring the provided WIPs meet the requirements of those permits. The Department will also follow this same process regarding the Highway Agency WIP template and guidance, and once the Highway Agency WIP template is finalized, the Department will email the Highway Agency

permittees' SPCs, post this template on its website at https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/watershed-improvement-plan-resource-page/.

The Department is also providing guidance through the Stormwater Program Coordinator (SPC) Training. Each permittee also has a stormwater program case manager assigned by county in the MS4 permitting group https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/ms4-case-manager-list/ to provide one-on-one assistance with any issues permittees may have with implementation of the program.

The Department is also willing to meet with permittees and facilitate conversations regarding regional collaboration on WIPs to address local and regional stormwater concerns.

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

51. COMMENT: Strengthening Watershed Improvement Plan Requirements:
NJF supports the new requirement for highway agencies to develop a Watershed Improvement Plan. Adding "Areas where the Highway Agency owned or operated property intersects with Overburdened Communities" to the Watershed Inventory Report mapping requirements would ensure a more holistic understanding of the permittee's effects on its constituency. [2]

RESPONSE 51: The Department acknowledges the commenter's support for the new requirement for Highway Agencies to develop a Watershed Improvement Plan.

A portion of the required mapping data is available through the Department's Open Data site and the Department has also created the New Jersey Watershed Evaluation Tool (NJ-WET). NJ-WET is a web-based application displaying all NJDEP stormwater related data required to be included in the WIP in one place. This interactive tool allows users to view and download data that intersects with each municipality, including but not limited to: TMDLs, HUC14s, Water Quality Impairments Related to Stormwater, Surface Water Quality Classifications, MS4 Infrastructure, Overburdened Communities, and Impervious Surfaces.

Since Tier A MS4 permittees are required to include Overburdened Communities data pertinent to their municipalities in the preparation of their Watershed Inventory Reports, the Department does not believe that this requirement needed to be duplicated in the Highway Agency permit.

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

52. COMMENT: Strengthening Watershed Improvement Plan Requirements:
The Department should require an expedited timeline for the development of the WIP since permittees were previously required to fulfill certain mapping requirements associated with the Watershed Inventory Report, such as mapping all stormwater facilities and outfalls. Recommended timeline:

- Prepare the Watershed Inventory Report on or before EDPA + 24 months;
- Prepare the Watershed Assessment Report on or before EDPA + 36 months; and
- Prepare the Watershed Improvement Plan Final Report on or before EDPA + 48 months. [2]

RESPONSE 52: While the Department acknowledges that some permittees may have the resources available to complete some tasks sooner than others, it must be recognized that this is a general permit, ultimately applicable to 33 Highway Agencies with diverse resources, obstacles and needs. Phases 2 and 3 of the WIP build on the previous phase(s), with the first being the mapping of the stormwater system paired with identifying the water quality concerns related to the specified areas of each Highway Agency's stormwater system. Permittees are required to solicit input from stakeholders, including residents, business owners, owners of private stormwater facilities, MS4 municipalities and other dischargers to the subwatershed(s) to be involved in the WIP development process, and begin conducting semi-annual public information sessions on or before EDPA +36 months. The permittees will also need to include information regarding their WIP in their SPPPs, and the status of compliance with the WIP when

they submit their Annual Reports. Completing all aspects of the new mapping requirements, developing proposed water quality improvement projects and providing for a robust public involvement process will likely not be quick nor simple to complete for most permittees, which is why the Department has allotted 3 years for completion of this first phase of the WIP (as was allotted to Tier A municipalities), with the next 2 phases of the WIP due in the subsequent 2 years.

The Department maintains that the due dates in this general permit have been established to obtain the required water quality improvements from the Highway Agencies as quickly as practicable.

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

# State of New Jersey

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Watershed Protection and Restoration
Bureau of NJPDES Stormwater Permitting
P.O. Box 420 – 501 E. State St., 1st Flr
Trenton, NJ 08625-0420
Tel: (609) 633-7021
Mail Code - 501-02A

SHAWN M. LATOURETTE
Commissioner

November 27, 2024

Re: R12 - MS4 - Highway Agency Stormwater (GP)
NJPDES: NJ0141887 PI ID #: 50577
NJPDES MASTER GENERAL PERMIT PROGRAM INTEREST
501 East State Street
Trenton City, Mercer

Dear Interested Party,

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

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

The Department has initiated the following administrative changes:

- Modification to Part IV.B. Definitions to correct database formatting issue.
- Corrected permit reference citation at Part IV.E.1.h.
- Corrected permit reference citation at Part IV.E.1.i.
- Corrected permit reference citation at Part IV.F.9.a.

The final Highway Agency MS4 NJPDES permit and supporting documents are also posted at https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/highway-agency-stormwater-permit/. Questions or comments regarding the final action should be addressed to Dan Kuti at Daniel.Kuti@dep.nj.gov.

Sincerely,

Gabriel Mahon

Gabriel Mahon, Bureau Chief
Bureau of NJPDES Stormwater Permitting

Enclosures
c: Permit Distribution List

# 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: NJ0141887**

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

**Permittee:**
NJPDES Master General Permit
Program Interest Group R12
501 East State Street
Trenton, NJ 08625

**Co-Permittee:**

**Property Owner:**
NJPDES Master General Permit
Program Interest Group R12
501 East State Street
Trenton, NJ 08625

**Location Of Activity:**
NJPDES Master General Permit
Program Interest Group R12
501 East State Street
Trenton, NJ 08625

| Authorization(s) Covered Under This Approval | Issuance Date | Effective Date | Expiration Date |
|---|---|---|---|
| R12 - MS4 - Highway Agency Stormwater (GP) | 12/01/2024 | 01/01/2025 | 12/31/2029 |

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

**Gabriel Mahon, Bureau Chief**
**Bureau of NJPDES Stormwater Permitting**

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

RESPONSE TO COMMENTS

Comments were received on the draft NJPDES Master General Permit No. NJ0141887 issued on August 23, 2024. The 30-day public comment period began on August 22, 2024, when the Public Notice was published in the Atlantic City Press. The Public Notice was also published in the Star Ledger, and The Times on August 21, 2024. The public comment period ended on September 24, 2024, at the close of the Public Hearing on the draft permit. The following person[s] commented on the draft permit:

1. Jolyn Mitchell, CPWM, Assistant Superintendent of Public Works, Salem County, in a letter dated September 23, 2024.
2. Chris Sotiro, Policy and Program Coordinator, New Jersey Future, in a letter dated September 24, 2024.
3. Bill Koppenaal, P.E., Administrator, Department of Engineering & Planning, Sussex County in a letter dated September 24, 2024.
4. Environmental Protection Agency in a letter dated September 30, 2024.

**General Comments**

1. COMMENT: The NJDEP may not fully understand or be aware of the challenges faced by local and county government agencies in the ongoing demands placed on these entities as it pertains to the day-to-day operations of a transportation system.

The Highway Agency General Permit encompasses but one of the many requirements borne by these local and county government entities. Locally, these agencies face ever more complex and difficult rules, regulations and requirements which are assigned to a very limited contingent of staffing professionals and public workers. It becomes unattainable when these rules and regulations continue to expand and increase the burden of compliance expectations on the limited resources of the local agencies. Local agencies facing a myriad of competing needs and demands always find themselves in a position of prioritizing the allocation of very limited resources toward both regulatory and highway safety demands.

Compounding this difficulty are a variety of factors which serve to hinder the expansion of work production to meet the expanding needs and expectations. While the Permit goals & objectives may be beneficial it appears lost that the local agencies tasked with meeting these regulatory requirements are faced with significant hardships when working to meet these expectations. Continued expansion of permit requirements represents a significant burden to the agency and local citizens.

Resources should be made available at the state level to assist local agencies with the implementation of these permits and expansion of the basic requirements stipulated therein. Resource needs include both professional subject matter experts, professionals to augment development of permit programs, and funding to implement programs. [3]

RESPONSE 1: The Department acknowledges the commentor's concerns and need for resources to comply with the requirements in this renewal permit and has developed many resources to assist MS4 permittees with meeting the requirements of the permit, as explained further below.

However, as explained on page 48 of the draft permit fact sheet, most of the surface waters in the State are impaired for at least one pollutant and the existence of the impairments places the need to improve water quality on the existing dischargers to those waters. In many of the waters there are no other discharges into these waters other than municipal stormwater. In addition, many areas of the State experience stormwater related flooding which can be alleviated through the implementation of proactive stormwater facilities' maintenance programs. Requirements to address water quality impairments and to perform stormwater facility maintenance are not new and have been included in previous MS4 permits, including the Highway Agency Permit.

In order to assist permittees with various aspects of permit compliance, the Department has developed a variety of resources for MS4 permittees (as noted below), and will continue to develop new resources according to need and as Departmental resources are available. Specifically, the Department currently provides the following resources:

- The free-of-charge 12-hour Stormwater Management Design Reviewer Course (SWMDR) for stormwater management design reviewers twice per year,
- Stormwater rule amendment training (when needed) to address amendments to the Stormwater Management rules, within one year of the effective date of any rule amendments,
- Multiple employee and municipal board and governing body members training videos,
- Stormwater Program Coordinator (SPC) training,
- SPC Technical Training for assistance meeting the MS4 Infrastructure Map and Watershed Improvement Plan (WIP) requirements.
- A free to use mapping application, templates, available one-on-one direct technical assistance, and guidance and training for using the available tools. This training is offered either in person or virtually, upon request of the permittee, to assist with the mapping of the permittees' stormwater infrastructure.
- Direct technical assistance for the dedicated stormwater webpage development. See https://www.nj.gov/dep/dwq/msrp_outreach_material.htm for examples and contact information.
- A wide range of guidance manuals, model regulatory mechanisms, forms and template materials which are available at https://www.state.nj.us/dep/dwq/msrp_home.htm.

The Department is also preparing updates to the Highway Agency guidance documents, forms, and templates, etc. which will be available following the renewal of this permit. Once these documents are completed, the Department will email the permittees' SPCs and post them on its website at https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/highway-agency-stormwater-permit/.

As a continual effort to prepare guidance and assistance to our permittees, the Department has created a WIP Guidance Webpage that may be accessed at https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/watershed-improvement-plan-resource-page/. This webpage hosts the most updated guidance and tools that the Department has prepared for the creation and implementation of

permittees' WIPs. Additionally, the webpage hosts the Department's newest free web-based application, titled New Jersey Watershed Evaluation Tool (NJ-WET). This easy-to-use tool aggregates all of the most updated public stormwater data and other data required to be included in the permittee's WIP. The tool is hosted by the Department as an interactive map that allows users to view permittee specific data, create PDF maps, and extract permittee specific data. The following data layers are available through NJ-WET: TMDLs, HUC 14s, Water Quality Impairments, Surface Water Quality Classifications, and Impervious Areas. Templates for each phase of the WIP will be added to the website as they are developed. Once the WIP templates are completed, the Department will email the permittees' SPCs and post them on the website. The Department will also offer a 30-day informal comment period for permittees and other stakeholders to review the WIP template for Highway Agencies and provide suggested changes, etc. Permittees will also be notified via email when the final version of the template is posted online. While the Department will offer a specific 30-day informal comment period for the WIP template, informal comments or suggestions for improvements are always welcomed and may be emailed to StormwaterManager@dep.nj.com.

The Department is continually looking to provide financial assistance to its permittees to aid in permit compliance. The Department is currently finalizing a funding program to aid county MS4s in developing their stormwater infrastructure maps. Counties also have the ability to establish a regional stormwater utility that would generate money from fees to be used for implementing their stormwater program. Permittees also have the ability to access low to zero interest loans to implement stormwater management projects through the NJ Water Bank.

The Department encourages neighboring Highway Agencies to work together with neighboring municipalities, other Highway Agencies, and/or Public Complexes to develop more regional approaches to improving stormwater quality and reducing stormwater-related flooding as these approaches can include shared services among two or more permittees to reduce each individual permittee's cost burdens in complying with permit requirements.

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

2. COMMENT: Ensuring the Implementation of Green Infrastructure
New Jersey Future (NJF) regards green infrastructure as an integral stormwater management practice that achieves co-benefits for the economy, society, and climate mitigation. The Department should prioritize nature-based solutions to stormwater runoff, like green infrastructure. We recommend NJDEP to encourage green infrastructure and the maintenance of these projects throughout the permit. NJDEP should:

- Require coordination with local and county Complete and Green Streets policies and ordinances. Development and redevelopment projects should take every opportunity to incorporate green streets elements to manage stormwater, such as permeable pavement, tree pits, and bioswales where applicable.
- Require collaboration on Complete and Green Streets projects with relevant local entities, such as municipalities, counties, and state agencies. Redevelopment and capital improvement projects should seek to coordinate efforts with *Working for Smarter Growth...More Livable Places and Open Spaces* overlapping infrastructure upgrades, such as lead service line removals, to save both time and money for all parties involved.
- Require permittees to address approved Total Maximum Daily Loads (TMDLs) through green infrastructure and prioritize maintenance and repairs in those areas.

- The New Jersey Department of Transportation's (NJDOT) current Complete Streets policy has not been updated since 2009 and does not include green infrastructure requirements. The policy should be updated by incorporating language from the 2019 Complete and Green Streets Model Policy. [2]

RESPONSE 2: The Department agrees that green infrastructure is an integral stormwater best management practice that achieves co-benefits for the economy, society, and climate mitigation. Accordingly, the Department included a requirement in amendments to the Stormwater Management rules at N.J.A.C. 7:8 which were adopted in March of 2020 that new major development and redevelopment must implement green infrastructure best management practices, unless a waiver is granted in accordance with the rules.

However, requiring permittees to coordinate with local and county Complete and Green Streets policies and ordinances, and requiring permittees to collaborate on Complete and Green Streets projects with local municipalities, counties, and state agencies, is beyond the scope of this permit renewal. In addition, requesting that the New Jersey Department of Transportation (NJDOT) update its current Complete Streets policy is also beyond the scope of this permit renewal action.

Requiring permittees to address approved TMDLs through green infrastructure and to prioritize maintenance and repairs in those areas for over 600 TMDLs, which are covered in 50 TMDL documents for pollutants which include pathogens, total phosphorus, mercury, PCBs, and various other pollutants is not always possible or advisable. There may also be numerous other more cost effective strategies, including source reduction and other types of structural BMPs, for reducing pollutant loading. While green infrastructure BMPs may be a viable option, the Stormwater Management rules as noted above specifically only require green infrastructure BMPs for new major development and redevelopment.

Additionally, the Watershed Improvement Plan (WIP) is a new requirement in this permit renewal, included as Part IV.H. of the permit, and the goal in instituting a WIP is to make reasonable progress towards restoring water quality in the impaired waters of the state, including those waters with adopted/approved TMDLs. In the first phase of the WIP, the permittee shall summarize and include the area associated with each TMDL, and water quality impairment, for waters that lie within or bordering the Highway Agency owned or operated property, including roadways, access roads, ramps, rest areas, maintenance yards, and all other ancillary operations.

The second phase of the WIP must include an assessment of potential water quality and quantity improvement BMPs to be implemented at all permittee owned or operated maintenance yards, ancillary operations, and rest areas by subwatershed and parameter and an estimate of the percent reduction in loading of the TMDL/impaired parameters and stormwater runoff quantity due to those BMPs.

The third phase of the WIP shall include a summary of proposed locations and load reductions of water quality and quantity improvement BMPs to be implemented at permittee owned or operated maintenance yards, ancillary operations, and rest areas.

It is important to note that permittees are only required to complete an assessment of percent reduction in loading, funding needs, and implementation schedules for potential BMPs to be implemented at permittee owned or operated maintenance yards, ancillary operations, and rest areas due to the large number of roadways, access road, and ramp miles typically owned or operated by Highway Agency permittees. The

impacts from stormwater generated from roadways, access roads, and ramps owned or operated by the permittee are to be addressed during all future capital improvement projects, which may trigger the green infrastructure BMP requirement in the aforementioned Stormwater Management rules at N.J.A.C. 7:8. In order to assist permittees with choosing appropriate BMPs for future capital improvement projects that properly address the TMDLs/impairments in the permittee's corresponding HUC14s, a summary, or library, of those BMPs are to be included in the permittees' WIPs. The Department has created a stormwater project matrix to assist permittees with selecting the appropriate BMPs. The project matrix and a project summary can be found on the Department's website https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/watershed-improvement-plan-resource-page/.

Finally, as for prioritizing maintenance and repairs of green infrastructure projects, Part IV.F.3.a. of the permit requires the permittee to develop, update, and implement a program to ensure adequate long-term cleaning, operation, and maintenance of all stormwater facilities owned or operated by the permittee to restrict pollutants from entering the waters of the State, to eliminate recurring problems, and maintain proper function. Green infrastructure is a category of "stormwater facility" and is adequately covered under Stormwater Facility Inspection, Cleaning, and Maintenance in Part IV.F.3.h. of the permit.

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

3. COMMENT: Step Up Permit Enforcement
While not explicitly outlined in the permit, NJDEP will need to be proactive and consistent in its enforcement of permittees to ensure compliance. In the Draft Permit's Fact Sheet, it is noted that most permittees during the last cycle did not include their TMDLs in their Stormwater Pollution Prevention Plan (SPPP) despite the requirement to do so in the 2020 permit. To ensure full compliance with the permit, NJF advises NJDEP to increase the staff capacity of the compliance and enforcement unit in Water Resource Management. Compliance audits should include an initial education and support component where highway agencies that are found to be lacking are then required to complete hands-on training that would help them come into compliance. [2]

RESPONSE 3: The Department acknowledges the commenter's concerns regarding enforcement of permit requirements and the need for effective training for permittees and their employees, however, staff capacity and compliance and enforcement activities are outside the scope of this permit renewal.

The renewal permit now requires the Stormwater Program Coordinators (SPCs) of Highway Agencies to complete the mandatory SPC Training, which is offered at least twice per year at no cost to attendees. An entire segment of this training is devoted to the requirements of the Watershed Improvement Plan (WIP) and provides links to online resources.

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

4. COMMENT: It appears many of the sections have expanded and have defined repair requirements. Target timeframes could be identified but should not be established as set standards. The County should be able to develop and control the best management of transportation structure maintenance including

prioritization in consideration of available resources, complexity of projects, right-of-way, permitting needs, materials, engineering and competing needs. [3]

RESPONSE 4: The Department acknowledges the commentors concerns about defined repair requirements and associated repair schedules in the renewal permit. The Department recognizes that repair schedules may vary depending on the complexity and cost of the project and acknowledges that often, the necessary repairs may not be able to be completed within the timeframes required by the permit. Part IV.F.2.n. (Roadside Erosion Control) and Part IV.F.3. (Inspection and Maintenance of Stormwater Facilities Owned or Operated by the Permittee) require 90-day and 30-day repair schedules respectively.

As discussed in the 2023 Tier A MS4 permit renewal, all MS4 permittees have been required to certify annually in the Annual Reports that all their stormwater facilities were functioning properly. However, through enforcement inspections, compliance assistance audit and numerous complaints, the Department has discovered that the cleaning, maintenance and repairs that are necessary for stormwater facilities to operate properly as designed has been noticeably lacking. The lack of cleaning, maintenance and repairs of stormwater facilities ultimately leads to increased flooding causing public safety issues, as well as the discharge of pollutants to waterbodies of the State.

The Department maintains that ensuring proper maintenance is not a new requirement and the enhanced requirement to perform repairs within certain timeframes is a progression of the requirement to ensure proper operation and maintenance, with the added language in compliance with the Federal NPDES MS4 rules at 40 CFR 122.34(a) which state that MS4 permit conditions be expressed in "clear, specific and measurable terms" which EPA has also commented on in various previous draft MS4 General Permits. The Department also maintains that this requirement is consistent with the intent of the federal MS4 program's pollution prevention requirements at 40 CFR Part 122.34(b)(6). Additionally, since the adoption of the 2023 Tier A permit, no permittee has requested an alternative timeframe to complete necessary repairs. Therefore, the Department has no reason to believe that these proposed timeframes cannot be met for the most common level of repairs.

Further, in recognition that some repairs may be more complicated and require additional time, it should also be noted that the Department included a provision in the renewal permit for permittees to request extensions of the original time frames. As such, the Department maintains that the standard timeframes allotted in the renewal permit are sufficient and provide flexibility to the permittee should repairs not be feasible within the indicated timeframe.

No changes have been made to the final permit as a result of these comments.

5. COMMENT: EPA suggests NJDEP includes page numbering consistent with previous finalized permits (i.e., Page XX of YY) for the public's and permittee's ease of reference. [4]

RESPONSE 5:
The Department understands EPA's concerns regarding ease of reference within the permit.

**The Department has added page numbers consistent with previous finalized permits in the final version of the permit.**

**Permit Section II: General Requirements: Discharge Category**

6. COMMENT: Regarding Part II.A.1.iv, is the rule cited consistent with the SCOTUS July 2024 decision in overturning chevron deference?

Court Case NJ-22-451, 603 U.S. (2024)
Relentless, Inc. vs. Department of Commerce, No. 22-12-19 [1]

RESPONSE 6: N.J.A.C. 7:14A-16.4(b)21 and N.J.A.C. 7:14A-25.7(b) are two rules that have been governing the MS4 permits since their inception in New Jersey in 2004.

The US Supreme Court Case referenced only applies to federal statutes/agencies and does not apply to state agencies or to this permit for several reasons.

First, the case referenced relied on language within the federal Administrative Protective Act regarding judicial review, but New Jersey Administrative Procedure Act does not contain similar language. Second, the case involved statutory interpretation, rather than regulatory interpretation, as here. The Department notes that it is well-settled in New Jersey that agencies receive deference on their regulatory interpretation not only due to the agency's technical expertise, but also because the agency wrote the rule, so it is in the best position to interpret the rule's meaning.

