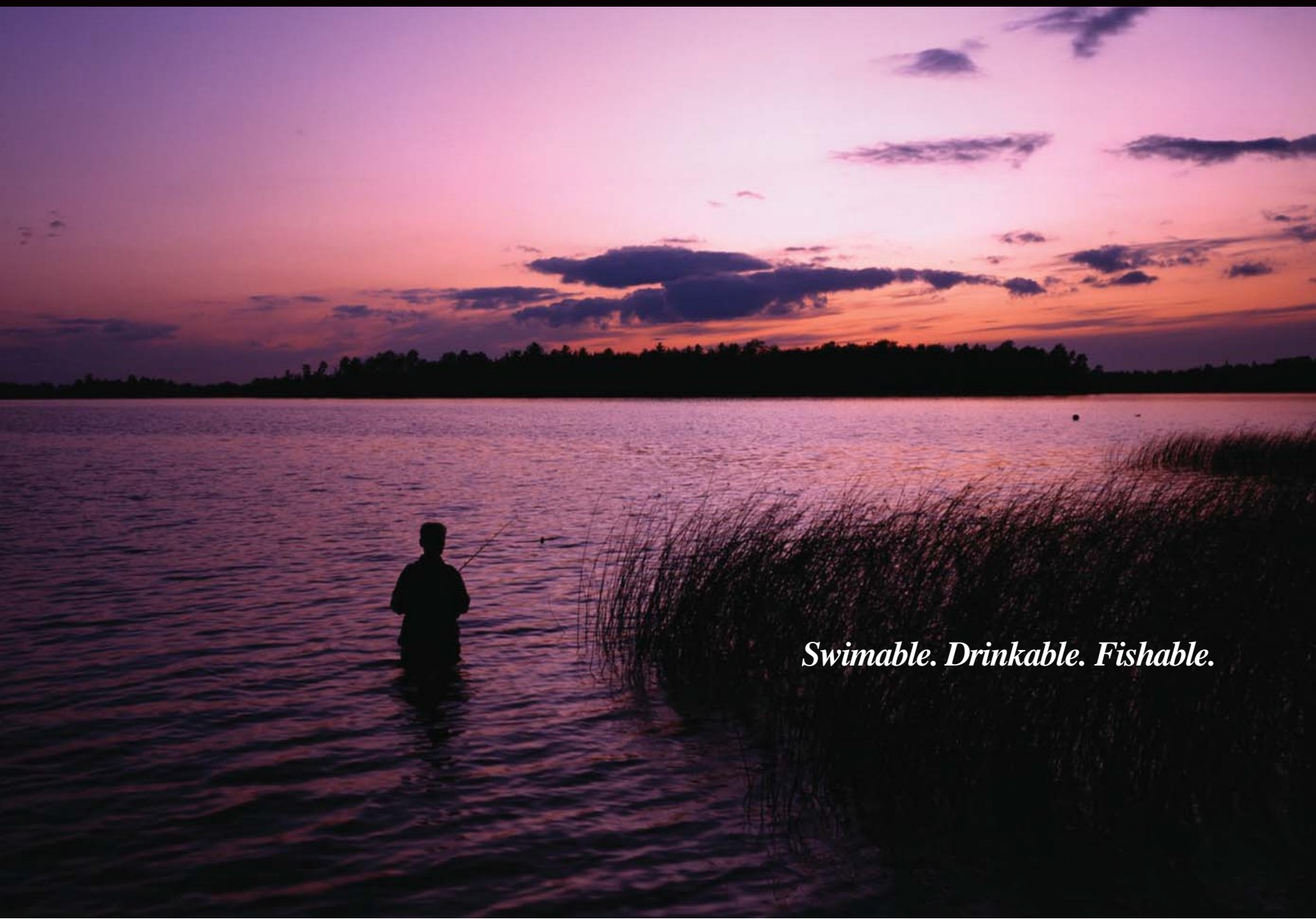




Stormwater Best Management Practices Guide

For the Construction Industry

Freehold
Soil Conservation
District



Swimable. Drinkable. Fishable.



Freehold Soil Conservation District

4000 Kozloski Road PO Box 5033

Freehold, NJ 07728

(732) 683-8500 fax (732) 683-9140

Email: info@freeholdscd.org

www.freeholdsoil.org

Stormwater Best Management Practices Guide For the Construction Industry (Updated May 2017)

This Stormwater Best Management Practices Guide for the Construction Industry has been provided as a tool to aid in achieving compliance with the provisions of the NJ Statewide Stormwater Permitting Program for Construction Activities in New Jersey. By installing and maintaining basic Best Management Practices (BMPs), construction site operators can do their share to protect New Jersey's water resources from the harmful effects of construction site stormwater runoff.

Record keeping and inspections will be streamlined by using the enclosed routine Inspection Sheet (please make additional copies for consecutive inspections). The Best Management Practices section offers many suggestions and tips for ease of implementation.