Third, the Department would like to note that a comment on a draft permit is not the correct place to challenge the New Jersey Administrative Code; rule challenges occur in the Appellate Division.

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

7. COMMENT: Please remove "including the washing of fire fighting vehicles" as this language is not included as an authorized discharge under the current Highway Agency permit. [4]

RESPONSE 7: As the Department has previously stated in the response to comments for the 2020 Highway Agency General Permit and the 2018 Tier A Municipal Stormwater General Permit, the Department does not consider the washing of firefighting vehicles to be a significant source of pollutants to MS4 discharges and is a necessary measure undertaken to ensure their proper operation, thus fitting into the category of "firefighting activities." However, since this type of non-stormwater discharge is not applicable to Highway Agencies the Department agrees to remove the language that authorizes the "washing of fire fighting vehicles" from the final permit

**This change affects Part II.C.2.b.viii of the final permit.**

8. COMMENT: Flows from clean water rinsing of beach maintenance equipment and flows from clean water rinsing of equipment and vehicles used in the application of salt and de-icing/anti-icing materials are identified as authorized stormwater discharges. The aforementioned categories are not included in 40 CFR § 122.34(b)(3)(ii). [4]

RESPONSE 8: As the Department has previously stated in the response to comments for the 2020 Highway Agency General Permit, the categories of non-stormwater discharges at Part II.C.2.b.ix – xi are not additions and were included in the 2020 Highway Agency permit at Part II.C.2.b.ix - xi and in the 2009 permit at Part I.A.2.d.ix. The Department considers clean water rinsing of beach maintenance equipment and equipment and vehicles used in the application of salt and de-icing materials a necessary measure undertaken to ensure their proper operation and not to be significant source of pollutants to MS4 discharges when done in accordance with Part II.C.2.b.ix–xi of the permit.

No changes have been made as a result of this comment.

9. COMMENT:
The term RFA has previously been defined at Part II.B.2.a. EPA suggests NJDEP update the paragraph to "Any permittee that has stormwater discharges associated with industrial activities shall submit a separate ~~Request for Authorization~~ (RFA) or individual permit application for that discharge." [4]

RESPONSE 9: The Department thanks EPA for their suggestion and has removed "Request for Authorization" from Part II.C.3.a.ii of the final permit.

**This change affects Part II.C.3.a.ii of the final permit.**

**Permit Section IV.A.2. Stormwater Pollution Prevention Plan (SPPP) Requirements**

10. COMMENT: The proposed permit renewal identifies the agency's SPPP must be updated within 6 months of EDPA. Consider modifying the timeframe to EDPA + 12 months. This would coincide with the next annual update and certification and thereby reduce demands on already stretched staffing resources. [3]

RESPONSE 10: The Department understands the commenters' concerns regarding resources needed to update the SPPP and will be providing an updated version of the SPPP template to follow this renewal permit to assist permittees with meeting this permit requirement.

The Department anticipates this updated SPPP document to be finalized shortly, and permittees will be notified via email when the final version of the SPPP, as well as the other guidance materials, forms, and templates are available on the website. Also note that the SPPP is not intended to be a technical engineering document, but rather a plainly worded document that describes the measures the permittee is taking to comply with their permit and can also be used to educate employees on their job responsibilities. Also, as compliance is not required with any significantly modified or new permit requirements until later in the permit term, the SPPP does not need to reflect those requirements until they become effective.

Permittees are also encouraged to contact their county case managers with any questions regarding completing their SPPPs, as well as any other MS4 permit-related questions. See https://www.nj.gov/dep/dwq/msrp_managers.htm to obtain the name of your respective case manager.

The 2020 Highway Agency permit required permittees to create, review annually, and update as often as necessary to reflect changes in their stormwater program, a SPPP. Permittees should already have an up-to-date SPPP that reflects their current stormwater program and therefore should only need to update their SPPP to reflect any new requirements in the permit. Therefore, the Department maintains that EDPA + 6 months is an adequate amount of time for permittees to update their existing SPPP to meet the requirements of the renewal permit.

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

**Permit Section IV.C.1. Local Public Education and Outreach**

11. COMMENT: This requirement, as proposed, places an undue financial and staffing burden on the County. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP. If newly required by all Highway Agencies, not just owners of rest stops, Salem County would suggest alternative and creative options that wouldn't burden the taxpayers. [1]

RESPONSE 11: The Department acknowledges the commentors' concerns related to completing the local public education and outreach requirements for all permittees, not just those Highway Agencies with rest stops.

The Department has updated "Attachment A – Points System for Public Education and Outreach Activities" to include a multitude of activities, including ones that can be accomplished digitally and do not require additional funding. There are many flyers and handout templates on the Department's website for permittees to use, free of charge. In an effort to provide increased flexibility to permittees that do not own or operate rest areas or service areas, the Department included in the renewal permit the ability for permittees to develop their own public education and outreach activities not included in Attachment A of the permit, provided that those activities are submitted to the Department for review and approval prior to being conducted.

This permit requirement is due annually and therefore, the permittee may take the entirety of the year, beginning from the effective date of the permit authorization, to implement their new or updated public outreach and education program. If any costs are involved, those costs can be spread out through the calendar year. Since public outreach and education is already being conducted by all Tier A permittees across the state, Highway Agency permittees may choose to work with neighboring municipalities to implement their program. This could potentially save time and cost, depending on the types of activities that were chosen.

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

12. COMMENT: EPA suggests NJDEP consider modifying the section to read: "Annually conduct activities that total at least 7 points as set forth in Attachment A (Point System for Public Education and Outreach Activities) of this permit." Adding the clarification language to this permit condition will make it readily clear to the permittee and public where to find applicable activities, including activities that will meet the requirement to educate businesses, and the general public of hazards associated with illicit

connections and improper disposal of waste. EPA recognizes that Part IV.C.1.a.iv cites Attachment A in the context of conducting public education and outreach activities not listed in Attachment A; however, EPA suggests also stating Attachment A in Part IV.C.1.a.i so that it is clear to the public and permittee where the list of approved public education and outreach activities are identified. [4]

RESPONSE 12: The Department agrees with EPA regarding their suggestion and has added "as set forth in Attachment A – Point System for Public Education and Outreach Activities" to Part IV.C.1.a.i for clarity.

**This change affects Part IV.C.1.a.i of the final permit.**

**Permit Section IV.D.1. Construction Site Stormwater Runoff**

13. COMMENT: The County of Salem does not have the necessary manpower to enforce this section as it currently outlined and enforced at the local level. Salem County is requesting clarification of "Construction Site" as referenced in this section. [1]

RESPONSE 13: This requirement regarding Construction Site Stormwater Runoff in the permit renewal has been a permit requirement since the 2004 Highway Agency permit and has simply been carried forward from the existing 2020 Highway Agency permit.

The Department maintains a separate general stormwater permit to address stormwater runoff associated with construction activities (5G3), as identified in Part IV.D.1 of the permit to satisfy the requirement. This 5G3 general stormwater permit authorizes stormwater discharges to surface water from certain construction activities, including clearing, grading, and excavation (generally, construction activities that disturb one acre or more of land, or disturb less than one acre but are part of a larger plan of development or sale), as described in the Stormwater Management Rule, N.J.A.C. 7:8.

The Department would also like to note that the local soil district offices are responsible for administering this permit in partnership with the NJDEP. It is the permittee's responsibility to ensure that projects undertaken by the permittee, or those that occur within the permittee's jurisdiction, obtain the proper 5G3 permit authorization but are not required to issue, review, or enforce the requirements of the 5G3 general permit.

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

**Permit Section IV.E.1. Minimum Standards for Post Construction Stormwater Management in Development and Redevelopment**

14. COMMENT: Maintaining Consistency with Stormwater Management Rules Amendments:
NJF commends the Department for its efforts to maintain consistent language between the draft permit and proposed amendments to N.J.A.C. 7:8 Stormwater Management Rules.

- Regarding Part IV.E.1 of the renewal permit, "Minimum Standards for Post-Construction Stormwater Management in Development and Redevelopment," the definition of major

development should be updated to reflect anticipated amendments to N.J.A.C. 7:8-5.5 Stormwater Runoff Quality Standards.

- As written, the permittee's post-construction stormwater management program would apply to major developments, including "new development and redevelopment projects that individually or collectively result in [...] the creation of one-quarter acre or more of a combination of 'regulated impervious surface' and 'regulated motor vehicle surface' that are owned or operation by the Highway Agency".
- Through the Department's Resilient Environments and Landscapes (REAL) rule proposal, N.J.A.C. 7:8-5.5 Stormwater Runoff Quality Standards now require water quality treatment for redeveloped motor vehicle surfaces, even if there is no net increase of one-quarter acre. [2]

RESPONSE 14: The Department acknowledges the commenter's support for the Department's efforts to maintain consistent language between the permit and proposed amendments to the N.J.A.C. 7:8 Stormwater Management rule.

In Notes and Definitions Part IV.B.1.a.xiv, the renewal permit states that, "'Major Development' means a major development as defined in N.J.A.C. 7:8." Part IV.E.1.b states that, "The permittee shall ensure that its stormwater management program addresses stormwater runoff from 'major development' as defined in the Stormwater Management rules at N.J.A.C. 7:8." Since the definition in the permit does not specifically define "major development" but instead refers the definition found in N.J.A.C. 7:8, when the rule amendments are adopted, the permit will immediately be referencing the updated definition.

In regard to the NJPACT REAL rule proposal, Part IV.E.1.a, b, c, and e of the renewal permit all reference the requirements at N.J.A.C. 7:8 and do not specifically define those requirements in the permit. Therefore, once the amendments to N.J.A.C. 7:8 are adopted, the permit requires permittees to immediately address those amendments in all projects thereafter.

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

**Permit Section IV.F.2. Pollution Prevention/Good Housekeeping**

15. COMMENT: Quarterly Street Sweeping – This requirement, as proposed, places an undue financial and staffing burden on the County. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP. As a rural county with miles of roadway constructed without curb, gutter or storm sewers; this mandate is excessive. Salem County would suggest alternative options to address organic material and would suggest consideration for approval of a unique/county specific plan to accommodate the goals of the permit. [1]

16. COMMENT: Triannual Street Sweeping – This requirement, as proposed, places an undue financial and staffing burden on the County. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP. As a rural county with miles of roadway constructed without curb, gutter or storm sewers; this mandate is excessive. Salem County would suggest alternative options to address organic material and would suggest consideration for approval of a unique/county specific plan to accommodate the goals of the permit. [1]

17. COMMENT: Annual Street Sweeping – This requirement, as proposed, places an undue financial and staffing burden on the County. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP. As a rural county with miles of roadway constructed without curb, gutter or storm sewers; this mandate is excessive. Salem County would suggest alternative options to address organic material and would suggest consideration for approval of a unique/county specific plan to accommodate the goals of the permit. [1]

18. COMMENT: Sweeping should include a provision for the county's inspection and sweep only if needed. Why expend resources sweeping if the facility has been inspected and determined clean? [3]

RESPONSE 15-18: The Department acknowledges the commentors' concerns related to permit requirements for street sweeping. Street Sweeping has been a permit requirement since the 2004 Highway Agency permit. The sweeping requirements proposed in this permit renewal carry forward the language from the 2020 Highway Agency permit without change. These requirements continue to meet the reduction/elimination of solid and floatable materials requirement in the Federal MS4 rule at 40 CFR 122.34(b)(6)(ii) and N.J.A.C. 7:14A-25.6(b)6.

The regulatory basis for the street sweeping requirements in this renewal permit and past permits is noted in the draft permit Fact Sheet. In the Background section of the Fact Sheet, which begins on page 44, it is explained that the majority of the surface waters, in terms of subwatersheds, in the State are documented in the Department's "Integrated Water Quality Assessment Reports" as being impaired for one or more stormwater related pollutants. Further, the "Clean Stormwater and Flood Reduction Act" notes that it is "estimated that up to 60 percent of the State's existing water pollution is attributable to stormwater and nonpoint sources of pollution."

Many pollutants are associated with the solid and floatable materials that street sweeping removes from the road's surfaces. For example, oils, metals, and other pollutants from normal vehicle wear and tear become deposited on the roads and adhere to the materials removed by street sweeping. These pollutants can kill fish and other aquatic life and contaminate drinking water supplies. Leaves and grass clippings that accumulate along the gutters of roads also contribute pollutants to surface and ground waters as they decompose and are washed along into the storm sewer system, contributing to harmful conditions in the surface waters.

The Department reviewed the surface water quality impairments and TMDLs in the Integrated Report, as noted in the Fact Sheet, when preparing this permit renewal and found that water quality impairments associated with these types of pollutants are present across the State. As these materials are present on all types of roads in the State, removing these materials and their associated pollutants from the roads before they are conveyed further through the storm sewer system is an effective pollution reduction measure designed to restore the surface water quality to meet the Surface Water Quality Standards at N.J.A.C. 7:9B, and is a necessary cleaning measure to ensure the proper operation of the MS4s.

No changes have been made to the final permit as a result of these comments.

19. COMMENT: EPA suggests NJDEP add a requirement that permittees identify/document streets that meet the different frequencies to assist in implementation of this requirement. As permittees were required to implement the enhanced sweeping requirements as part of the 2020 MS4 permit, EPA believes it should not be a burdensome requirement and will further assist permittees in ensuring specified categories of streets are being swept in accordance with the frequencies identified in the permit. EPA suggests including the following statement "The permittee shall maintain records of street sweeping, including the date and areas swept, number of miles of streets swept, and the total amount of materials collected in wet tons" for quarterly, triannual and annual sweeping as specified in Part IV.F.2.d, e., and f. [4]

20. COMMENT: Storm Drain Inlet Retrofitting: EPA suggests NJDEP include a requirement for permittees to maintain records of which inlets have been Retrofitted. [4]

21. COMMENT: Storm Drain Inlet Installation: EPA suggests NJDEP include a requirement for permittees to maintain records for new storm drain inlet installations due to construction that is not considered a major development as defined by N.J.A.C. 7:8. [4]

22. COMMENT: Roadside Erosion Control: As NJDEP states "inspections of roadways, ramps, and parking areas shall occur at least once per year;", EPA suggests also specifically requiring an on-site log sufficient to demonstrate compliance with this section and specifying what should be included in the log, at a minimum and state the log must be kept with the SPPP. [4]

RESPONSE 19-22: The Department acknowledges EPA's concerns related to demonstrating compliance with the requirements for Good Housekeeping. However, this information is already required to be collected as per the Recordkeeping requirements in the permit at Part IV.J.

Additionally, the permittees are also required to submit some of this information to the Department in their Annual Reports. All recordkeeping information is also required to be made available by the permittee upon request. Also, in Part IV.F.2.p, the permit states that, "the permittee shall maintain a log sufficient to demonstrate compliance with this section". This requirement applies to street sweeping, inlet inspection, roadside erosion and all other requirements in the Good Housekeeping section of the permit.

In the SPPP template provided by the Department, permittees are asked to label each street under their jurisdiction that corresponds with the quarterly, triannual and annual requirements. In the annual report, permittees are asked if all the required streets were swept, the total miles swept, and the total amount of materials collected in tons. Additionally, logging which inlets have been retrofitted and any new storm drain installation is required to be documented in the infrastructure maps that must be submitted to the Department.

The Department maintains that the current requirements for monitoring and documenting street sweeping, inlet retrofitting and installation, and roadside erosion control activities are adequate.

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

23. COMMENT: Storm Drain Inlet Retrofitting – This requirement, as proposed, places an undue financial and staffing burden on the County. Salem County will not be able to comply with this requirement without

continual and substantial funding assistance from NJDEP. Salem County would suggest that retrofitting continue to be met throughout resurfacing of roadway projects and additional time be permitted to complete all retrofitting. As the draft requirement is proposed, this places a cost of $600,000 over the next 5 years solely in retrofitting storm drain inlets. [1]

RESPONSE 23: The Department understands the commenters' concerns regarding the increased costs for some permittees due to the revised storm drain inlet retrofitting requirement, and notes that this requirement pertains to the storm drain inlets, not the catch basins located below the inlet.

The Department maintains that the requirement for permittees to retrofit all remaining permittee owned or operated storm drain inlets to meet the standards set forth in Attachment B by EDPA + 59 months is appropriate. Permittees have been required to retrofit any storm drain inlets that come in contact with repaving activities since the first iteration of the MS4 general permits in 2004. The Department anticipates that the percentage of inlets that permittees will need to retrofit (outside of those that are in non-compliance of the existing requirement during repaving, etc.) is relatively low since permittees have been working on retrofitting their storm drain inlets that were associated with repaving projects for approximately 20 years. By the compliance date of December 1, 2029, permittees will have had 25 years to complete the inlet retrofits, which is generally longer than the estimated average lifespan of a paved road. It must also be noted that retrofitting most storm drain inlets can be accomplished with relatively minimal cost by bolting a bar, plate, or grate over the large curb opening, which is a much less costly option than replacing the entire inlet structure.

One of the main purposes of retrofitting the storm drain inlet openings is to reduce the size amount of solid and floatable materials that can pass through the inlet, so those materials are not transported through the storm sewer system to the surface waters. Reducing the size of these materials also has another important, and cost saving, purpose which is to prevent those materials from accumulating in the storm sewer and causing backups of flow and flooding. Removing these materials from the stormwater before they enter the downstream parts of the system is less costly overall as it will reduce the incidents of catch basin and conveyance system cleaning which usually requires heavy machinery to remove the storm drain inlet in order to gain access to the infrastructure below so a vacuum truck can extract the accumulated material.

The renewal permit retains "Exemptions from the Design Standards" in Attachment B – Design Standards for Storm Drain Inlets to continue to provide permittees appropriate flexibility regarding the inlet retrofits.

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

24. COMMENT: NJF supports the requirement to retrofit all applicable storm drain inlets by the end of the permit's 5-year cycle. [2]

RESPONSE 24: The Department acknowledges the commenter's support for the requirement to retrofit all applicable storm drain inlets by the end of the permit's 5-year cycle.

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

25. COMMENT: Storm Drain Inlet Installation – This requirement, as proposed, places an undue financial and staffing burden on the County. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP. By placing this mechanism in a storm drain inlet, it increases manpower needs to ensure flow is possible through an inlet grate. Compliance with this requirement will contribute to additional flooding. Additional flooding will adversely affect emergency evacuation routes established for the nuclear power generating station located in Salem County. [1]

RESPONSE 25: The Department notes that this is a new condition not included in the 2020 Highway Agency permit. This requirement applies to the installation of new storm drain inlets and is not a requirement to begin retrofitting existing storm drain inlets. This requirement is being added in the renewal permit to reduce the amount of solid and floatable material being discharged into the receiving waters and to meet the reduction/elimination of solid and floatable materials requirement in the Federal rule at 40 CFR 122.34(b)(6)(ii).

Additional costs should be minimal for most permittees as retrofitting existing storm drain inlets to add catch basins or other BMPs is not required. This requirement will only be triggered when permittees install new storm drain inlets that are not part of a project that meets the definition of "major development", and the cost of installing a new storm drain inlet with a catch basin should be minimal relative to the cost of the overall improvement project and are minimal compared to the overall water quality benefit they produce.

Catch basins would only be required when there is no other BMP (such as a stormwater management basin, MTD, or downstream catch basin) located between the new storm drain inlet and the outfall and are not required to be installed on bridges or culverts. Further, storm drains are exempt from needing catch basins if the hydraulic losses will result in unavoidable adverse hydraulic impacts. If a permittee believes that installation of any catch basin pursuant to this permit requirement will result in adverse hydraulic impacts, that permittee shall document the engineering findings of such impacts and note such in the SPPP. The permittee is also required to maintain those records in accordance with Part IV.J. of the permit.

Since this permit requirement does not require permittees to immediately begin installing catch basins in existing storm drain inlets and the overall number of storm drain inlets that would be subject to this requirement is not substantial, the Department does not feel that this creates an undue burden on the permittee.

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

26. COMMENT: Vegetative Waste Management – If this requirement, as proposed, would require alteration to current equipment, it would place an undue financial and staffing burden on the County. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP. [1]

RESPONSE 26: The requirement to properly manage vegetative waste was carried forward with minimal change from the 2020 Highway Agency permit. The minor rewording in the renewal permit clarifies the requirements for the proper management of wood waste and yard trimmings in order to minimize the impact of vegetative maintenance activities on stormwater discharge quality. The requirements are also broken out in a manner that is clear and enforceable. The clarification does not add any additional requirements and

will not require additional equipment or resources to be implemented. Therefore, no additional time is necessary to come into compliance.

This requirement is intended to ensure the appropriate management of materials generated from activities such as mowing, tree trimming, and wood chipping along permittee owned roads or at other properties owned or operated by the Highway Agency. This is so that these materials are not transported into the MS4 thus increasing maintenance requirements and resulting in increased costs for the permittee. This requirement is also intended to eliminate these materials from being discharged from the MS4 to surface water bodies ultimately resulting in negative impacts in those receiving waters.

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

27. COMMENT: Tree Replacement Management – This requirement is not consistent with Highway Agencies routine duties. Should the need arise for a tree to be removed from the property owned or operated by the permittee, it would be to protect the safety and welfare of the residents. A Highway Agency does not have the jurisdiction, responsibility or burden to maintain a tree farm including nurseries, fruit orchards, and garden centers. Furthermore, regulating removal/replacement of trees less than DBH of 4" is not consistent with various NJDEP's Best Management Practices that Salem County is familiar with. This requirement, as proposed, places an undue financial and staffing burden on the County. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP. [1]

RESPONSE 27: This new permit requirement is derived from discussions with stakeholders during the 2019 Stormwater Management rule stakeholder outreach sessions. These discussions included improvements to the Stormwater Management program and the ongoing need for enhanced stormwater management strategies. Trees play a critical, often overlooked, role in the water cycle and can mitigate stormwater runoff issues. This good housekeeping requirement is intended to ensure that permittees are considering these undervalued assets in their water quality management efforts. This permit renewal requires permittees to replace certain trees in an effort to reduce stormwater runoff and pollutants, and to promote infiltration of rainwater into the soil. This requirement was also added to the 2023 MS4 Tier A permit and 2024 MS4 Public Complex permit renewals and does not require permittees to plant trees to make up for past removals.

The Department acknowledges the commentor's statement about removing trees from their property to protect the safety and welfare of residents. The Department notes that trees of this nature would fall under the category of a "Hazard Tree" as defined in the permit and would therefore be exempt from the replacement requirement. This requirement also does not require the Highway Agency permittees to "maintain a tree farm including nurseries, fruit orchards, and garden centers" as mentioned above.

This tree replacement permit requirement would be triggered, for example, if a highway agency was undertaking a road improvement or expansion project that involved removing healthy trees that met the minimum threshold of a 2.5" DBH tree, as per Part IV.F.2.m of the renewal permit.

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

28. COMMENT: NJF supports the requirement that specified trees be replaced if they are removed from the property owned or operated by the permittee. [2]

RESPONSE 28: The Department acknowledges the commenter's support for the requirement that specified trees be replaced if they are removed from the property owned or operated by the permittee.

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

29. COMMENT: Roadside Erosion Control – Salem County is requesting guidance/an explanation of what is expected to be included in annual inspections of roadways, ramps and parking areas. Visual inspections of roadways, ramps and parking areas are considered part of the daily operations in the Highway Agency. If annual inspections are required, what specifically would NJDEP expect to be documented?

This requirement, as proposed, places an undue financial and staffing burden on the County. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP. [1]

30. COMMENT: Roadside Erosion: 90-day repair should be extended if the repair is included in a programmed capital project. Some repairs will require design, permitting and possibly right-of-way. The county should be able to assess this and as appropriate develop a capital project which would not be subject to the 90-day. Additionally, project programming should be a local government determination not a NJDEP determination. [3]

RESPONSE 29-30: This permit renewal re-incorporates the Roadside Erosion Control requirement from the original 2004 Highway Agency permit. This requirement has been reintroduced in response to citizen complaints and Department inspections and observations of roadside erosion. New Jersey has approximately 35,600 miles of roads, and more highways per square mile than any other state, and erosion of or along these streets, highways, and other roads contributes suspended solids, sediment and other materials to storm sewer systems and waterways. This condition is being restored in the permit to provide additional water quality protection, and as a stormwater facility maintenance requirement, as roads are considered to be part of the permittees' stormwater conveyance systems.

The introduction of suspended solids, sediment, and other pollutants not only causes an increase in permittee costs for ditch, culvert, and catch basin cleaning to ensure proper operation and maintenance and prevent associated flooding, it is also the single largest contributor of pollution to our nation's waters. Sedimentation and the deposition of material eroded by runoff from roads and roadsides can significantly impact water quality, and when not maintained, this erosion can also convey a significant number of pollutants in the stormwater runoff. Sedimentation can also lead to a decrease in water carrying and storage capacities of streams and reservoirs, as well as destroying fish and other aquatic habitats.

The Department recognizes that permittees may be concerned that implementing this condition will incur more costs and resources and acknowledges that often the necessary road repairs may not be able to be implemented within the 90 days due to repair and cost constraints noted in the comment. The permit gives permittees the ability to provide the Department with an alternative schedule of completion within 90 days

of discovery. As such, the Department maintains that the requirement at Part IV.F.2.n. is sufficient and provides flexibility to the permittee should repairs not be feasible within 90 days.

The Department also recognizes that permittees may be concerned that implementing this condition will expand the burden of inspection activities and incur more costs and resources. As stated by the commentor, visual inspections of roadways, ramps and parking areas are considered part of the daily operations. The Department reiterates that there is no requirement for permittees to schedule separate roadside erosion inspections as these inspections can occur incidental to conducting routine inspections or other activities as long as the inspections are properly documented. As such, the permittee should not incur any additional significant costs due to inspection. Permittees will be required to inspect and maintain the stability of shoulders, embankments, ditches, and soils along these streets at a minimum of once per year to ensure that they are not eroding and contributing to clogging or destabilization of stormwater infrastructure, or sedimentation of receiving waters. Any driveway, street, and parking area repairs would need to be conducted for public safety reasons, as well as to ensure the proper operations and maintenance of the stormwater conveyance system.

Logs sufficient to demonstrate compliance with this permit requirement can include, but are not limited to, the date of inspection, name of inspector, road inspected, observed instances of roadside erosion, and whether repairs are required. This information can be included on other permit related inspection logs with other information such as storm drain inlet inspections, street sweeping logs, or storm drain inlet label inspection logs.

No changes have been made to the final permit as a result of these comments.

31. COMMENT: Outdoor Refuse Containers & Dumpsters: EPA recommends NJDEP also specify that outdoor containers holding metal signs (i.e., from Highway Agency sign manufacturing shops or waste signs) be covered when not in use, at the end of each workday and before any anticipated storm event. [4]

RESPONSE 31: The temporary storage of newly manufactured signs is not believed to be a significant contributor of pollutants at this time. The majority of waste signage, which fall under the category of waste materials, would be included in the requirements in part IV.F.2.o.i. of the permit which states that refuse containers and dumpsters that are outdoors or exposed to stormwater must always be covered with a tarp, lid or under a permanent structure to prevent the contact of waste materials with stormwater unless actively being filled or emptied. Therefore, the Department feels that the permit adequately addresses the management of metal signs.

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

**Permit Section IV.F.3. Inspection and Maintenance of Stormwater Facilities Owned or Operated by the Permittee**

32. COMMENT: This requirement, as proposed, places an undue financial and staffing burden on the County. The required 30-day window would not always provide adequate time in which Salem County

would be able to conduct required maintenance in house or by securing contractors via Public Contract Law procedures. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP paired with a more reasonable time frame allowed for follow-up maintenance. [1]

33. COMMENT: The 30-day repair timeframe for outfall condition should be extended to 90 days. Additionally, some repairs will require design, permitting and possibly right-of-way. The county should be able to assess this and as appropriate develop a capital project which would not be subject to the 90-day timeframe. Additionally, project programming should be a local government determination not a NJDEP determination. [3]

RESPONSE 32-33: The Department recognizes the commenters' concerns regarding the requirement to complete structural repairs on outfalls within 30 days of investigation. However, the requirement to ensure that the permittee's stormwater facilities are functioning properly has been a requirement since the 2004 Highway Agency permit. This requirement exists so that permittees discover and address problems with any storm drain inlets, outfalls, catch basins and other stormwater facilities in a timely manner to avoid adverse water quality and/or quantity impacts, and to avoid more costly repairs if the stormwater facilities continue to deteriorate. When they are identified early, these problems may be fixed through minor maintenance and cleaning activities, before they require costly repair and replacement, or result in damaging flooding, injuries or pollutant discharges.

While the permit renewal requires a timeframe of 30 days for corrective maintenance and repairs, the permit gives permittees the ability to provide the Department with an alternative schedule of completion within 30 days of investigation. As such, the Department maintains that the requirement at Part IV.F.3.b.v. is sufficient and provides adequate flexibility to the permittee should maintenance and repairs not be feasible within 30 days.

No changes have been made to the final permit as a result of these comments.

34. COMMENT: Stormwater Outfall Inspections and Maintenance for Illicit Discharge Detection and Elimination): EPA suggests removing the word "of" from beginning of sentence, so the requirement reads as "Document ~~of~~ all outfall inspections, …" [4]

RESPONSE 34: The Department thanks EPA for their suggestion and has made the suggested change.

**This change affects Part IV.F.3.d.viii of the final permit.**

**Permit Section IV.F.4. Best Management Practices at Maintenance Yards and Other Ancillary Operations**

35. COMMENT: Bulk Liquid Storage: Secondary Containment – this needs to be clarified if the expansion applies to new & existing de-icing tanks or only new de-icing tanks. Additionally, construction or providing

for secondary containment can require advanced site plan designs, permitting, costs and budget allocations. An EDPA + 12 months will not provide ample time for agencies with multiple locations and storage tanks, nor will it provide for the budgeting component. The permit should identify a priority for compliance, e.g. possibly based upon the liquid stored, along with a percentage of system completion based upon the number of tanks in operation. Additionally, for existing serviceable tanks this should be enforced as part of a system upgrade or replacement. Specific budget requests will require a minimum of EDPA + 18 months for the funding to even be allocated. Once funding is allocated the design, bidding/purchase and construction can occur. [3]

RESPONSE 35: The Department recognizes the commenters' concerns regarding the addition of bulk liquid storage BMPs. This is a new requirement for Highway Agency permittees. Secondary containment for containers utilized in the normal course of storage, transfer, or use of bulk liquids is necessary for preventing leaks and spills from becoming illegal discharges to the MS4 system or directly to surface or ground water. Secondary containment is also required to hold leaks and leakage where they can be cleaned up and removed prior to their discharge into groundwater, or surface waters of the State.

Secondary containment for any existing bulk liquid material storage may include concrete blocks, so long as they are leak- proof, hold 110% of the capacity of the tank, and are on an impervious surface. Since the requirement for secondary containment is limited to new and existing above ground storage tanks containing bulk liquid materials (including but not limited to gasoline, diesel, fuel, heating oil, hydraulic oil, and used oil) and only new liquid deicing/anti-icing tanks, the Department determined that 12 months from EDPA is enough time to allocate funding for secondary containment for future installation of liquid de-icing/anti-icing tanks as well as adding secondary containment to existing non de-icing/anti-icing tanks.

No changes have been made to the final permit as a result of these comments.

36. COMMENT: Fueling and other Bulk Liquid Operations. It will be extremely difficult to assure a trained employee is available and present for bulk fluid deliveries. Limiting the delivery schedule and impacting critical safety services. Alternate methods need to be evaluated. [3]

RESPONSE 36: The Department acknowledges the commentors' concerns regarding the requirement for a trained employee to be present during bulk liquid deliveries. However, the requirement to provide Annual Employee Training to employees according to the employees' specific job duties has been required since the 2004 MS4 permits. This training is required to educate employees on how to perform their jobs in compliance with the permit requirements as they pertain to each permittee.

Stormwater contamination can occur from residual spillage from topping off fuel tanks, not being attentive during loading and unloading procedures, or improper cleanup after a spill occurs. The renewal permit shall continue to require permittees to establish, maintain, and implement standard BMPs for vehicle fueling; receipt of bulk fuel deliveries; and inspection and maintenance of storage tanks, including the associated piping and fuel pumps.

The Department also maintains that adequate training is essential for the success of the MS4 program and some form of employee training has been required since the 2004 Highway Agency permit. The requirement for a trained employee to be present during fuel or other bulk liquid transfers to ensure BMPs

are followed is critical since the entity delivering the fuel or other bulk liquid is not trained in how to best prevent the potential discharge of pollutants to highway agency's MS4. The renewal permit provides the permittee with the flexibility to train multiple employees on proper bulk liquid transfer BMPs so that the same employee is not required to be present at every bulk liquid transfer. The Annual Employee training for this specific job duty will ensure that the BMPs required by the permit will be properly implemented at the time of receipt of fuel or other bulk liquids.

Furthermore, the Department is developing a new Stormwater Program Coordinator training to train SPCs, so they are not only better familiar with the permit requirements, but also for SPCs to better inform or train other staff. SPCs will be required to attend this training EDPA + 12 months, and once per permit cycle thereafter. The Department will post recordings of previous trainings to the webpage (https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/highway-agency-stormwater-permit/) for permittees' continual use.

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

37. COMMENT: Inoperable Vehicles or Equipment: Acquisition of tents and drip pans would be subject to the County Purchasing regulations. Implementation at EDPA does not account for procuring (purchasing), delivery, or setup of such devices. The initial inspection should have a EDPA + 3 months implementation with the purchase and deployment of tents and/or drip pans implementation of EDPA + 9 months. [3]

RESPONSE 37: While many permittees store inoperable vehicles or equipment at their maintenance yards, management of these sources of stormwater pollution was not addressed in the 2020 Highway Agency permit. MS4 stormwater compliance audits confirmed that many permittees are storing vehicles and/or equipment in various states of disrepair in their maintenance yards. This permit renewal authorizes permittees to store inoperable vehicles or equipment, provided portable tents or covers are placed over and drip pans under any leaking vehicle or equipment, and use designated areas that must be located at least fifty (50) feet away from storm drains for the storage of inoperable vehicles or equipment.

The Department recognizes that permittees may need to store certain inoperable vehicles and equipment at maintenance and/or other ancillary yards, but permittees must ensure that the storage of these vehicles and other equipment is managed in a manner to prevent contaminants, as a result of the inoperable vehicles, from being transported via stormwater into the surface and ground waters.

Specifically, inoperable vehicles and equipment with intact bodies and exteriors capable of preventing the contact of stormwater with internal components and fluids capable of discharging pollutants and not leaking any fluids may be stored indefinitely. For those that have body damage, rust damage, missing body panels, or broken windows, such that the exterior is no longer impervious to precipitation must have portable tents or covers placed over those vehicles. If any inoperable vehicle is found to be leaking, drip pans must be utilized immediately, and that leak must be repaired or that fluid must be drained from the vehicle. For all inoperable vehicles and equipment in storage, the permittee must ensure that there is designated storage areas sited away from storm drain inlets, and monthly inspections are conducted for leaks and filled drip pans. These BMPs are designed to prevent stormwater exposure to potential pollutants generated by the

vehicles while in storage. This change provides the permittees with a more economical usage of the end-of-life vehicles and equipment while still providing adequate environmental protection.

Compliance with this requirement would only entail the use of minimal and inexpensive equipment, such as tarps, tents and drips pans. The acquisition of this inexpensive equipment is only required when inoperable vehicles and equipment that have exposure of internal components, such as body damage, rust damage, missing body panels, or broken windows, such that the exterior is no longer impervious to precipitation. Since the discharge of vehicle fluids would be considered an illegal unpermitted discharge, permittees shall implement this requirement upon EDPA.

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

38. COMMENT: Inoperable Vehicles or Equipment: As NJDEP states "monthly inspections must be conducted to ensure that BMPs are implemented properly, including inspections for leaks, and filled drip pans;", EPA suggests also specifically requiring an on-site log sufficient to demonstrate compliance with this section, including but not limited to: - Name of inspector; - Date of inspection; - Date of most recent precipitation or snowmelt event; - Relevant findings; - Conditions requiring attention; and - Remedial actions taken. The permittee should also note the location of this log in its SPPP. [4]

RESPONSE 38: The Department acknowledges EPA's concern for maintaining a log for inoperable vehicles or equipment. As per Part IV.F.4.b of the permit, the permittee shall inspect the entire site, including the site periphery, monthly (under both dry and wet conditions, when possible), and identify conditions that would contribute to stormwater contamination, illicit discharges, or negative impacts to the permittee's MS4. Leaking vehicles would fall under conditions that would contribute to stormwater contamination and should already be present in the inspection logs. Inspection logs are required to be kept with the SPPP and must be made available upon Department request according to Part IV.J of the permit.

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

**Permit Section IV.F.6. Annual Employee Training**

39. COMMENT: NJF supports requiring Stormwater Program Coordinators (SPC) to attend a Department-hosted SPC course. [2]

RESPONSE 39: The Department acknowledges the commenter's support for requiring Stormwater Program Coordinators (SPC) to attend a Department-hosted SPC course.

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

40. COMMENT: It is unreasonable to require the Highway Agency to require attendance and compensate vendors for their time spent in training. Services are provided by vendors to the Highway Agency under the direction of the Highway Agency. Salem County suggests a more feasible way to communicate the requirements of the Highway Agency's NJPDES permit to contracted vendors.

This requirement, as proposed, places an undue financial and staffing burden on the County. Salem County will not be able to comply with this requirement without continual and substantial funding assistance from NJDEP. [1]

RESPONSE 40: The Department disagrees that the extension of employee training to vendors will place an undue financial burden on permittees. Since the issuance of the 2004 Highway Agency permit, the Department has required the permittee to train ALL staff that conduct activities required by the Highway Agency permit, which should have included contractors or vendors if those job responsibilities were outsourced to vendors or contractors.

Employee, and by extension vendor, training is essential to meeting the requirements of the Highway Agency MS4 permit to the maximum extent practicable. This permit renewal retains the training requirements included in the 2020 Highway Agency permit, and clarifies some topics that were listed as biennial in the 2020 Highway Agency permit, but should have been covered annually during the SPPP training. Annual training also supports the annual reviews/updates that permittees are required to make to the SPPP and will ensure that the employees are trained on the most up-to-date stormwater program requirements and information.

The Department's position is that permittees should not incur any additional costs associated with training external contractors, consultants, and vendors as these individuals can be invited to the same in-person or virtual training sessions being held for Highway Agency employees. It should also be noted that employees, including external contractors and vendors, only need to be trained on the specific stormwater-related tasks they are performing and do not need to be present for all training topics. These training sessions should not need to take an extensive amount of time, and training for most tasks should be able to be completed in a few hours' time.

The Department maintains that it is important to train employees of external contractors, consultants, and vendors if they are conducting activities required by the permit in order to ensure that these individuals are conducting those activities consistent with the permittee's SPPP and the requirements of the permit. Over the years, the Department has observed poor implementation of many permit requirements during audits and inspections by the Enforcement staff, and therefore maintains employee training as a crucial and necessary permit requirement.

Additionally, the Department would like to note that all services being provided by external contractors, consultants, or vendors need to be documented in writing in the SPPP and some may need to be recorded as shared services in accordance with Part IV.A.3. In the case of a shared or outsourced service, training requirements can and should be incorporated into the written agreement with that entity, before any work related to the permit requirements begins. That way, the permittee and those external contractors are all on the same page regarding how to perform activities in compliance with the Highway Agency MS4 permit.

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

41. COMMENT: NJF supports requiring review engineers to complete a Stormwater Management Design Review Course. [2]

RESPONSE 41: The Department acknowledges the commenter's support for requiring review engineers to complete a Stormwater Management Design Review Course.

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

42. COMMENT: NJF supports requiring review engineers to complete Stormwater Management Rule Amendment Training. [2]

RESPONSE 42: The Department acknowledges the commenter's support for requiring review engineers to complete Stormwater Management Rule Amendment Training.

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

**Permit Section IV.G.1. MS4 Infrastructure Map**

43. COMMENT: Facilitating Regional Watershed Planning:
NJF supports the Department's efforts to encourage highway agencies to satisfy permit conditions via cooperative agreements with local or regional governments and private or non-profit organizations. Specifically, with regard to the new Watershed Improvement Plan (WIP) requirements, permittees can reduce costs and time spent by coordinating efforts or sharing data with municipalities, which also must complete individual WIPs. Below are areas where the Department can better facilitate cooperation:

- Permittees are required to meet MS4 mapping minimum standards and share the completed data with the Department by EDPA + 36 months, outlined in Part IV.G.1.a.

  Expanding this requirement also to include sharing the mapping data with the Stormwater Program Coordinators of affected municipalities would assist local governments by eliminating any crossover with their own MS4 mapping requirements. [2]

RESPONSE 43: The Department acknowledges the commenter's support for the Department's efforts to encourage Highway Agencies to satisfy permit conditions via cooperative agreements with local or regional governments.

Part IV.H.1.b. of the renewal permit requires Highway Agencies to share their mapping data with affected municipalities. When requested by other MS4 permittees that discharge within the shared subwatershed(s), Highway Agency permittees are required to provide their MS4 interconnection locations and stormwater infrastructure ownership information to these MS4 permittees. In addition, this information will be uploaded onto the Department's MS4 public mapping layer making it available for viewing by any other users.

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

44. COMMENT: Placing the responsibility of delineating the location of the stormwater features listed in Part IV.G.1 of the draft permit renewal that are owned or operated by the permittee, including their associated attributes noted in parentheses, is an unreasonable request that would require unnecessary staffing and resources. Should this information be necessary, on a case-by-case basis, the information can be obtained from a previously established database within the State of New Jersey such as NJ Geo Web, for example. [1]

45. COMMENT: Mapping of All MS4 infrastructure:
a. Stormwater conveyances need to be better defined.
b. Additional time should be provided to collect the requested data. The data requested will be significantly more complex to acquire than other MS4 components. Consider providing 5 years to complete the data acquisition with annual goals of 25% with the first 25% acquired within 24 months of the EDPA. [3]

RESPONSE 44-45: The Department understands the commenters' concerns about completing the enhanced infrastructure mapping. However, the previous stormwater infrastructure mapping will provide a good foundation for the addition of the new mapping requirements in this renewal permit.

Specifically, permittees should have already developed a map of their outfall pipes pursuant to the 2004 and 2009 Highway Agency permits, and then converted that mapping information, as well as any new outfalls, into an electronic Outfall Pipe Map and submitted that to the Department as of December 21, 2020, which was required by the 2020 Highway Agency permit. This map was required to show the location of the end of all MS4 outfall pipes (in tidal and non-tidal receiving waters) owned or operated by the permittee which discharge to a surface water body. The outfall pipe map was also required to include the location and name of all surface water bodies receiving discharges from those outfall pipes

Additionally, permittees should have also already completed a Stormwater Facilities Map and submitted it to the Department as of January 1st, 2023, which was also required by the 2020 Highway Agency permit. This map was required to include:

i. Storm drain inlets constructed after EDPA;
ii. Stormwater management basins;
iii. Subsurface infiltration/detention systems;
iv. Manufactured treatment devices (MTDs);
v. Green infrastructure;
vi. Property boundaries of the Highway Agency maintenance yard(s), ancillary operations, rest areas, and service areas as well as an annotated map of roadways and thoroughfares owned or operated by the permittee; and
vii. Include the type of each stormwater facility.