Please make full use of this guide to successfully prevent pollution on your construction site and to protect our state's waterways.

Feel free to contact our office if you have any questions.

Freehold Soil Conservation District Staff



Stormwater Best Management Practices Guide

Introduction

This Stormwater Best Management Practices (BMP) Guide has been prepared to help the regulated community comply with the provisions of the Statewide Stormwater Permitting Program for Construction Activities in New Jersey. The program is administered by the NJ Department of Environmental Protection (NJDEP), Bureau of Nonpoint Pollution Control in coordination with the NJ Department of Agriculture and the State Soil Conservation Committee through the 14 local Soil Conservation Districts (SCDs) located throughout the State. It is intended for guidance only and does not constitute an endorsement of any particular practice or product by the issuing District. Design of any BMP and erosion control should be by licensed professional engineer or other competent person.

Background

The public has long recognized the environmental damage that can result when rainwater falls on land disturbed by construction activities, which in turn causes soil erosion and sedimentation of our waterways, and represents a significant component of water pollution. When the US Environmental Protection Agency and states throughout the nation were given a mandate under the Federal Clean Water Act to address the problem, New Jersey created a streamlined approach that would meet the federal mandate without adding overly burdensome regulations.

To implement the program, the NJ Department of Environmental Protection amended the NJ Pollutant Discharge Elimination System (NJPDES) rules and developed the Construction Activity Stormwater General Permit (NJG0088323), adopted March 3, 2004. This program has come to be known as “Phase II”.

In that pollution generated by construction sites is largely in the form of sediment and New Jersey has a regulatory Soil Erosion and Sediment Control Act, it was determined that a Soil Erosion and Sediment Control (SESC) Plan prepared by a professional engineer licensed in New Jersey and certified by the local SCD would be used for the erosion control requirement of the federal mandate that construction projects have a Stormwater Pollution Prevention Plan (SPPP). Under Phase II, the area of disturbance requiring authorization was reduced from five (5) acres to one (1) acre and larger, and a waste management component was added, the requirements of which may be found within the permit itself. The majority of construction activities needing permits can now be authorized under this General Permit (GP).

Implementation of the Program

The program is administered jointly by the NJDEP Bureau of Nonpoint Pollution Control in coordination with the New Jersey Department of Agriculture (NJDA) and the State Soil Conservation Committee (SSCC), through its 14 Soil Conservation Districts (SCD). Once the SESC plan is certified, the Authorization to Discharge (ATD) is issued, and the land disturbance starts, the SCD will inspect the project to determine if the SESC plan is being followed and waste is being properly managed. Simply put, failure to comply with the SESC plan, or to properly manage construction waste, constitutes not only a violation of the Soil Erosion and Sediment Control Act, but is also a violation of the ATD. In addition to the possibility of an enforcement action by the SCD, up to and including the issuance of a Stop Construction Order (SWO), the NJDEP may also take enforcement action that may include fines. By complying with the SESC Plan and implementing BMPs, you'll save time and money by avoiding labor intensive and costly cleanup of offsite sedimentation.

Compliance begins with three simple steps:

1. Maintain the certified SESC plan on site at all times. If it doesn't have the red "Certified by" stamp, then it isn't the certified plan.
2. Follow the certified SESC plan.
3. Familiarize yourself, and those working on your site, with the Stormwater Best Management Practices Guide and implement the guidelines.

PERMIT SUMMARY

Eligibility

The permit may authorize all new and existing stormwater discharges associated with industrial activity and small construction activities as defined in N.J.A.C. 7:14A-1.2. Stormwater discharges not authorized by the permit can be found in Part I.A.2.b of the permit document.

Fees

Permit fees are separated into two categories. Projects with an area of disturbance less than five (5) acres require a \$450 fee. Projects with an area of disturbance greater than or equal to five (5) acres require a \$650 fee.

Effluent Limitations, Inspections and Reporting Requirements

Construction activity that may result in stormwater discharge authorized by this permit shall be executed only in accordance with a Stormwater Pollution Prevention Plan (SPPP). This plan consists of a certified soil erosion and sediment control plan and a construction site waste component set forth in Attachment B of the permit document. This document must be maintained by the permittee for a period of at least five (5) years after the completion of the project.

At a minimum routine weekly inspection identifying the effectiveness of the SPPP shall be conducted by the permittee.

Notice of Completion

The permittee shall notify the soil conservation district office responsible for certifying their soil erosion sediment control plan upon completion of the project.

Copies of the permit document can be obtained at:

http://www.nj.gov/dep/dwq/pdf/5G3_2017_Final_Permit.pdf

HOW TO APPLY FOR PERMIT COVERAGE

Applicants should first submit a copy of their Soil Erosion and Sediment Control Plan to the appropriate Soil Conservation District Office for the area in which the project is located. After the District reviews and certifies the plan, they shall issue the applicant a set of two codes (SCD certification code and 251 identification code). At this point the applicant can submit a Request for Authorization (RFA) for the NJDEP Stormwater Construction General Permit (5G3).