Since all permittees were required to complete these two requirements as of January 1, 2023, the MS4 Infrastructure Map requirement for this renewal permit should only require some additional attribute fields and potential rearrangement of existing data to be considered complete. Stormwater infrastructure that is now required to be collected by this renewal permit includes:

i. MS4 ground water discharge points;
ii. MS4 interconnections;

iii. Storm drain inlets (inlets constructed after 1/1/2020 were due to be mapped 1/1/2023);
iv. MS4 manholes;
v. MS4 conveyance; and
vi. MS4 pump stations.

As per the draft Highway Agency permit Fact Sheet issued on August 23, 2024, the Department asserts that enhanced stormwater infrastructure mapping is necessary to ensure and improve the proper operation and maintenance of the storm sewer systems throughout the State as permittees must be aware of the location of their storm sewer system components in order to conduct proper operation and maintenance, which is critical to the protection of public health, safety, and the environment.

Proper operation and maintenance of this infrastructure consequently improves the quality of the stormwater that is managed by that infrastructure, aiding in the goal of improving water quality. Proper maintenance of stormwater infrastructure also ensures that that infrastructure will operate as designed during storm events to alleviate localized flooding due to stormwater runoff. For example, performing street sweeping removes material containing pollutants from the road surfaces that can cause water quality impairments and prevents that same material from clogging inlets, catch basins and conveyance pipes which can cause localized flooding and public safety concerns.

Further, knowing the location of storm sewer system components is also necessary when implementing a stream scouring and illicit discharge detection and elimination program in order to be able to identify likely sources causing scouring and illicit discharges.

The Department will continue to make available a free to use mapping application and ArcGIS Online licenses as well as one-on-one direct technical assistance, and guidance and training for using the application in order to ease the potential cost burden of the mapping requirement. This training is offered either in person or virtually, upon request of the permittee, to assist with the mapping of the permittees' stormwater infrastructure.

No changes have been made to the final permit as a result of these comments.

46. COMMENT: The fact sheet includes additional details such as the original due date for each map element (page 43 of 54). For example, the fact sheet states: "a summary of the proposed mapping requirements is as follows (note that the required attributes are in parentheses and the new stormwater infrastructure elements to be mapped are included in **bold text**):

• MS4 outfalls (receiving surface water name, type of outfall) (receiving surface water name, type of outfall – EPA notes this is a duplicate statement) (was due 1/1/2021 and electronically by 12/21/2020);
• **MS4 ground water discharge points (type);**
• **MS4 interconnections (type, upstream entity, downstream entity)**;
• Storm drain inlets (type, catch basin present, label present, retrofitted) (inlets constructed after 1/1/2020 were due to be mapped 1/1/2023);
• **MS4 manholes;**
• **MS4 conveyance (type, direction of flow);**

• **MS4 pump stations;**
• Stormwater management measures (type) (manufactured treatment devices (MTDs), green infrastructure, stormwater management basins and infiltration/detention systems were due 1/1/2023); • Streets, ramps, parking areas, and thoroughfares (was due 1/1/2023); and • Property boundaries of rest area(s), maintenance yard(s) and other ancillary operations (type) (was due 1/1/2023)."

EPA suggests NJDEP include the additional detail (e.g., original due dates for each required element and emphasis of new map requirements in bold text) in the permit itself so the new requirements are clear to the public and the permittee. [4]

RESPONSE 46: The Department does not include requirement deadlines from previous permits in subsequent permit renewal language. The permittee can refer to the Highway Agency permit's Fact Sheet which will remain posted on the Department's webpage with the draft permit for information about requirements and due dates in previous iterations of the Highway Agency permit. The Department will also develop a deliverables timeline that will reference prior mapping requirements.

No changes have been made to the final permit as a result of these comments.

**Permit Section IV.H.1. General Watershed Improvement Plan Requirements**

47. COMMENT: Placing the burden on a Highway Agency of all the above outlined requirements to implement a Watershed Improvement Plan is unacceptable. Salem County's Highway Agency provides an array of public works activities, with limited staff, to the community outside of all reporting and requirements set forth in the NJPDES Permit. It is Salem County's position that other established government agencies currently have knowledge, skill and resources available to meet these goals. [1]

48. COMMENT: Watershed Improvement Plan: Development and implementation of the described plan represent a complex and demanding task for a County Government. Of particular concern should be:

a. Available staff time, staff expertise, available date, available software programs, the sheer enormity of the data sets being requested, the related data being requested and understanding most government agencies already operate with significant work backlogs, this seems like a very complex, difficult and long-range planning task for the local government to undertake.
b. MS4s are rarely the originator of the impairment source. MS4s collect and covey stormwater runoff from numerous private properties. More focus should be directed to controlling the non-point issues resulting in the creation of the impairment. These are monumental issues that should not be pushed to the local governments to manage. The county road surface is almost negligible in comparison to the actual non-point contributors.
c. Land Use and control is a function of the local municipal governments. Development and success of a WIP will be dependent upon close collaboration between all levels of government. It is not practical to accomplish this using the current levels of staffing at Sussex County.
d. Similar plan development efforts at any government level have required years of time and significant investment of both professional and financial resources. As such, if this is to remain a component of the permit the phase implementation schedules should be significantly extended.

e. Identification and implementation of phase two should be expected to require significant project scoping efforts and is not reasonable to accomplish under such a limited schedule. Plans could be developed on a case-by-case basis with a priority of locations established as part of Phase 1. When considering local government operating constraints, it is completely reasonable to anticipate planning, scoping, design and implementation of these plans will require significantly longer implementation schedules.
f. It will be impossible for existing staffing resources to absorb this task. Expansion of staff and retaining professional consultants will be required to complete this goal. Additionally, even beginning the process will be subject inclusion in a new annual budget request seeking Commissioner Approval to hiring new staff, retaining consultants, and advancing the plan development process. [3]

RESPONSE 47-48: The Department acknowledges the commentors' concerns and challenges presented regarding the development and implementation of a Watershed Improvement Plan (WIP). However, all dischargers to the waters of the State, including MS4s, have a mutual obligation to control those discharges so they do not cause or contribute to water quality impairments. Further, the Department disagrees that county road surface is negligible in comparison to non-point contributors. Highway agencies own or operate vast areas of impervious surfaces and are among the largest overall contributors of stormwater related pollution in the State. It would not be appropriate for the Department to attempt to pass the responsibility to reduce pollution from highway agencies onto other established government agencies, though the highway agency would be free to enlist those agencies as partners in developing their WIP. As noted in the Fact Sheet, the Department determined that a more specific permit requirement than the related 2020 permit requirement, such as requiring each Highway Agency permittees to develop, or take part in a regional WIP, was necessary to obtain pollutant reductions from stormwater discharges. The 2020 Highway Agency permit required permittees to evaluate the TMDLs that had been developed for their waters and develop strategies to address their discharges of stormwater related pollutants. The 2020 permit required:

i. "The permittee shall annually review approved or adopted TMDL reports to identify stormwater related pollutants listed therein and associated with any segment of surface water wholly or partially within or bordering all: maintenance yards; rest areas; service area properties; and new "major development" projects as defined by the permittee's stormwater program.
ii. The permittee shall use this TMDL information to, at a minimum (1) Assist in the selection and design of stormwater BMPs for "major development" projects, and the prioritization of stormwater facility maintenance, including schedules for repairs required at Part IV.B.6.b.vi. (Stream Scouring) and IV.C.3. (Stormwater Facilities Maintenance); and (2) Identify and develop strategies to address specific sources of stormwater related pollutants contributing to discharges authorized under this permit. Strategies may include but are not limited to those found in the implementation section of approved or adopted TMDL reports (for examples see "Total Maximum Daily Load (TMDL) Guidance" found at https://dep.nj.gov/wp-content/uploads/njpdes-stormwater/stormwater_tmdl-tool-box.pdf (note that this link has been updated from the 2020 permit)).
iii. The permittee shall annually update its SPPP to list information identified in i. above.
iv. The permittee shall incorporate any strategies identified in i. above as an Optional Measure. See Part IV.E (Optional Measures), and Part IV.A.2.c (SPPP).
v. The permittee shall meet the minimum standards of this permit, and the measurable goals (including any recordkeeping) and implementation schedules for Total Maximum Daily Load (TMDL) Information specified in Attachment A (Measurable Goals and Implementation Schedule)."

Since 2020, the Department conducted numerous compliance assistance audits, and most permittees did not include any information about their TMDLs in their SPPPs. Furthermore, they did not explain in their SPPPs how they would prioritize maintenance and repairs in those areas, nor provide any strategies developed to improve water quality in TMDL affected waters. While the requirement in the 2020 permit could have led to some water quality improvements in the TMDL associated waters, if implemented, this permit requirement did not address the surface water quality impairments, include a specific timeframe for implementation, or provide for improvements to achieve compliance with the wasteload allocations specified in the TMDLs. It should also be noted that each permittee is only responsible for addressing the contribution of the pollutant(s) causing the surface water quality impairment(s) that are discharged from their MS4, and each permittee's WIP would therefore be tailored to the unique circumstances of that Highway Agency and their respective subwatersheds. The Department does not have the information, resources, or authority to make those decisions for the permittee. Similar to the requirement in the 2020 Highway Agency permit, permittees are required to update their WIPs when necessary, based upon the biennial (every 2 years) review of the revisions to the impairments of the permittee's waterbodies as per the Department's Integrated Report and newly adopted TMDLs.

Based on current information including, but not limited to, surface water quality impairments, TMDLs, Harmful Algal Blooms (HABs), upgrades to the surface water quality classifications, and flooding due to storm events including Hurricane Ida, the Department determined additional measures, including the development of a WIP, were necessary to address these concerns. Specifically, Part IV.H.1.a. requires that permittees improve water quality by reducing the contribution of pollutant parameters for all receiving waters within and bordering the Highway Agency that have impairments and that have percent reductions listed for stormwater in the Total Maximum Daily Loads. Each discharger, including each MS4 discharger, is responsible to reduce their loading contribution of the applicable parameter to meet the waste load allocations (WLAs) set forth in these final Total Maximum Daily Load (TMDL) documents as percent reductions. The goal in instituting a WIP is to make reasonable progress towards restoring water quality in the impaired waters of the State, including those waters with adopted/approved TMDLs. Many of the surface waters subject to TMDLs and impairments do not have point source discharges outside of the contributions from MS4 systems.

The correct completion of these tasks will take time; therefore, the Department maintains that the timeframes allotted in this renewal permit are appropriate due to the amount of information that must first be developed, then evaluated for potential BMPs to be implemented at all permittee owned or operated maintenance/ancillary yards and rest areas appropriate for the pollutant(s) and area. This information then is required to be coordinated with other stakeholders, including the other MS4s discharging to the same subwatersheds, and the public. The Department would also like to note that permittees will be required to discuss their WIP progress within their annual reports and their SPPP.

As a continual effort to prepare guidance and assistance to our permittees, the Department has created a WIP Guidance Webpage that may be accessed at https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/watershed-improvement-plan-resource-page/. This webpage hosts the most updated guidance and tools that the Department has prepared for the creation and implementation of permittees' WIPs. Additionally, the webpage hosts the Department's newest free web-based application, titled New Jersey Watershed Evaluation Tool (NJ-WET). This easy-to-use tool aggregates all of the most updated public data related to stormwater hosted by the Department in an interactive map that allows users

to view permittee specific data, create PDF maps, and extract permittee specific data. The following public data layers hosted by the Department are available through NJ-WET: TMDLs, HUC 14s, Water Quality Impairments, Surface Water Quality Classifications, Overburdened Communities, and Impervious Areas. Templates for each phase will be added to the website as they become available. Once the Highway Agency WIP templates are completed, the Department will email the permittees' SPCs and post them on the website. The Department will also offer a 30-day informal comment period for permittees and other stakeholders to review the WIP template and provide suggested changes, etc. Permittees will also be notified via email when the final version of the template is posted online.

Training on the WIP will also be part of the required SPC Training. The recordings of the training sessions will be made available on the webpage for continual use after the training sessions. In addition to the webpage and the required SPC training, the Department has also created an optional Technical Assistance training for permittees who wish to learn more about the MS4 Infrastructure Map and Watershed Inventory Report requirements, including a demonstration of NJ-WET that will also be posted to the webpage.

The Department would like to remind permittees that they can decrease some of the resource burdens by utilizing shared service agreements with other MS4 permittees, including municipalities, counties, and the State, to satisfy some permit requirements. Counties also have the opportunity to form or be part of a larger stormwater utility, which would be an alternate funding mechanism to use to satisfy permit requirements.

As noted above, each discharger, including each MS4 discharger, is ultimately responsible to reduce their loading contribution of the applicable parameter(s) to meet the waste load allocations (WLAs) set forth in the final Total Maximum Daily Load (TMDL) documents as percent reductions. The Department's guidance to permittees for impaired waters, where no TMDL has been established, will explain how permittees can make informed decisions based on the potential source(s) of the pollutant(s), and available technology, while complying with the CWA requirement noted above.

Finally, the Department is continually looking to provide financial assistance to its permittees to aid in permit compliance. The Department is currently finalizing a funding program to aid county MS4s in developing their stormwater infrastructure maps, as well as investigating other potential programs to provide additional resources.

No changes have been made to the final permit as a result of these comments.

49. COMMENT: Facilitating Regional Watershed Planning:
In Part IV.H, Phases 2 and 3 of the WIP require permittees to conduct public information sessions to report on the Watershed Assessment Reports and the WIP Final Reports, respectively, for each of the permittee's permitted regions. The Department should encourage permittees to coordinate these public information sessions with local governments that are required to schedule similar sessions for their municipal-based WIPs. [2]

RESPONSE 49: Although the Department encourages coordination in many aspects of the WIP process between MS4s within the same watersheds, the public information sessions are not feasible to coordinate across certain MS4 permit sectors. Since the Highway Agency permit is being renewed two years after the Tier A permit was renewed, it is not possible to align these permits' WIP schedules on a task-by-task basis.

If the Department required Highway Agencies to coordinate their public information sessions with local governments' sessions, that would only give Highway Agencies one year to conduct their Phase 1 mapping and inventory tasks.

When the Public Complex permit was renewed one year after the Tier A permit renewal, the Department did compress the schedule for Public Complex permittees because their smaller footprints require less work in Phase 1 than Tier A permittees, but Highway Agencies extend across multiple areas so they could not be expected to complete their mapping and inventory tasks on a compressed schedule. However, Highway Agencies that have reached Phases 2 and 3 may choose to coordinate their public outreach sessions with any Tier A municipalities' sessions that may be occurring during the same time frame.

Part IV.H.1. of the renewal permit requires Highway Agency permittees to share their MS4 mapping data with other MS4 permittees within their shared subwatershed(s); Part IV.H.2. requires mapping of all known stormwater interconnections between the permittee's storm or sanitary sewer system and other entities' storm or sanitary sewer systems; Part IV.H.3. requires permittees to conduct public information session(s) in each of their permitted regions; and Part IV.H.4. requires a summary of any collaboration with other MS4 permittees.

While each MS4 permittee, including each Highway Agency MS4 permittee, is individually responsible for complying with the requirement to develop a WIP, the Department requires the permittee to solicit input from other stakeholders, including other MS4 permittees discharging to the same subwatersheds. While the Department is not requiring MS4 permittees to create regional WIPs, it would support that effort as noted below and also encourages permittees to work together in developing more regionalized WIPs, especially where a regional approach would be more effective at meeting the surface water quality standards or would result in accelerated water quality improvements. Regionalized WIPs will be accepted as compliant with this requirement, as long as each permittee's responsibilities under the regional WIP are clearly outlined and agreed upon by the group of permittees covered by the regional WIP. Also, while establishing a regional stormwater management plan pursuant to N.J.A.C. 7:8-3 would likely meet most, if not all, of the WIP requirements, the creation of a regional stormwater management plan pursuant to N.J.A.C. 7:8-3 is not specifically required under this permit.

Further, the Department will prioritize regional WIPs in terms of Department assistance, funding opportunities, and review and approval.

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

50. COMMENT: Facilitating Regional Watershed Planning:
The Department should provide guidance to improve coordination with local and regional stormwater management plans and WIPs to ensure plans are consistent and address climate-related hazards. [2]

RESPONSE 50: Permittees are encouraged to explore the idea of working together to establish and implement a regional WIP. The Department posted draft guidance for the WIP, as well as a WIP template, to assist Tier A and Public Complex permittees with understanding the information that will need to be included in the WIPs for an informal 30-day comment period beginning on October 30, 2024. This comment period was established to allow those permittees and other stakeholders to review the template and provide

suggested changes, etc. The Department's review and potential changes will be directed at ensuring the provided WIPs meet the requirements of those permits. The Department will also follow this same process regarding the Highway Agency WIP template and guidance, and once the Highway Agency WIP template is finalized, the Department will email the Highway Agency permittees' SPCs, post this template on its website at https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/watershed-improvement-plan-resource-page/.

The Department is also providing guidance through the Stormwater Program Coordinator (SPC) Training. Each permittee also has a stormwater program case manager assigned by county in the MS4 permitting group https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/ms4-case-manager-list/ to provide one-on-one assistance with any issues permittees may have with implementation of the program.

The Department is also willing to meet with permittees and facilitate conversations regarding regional collaboration on WIPs to address local and regional stormwater concerns.

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

51. COMMENT: Strengthening Watershed Improvement Plan Requirements:
NJF supports the new requirement for highway agencies to develop a Watershed Improvement Plan. Adding "Areas where the Highway Agency owned or operated property intersects with Overburdened Communities" to the Watershed Inventory Report mapping requirements would ensure a more holistic understanding of the permittee's effects on its constituency. [2]

RESPONSE 51: The Department acknowledges the commenter's support for the new requirement for Highway Agencies to develop a Watershed Improvement Plan.

A portion of the required mapping data is available through the Department's Open Data site and the Department has also created the New Jersey Watershed Evaluation Tool (NJ-WET). NJ-WET is a web-based application displaying all NJDEP stormwater related data required to be included in the WIP in one place. This interactive tool allows users to view and download data that intersects with each municipality, including but not limited to: TMDLs, HUC14s, Water Quality Impairments Related to Stormwater, Surface Water Quality Classifications, MS4 Infrastructure, Overburdened Communities, and Impervious Surfaces.

Since Tier A MS4 permittees are required to include Overburdened Communities data pertinent to their municipalities in the preparation of their Watershed Inventory Reports, the Department does not believe that this requirement needed to be duplicated in the Highway Agency permit.

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

52. COMMENT: Strengthening Watershed Improvement Plan Requirements:
The Department should require an expedited timeline for the development of the WIP since permittees were previously required to fulfill certain mapping requirements associated with the Watershed Inventory Report, such as mapping all stormwater facilities and outfalls. Recommended timeline:

- Prepare the Watershed Inventory Report on or before EDPA + 24 months;
- Prepare the Watershed Assessment Report on or before EDPA + 36 months; and
- Prepare the Watershed Improvement Plan Final Report on or before EDPA + 48 months. [2]

RESPONSE 52: While the Department acknowledges that some permittees may have the resources available to complete some tasks sooner than others, it must be recognized that this is a general permit, ultimately applicable to 33 Highway Agencies with diverse resources, obstacles and needs. Phases 2 and 3 of the WIP build on the previous phase(s), with the first being the mapping of the stormwater system paired with identifying the water quality concerns related to the specified areas of each Highway Agency's stormwater system. Permittees are required to solicit input from stakeholders, including residents, business owners, owners of private stormwater facilities, MS4 municipalities and other dischargers to the subwatershed(s) to be involved in the WIP development process, and begin conducting semi-annual public information sessions on or before EDPA +36 months. The permittees will also need to include information regarding their WIP in their SPPPs, and the status of compliance with the WIP when they submit their Annual Reports. Completing all aspects of the new mapping requirements, developing proposed water quality improvement projects and providing for a robust public involvement process will likely not be quick nor simple to complete for most permittees, which is why the Department has allotted 3 years for completion of this first phase of the WIP (as was allotted to Tier A municipalities), with the next 2 phases of the WIP due in the subsequent 2 years.

The Department maintains that the due dates in this general permit have been established to obtain the required water quality improvements from the Highway Agencies as quickly as practicable.

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

# PART I
# GENERAL REQUIREMENTS:
# NJPDES

## A. General Requirements of all NJPDES Permits

### 1. Requirements Incorporated by Reference

a. The permittee shall comply with all conditions set forth in this permit and with all the applicable requirements incorporated into this permit by reference. The permittee is required to comply with the regulations, including those cited in paragraphs b. through e. following, which are in effect as of the effective date of the final permit.

b. General Conditions

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

c. Operation And Maintenance

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

d. Monitoring And Records

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

e. Reporting Requirements

| | |
|---|---|
| Planned Changes | N.J.A.C. 7:14A-6.7 |
| Reporting of Monitoring Results | N.J.A.C. 7:14A-6.8 |
| Noncompliance Reporting | N.J.A.C. 7:14A-6.10 & 6.8(h) |
| Hotline/Two Hour & Twenty-four Hour Reporting | N.J.A.C. 7:14A-6.10(c) & (d) |
| Written Reporting | N.J.A.C. 7:14A-6.10(e) &(f) & 6.8(h) |
| Duty to Provide Information | N.J.A.C. 7:14A-2.11, 6.2(a)14 & 18.1 |
| Schedules of Compliance | N.J.A.C. 7:14A-6.4 |
| Transfer | N.J.A.C. 7:14A-6.2(a)8 & 16.2 |

# PART II
# GENERAL REQUIREMENTS:
# DISCHARGE CATEGORIES

## A. Additional Requirements Incorporated by Reference

### 1. Additional Requirements

a. In addition to the requirements in Part I of this permit, the permittee is required to comply with the following requirements which are in effect as of the effective date of the final permit.

i. The Stormwater Management rules at N.J.A.C. 7:8.

ii. Conditions for General Permits at N.J.A.C. 7:14A-6.13.

iii. Additional Conditions applicable to UIC permits at N.J.A.C. 7:14A-8.9, UIC Corrective Action (N.J.A.C. 7:14A-8.11.) and UIC Operating Criteria (N.J.A.C. 7:14A-8.16.).

iv. Conditions for reopening and modification of MS4 permits at N.J.A.C. 7:14A-16.4(b)21. and N.J.A.C. 7:14A-25.7(b).

v. Requirements for Discharges to Ground Water at N.J.A.C. 7:14A-7.

vi. National Pollutant Discharge Elimination System (NPDES) Electronic Reporting rule at 40 CFR Part 127.

## B. General Conditions

### 1. Notification of Non-Compliance

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

### 2. Discharge of Pollutants

a. For discharges authorized by this permit, the permittee is exempt from N.J.A.C. 7:14A-6.2(a)2. This exemption means that the discharge of any pollutant not specifically regulated in this NJPDES permit or listed and quantified in the Request for Authorization (RFA) shall not constitute a violation of the permit.

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

a. The following documents and reports shall be electronically submitted via the Department's designated electronic submission services:

i. General permit authorization requests, i.e., RFAs (https://dep.nj.gov/dwq/permitting_information/permits_application_forms_and_checklists/#additional_forms);

ii. General permit termination/revocation requests (https://dep.nj.gov/dwq/permitting_information/permits_application_forms_and_checklists/#additional_forms); and

iii. Municipal separate storm sewer system (MS4) annual reports (see Part IV.K).

**4. Other Regulatory Requirements**

a. Permit conditions remain in effect and enforceable until and unless the permit is modified, renewed, or revoked by the Department.

b. The issuance of this permit shall not be considered as a waiver of any applicable federal, State, or local rules, regulations, and regulatory mechanisms.

c. In accordance with N.J.A.C. 7:14A-6.2(a)7., this permit does not authorize any infringement of State or local law or regulations, including, but not limited to, N.J.A.C. 7:50. (the Pinelands rules), N.J.A.C. 7:1-E. (Discharges of Petroleum and other Hazardous Substances), regulations concerning threatened and endangered species and their designated critical habitat, and other Department rules. No discharge of hazardous substances (as defined in N.J.A.C. 7:1E-1.6.) resulting from an onsite spill shall be deemed to be "pursuant to and in compliance with this permit" within the meaning of the Spill Compensation and Control Act at N.J.S.A. 58:10-23.11c.

d. While the permittee is required to comply with applicable operation and maintenance requirements of N.J.A.C. 7:14A-6.12(a), the permittee is exempt from the operations and maintenance manual requirements of N.J.A.C. 7:14A-6.12(c). This exemption applies only to discharges authorized under this permit and does not alter the operation and maintenance requirements for municipally or privately-owned stormwater facilities specified in this permit or N.J.A.C. 7:8.

## C. Eligibility

### 1. Permit Scope

a. This general permit applies to all stormwater discharges from small MS4s at highways or other thoroughfares that are owned or operated by a "Highway Agency" under N.J.A.C. 7:14A-25.2(a)3.

b. For purposes of this permit and as described under N.J.A.C. 7:14A-25.2(a)3., a "Highway Agency" is a county, state, interstate, or federal agency that operates a small MS4 at a "highway or other thoroughfare" (including a maintenance or service facility or rest area for such a thoroughfare). A "highway or other thoroughfare" does not include:

i. Any thoroughfare confined to the grounds of a single building, or of two or more buildings that are not a "public complex" as described in N.J.A.C. 7:14-A-25.2(a)2. (unless that building(s) is a maintenance or service facility for a highway or other thoroughfare not confined to such grounds);

ii. Any thoroughfare confined to the grounds of a "public complex" (each such thoroughfare is instead considered part of the "public complex"); or

iii. Any thoroughfare (other than the Palisades Interstate Parkway) confined to an officially designated park, forest, recreational area, natural area, wildlife management area, or area set aside for water supply protection.

c. The short title of this permit is the Highway Agency Permit.

**2. Authorized Discharges**

a. Authorized Stormwater Discharges – Except as provided in Part II.C.3. below, this permit authorizes all new and existing stormwater discharges to surface water and groundwater from:

i. Small MS4s (as defined at N.J.A.C. 7:14A-1.2.) that are owned or operated by "Highway Agency" under 1.a. above; and

ii. Maintenance yards and other ancillary operations, excluding wood waste recycling and wood composting operations, that are owned or operated by a "Highway Agency" under 1.a. above.

b. Authorized Non-Stormwater Discharges – Except as identified in Part II.C.3.e. below, the following new and existing non-stormwater discharges from small MS4s owned or operated by the permittee and from Highway Agency maintenance yards and other ancillary operations are authorized under this permit:

i. Potable water line flushing and discharges from potable water sources, excluding the discharge of filter backwash and first flush water from potable well development/redevelopment activities utilizing chemicals in accordance with N.J.A.C. 7:9D. The volume of first flush water, which is a minimum of three times the volume of the well water column, shall be handled and disposed of properly;

ii. Uncontaminated ground water, e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters;

iii. Air conditioning condensate (excluding contact and non-contact cooling water and industrial refrigerant condensate);

iv. Irrigation water (including landscape and lawn watering runoff);

v. Flows from springs, riparian habitats, wetlands, water reservoir discharges, and diverted stream flows;

vi. Residential car washing water and dechlorinated swimming pool discharges from single family residential homes;

vii. Sidewalk, driveway, and street wash water;

viii. Flows from firefighting activities;

ix. Flows from clean water rinsing of beach maintenance equipment immediately following use and only if the equipment is used for its intended purpose;

x. Flows from clean water rinsing of equipment and vehicles used in the application of salt and de-icing/anti-icing materials. Prior to rinsing, all equipment shall be cleaned using dry methods such as shoveling and sweeping. Recovered materials are to be returned to storage or properly discarded; and

xi. Rinsing of equipment in Part II.C.2.b.ix. and x., above, is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

**3. Discharges Not Authorized**

a. This permit does not authorize "stormwater discharge associated with industrial activity" as defined in N.J.A.C. 7:14A-1.2. except as otherwise specifically provided in this permit:

i. Types of facilities that the permittee might operate and that are considered to be engaging in "industrial activity" include but are not limited to certain:

1) landfills,

2) transportation facilities (including certain local passenger transit and air transportation facilities),

3) facilities that manage domestic sewage or sewage sludge,

4) steam electric power generating facilities, and

5) facilities that process and/or compost recyclable materials as defined in N.J.A.C. 7:26A (Recycling Rules) including wood waste recycling and leaf composting facilities; and

ii. Any permittee that has stormwater discharges associated with industrial activities shall submit a separate RFA or individual permit application for that discharge.

b. This permit does not authorize "stormwater discharges associated with construction activity" as described in N.J.A.C. 7:14A-24.10(a) which is defined as the discharge to surface water of stormwater from construction activity that disturbs at least one acre:

   i. Any permittee that operates a construction site with such a discharge shall submit a separate RFA under NJPDES Permit No. NJ0088323 (General Stormwater Permit Construction Activity), or an application for an individual permit for that discharge. An RFA submitted for this permit does not qualify as an RFA for such a discharge. See https://dep.nj.gov/njpdes-stormwater/industrial-stormwater-program/ for information regarding these two types of permits.

c. This permit does not authorize any stormwater discharge that is authorized under another NJPDES permit. The permittee does not have to implement measures contained in this NJPDES permit for stormwater discharges at Highway Agency properties owned or operated by that permittee that are regulated under a separate NJPDES stormwater permit authorizing those discharges.

d. This permit does not authorize stormwater discharges from projects or activities that conflict with an adopted Areawide Water Quality Management Plan.

e. This permit does not authorize stormwater discharges listed in Part II.C.2.b, above, that are determined to be a significant contributor of pollutants to or from the MS4, which must be addressed as an illicit connection as specified in Part IV.F.2.b. and Part IV.F.3.d. of this permit, or as an improper disposal of waste.

**4. Exclusions**

a. Any owner, operator, and/or discharger authorized by this general permit may request to be excluded from the coverage of the general NJPDES permit by applying for an individual permit. The owner, operator, and/or discharger shall submit an application in accordance with N.J.A.C. 7:14A-4, with reasons supporting the request, to the NJDEP. The request shall be processed under N.J.A.C. 7:14A-15, 16 and 17. The request shall be granted by the issuance of an individual permit if the reasons cited by the owner, operator, and/or discharger are adequate to support the request.

b. An owner, operator, and/or discharger excluded from this general NJPDES permit solely because of an existing individual permit may request that that individual permit be revoked or modified, as appropriate, and that the discharge be authorized by this general NJPDES permit. An authorization under this General Permit can only be issued on or after the revocation or modification of the individual permit.

## D. Administrative Process

### 1. Automatic Renewal

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

### 2. Notification of Change in Ownership and/or Permittee/Operating Entity

a. As set forth at N.J.A.C. 7:14A-16.2, prior to any change in ownership and/or the permittee/operating entity, the current permittee shall provide written notice to the Department at least thirty (30) days prior to the proposed transfer date.

   i. Written notice to the Department shall be in the form of a completed Application for Transfer of a NJPDES Permit form, which is available on the Department's website (See B.3. above).

### 3. Notification of Changes to the Facility/Permit Contacts

a. The permittee shall notify the Department within 30 days of a change in contact information for any of the following persons associated with the facility/permit:

   i. Permittee/Operating Entity Contact;

   ii. Property Owner Contact;

   iii. Facility Contact; or

   iv. Fees/Billing Contact.

b. Notification to the Department shall be in the form of a completed Contact Information Update form (i.e. NJPDES-2 form), which is available on the Department's website (See B.3. above).

### 4. Request for Authorization

a. A single RFA is required for the entire eligible discharge from the small MS4 owned or operated by a Highway Agency. Multiple RFAs are not required for multiple operations (e.g., maintenance yards or other ancillary operations, garages, and/or offices owned or operated by the permittee on the property of the Highway Agency), however these operations shall be included in the RFA as applicable.

b. An RFA under this general permit shall include: A completed Checklist and Request for MS4 Stormwater Permits and any other information as required by the Department.

c. Upon receipt of an RFA the Department may, in accordance with N.J.A.C. 7:14A-6.13, do one of the following:

   i. Issue notification of authorization under this permit;

ii. Deny authorization under this permit and require submittal of an application for an individual permit; or

iii. Deny authorization under this permit and require submittal of an RFA for another general permit.

d. The Department may notify a person that the discharge is authorized by a general permit, even if the person has not submitted an RFA. A person so notified may nonetheless request an individual permit under C.4. above.

# PART III
# Recordkeeping and Reporting

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

# PART IV

# SPECIFIC REQUIREMENTS: NARRATIVE

**Notes and Definitions**

## A. Footnotes

### 1. Acronyms

a. Stormwater acronyms included in this permit are as follows:

i. "BMP" – Best Management Practice

ii. "CFR" – Code of Federal Regulations

iii. "EDPA" – Effective Date of Permit Authorization

iv. "EPA" - U.S. Environmental Protection Agency

v. "GIS" – Geographic Information System

vi. "MS4" – Municipal Separate Storm Sewer System

vii. "MSRP" – Municipal Stormwater Regulation Program

viii. "MTD" – Manufactured Treatment Device

ix. "MY" – Maintenance Yard

x. "N.J.A.C." – New Jersey Administrative Code

xi. "NJPDES" – New Jersey Pollutant Discharge Elimination System

xii. "N.J.S.A." – New Jersey Statutes Annotated

xiii. "RFA" – Request for Authorization

xiv. "SPC" – Stormwater Program Coordinator

xv. "SPPP" – Stormwater Pollution Prevention Plan

xvi. "TMDL" – Total Maximum Daily Load

xvii. "WIP" – Watershed Improvement Plan

### 2. Internal Cross References

a. For the purposes of this permit:

i. References to Part IV Notes and Definitions are preceded with the words "Notes and Definitions", e.g., Notes and Definitions Part IV.A.1 refers to Acronyms; and

ii. References to Part IV of the Highway Agency Permit are not preceded by descriptive text, e.g., Part IV.A.1 refers to Stormwater Program Requirements.

## B. Definitions

### 1. Definitions

a. All words and terms used in this permit shall have meanings as defined in the "Regulations Concerning the New Jersey Pollutant Discharge Elimination System" (N.J.A.C. 7:14A), unless otherwise stated or unless the context clearly requires a different meaning.

b. Definitions for terms A through P

i. “Anti-icing” means the proactive application of melting products to driving or walking surface before a storm. Anti-icing helps prevent snow and ice from bonding to the pavement, allowing workers to clear the surfaces more easily and creating safe winter conditions.

ii. "Catch Basin" means a cistern, vault, chamber, or well that is typically built along a street and below an inlet grate as part of the storm sewer system that is designed to capture and retain sediment, debris, and pollutants so those particles do not pass on to the stormwater sewer system.

iii. “Culvert” means a pipe or other man-made structure conveying a watercourse under a road, railroad, bridge, driveway, etc.

iv. “De-icing” means the reactive application of ice-control products to driving or walking surfaces to melt existing snow and ice.

v. "Effective Date of Permit Authorization" means the date the permittee's authorization to discharge under this permit becomes effective. This date may be found on the permittee's Authorization to Discharge page.

vi. "Green infrastructure" means green infrastructure as defined in N.J.A.C. 7:8.

vii. “Ground water discharge point” means the lowest invert elevation of any stormwater facility where stormwater discharges into the surficial ground water aquifer.

viii. “Hazard Tree” means a tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees.

1) Has an infectious disease or insect infestation;

2) Is dead or dying;

3) Obstructs the view of traffic signs or the free passage of pedestrians or vehicles where pruning attempts have not been effective;

4) Is or has the potential to cause damage to structures (such as building foundations, sidewalks, bridges, retaining walls, noise barriers, etc.); or

5) Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or Licensed Tree Expert.

ix. "HUC 14" or "hydrologic unit code 14" means an area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey. (N.J.A.C. 7:9B)

x. "Illicit connection" means any physical or non-physical connection that discharges the following to a municipal separate storm sewer system (unless that discharge is authorized under a NJPDES permit other than the NJPDES permit for discharges from that system):

1) Domestic sewage;

2) Non-contact cooling water, process wastewater, or other industrial waste (other than stormwater); or

3) Any category of non-stormwater discharges that a permittee for the MS4 identifies as a source or significant contributor of pollutants pursuant to 40 C.F.R. 122.26(d)(2)(iv)(B)(1) or 122.34(b)(3)(iii).

xi. "Limited-access highway" means every highway, street, or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street, or roadway, and includes any highway designated as a "freeway" or "parkway" by authority of law.

xii. "Maintenance plan" means a maintenance plan pursuant to N.J.A.C. 7:8-5.2(b) and 5.8 prepared by the design engineer for the stormwater management measures incorporated into the design of a major development. Alternately, a maintenance plan may be developed and/or modified after the stormwater facility has been constructed based on operational experience.

xiii. "Maintenance yard and ancillary operation" means a maintenance and storage yard owned or operated by the permittee on the property of the Highway Agency, including but not limited to, fleet or maintenance shop with outdoor storage areas, impound yard, permanent and mobile fueling location, salt/sand storage location, and snow disposal area.

xiv. “Major Development” means a major development as defined in N.J.A.C. 7:8.

xv. “MS4 interconnection” means any point at which one MS4 system is connected to a second MS4 system in such a way that it allows for direct discharges into the second system."

xvi. “Municipal separate storm sewer" (or MS4 conveyance) means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) as defined in more detail at N.J.A.C. 7:14A-1.2.

xvii. "Municipality" means a municipality as defined in the Municipal Land Use Law at N.J.S.A. 40:55D-5, that is, any city, borough, town, township, or village.

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

xix. "Permanent structure" means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of preventing wind driven rainfall from coming in contact with stored de-icing/anti-icing material). A fabric frame structure is a permanent structure if it meets the following specifications:

1) Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing/anti-icing materials;

2) The design shall prevent stormwater run-on and run-through, and the fabric cannot leak;

3) The structure shall be erected on an impermeable slab;

4) The structure cannot be open sided; and

5) The structure shall have a roll up door or other means of preventing wind driven rainfall from coming in contact with stored de-icing/anti-icing material.

xx. “Point source” means any discernible, confined, and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft, from which

pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

c. Definitions for terms R through Y

i. “Regulatory mechanism” means an ordinance, permit, standard, contract language, or any other procedure, that will be enforced by the permittee.

ii. “Rest Area” means a roadside facility that provides parking at a minimum, including service areas, scenic overlooks, weigh stations, truck park/sleep areas, and emergency pull-off areas.

iii. "Small MS4" means all municipal separate storm sewers (other than "large" or "medium" municipal separate storm sewer systems as defined in N.J.A.C. 7:14A-1.2) that are:

1) Owned or operated by municipalities described under N.J.A.C. 7:14A-25.1(b);

2) Owned or operated by county, State, interstate, or Federal agencies, and located at Public Complexes as described under N.J.A.C. 7:14A-25.2(a)2;

3) Owned or operated by county, State, interstate, or Federal agencies, and located at highways and other thoroughfares as described under N.J.A.C. 7:14A-25.2(a)3; or

4) Owned or operated by county, State, interstate, Federal, or other agencies, and receive special designation under N.J.A.C. 7:14A-25.2(a)4.

iv. "Solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids.

v. "Storm drain inlet" means the point of entry into the storm sewer system.

vi. "Stormwater" means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities or is conveyed by snow removal equipment.

vii. "Stormwater facility" means stormwater infrastructure including, but not limited to, catch basins, infiltration basins, detention basins, green infrastructure (GI), filter strips, riparian buffers, infiltration trenches, sand filters, constructed wetlands, wet basins, bioretention systems, low flow bypasses, Manufactured Treatment Devices (MTDs), and stormwater conveyances.

viii. "Stormwater management basin" means a stormwater management basin as defined in N.J.A.C. 7:8.

ix. "Stormwater management measure" means a stormwater management measure as defined in N.J.A.C. 7:8.

x. “Stormwater runoff” means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

xi. "Stream scouring" means the erosion or removal of streambed or bank material by the physical action of flowing water and the sediment that it carries.

xii. “Street tree” means a tree planted in the sidewalk, planting strip, and/or in the permittee’s right-of-way adjacent to (or specified distance from) the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the permittee’s right-of-way, i.e., islands, medians, pedestrian refuges. Trees within the permittee’s right-of-way of limited access highways are not considered street trees.

xiii. “Subsurface infiltration/detention system" means a vault, perforated pipe, and/or stone bed that is located entirely below the ground surface and that temporarily stores and attenuates stormwater runoff.

xiv. “Total maximum daily load” or “TMDL” means a total maximum daily load formally established pursuant to Section 7 of the Water Quality Planning Act (N.J.S.A. 58:11A-7) and Section 303(d) of the Clean Water Act, 33 U.S.C. §§12512 et seq. A TMDL is the sum of individual wasteload allocations for point sources, load allocations for nonpoint sources of pollution, other sources such as tributaries or adjacent segments, and allocations to a reserve or margin of safety for an individual pollutant.

xv. “Tree” means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

xvi. “Waters of the State” means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction” (see N.J.A.C. 7:9B-1.4).

xvii. "Wood waste" means source separated whole trees, tree trunks, tree parts, tree stumps, brush, and lumber (non-chemically treated, glued, dyed, or painted).

xviii. "Yard trimmings" (N.J.A.C. 7:26A-1.3) means grass clippings, leaves, wood chips from tree parts, and brush.

# MS4 - Highway Agency Stormwater (GP)

## A. Minimum Standards for Stormwater Management Program

### 1. Stormwater Program Requirements

a. The permittee shall develop, update, implement, and enforce an MS4 stormwater program. A primary objective of the MS4 stormwater program shall be to implement best management practices and other measures that are designed to reduce the discharge of pollutants from the permittee's MS4, maintenance yards and other ancillary operations, to the maximum extent practicable pursuant to N.J.A.C. 7:14A-25.6(a)1 and 40 CFR 122.34(a), to protect water quality, and to satisfy the applicable water quality requirements of the Clean Water Act.

b. The permittee shall modify and update its MS4 stormwater program (including applicable plans and appropriate regulatory mechanisms) to conform with applicable new legislation or new or amended regulations.

   i. Such modification and update shall be completed and effective within 12 months of written notification by the Department of the need for modification and update.

c. The permittee shall develop, update, implement, and maintain a written Stormwater Pollution Prevention Plan (SPPP) that documents the permittee's MS4 stormwater program and describes the measures necessary for compliance with all permit conditions.

d. A principal executive officer or a ranking elected official shall designate a duly authorized Stormwater Program Coordinator (SPC) who has the knowledge to manage the implementation and compliance of the permittee's MS4 stormwater program and shall be responsible for the following:

   i. Coordinating the permittee's implementation of its MS4 stormwater program, permit conditions, and SPPP;

   ii. Signing and dating the SPPP; and

   iii. The completion and submittal of the Municipal Stormwater Regulation Program (MSRP) Annual Report, consistent with Part IV.K.

e. The permittee shall notify the Department of any SPC assignment changes and designate a new SPC within thirty (30) days of the change through the completion of the Stormwater Program Coordinator Information Update Sheet, which can be found on the Department's website (See Part II.B.3 above).

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

a. The permittee shall include in the SPPP, at a minimum, information that:

i. Identifies the person designated as the SPC per Part IV.A.1.d. above, and the members of the stormwater team, which is comprised of the people responsible for implementing or coordinating the stormwater program activities;

ii. Describes the measures the permittee has established to ensure compliance with all components of this permit with details regarding how each element of the stormwater program is implemented and tailored specifically to their Highway Agency;

iii. Identifies each individual maintenance yard and ancillary operation on a separate form within the SPPP that includes the site-specific details of each yard or ancillary operation;

iv. Documents all shared or contracted services as allowed under Part IV.A.3., below;

v. Notes the location of all records/documentation required by this permit; and

vi. Reflects the measurable goals, implementation schedules, recordkeeping, and other requirements of this permit.

b. The permittee's SPPP shall be submitted electronically to the Department via the NJDEP Online Stormwater Document Submittal Service on or before EDPA + 6 months.

c. The SPPP shall be posted on the permittee's dedicated stormwater webpage or other approved webpage (See Part IV.B.2.) on or before EDPA + 6 months.

d. The permittee shall review the SPPP at least annually and update it as often as necessary to reflect changes related to the permittee's MS4 stormwater program. Any amendments to the SPPP:

i. Shall continue to meet the requirements of this permit;

ii. Shall be incorporated into the SPPP;

iii. Shall be recorded on the SPPP revisions page;

iv. Shall be signed and dated by the SPC;

v. Shall be submitted electronically as in b. above to the Department within thirty (30) days of the amendments; and

vi. Shall be posted on the permittee's dedicated stormwater webpage or other approved webpage within thirty (30) days of the amendments.

e. The permittee shall amend the SPPP to adequately address any deficiencies identified by the Department within thirty (30) days of notice, unless otherwise specified by the Department.

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

a. The permittee may rely on another entity (e.g., governmental, stormwater utility, private, or nonprofit organization such as a watershed association) to satisfy one or more of the permit conditions, or component thereof, through the implementation of best management practices or control measures, provided that:

   i. The other entity implements best management practice(s), control measure(s), or component(s) thereof, which are at least as stringent and as frequent as the corresponding permit requirement;

   ii. The other entity agrees in writing or is required by law to implement the measure(s) or component(s) thereof, in such a manner that complies with the permit on the permittee's behalf;

   iii. The permittee specifies in its SPPP which permit conditions will be implemented by each other entity; and

   iv. The permittee specifies in its SPPP the name of each other entity.

b. If permit requirements are contracted to an outside entity to be completed in whole or in part, work shall be completed in a manner that is in compliance with this permit.

c. The permittee is responsible for compliance with this permit if the other entity fails to implement the measure(s) or component(s) thereof.

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

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

a. The permittee shall comply with applicable State and local public notice requirements when providing for public participation in the development and implementation of the MS4 stormwater program. Requirements include, but are not limited to:

   i. The Open Public Meetings Act ("Sunshine Law," N.J.S.A. 10:4-6 et seq.); and

   ii. Statutory procedures for the enactment of ordinances (N.J.S.A. 40:49-2), including the stormwater control ordinance and other ordinances adopted to comply with Part IV of this permit.

b. The permittee shall maintain records necessary to demonstrate compliance with the public participation requirements of Part IV.B.1.a., above.

c. All permittees shall comply with this requirement on EDPA.

### 2. Dedicated Stormwater Webpage

a. The permittee shall develop a dedicated stormwater webpage and make the following elements of its MS4 stormwater program available to the public by providing links to the latest version of the following:

i. Stormwater Pollution Prevention Plan (excluding inspection logs and other recordkeeping documents);

ii. Pet Waste Control Regulatory Mechanism;

iii. Wildlife Feeding Control Regulatory Mechanism;

iv. Litter Control Regulatory Mechanism;

v. Improper Disposal of Waste Regulatory Mechanism;

vi. MS4 Outfall Pipe Map;

vii. MS4 Infrastructure Map (due on or before EDPA + 36 months as per Part IV.G.); and

viii. Watershed Improvement Plan (due in accordance with the phases identified in Part IV.H.).

b. If the permittee does not have a specific website for their Highway Agency, they shall request approval via email to stormwatermanager@dep.nj.gov to post their stormwater documents listed in a. above on an alternate website hosted by their county (for county-owned Highway Agencies), state agency (for state-owned Highway Agencies), or federal agency (for federally-owned Highway Agencies).

c. All permittees shall comply with this requirement on or before EDPA + 6 months.

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

### 1. Local Public Education and Outreach

a. Permittees shall implement a Public Education and Outreach Program that focuses on educational and pollution prevention activities about the impacts of stormwater discharges on surface water and ground water and involves the public in reducing pollutants in stormwater and mitigating flow. The permittee shall:

i. Annually conduct activities that total at least 7 points as set forth in Attachment A – Point System for Public Education and Outreach Activities;

ii. Include at least three different activities;

iii. Ensure that at least one of the activities involves educating businesses, which discharge to the permittee's MS4, and the general public of hazards associated with illicit connections and improper disposal of waste;

iv. The permittee may conduct public education and outreach activities not included in Attachment A of the permit provided that those activities are submitted to the Department for review and approval prior to being conducted; and

v. Keep records necessary to demonstrate compliance, including date of activities and any other relevant documentation.

b. All permittees shall comply with this requirement on EDPA.

# D. Minimum Standards for Construction Site Stormwater Runoff

## 1. Construction Site Stormwater Runoff Requirements

a. Construction site stormwater runoff activities are authorized under a separate NJPDES permit, which is typically the Construction Activity NJPDES Stormwater General Permit No. NJ0088323 pursuant to N.J.A.C. 7:14A-25.6(b)2, or an individual stormwater permit pursuant to N.J.A.C. 7:14A-24.7(a)2. (See Part II.C.3.b.)

b. Pursuant to N.J.A.C. 7:14A-25.7(b), the permittee is not required to reference construction site stormwater runoff control in its SPPP.

c. All permittees shall comply with this requirement on EDPA.

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

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

a. The permittee shall develop, update, implement, and enforce its stormwater management program to address post construction stormwater runoff in new development and redevelopment and to ensure compliance with the Stormwater Management rules at N.J.A.C. 7:8.

b. The permittee shall ensure that its stormwater management program addresses stormwater runoff from "major development" as defined in the Stormwater Management rules at N.J.A.C. 7:8.

c. The permittee shall ensure that the post construction stormwater management program complies with the applicable design, performance, and maintenance standards established under N.J.A.C. 7:8 for "major development".

d. The permittee shall meet the stormwater management requirements for a "major development" for any public roadway project that has determined a preferred alternative or reached an equivalent milestone as follows:

i. A "major development" that reached a preferred alternative or equivalent milestone prior to March 2, 2021, is subject to the requirements of N.J.A.C. 7:8 in effect on March 2, 2021; and

ii. A "major development" that reached a preferred alternative or equivalent milestone on or after March 2, 2021, is subject to the requirements of N.J.A.C. 7:8 in effect on the date the preferred alternative or equivalent milestone is reached.

iii. Should the permittee initiate a substantial change to a "major development" that had previously reached a preferred alternative or equivalent milestone, the "major development" shall instead be subject to the requirements of N.J.A.C. 7:8 in effect when the amended milestone is reached.

iv. Notwithstanding the requirements above, any public roadway project that has determined a preferred alternative or equivalent milestone by March 2, 2021, shall not be subject to N.J.A.C. 7:8-5.3(b), (c), or (d) provided that major development project appears on the list of projects provided to the Department pursuant to N.J.A.C. 7:8-5.3(k).

e. The permittee shall review and analyze development plans for compliance with N.J.A.C. 7:8 even if a permit is required by the Department for the same or similar activity, e.g., a Land Use permit.

f. The permittee shall ensure that "major development" projects are constructed in accordance with the approved development plans.

g. The permittee shall ensure that the engineer that reviews stormwater management designs for development and redevelopment projects for compliance with N.J.A.C. 7:8 shall be independent from the design engineer.

h. The permittee shall ensure that all review engineers are up to date with the Department's Stormwater Management Design Review Course, as per Part IV.F.8.

i. The permittee shall ensure that all review engineers are up to date with the Department's Stormwater Management Rule Amendment Training if required, as per Part IV.F.9.

j. The permittee shall include each approved major development on the Major Development Project List.

k. The permittee shall submit the Major Development Project List to the Department annually with the MSRP Annual Report.

l. The Stormwater Management rules (N.J.A.C. 7:8), independently and as implemented in this permit, apply to all areas of the Highway Agency.

m. All permittees shall comply with this requirement on EDPA.

**2. Variance From the Design and Performance Standards for Stormwater Management Measures**

a. The permittee may be granted a variance from the design and performance standards at N.J.A.C. 7:8-5.3 through 5.6 by the Department for aspects of a particular major development project provided requirements b. through f. below are completed.

b. The permittee shall create a written report which demonstrates how the requirements of N.J.A.C. 7:8-4.6(a)1, 2, and 3 and the requirements of Part IV.E. are met. At a minimum, this demonstration shall include the following information in the written report:

   i. An explanation as to why it is impracticable to accomplish the onsite stormwater management requirements of N.J.A.C. 7:8; and

   ii. A demonstration of how the proposed offsite mitigation will ensure that the requirements of N.J.A.C. 7:8-5.3 through 5.6 are met.

   iii. If the variance that resulted in the mitigation project being required is from the green infrastructure standards at N.J.A.C. 7:8-5.3, then, notwithstanding the requirement at N.J.A.C. 7:8-4.6(a)3vi. regarding the use of green infrastructure BMPS in Table 5-1, the mitigation project may use green infrastructure BMPs listed in either Table 5-1 or Table 5-2 provided that the project is a public roadway project and all other requirements of Part IV.E.2. are met.

c. The permittee shall create no adverse impacts to surrounding properties as a result of granting the variance pursuant to the requirements set forth above.

d. The permittee shall submit the written report to the Department electronically via the NJDEP Online Stormwater Document Submittal Service.

e. The permittee shall not begin construction of a project until written approval of the requested variance from the design and performance standards is received from the Department.

f. The permittee shall provide documentation to the Department that the approved mitigation was accomplished within 30 days of completion of the mitigation project(s).

g. The use of the waiver provisions at N.J.A.C. 7:8-5.2 are not subject to the requirements above.

# F. Minimum Standards for Pollution Prevention/Good Housekeeping

## 1. Regulatory Mechanisms

a. Pet Waste Control: The permittee shall adopt and enforce an appropriate regulatory mechanism that:

   i. Requires pet owners or their keepers to immediately and properly dispose of their pet's solid waste deposited on any part of the Highway Agency property or prohibit pets from being allowed on Highway Agency property.

   ii. Any owner or keeper who requires the use of a service animal shall be exempt from these provisions while such animal is being used for that purpose.

b. Wildlife Feeding Control: The permittee shall adopt and enforce an appropriate regulatory mechanism that prohibits the feeding of any wildlife, e.g., Canada Geese, on Highway Agency property owned or operated by the permittee.

   i. Exclusions include unconfined wildlife at environmental education centers and feral cats as part of an approved Trap-Neuter-Release program.

c. Litter Control: The permittee shall enforce the existing State litter statute at N.J.S.A. 13:1E-99.3 or adopt and enforce an appropriate regulatory mechanism that is at least as stringent as the State litter statute.

d. Improper Disposal of Waste: The permittee shall adopt and enforce an appropriate regulatory mechanism prohibiting the improper spilling, dumping, or disposal of materials other than stormwater into the MS4 excluding those discharges as allowable under Part II.C.2.b.

e. Permittees shall comply with this requirement on EDPA.

## 2. Good Housekeeping

a. The permittee shall develop and implement the following good housekeeping measures described in b. through o. below.

b. Illicit Connections: The permittee shall prevent illicit connections into the MS4. In addition, the permittee shall inspect outfalls and eliminate any observed illicit discharges in accordance with Part IV.F.3.

   i. Permittees shall implement this requirement on EDPA.

c. Litter Pick-Up Program: The permittee shall develop and implement a litter pick up program that includes roadside cleanup of trash and debris and regular collection of refuse from litter and recycling receptacles owned and operated by the permittee, including those located at rest areas.

i. The permittee shall maintain records of roadside clean-ups and estimates of the total amount of trash and debris collected; and

ii. Permittees shall implement this requirement on EDPA.

d. Quarterly Street Sweeping: The permittee shall sweep, at a minimum of once every three months, or more frequently as necessary to eliminate recurring problems, all segments of limited-access highways (including ramps and parking areas) that are owned or operated by the permittee and have storm drain inlets or discharge directly to surface water.

i. Permittees shall implement this requirement on EDPA.

e. Triannual Street Sweeping: The permittee shall sweep, at a minimum of once every four months, or more frequently as necessary to eliminate recurring problems, all segments of streets, ramps, and parking areas that are owned or operated by the permittee and have storm drain inlets or discharge directly to surface water but are not limited-access highways.

i. Permittees shall implement this requirement on EDPA.

f. Annual Street Sweeping: The permittee shall sweep, at a minimum of once per year, or more frequently as necessary to eliminate recurring problems, all segments of streets, ramps and parking areas that are owned or operated by the permittee but do not have storm drain inlets or discharge directly to surface water.

i. Permittees shall implement this requirement on EDPA.

g. Storm Drain Inlet Labeling: The permittee shall label all storm drain inlets that eventually discharge to surface water and do not have permanent wording cast into the structure of the inlet to indicate that it drains into a local waterway. This applies to inlets that are located at rest areas, maintenance facilities, and along streets with sidewalks.

i. The permittee shall maintain the legibility of storm drain inlet labels and replace any labels that are missing or not legible;

ii. The permittee shall maintain records of which inlets have been labeled; and

iii. Permittees shall implement this requirement on EDPA.

h. Storm Drain Inlet Retrofitting: The permittee shall comply with the standards set forth in Attachment B (Design Standards for Storm Drain Inlets) of this permit to control passage of solid and floatable materials through storm drain inlets owned or operated by the permittee.

i. The permittee shall retrofit all storm drain inlets owned or operated by the permittee with the standards set forth in Attachment B on or before EDPA + 59

months.

i. Storm Drain Inlet Installation: The permittee shall install storm drains that include a catch basin or other BMP designed to collect solids directly below the inlet grate in areas that drain to surface waters. This applies to new storm drain inlet installations that are due to construction that is not considered a major development as defined by N.J.A.C. 7:8.

   i. As an alternative, the permittee shall install a BMP downstream of the storm drain inlet to capture solids before the stormwater reaches the surface water discharge point;

   ii. Storm drains installed on bridges or culverts are exempt from this requirement;

   iii. Storm drains are exempt from this standard when additional hydraulic losses will result in unavoidable adverse hydraulic impacts; and

   iv. Permittees shall implement this requirement on EDPA.

j. Herbicide Application Management: The permittee shall restrict the application of herbicides as follows:

   i. In a manner that prevents the herbicides from being washed into the waters of the State;

   ii. In a manner that prevents erosion caused by de-vegetation;

   iii. Not on or adjacent to storm drain inlets;

   iv. Not on steeply sloping ground unless it is unsafe or infeasible to access with equipment;

   v. Only along curb lines, highway median barriers, and unobstructed shoulders that contain unwanted vegetation;

   vi. Only within a 2-foot radius around structures where overgrowth presents a safety hazard and where it is unsafe to mow; and

   vii. Permittees shall implement this requirement on EDPA.

k. Excess De-Icing/Anti-Icing Material Management: The permittee shall remove, within 72 hours after the end of the storm event, conditions permitting, piles of excess salt and de-icing/anti-icing materials that have been deposited during spreading operations (e.g., piles resulting from accidental spillage or when spreading equipment is started or stopped) on streets, ramps, and parking areas owned or operated by the permittee. Excess de-icing material removed may be returned to storage or properly managed if unsuitable for reuse.

   i. Permittees shall implement this requirement on EDPA.

l. Vegetative Waste Management: The permittee shall ensure the proper pickup, handling, storage, and disposal of wood waste and yard trimmings generated by the permittee to minimize the impact of vegetative maintenance activities on stormwater discharge quality. At a minimum, the permittee shall:

   i. Ensure that wood waste and yard trimmings are not swept, raked, blown, or otherwise deposited onto other areas, such as streets or parking areas, where the material can be transported by the MS4 system;

   ii. Ensure that no person sweeps, rakes, blows, or otherwise places loose wood waste and yard trimmings into streets or parking areas; and

   iii. Permittees shall implement this requirement on EDPA.

m. Tree Replacement Management: The permittee shall ensure that any tree removed from the property owned or operated by the permittee be replaced with a tree of equal or greater size or according to the following:

   i. Any street tree removed with DBH of 2.5" to 5.99" shall be replaced with one tree with caliper of 2-2.5" or more;

   ii. Any tree removed with DBH of 6" to 12.99" shall be replaced with one tree with caliper of 2-2.5" or more;

   iii. Any tree removed with a DBH of 13" to 22.99" shall be replaced with two trees with caliper of 2-2.5" or more;

   iv. Any tree removed with a DBH of 23" to 32.99" shall be replaced with three trees with caliper of 2-2.5" or more;

   v. Any tree removed with DBH of 33" or greater shall be replaced with four trees with caliper of 2-2.5" or more;

   vi. Any tree removed shall be replaced within one year of removal, within the timeframe of project completion, or in accordance with other mitigation requirements, as applicable;

   vii. If the permittee determines that some or all required replacement trees cannot be replanted as part of the project during which the removal occurred, then the permittee shall do one of the following:

      - Plant replacement trees in a separate area; or

      - Pay a fee of $300 per tree removed unless it can be demonstrated that the actual cost of the tree(s) purchase and installation is less. This fee shall be placed into a fund dedicated to tree planting and continued maintenance of trees.

   viii. The permittee may remove any trees within a tree farm if the farm is in active

operation, this includes nurseries, fruit orchards, and garden centers;

ix. The permittee may remove any trees pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental remediation, NJDEP approved habitat enhancement plan, or NJDEP Division of Parks and Forestry approved deforestation plan without any additional compensation required;

x. The permittee may remove any trees involving approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife without any additional compensation required;

xi. The permittee may remove hazard trees with no replacement requirement;

xii. The permittee may remove trees from in or around stormwater management basins that are not designed to have trees, including those that are interfering or have the potential to interfere with the function of the basin and those that are causing or have the potential to cause structural damage to the basin with no replacement requirement;

xiii. The permittee may remove trees on dams in accordance with the Dam Safety Standards at N.J.A.C. 7:20 with no replacement requirement;

xiv. The permittee may remove trees along existing roadways to meet sight distance and clear zone requirements with no replacement requirement;

xv. The permittee may plant replacement trees in alternative area(s);

xvi. Mitigation for tree removal other than preservation (i.e., replanting trees, monetary compensation, or purchasing credits from mitigation banks) that is conducted in accordance with other regulatory requirements (e.g., Flood Hazard Area Riparian Zone Mitigation or No Net Loss Reforestation Act) can also be credited toward compliance with this requirement;

xvii. The permittee shall maintain a log of the alternative area(s) designated for tree replacement planting(s); and

xviii. All permittees shall implement this requirement on EDPA.

n. Roadside Erosion Control: The permittee shall develop a program to detect and repair erosion along curbed and uncurbed roadways, ramps, and parking areas owned or operated by the permittee and to inspect and maintain the stability of shoulders, embankments, ditches, and soils along these areas to ensure that they are not eroding and contributing to the sedimentation of receiving waters or stormwater infrastructure:

i. Inspections of roadways, ramps, and parking areas shall occur at least once per year;

ii. Any repairs shall be completed as soon as practicable, but no later than 90 days from discovery, unless the Department has approved an alternative schedule of completion or Department permits are required;

iii. Made in accordance with Standards for Soil Erosion and Sediment Control in New Jersey, N.J.A.C. 2:90-1 or the New Jersey Department of Transportation Soil Erosion and Sediment Control Standards, as applicable; and

iv. Permittees shall implement this requirement on or before EDPA + 12 months.

o. Outdoor Refuse Containers and Dumpsters: The permittee shall ensure that refuse containers and dumpsters that are outdoors or exposed to stormwater are managed as follows:

i. Must always be covered with a tarp, lid, or under a permanent structure to prevent the contact of waste materials with stormwater unless actively being filled or emptied; Temporary demolition containers (e.g., rubble, construction waste, and wood waste) or containers that hold large bulky items (e.g., furniture) do not need to be covered as long as they do not contain putrescible waste;

ii. Must be leak proof to prevent the discharge of leachate from the contents of the container. Temporary demolition containers (e.g., rubble, construction waste, and wood waste) or containers that hold large bulky items (e.g., furniture) do not need to be leak proof as long as they do not contain putrescible waste;

iii. Clean roll-offs or other open top containers used to collect clean household recyclables (such as cans, bottles, or paper, but not including materials such as electronics) must be covered when not in use, at the end of each workday, and before any anticipated storm event.

iv. This measure is not intended for litter receptacles; recycling receptacles; and refuse containers at industrial facilities where the discharge of stormwater from the area is regulated by a valid NJPDES permit; and

v. Permittees shall implement this requirement on EDPA.

p. The permittee shall maintain a log sufficient to demonstrate compliance with this section.

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

a. The permittee shall develop, update, and implement a program to ensure adequate long-term cleaning, operation, and maintenance of all stormwater facilities owned or operated by the permittee to restrict pollutants from entering the waters of the State, to eliminate recurring problems, and maintain proper function. This program shall include all stormwater infrastructure, including but not limited to b. through h. below.

b. Stormwater Outfall Inspections and Maintenance for Condition: At a minimum, the permittee shall:

   i. Conduct outfall inspections at least once every five years, with a minimum of 20% of the total number of outfalls inspected per year;

   ii. Document conditions under which an outfall must be cleaned, repaired, and maintained;

   iii. Remove trash and debris within 30 days of discovery;

   iv. Investigate, within 30 days of receipt, of all complaints and reports of loss of structural integrity;

   v. Complete repairs as soon as practicable, but no later than 30 days of investigation, unless the Department approves an alternative schedule of completion; and

   vi. Document all outfall inspections, investigations, and actions taken using the Department's Outfall Inspection Form at https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/.

c. Stormwater Outfall Inspections and Maintenance for Stream Scouring: At a minimum, the permittee shall:

   i. Conduct outfall inspections for localized stream scouring of the stream banks or bottom and the surrounding area in the vicinity of the outfall(s) caused by the outfall(s) at least once every five years, with a minimum of 20% of the total number of outfalls inspected per year;

   ii. Document details for detecting, investigating, and controlling any localized stream scouring of the stream banks or bottom and the surrounding area in the vicinity of the outfall(s);

   iii. Investigate, within 30 days of receipt, all complaints, and reports of stream scouring;

   iv. Identify sources of stormwater, within 3 months, that contribute to the scouring from the outfall(s) when localized stream scouring is detected;

   v. Take corrective action to reduce stormwater rate or volume within the contributing drainage area, when feasible, for sources of scouring that are located on property owned or operated by the permittee;

   vi. Complete remediation of localized stream scouring as soon as practicable, but no later than 12 months of discovery, unless the Department approves an alternative schedule of completion;

   vii. Provide progress reports on remediation of stream scouring to the Department on a quarterly basis until completion;

viii. Conduct stream scouring restoration in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey at N.J.A.C. 2:90-1, e.g., Conduit Outlet Protection 12-1, and the requirements for bank stabilization and channel restoration found at N.J.A.C. 7:13; and

ix. Document all outfall inspections, investigations, and actions taken to remediate stream scouring using the Department's Stream Scouring Investigation Recordkeeping Form at https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/.

d. Stormwater Outfall Inspections and Maintenance for Illicit Discharge Detection and Elimination: At a minimum, the permittee shall:

i. Conduct outfall inspections to determine if dry weather flow or other evidence of illicit discharge is present at least once every five years, with a minimum of 20% of the total number of outfalls per year;

ii. Document details for conducting visual dry weather inspections to determine if dry weather flow (flow occurring 72 hours after a rain event) or other evidence of illicit discharge is present;

iii. Investigate, within 30 days of receipt of complaints and reports of illicit discharge;

iv. Investigate, within 30 days of identification of dry weather flows to determine if illicit discharge is present;

v. Investigate, within 30 days, to determine the source of illicit discharge;

vi. Eliminate as soon as practicable, but no later than within 12 months of discovery, non-stormwater discharges that are traced to their source and found to be illicit connections, unless the Department approves an alternative schedule of completion;

vii. Provide progress reports on elimination of illicit discharges to the Department on a quarterly basis until completion; and

viii. Document all outfall inspections, investigations, and actions taken to remediate illicit discharge(s) using the Department's Illicit Connection Inspection Report Form.

e. Storm Drain Inlet Inspection, Cleaning, and Maintenance: At a minimum, the permittee shall:

i. Perform inspections of all storm drain inlets at a minimum of once per year; and

ii. Describe conditions under which a storm drain inlet must be cleaned and maintained to ensure, at a minimum, that sediment, trash, or other debris is removed to eliminate recurring problems and maintain proper function.

f. Catch Basin Inspection, Cleaning, and Maintenance: At a minimum, the permittee shall:

i. Include inspections of all catch basins at a minimum of once per year for permittees who own or operate less than 2,500 catch basins. Permittees who own or operate 2,500 catch basins or more shall inspect a minimum of 20% of the total or 2,500 per year, whichever is greater, rotating the schedule in such a way that all catch basins are inspected at least once every five years on approximately the same frequency; and

ii. Describe the conditions under which a catch basin must be cleaned and maintained, including any specific procedures that must be followed at a frequency to ensure, at a minimum, that sediment, trash, or other solid or floatable material or other obstructions are removed.

iii. For guidance related to catch basin cleaning, refer to the EPA Catch Basin Technology Overview and Assessment at https://nepis.epa.gov/Exe/ZyPURL.cgi?Dockey=300002QL.TXT.

g. MS4 Conveyance Inspection, Cleaning, and Maintenance: At a minimum, the permittee shall:

i. Include inspections at a frequency to determine if cleaning and/or maintenance are necessary. The frequency for inspections shall be based on known areas of storm sewer back-ups/complaints, and other relevant factors;

ii. Ensure that sediment, trash, or other solids or floatable material is removed; and

iii. Describe the conditions under which areas of the MS4 conveyance system must be cleaned and maintained.

h. Stormwater Facility Inspection, Cleaning, and Maintenance (excluding b. through g. above): At a minimum, the permittee shall:

i. Inspect all stormwater facilities pursuant to approved maintenance plans; and

ii. Conduct cleaning and maintenance pursuant to approved maintenance plans, or more frequently as needed. (See the Department's maintenance guidance at https://dep.nj.gov/stormwater/maintenance-guidance/.)

iii. If no plan or guidance exists for a particular type of stormwater facility, the permittee shall inspect the infrastructure at least four times annually; and

iv. If there are no approved maintenance plans for certain stormwater facilities, the

permittee may create one by following the Department's Best Management Practice Manual at https://dep.nj.gov/stormwater/bmp-manual/ or other maintenance guidance at https://dep.nj.gov/stormwater/maintenance-guidance/.

i. The permittee shall maintain a log sufficient to demonstrate compliance with e. through h. above, including but not limited to the following (example Maintenance Logs and Inspection Records forms are available on the Department's MS4 website under the maintenance guidance link):

   i. Type of stormwater facility;

   ii. Location information of the facility with geographic coordinates;

   iii. Name of inspector;

   iv. Date of inspection;

   v. Date of most recent precipitation or snowmelt event;

   vi. Presence of standing water or discharge;

   vii. Observations of the structural integrity;

   viii. History of problems and complaints;

   ix. Evidence of current or previous flooding;

   x. Any preventative and corrective maintenance performed; and

   xi. Any additional information or findings, if appropriate.

j. If stormwater facilities (excluding b. through d. above) are found not to be functioning properly, cleaning, corrective maintenance and repairs shall be completed as soon as practicable, but no later than 90 days from discovery, unless the Department is notified ahead of time of an alternative schedule of completion.

k. The permittee shall prioritize cleaning, corrective maintenance and repairs based upon environmental, health, and safety concerns.

l. Maintenance or repairs to stormwater facilities shall be made in accordance with N.J.A.C. 7:8.

m. Any changes to stormwater facilities that were originally approved as part of a major development project must be reviewed for compliance with N.J.A.C. 7:8 and the permittee's Stormwater Program as applicable, by a design review engineer who has completed the Department's Stormwater Management Design Review course, as well as any amendment training that was required.

n. Permittees shall develop and implement this program on EDPA.

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

a. Documenting Best Management Practices: The permittee shall implement Best Management Practices (BMPs) at all maintenance yards and ancillary operations (MYs) to restrict pollutants from entering the waters of the State.

i. Each MY and ancillary operation shall be identified by its own form in the SPPP which shall include a description of the site-specific activities and associated BMPs; and

ii. Permittees shall implement this requirement upon EDPA + 6 months.

b. Site Inspections: The permittee shall inspect the entire site, including the site periphery, to identify conditions that would contribute to stormwater contamination, illicit discharges, or negative impacts to the permittee's MS4.

i. Inspections shall be conducted monthly under dry conditions;

ii. Inspections shall also be conducted monthly during precipitation or a snowmelt event when possible;

iii. Between monthly inspections, if instances of non-compliance are observed, corrective actions shall be initiated immediately;

iv. Maintain a log on-site sufficient to demonstrate compliance with this section, including but not limited to:

- Name of inspector;
- Date of inspection;
- Date of most recent precipitation or snowmelt event;
- Relevant findings;
- Conditions requiring attention; and
- Remedial actions taken.

v. The location of the log shall be noted in the SPPP; and

vi. Permittees shall implement this requirement on EDPA.

c. Inventory List: The permittee shall maintain a list of all materials and machinery that are potentially present at each maintenance yard or ancillary operation which could be a source of pollutants in a stormwater discharge. These materials include, but are not limited to, raw materials, intermediate products, final products, waste materials, by-products, machinery and fuels, lubricants, solvents, and detergents. Materials or

machinery that are stored in a permanent structure and therefore not exposed to stormwater do not need to be included in the list.

i. Permittees shall implement this requirement on EDPA.

d. Container Labels and Storage: The permittee shall properly label and store all containers as follows:

i. Labels shall be legible, clean, and visible;

ii. Containers shall be kept in good condition;

iii. Containers shall be protected from damage and spillage;

iv. Containers shall be tightly closed when not in use;

v. Containers stored outside shall be covered and placed on spill platforms or clean pallets. An area that is graded and/or bermed to prevent run-through of stormwater may be used in place of spill platforms or clean pallets;

vi. Outdoor storage locations shall be regularly maintained to allow for proper inspection and accessibility; and

vii. Permittees shall implement this requirement on EDPA.

e. Spill Kits: The permittee shall conduct cleanups of spills of liquids or dry materials immediately after discovery, as follows:

i. Spills that are suspected to be a threat to human health or the environment shall be immediately reported to the NJDEP Hotline at 1-877-WARNDEP (1-877-927-6337);

ii. All spills shall be cleaned using dry absorbent material and cleaning methods only, e.g., kitty litter, sawdust, etc.;

iii. All dry absorbent materials shall be swept up once spill is absorbed and disposed of properly;

iv. Store clean-up materials, spill kits, and drip pans near all liquid transfer areas;

v. Ensure that clean-up materials are protected from rainfall; and

vi. Permittees shall implement this requirement on EDPA.

f. Bulk Liquid Storage: The permittee shall surround above ground tanks with a secondary containment barrier, such as a spill containment dike, to contain the drips and spillage that might happen during operations. This applies for new and existing aboveground storage tanks containing bulk liquid (including but not limited to gasoline, diesel fuel, heating oil, hydraulic oil, and used oil) and new liquid de-icing/anti-icing tanks, as follows:

i. The containment area shall be impervious;

ii. The containment area shall be able to contain the volumetric capacity of at least 110% of the largest tank's capacity within the containment area;

iii. The containment area shall be constructed so that no volume of bulk liquid can escape through drains, storm sewer systems, or to the surface waters or ground waters of the state;

iv. All accessory pipes, hoses, valves, and pumps shall also be located within the containment area or under cover and not exposed to stormwater. It is recommended that the tank be protected to prevent stormwater from accumulating in the containment structure; and

v. Permittees shall implement this requirement on or before EDPA + 12 months.

g. Fueling and other Bulk Liquid Operations: The permittee shall establish, maintain, and implement standard BMPs to address vehicle fueling, receipt of bulk fuel and other bulk liquid deliveries, and inspection and maintenance of storage tanks, including the associated piping and pumps, as follows:

i. A trained employee shall be present to supervise the bulk transfer of fuel or other bulk liquids to ensure BMPs are followed;

ii. Place drip pans under all hose and pipe connections and other leak-prone areas during bulk transfer of fuels or other bulk liquids;

iii. Block storm sewer inlets or contain tank trucks used for bulk transfer with temporary berms or temporary absorbent booms during the transfer process;

iv. If temporary berms or booms are being used instead of blocking the storm sewer inlets, all hose connection points associated with the transfer of fuel or other bulk liquids shall be within the temporarily bermed or boomed area during the loading/unloading of bulk fuels or other bulk liquids;

v. Clearly post, in a prominent area of the fueling area, the contact information for the person(s) responsible for spill response and instructions for safe operation of fueling equipment that include all the following: "Topping off of vehicles, mobile fuel tanks, and storage tanks is strictly prohibited."; "Stay in view of fueling nozzle during dispensing.";

vi. Immediately repair or replace any equipment, tanks, pumps, piping, and fuel or other bulk liquid dispensing equipment found to be leaking or in disrepair; and

vii. Permittees shall implement this requirement on EDPA.

h. Discharge of Stormwater from Secondary Containment: The permittee shall only discharge stormwater accumulated in a secondary containment area, e.g., fuel storage, de-icing/anti-icing solution storage, brine solution, as follows:

i. Conduct visual inspections to ensure that bulk liquids have not contaminated the stormwater collected in the secondary containment area when dealing with materials that can be observed, e.g., petroleum;

ii. If the contents of the tank are not visible in stormwater, e.g., brine solution, the permittee shall determine based on recent tank inspections and bulk liquid transfers that the bulk liquids have not contaminated the stormwater collected in the secondary containment area;

iii. If the permittee cannot determine that the stormwater in the secondary containment area is uncontaminated, then the stormwater shall be hauled offsite for proper disposal;

iv. If the secondary containment area contains a valve, this valve shall remain closed at all times except as described above; and

v. Permittees shall implement this requirement on EDPA.

i. Vehicle and Equipment Maintenance: The permittee shall conduct vehicle and equipment maintenance and/or repair activities indoors. However, if these activities cannot be performed indoors, the permittee shall perform vehicle and equipment maintenance in a manner that prevents the exposure of pollutants to stormwater as follows:

i. For projects that last more than one day, portable tents or covers shall be placed over the equipment being serviced when not being worked on;

ii. Drip pans shall be used at all times;

iii. These activities shall only occur in designated areas away from storm drains, or storm drain inlets shall be blocked, to prevent stormwater runoff from entering the storm drain inlets; and

iv. Permittees shall implement this requirement on EDPA.

j. Wash Wastewater Containment: The permittee shall discharge wash wastewater to a sanitary sewer. However, if this wash wastewater cannot be discharged to a sanitary sewer, the permittee shall manage any equipment and vehicle washing activities so that there are no unpermitted discharges of wash wastewater to storm sewer inlets or to surface or ground waters of the State, as follows:

i. Wash wastewater shall be temporarily stored in a containment structure prior to proper disposal;

ii. The containment structure(s) containing the wash wastewater shall not leak;

iii. Any underground tanks and associated piping shall be tested for integrity every three (3) years using appropriate methods determined by "The List of Leak

Detection Evaluations for Storage Tank Systems" created by the National Work Group on Leak Detection Evaluations, or as determined appropriate and certified by a professional engineer for the site-specific containment structure(s);

iv. Any cathodically-protected containment system shall have a passing cathodic protection survey every three years;

v. Before each use of the wash wastewater containment, inspections shall be performed of all visible portions of containment structures to ensure that they are structurally sound;

vi. Containment structures shall be prevented from overfilling as a result of operations, malfunctions of equipment, or human error;

vii. Wash wastewater shall not be introduced to the containment structure when it is determined to be at 95% capacity;

viii. Each volumetric measurement shall be measured and recorded to the nearest ½ inch using the "Underground Vehicle Wash Water Storage Tank Use Log" form on the Department's website at https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/highway-agency-stormwater-permit/;

ix. Leak containment structures shall be emptied and taken out of service immediately upon detection of deterioration that could result in a leak;

x. All necessary repairs shall be conducted to ensure structural integrity before placing a containment structure back into service;

xi. Any spills or suspected release of hazardous substances shall be immediately reported to the NJDEP Hotline at 1-877-WARN DEP (1-877-927-6337) which will be followed by a site investigation in accordance with N.J.A.C. 7:26C and N.J.A.C 7:26E if the discharge is confirmed;

xii. All wash wastewater from pump-outs and clean-outs shall be disposed of properly;

xiii. A log of equipment and vehicle wash wastewater containment structure pump-outs (removes only water) and clean-outs (removes all water and sludge) shall be maintained that includes the date and method of removal, mode of transportation (including name of hauler if applicable) and the location of disposal. See "Underground Vehicle Wash Water Storage Tank Pump Out Log" form on the Department's MS4 website at https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/highway-agency-stormwater-permit/; and

xiv. Permittees shall implement this requirement on EDPA.

k. Salt and Other Granular De-icing/Anti-icing Material Storage and Handling: The permittee shall establish, maintain, and implement salt and de-icing/anti-icing material storage and handling BMPs as follows:

i. Store material in a permanent structure;

ii. Prevent the exposure of stored salt and other granular de-icing/anti-icing material to rain, snow, or stormwater run-on. Stormwater runoff containing de-icing/anti-icing material from a material storage and handling area is not authorized for discharge under this permit;

iii. Prevent spillage;

iv. Minimize tracking of materials from loading and unloading operations;

v. Loading and unloading materials shall be conducted during dry weather, when possible;

vi. Minimize loader travel distance between the storage area and the spreading vehicle;

vii. Sweep (or clean using other dry-cleaning methods), after loading and unloading, the areas surrounding the storage structure to eliminate the contact of de-icing/anti-icing materials with stormwater that were tracked away from storage areas;

viii. Spilled material may be returned to storage or properly discarded if unsuitable for reuse;

ix. Excess material not used during spreading activities shall be returned to the storage area.

x. Temporary storage of salt and other granular de-icing/anti-icing materials in a non-permanent structure is permitted only when a permanent structure is under construction, repair, or replacement;

xi. Stormwater run-on and de-icing/anti-icing material runoff shall be minimized when de-icing/anti-icing material is temporarily stored;

xii. Materials in temporary storage shall be covered, e.g., in a temporary structure or under a tarp, when not in use;

xiii. Temporary storage shall not exceed 30 days unless otherwise approved in writing by the Department; and

xiv. Permittees shall implement this requirement on EDPA.

l. Aggregate Material, Wood Chips, and Finished Leaf Compost Storage: The permittee shall store materials such as sand, gravel, stone, topsoil, wood chips, and finished leaf compost as follows:

   i. Materials shall be stored a minimum of 50 feet from surface water bodies, storm sewer inlets, and/or ditches or other stormwater conveyance channels;

   ii. Materials shall be stored in a manner to minimize stormwater run-on and pollutant runoff via surface grading, dikes and/or berms, (which may include sandbags, hay bales and curbing, among others), or three-sided storage bays;

   iii. Situate the open side of the storage bays on the upslope where possible;

   iv. Sweep all areas in front of storage bays and adjacent to storage areas after loading/unloading;

   v. Materials shall not be processed, e.g., composting, chipping, grinding, screening, and/or size-reducing, under this permit authorization;

   vi. Permittees conducting processing activities of these materials, e.g., composting, chipping, grinding, screening, and/or size-reducing, shall obtain an appropriate NJPDES Industrial Stormwater Discharge permit for those activity(ies). Contact the Industrial Stormwater Permitting Unit at industrialstormwaterpermitting@dep.nj.gov or the MS4 Unit at stormwatermanager@dep.nj.gov to determine which stormwater permit application would be appropriate; and

   vii. Permittees shall implement this requirement on EDPA.

m. Construction and Demolition Waste, Wood Waste, and Yard Trimmings Storage: The permittee may store construction and demolition waste, wood waste, and yard trimmings as follows:

   i. Materials shall be removed within six (6) months of placement into storage;

   ii. Materials shall be stored a minimum of 50 feet from surface water bodies, storm sewer inlets and/or ditches, or other stormwater conveyance channels;

   iii. Materials shall be stored in a manner to control stormwater run-on and pollutant runoff via surface grading, dikes and/or berms (which may include sandbags, hay bales and curbing, among others), or three-sided storage bays;

   iv. Situate the open side of the storage bays on the upslope where possible;

   v. The area in front of storage bays and adjacent to storage areas shall be swept clean after loading/unloading;

   vi. Materials shall not be processed, e.g., composting, chipping, grinding, screening, and/or size-reducing, under this permit authorization;

vii. Permittees conducting processing activities of these materials, e.g., composting, chipping, grinding, screening, and/or size-reducing, shall obtain an appropriate NJPDES Industrial Stormwater Discharge permit for those activity(ies). Contact the Industrial Stormwater Permitting Unit at industrialstormwaterpermitting@dep.nj.gov or the MS4 Unit at stormwatermanager@dep.nj.gov to determine which stormwater permit application would be appropriate; and

viii. Permittees shall implement this requirement on EDPA.

n. Cold Patch Asphalt Storage: The permittee shall store cold patch asphalt as follows:

i. In a permanent structure or on an impervious surface and covered with a waterproof material, e.g., tarp or 10-mil plastic sheeting;

ii. Contained by an impervious barrier to control leachate and stormwater run-on or run-through; and

iii. Permittees shall implement this requirement on EDPA.

o. Street Sweepings and Storm Sewer Clean-out Material Storage: The permittee shall store street sweepings, storm sewer and catch basin clean-out materials, stormwater basin clean-out materials, and other similar materials as follows:

i. Shall only be stored temporarily and shall be removed for disposal within six (6) months of placement into storage;

ii. Shall be dewatered in a manner that prevents discharge to surface or ground water;

iii. Shall not include liquids, wastes which are removed from sanitary sewer systems, or material which constitutes hazardous waste in accordance with N.J.A.C. 7:26G;

iv. Shall be stored in leak-proof containers or on an impervious surface and covered with a waterproof material, e.g., tarp or 10-mil plastic sheeting;

v. Shall be contained by an impervious barrier to control leachate and stormwater run-on or run-through; and

vi. Permittees shall implement this requirement on EDPA.

p. Scrap Tires: The permittee shall store scrap tires as follows:

i. In a covered container or enclosure to prevent exposure to stormwater.

ii. If a covered container or enclosure is not available, tires shall be stored on an impervious surface and covered with a waterproof material, e.g., tarp or 10-mil plastic sheeting; and

iii. Permittees shall implement this requirement on EDPA.

q. Inoperable Vehicles or Equipment: The permittee shall store any inoperable vehicles and equipment as follows:

i. In a manner that prevents stormwater runoff of pollutants;

ii. No internal components may be exposed;

iii. For inoperable vehicles and equipment that have exposure of internal components, such as body damage, rust damage, missing body panels, or broken windows, such that the exterior is no longer impervious to precipitation, portable tents or covers must be placed over vehicles;

iv. Inoperable vehicles and equipment shall be managed so there are no leaking fluids;

v. Designated storage areas must be located at least fifty (50) feet away from storm drain inlets;

vi. Monthly inspections must be conducted to ensure that BMPs are implemented properly, including inspections for leaks, and filled drip pans;

vii. If any inoperable vehicle or equipment is found to be leaking, drip pans shall be utilized immediately;

viii. Leaks must be repaired, or the fluid must be drained from the vehicle within 30 days; and

ix. Permittees shall implement this requirement on EDPA.

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

a. The permittee shall ensure that all individuals who serve as Stormwater Program Coordinators (SPC) complete mandatory Department training regarding their responsibilities to implement the stormwater program at their Highway Agency.

b. The Department will conduct free interactive SPC trainings approximately twice each year.

c. SPCs are required to attend this training within EDPA + 12 months and once per permit cycle thereafter.

d. In the event of SPC turnover, the permittee shall comply with the conditions set forth in Part IV.A.1.e. and ensure that the new SPC attends the next available Department training session.

e. Previous recordings of SPC training sessions will be posted on the MSRP webpage, but viewing a pre-recorded session can only be used for informational purposes and will not satisfy this requirement.

**6. Annual Employee Training**

a. The permittee shall develop, update, and implement a program that ensures duty-specific annual training of all individuals responsible for the implementation of the stormwater program on the following topics:

i. SPPP;

ii. Construction Site Stormwater Runoff;

iii. Post-Construction Stormwater Management in New Development and Redevelopment;

iv. Regulatory Mechanisms;

v. Good Housekeeping;

vi. Stormwater Facility Maintenance;

vii. Maintenance Yard Operations and Other Ancillary Operations;

viii. De-icing/Anti-icing Material Application;

ix. MS4 Mapping; and

x. Watershed Improvement Plan.

b. The permittee shall ensure that the training describes the procedures necessary to ensure compliance with all permit conditions and includes site-specific details described in the SPPP, at a minimum.

c. The permittee shall ensure that all individuals receive initial training on those stormwater topics applicable to their title and duties within 3 months of commencement of duties.

d. Methods of training may include in-person group training sessions, e-Learning sessions, on-the-job/field training, and instructional videos.

e. The permittee shall document and maintain records of the training of each individual employee of the permittee, indicating participant(s) name, title, signature, date(s) of training, agenda or topic(s) discussed, and instructor(s) name and title or video title and website link address(es).

f. The permittee shall ensure the adequate training of external contractors, consultants, and vendors by requiring compliance with training outlined in the permittee's SPPP by including it as a condition of the contract.

g. Permittees shall implement these requirements on EDPA.

**7. De-icing/Anti-icing Material Application Training**

a. The permittee shall develop a de-icing/anti-icing material application training program.

b. The permittee shall ensure that all individuals (including employees, contractors, consultants, vendors, or volunteers) who apply de-icing/anti-icing material on permittee owned or operated roadways, ramps, and parking areas complete de-icing/anti-icing material application training at a minimum of once per year.

c. The permittee shall document and maintain records of the training of each individual employee of the permittee, indicating participant(s) name, title, signature, date(s) of training, and instructor(s) name.

d. The permittee shall ensure the adequate training of external contractors, consultants, and vendors by requiring compliance with training outlined in the permittee's SPPP by including it as a condition of the contract.

e. Permittees shall implement these requirements on EDPA.

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

a. The permittee shall ensure that all individuals that review and approve stormwater management designs for major development projects on behalf of the permittee for compliance with the Stormwater Management rules at N.J.A.C. 7:8 have completed this mandatory Department-provided training. Information regarding this training can be found on the Department's website at https://dep.nj.gov/stormwater/stormwater-management-design-review-course/.

b. This SWMDR training course covers the rule's requirements, calculation methodologies, and how to review a major development project. This training shall be completed, at a minimum, once every five years.

c. A list of the individuals that completed this training course is posted on the Department's MS4 website, including their five-year expiration date.

d. Permittees shall implement this requirement on EDPA.

**9. Stormwater Management Rule Amendment Training**

a. Whenever the Stormwater Management rules at N.J.A.C. 7:8 are amended and the Department determines that training is warranted, the permittee shall ensure that all individuals that have completed the SWMDR course in Part IV.F.8. above also complete this mandatory Department-provided training. If training is required, the Department will issue email notification to Stormwater Program Coordinators and individuals listed on the Department's SWMDR certified list.

b. If the Department issues notice of Stormwater Management Rule Amendment training, the reviewer shall complete the training no later than one (1) year after the adoption of the amendment(s) to the Stormwater Management rules at N.J.A.C. 7:8.

## G. Minimum Standards for MS4 Mapping

### 1. MS4 Infrastructure Map

a. The permittee shall develop, update, and maintain an electronic MS4 Infrastructure Map that delineates the location of the following stormwater features that are owned or operated by the permittee, including their associated attributes noted in parentheses:

i. MS4 outfalls (receiving surface water name, type of outfall);

ii. MS4 ground water discharge points (type);

iii. MS4 interconnections (type, upstream entity, downstream entity);

iv. Storm drain inlets (type, catch basin present, label present, retrofitted);

v. MS4 manholes;

vi. MS4 conveyance (type, direction of flow);

vii. MS4 pump stations;

viii. Stormwater management measures (type);

ix. Streets, ramps, parking areas, and thoroughfares; and

x. Property boundaries of rest area(s), maintenance yard(s) and other ancillary operations (type).

b. The permittee shall ensure that the MS4 Infrastructure Map is:

i. Reviewed and updated annually, or more frequently as necessary, to include the location or attributes of any new or newly identified MS4 infrastructure;

ii. Posted on the permittee's webpage and included as a weblink within the SPPP;

iii. Submitted to the Department as a georeferenced shapefile, geodatabase, or an AutoCAD file (with all other non-applicable data stripped out) via the NJDEP Online Stormwater Document Submittal Service on or before EDPA + 36 months. If the DEP Mapping Tool is used, then no separate submittal is required as the data is automatically submitted to the Department via the mapping tool; and

iv. This time frame does not extend the deadline for the submission of the MS4 outfall pipe map, or the submission of the stormwater facilities map as per the 2020 permit.

c. The permittee may submit a proposed alternative timeline for the submission of MS4 conveyance and interconnection data to the Department on or before EDPA + 36 months. Proposals must include the following at a minimum;

i. Proposed alternative deadline for submission;

ii. Proposed interim milestone submissions;

iii. Amount of conveyance mapped at the time of the proposal; and

iv. Estimate of unmapped conveyance remaining.

## H. Minimum Standards for the Watershed Improvement Plan

### 1. General Watershed Improvement Plan Requirements

a. The permittee shall develop a Watershed Improvement Plan in three (3) phases specified below that describe what actions the permittee will take to:

i. Improve water quality by reducing the contribution of pollutant parameters for all receiving subwatersheds within and bordering the Highway Agency owned or operated property that have percent reductions listed for stormwater in the Total Maximum Daily Loads (See the New Jersey Watershed Evaluation Tool at https://experience.arcgis.com/experience/f40f65d807bb4372bd92b48bb98f1972 );

ii. Improve water quality by reducing the contribution of pollutant parameters for all receiving subwatersheds within and bordering the Highway Agency owned or operated property that have water quality impairments as per the Department's Integrated Report. (See the 303(d) list portion of the Department's Integrated Report at https://dep.nj.gov/wms/bears/water-quality-assessment/integrated-report/); and

iii. Reduce and/or eliminate stormwater flooding within the Highway Agency owned or operated property, prioritizing the areas of flooding for corrective actions based on threat to human health and safety, environmental impacts, and frequency of occurrence.

b. The permittee shall provide other MS4 permittees that discharge to shared subwatershed(s) the following data if requested by other MS4 permittee(s):

i. MS4 interconnection locations; and

ii. Information regarding the ownership of specific stormwater infrastructure.

### 2. Phase 1 – Watershed Inventory

a. The permittee shall prepare an electronic map which includes the items listed below. The permittee may use any information available from the Department's GIS database

at https://gisdata-njdep.opendata.arcgis.com/ to assist with the preparation of this inventory. Permittees may use their current MS4 Infrastructure Map as the base map:

i. All stormwater outfalls owned or operated by the permittee;

ii. The drainage area for each outfall (drainage areas may be delineated by computer analysis and any available topography including LIDAR data);

iii. The receiving waterbodies of each outfall;

iv. The water quality classification of all receiving waterbody segments;

v. All known stormwater interconnections from the permittee's storm or sanitary sewer system into another entities' storm or sanitary sewer system included on the permittee's MS4 infrastructure map;

vi. All known stormwater interconnections into the permittee's storm or sanitary sewer system from another entities' storm sewer system included on the permittee's MS4 infrastructure map;

vii. The drainage area from the permittee's system for each interconnection (drainage areas may be delineated by computer analysis and any available topography including LIDAR data);

viii. All storm drain inlets owned or operated by the permittee;

ix. Areas associated with each TMDL for waters that lie within or bordering the Highway Agency owned or operated property, including roadways, access roads, ramps, rest areas, maintenance yards, and all other ancillary operations. Excess parcels not associated with roadways, rest areas, maintenance yards, and other ancillary operations, to be added to the map as the data becomes available;

x. Areas associated with each water quality impairment for waters that lie within or bordering the Highway Agency owned or operated property, including roadways, access roads, ramps, rest areas, maintenance yards, and all other ancillary operations. Excess parcels not associated with roadways, rest areas, maintenance yards, and other ancillary operations, to be added to the map as the data becomes available;

xi. Areas associated with MS4 related stormwater flooding; and

xii. Impervious areas owned or operated by the permittee.

b. The permittee shall submit the Watershed Inventory to the Department via the NJDEP Online Stormwater Document Submittal Service by EDPA + 36 months.

**3. Phase 2 - Watershed Assessment Report**

a. The permittee shall conduct an initial Phase 2 public information session at the start of the Watershed Assessment Report phase as follows:

i. Must conduct a public information session in each of the permittee's permitted regions;

ii. Must notify the MS4 Case Manager of the date of the public information session 60 days prior;

iii. Must post the date of the public information session on the permittee's website;

iv. Must, at a minimum, present the information gathered from Phase 1 – Watershed Inventory and the preliminary goals of the permittee's Watershed Improvement Plan;

v. Must record all input received from public information session attendees; and

vi. Must hold additional public information sessions if all attendees could not be accommodated or all of the necessary information could not be adequately presented in a single session.

b. The permittee shall prepare a report to include the following, at a minimum:

i. An assessment of potential water quality and quantity improvement BMPs to be implemented at all permittee owned or operated maintenance yards, ancillary operations, and rest areas by subwatershed and parameter;

ii. An estimate of the percent reduction in loading of the TMDL/impaired parameters and stormwater runoff quantity due to BMPs in i. above;

iii. An estimate of funding needs for each BMP identified in i. above, and identification of potential funding sources, including funding available through the New Jersey Water Bank (NJWB), the formation of a Stormwater Utility (SWU), FEMA BRIC grants, etc. as applicable;

iv. An estimate of an implementation schedule for the BMPs associated with i. above;

v. An assessment of potential water quality and quantity improvement BMPs to be implemented as part of all future capital improvement projects associated with any roadway, access road, or ramp owned or operated by the permittee by subwatershed and parameter; and

vi. A summary of input received from the public information session(s) as per a. above.

c. The permittee shall submit the Watershed Assessment Report to the Department via the NJDEP Online Stormwater Document Submittal Service by EDPA + 48 months.

d. The permittee shall ensure that the Watershed Assessment Report is posted, along with an announcement of a 60-day comment period for formal public input on the permittee's website or Department-approved alternate website.

e. The permittee shall conduct a final Phase 2 public information session no more than 45 days after the start of the 60-day comment period as follows:

   i. Must conduct a public information session in each of the permittee's permitted regions;

   ii. Must notify the MS4 Case Manager of the date of the public information session 60 days prior;

   iii. Must post the date of the public information session on the permittee's website;

   iv. Must present, at a minimum, the findings of the Watershed Assessment Report;

   v. Must record all input received from public information session attendees; and

   vi. Must hold additional public information sessions if all attendees could not be accommodated or all the necessary information could not be adequately presented in a single session.

**4. Phase 3 – Watershed Improvement Plan Final Report**

a. The permittee shall prepare the final report to include the following, at a minimum:

   i. A summary of proposed locations and load reductions of water quality and quantity improvement BMPs to be implemented at permittee owned or operated maintenance yards, ancillary operations, and rest areas;

   ii. The proposed implementation schedule for the water quality and quantity improvement BMPs at permittee owned or operated maintenance yards, ancillary operations, and rest areas;

   iii. Costs, broken down by project and year for water quality and quantity improvement BMPs at permittee owned or operated maintenance yards, ancillary operations, and rest areas and the funding opportunities that will be sought;

   iv. A summary of potential water quality and quantity improvement BMPs to be implemented as part of all future capital improvement projects associated with any roadway, access road, or ramp owned or operated by the permittee;

   v. A summary of the public comments received during the 60-day comment period and corresponding public information session, and the changes made to the final report resulting from those public comments;

vi. A summary of how the projects will be coordinated with other regulatory requirements;

vii. A summary of any collaboration with other MS4 permittees; and

viii. A summary of problems identified that are outside the jurisdiction of the permittee, if any, and opportunities to address them. These can be related to pollutant loading due to agricultural properties, interconnections from other entities, etc.

b. The permittee shall submit the final Watershed Improvement Plan Report to the Department via the NJDEP Online Stormwater Document Submittal Service by EDPA + 59 months.

c. The permittee shall ensure that the final Watershed Improvement Plan Report is posted on the permittee's website or Department-approved alternate website.

d. The permittee shall conduct a Phase 3 public information session within 60 days after the final Watershed Improvement Plan Report is submitted to the Department as follows:

i. Must conduct a public information session in each of the permittee's permitted regions;

ii. Must notify the MS4 Case Manager of the date of the public information session 60 days prior;

iii. Must post the date of the public information session on the permittee's website;

iv. Must present, at a minimum, the findings of the final Watershed Improvement Plan Report;

v. Must record all input received from public information session attendees; and

vi. Must hold additional public information sessions if all attendees could not be accommodated or all the necessary information could not be adequately presented in a single session.

e. The permittee shall begin implementation of the Watershed Improvement Plan in accordance with the schedule set forth in the Plan.

f. The permittee shall update this Plan, when necessary, based upon the biennial review of the revisions to the impairments of the permittee's waterbodies as per the Department's Integrated Report and newly adopted TMDLs.

# I. Additional and Optional Measures

## 1. Incorporation of Additional Measures

a. Additional Measures are non-numeric, e.g., best management practices, or numeric effluent limitations that are expressly required to be included in a permittee's stormwater program by a TMDL, a regional stormwater management plan, or other elements of an adopted areawide Water Quality Management Plan.

b. The Department will provide written notice of the adoption of any Additional Measure(s) to any affected permittee. The Department will list each adopted Additional Measure in a minor modification to the permit. The required Additional Measure(s) will also specify the implementation schedule.

## 2. Incorporation of Optional Measures

a. Optional Measures are BMPs, developed by the permittee, that extend beyond the requirements of the MS4 NJPDES permit and that prevent or reduce pollution and flooding to waters of the State.

b. The permittee may, at its own discretion, incorporate Optional Measures into its MS4 stormwater program. Such BMPs shall be identified in the SPPP as Optional Measures.

c. Failure to implement an Optional Measure identified in the SPPP shall not be considered a violation of the NJPDES permit.

# J. Recordkeeping

## 1. Standard Recordkeeping Requirements

a. The permittee shall retain copies of all records required to demonstrate compliance with this permit on site for a period of at least five years.

b. The permittee shall provide a copy of all records to the Department upon request.

c. Permittees shall implement this requirement on EDPA.

# K. Annual Report and Certification

## 1. Annual Reporting Requirements

a. The permittee shall complete an Annual Report and Certification using the Department's electronic MSRP Annual Report service tool in the Regulatory Services Portal at https://www.njdeponline.com. The Annual Report shall summarize the status of compliance with the permit conditions for the subject year between January 1 and December 31.

b. The permittee shall include the Major Development Project List for any major development projects approved during the calendar year and upload it as an attachment to the Annual Report.

c. The permittee shall include all certifications required at N.J.A.C. 7:8-5.3(j).

d. The permittee shall complete the following forms each calendar year (available at https://dep.nj.gov/njpdes-stormwater/municipal-stormwater-regulation-program/highway-agency-stormwater-permit/#templates-and-forms) and upload them as attachments to the Annual Report:

   i. Outfall Inspection Forms;

   ii. Illicit Connection Inspection Report Forms; and

   iii. Stream Scouring Investigation Recordkeeping Forms.

e. The Stormwater Program Coordinator shall certify, sign, and date the Annual Report.

f. The permittee shall submit the Annual Report and Certification, along with the required form(s), by May 1 annually.

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

The permittee shall annually conduct educational activities that total at least **7 points** from three different activities listed below. Each activity may only be done once each year for points. At least one of the activities shall involve education about the hazards associated with illicit connections and improper disposal of waste. The permittee shall maintain records of activity dates and educational materials related to the activity.

**Activity meets the requirement for education about the hazards associated with illicit connections and improper disposal of waste.*

| Activity | Description | Points |
|---|---|---|
| Social Media | Post stormwater materials from your Highway Agency on a social media site quarterly, such as a Facebook, Instagram, or Twitter page. This may include links to other stormwater resources, your dedicated stormwater webpage, or the NJDEP stormwater website (www.njstormwater.org). | 1 |
| Newsletter and Newspaper Ads | Use Department-approved stormwater education materials to publish an ad in a newsletter or newspaper quarterly that serves the permittee. | 1 |
| Radio and Television Ads | Quarterly broadcast a stormwater-related radio or television public service announcement from www.cleanwaternj.org on a local radio or public service channel. | 1 |
| Stormwater Facility Signage | Post and/or maintain a minimum of six (6) signs on property owned or operated by the permittee at green infrastructure sites, stormwater management basins or other stormwater management measures that describe the function and importance of the facility, contact phone number, permittee identification number, and/or website for more information. | 3 |
| Billboard/Sign | Produce and/or maintain a stormwater-related billboard or large sign/digital sign for display on a roadway, bus, bus stop vestibule, recreation field, rest area, or other common public gathering area. | 1 |
| Mural | Produce and/or maintain a stormwater pollution themed mural, storm drain art or other artwork at a common public gathering area. | 2 |
| Stormwater Display | Present a stormwater-related display or materials at any rest area or at any community event, e.g., county or state fair, parade, community gathering, or other similar public venue. | 1 |

| Activity | Description | Points |
|---|---|---|
| Promotional Item Giveaway | Distribute an item or items with a stormwater related message (e.g., refrigerator magnets, temporary tattoos, key chains, bookmarks, pet waste bag dispensers, coloring books, and pens or pencils) at any rest area or at any community event, e.g., county or state fair, parade, community gathering, or other similar public venue. | 2 |
| Designated Pet Relief Area(s) | Designate and/or maintain a pet waste relief area at any rest area and provide pet waste bags and pet waste receptacles. | 3 |
| Regulatory Mechanism Signage* | Post and/or maintain a minimum of six (6) signs on property owned or operated by the permittee that describes the purposes of Regulatory Mechanisms and the benefits to water quality and the community, e.g. including water quality benefits to pet waste receptacles, no feeding wildlife signage, litter pickup signage, etc. | 3 |
| Regulatory Mechanism Education* | Provide and maintain a flyer or handout specific to any regulatory mechanisms in place to address Pet Waste, Wildlife Feeding, Litter Control, and Improper Disposal of Waste, at any rest area or at any community event, e.g., county or state fair, parade, community gathering, or other similar public venue. Provide a link to the appropriate public facing webpage where these regulatory mechanisms are posted. | 1 |
| Storm Drain Labeling Campaign* | Organize a project to label and/or maintain storm drain labels (that are not already precast with a message) with a scout troop, local school district, or faith-based group, or other community youth group for a minimum of 40 labels. This project could also include stenciling over precast labels to improve legibility. | 1 |
| Litter Cleanup Campaign* | Sponsor or organize a litter cleanup for a community group along a local waterway, public park, stormwater facility, or in an area with storm drains that discharge to a local lake or waterway. | 3 |
| Report Excess Road Salt Pile Program | Maintain a website or phone number for the public to report piles of excess de-icing/anti-icing materials that have been deposited during spreading operations on streets, ramps, and parking areas owned or operated by the permittee after 72 hours after the end of a storm event. | 3 |
| Road Salt Education Campaign | Provide and maintain a flyer or handout for homeowners specific to proper de-icing/road salt | 1 |

| Activity | Description | Points |
|---|---|---|
| | application at any rest area or at any community event, e.g., county or state fair, parade, community gathering, or other similar public venue. | |

**Attachment B – Design Standards for Storm Drain Inlets**

## Application of Design Standard

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

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

## Design Standard

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

- The New Jersey Department of Transportation (NJDOT) bicycle safe grate standards described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (see www.state.nj.us/transportation/about/publicat/pdf/BikeComp/introtofac.pdf); or

- A grate where each individual clear space in that grate has an area of no more than seven (7.0) square inches or is not greater than 0.5 inches across the smallest dimension. Note that the Residential Site Improvement Standards at N.J.A.C. 5:21 include requirements for bicycle safe grates.

Examples of grates subject to this standard include grates in grate inlets; the grate portion (non-curb opening portion) of combination inlets; grates on storm sewer manholes; ditch grates; trench grates; and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads, (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors used to collect stormwater from the surface into a storm drain or surface water body.

For curb-openings inlets, including curb-opening inlets in combination inlets, the clear space in the curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches or be no greater than two (2.0) inches across the smallest dimension.

## Exemptions from the Design Standard

- Where each individual clear space in the curb opening in existing curb-opening inlets does not have an area of more than nine (9.0) square inches;
- Where the review agency determines that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
- Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device, e.g., manufactured treatment device, or a catch basin hood, that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

  A rectangular space four and five-eighths inches long and one and one-half inches wide; or
  A bar screen having a bar spacing of 0.5 inches;

  Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

- Where flows are conveyed through a trash rack that has parallel bars with one inch (1") spacing between the bars, to the elevation of the water quality design storm as specified in N.J.A.C. 7:8; or
- Where the Department determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet the standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.