The applicant must become a registered user of the NJDEP online E-permitting system. This allows access to all of the NJDEP's online permit applications. Once registered, the applicant must select "stormwater construction general authorization" from the list of available services. The applicant will then be prompted with a list of all required information needed to complete the RFA. Once the RFA is completed, the applicant will receive a temporary ATD. This authorization is sufficient to start construction. The applicant will later receive an email containing their final ATD and a summary of the RFA. These documents should be printed and maintained onsite.

Access to and guidance for the NJDEP online E-permitting system can be found at:

<http://nj.gov/dep/dwq/5g3.htm>

TRANSFER OF OWNERSHIP

In many residential developments, an overall developer applies for stormwater permit coverage, conducts grading activities and installs the basic infrastructure (e.g., utilities, roads). Individual lots are then sold to builders who construct the houses. Unless the developer is still responsible for the stormwater discharges from these individual lots (which is typically not the case), the builder will need to apply for permit coverage on their own. In cases where the entire project site is transferring ownership and permit authorization has already been obtained, it is possible to transfer the authorization to the new owner. However, the new owner would be responsible for ensuring that the SPPP, containing the soil erosion and sediment control plan, sufficiently addresses all the activities conducted by the new owner. Also, the new owner would be responsible for all permit actions and potentially, violations which have occurred under the authorization. It is recommended to simply apply for a new authorization.

Transfer of ownership form: <http://www.state.nj.us/dep/dwq/pdf/transfer.pdf>

MULTIPLE OPERATORS

In many instances, there may be more than one party at a site performing tasks related to operational control and more than one operator may need to submit an RFA. Depending on the site and the relationship between the parties (e.g., owner, developer, general contractor), there can be either be a single party acting as a site operator and consequently responsible for obtaining permit coverage, or there can be two or more operators all needing permit coverage. Exactly who is considered an operator is largely controlled by how the owner of the project chooses to structure the contracts with the contractors hired to design and/or build the project. The following are three general operator scenarios (variations on these three are possible, especially as the number of owners and contractors increases):

- *Owner as sole permittee:* The property owner designs the structures for the site, develops and implements the SPPP, and serves as general contractor (or has an on-site representative with full authority to direct day-to-day operations). The owner may be the only party that needs permit coverage under these circumstances. Everyone else on the site may be considered subcontractors and might not need coverage.

Contractor as sole permittee: The property owner hires one company (i.e., a contractor) to design the project and oversee all aspects of the construction project, including preparation and implementation of the SPPP and compliance with the permit. Here, the contractor would likely be the only party needing a permit. It is under this scenario that an individual having a personal residence built for his own use (e.g., not those to be sold for profit or used as a rental property) would not be considered an operator. However, individual property owners would meet the definition of operator and may require permit coverage if they perform general contracting duties for construction of their personal residences.

- *Owner and contractor as co-permittees:* The owner retains control over any changes to the site plans, SPPP, or stormwater conveyance or control designs, but the contractor is responsible for overseeing actual earth disturbing activities and daily implementation of SPPP and other permit conditions. In this case, which is the most common scenario, both parties may need to apply for permit coverage. However, you are probably not an operator and subsequently would not need permit coverage if one of the following is true:
 - You are a subcontractor hired by, and under the supervision of, the owner or a general contractor.
 - The operator of the site has indicated in the SPPP that someone other than you (or your subcontractor) is responsible for your activities as they relate to stormwater quality. This is typically the case for many, if not most, utility service line installations.

In addition, ‘owner’ typically refers to the party that owns the structure being built. Ownership of the land where construction is occurring does not necessarily imply the property owner is an operator (e.g., a landowner whose property is being disturbed by construction of a gas pipeline). Likewise, if the construction of a structure has been contracted for, but possession of the title or lease to the land or structure does not occur until after construction, the would-be owner may not be considered an operator (e.g., having a house built by a residential homebuilder).

THE STORMWATER BMP GUIDE WAS CREATED BY

Freehold Soil Conservation District
4000 Kozloski Road
Freehold, NJ 07728
732-683-8500
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Email: info@freeholdscd.org
www.freeholdsoil.org

Ines Zimmerman – District Manager
Stacy Abrahamsen Brady – Senior Resource Specialist
Paul Califano – Resource Conservationist II
Michael Infanti – Resource Conservationist II
Holly Reynolds – Public Information Specialist

The Stormwater Best Management Practices Guide has been created for your assistance only and does not constitute an endorsement of any particular practice or product by the issuing District.

ADDITIONAL CONTACT INFORMATION

NJ Department of Agriculture
NJ State Soil Conservation Committee
PO Box 330
Trenton, NJ 08625
Phone: 609-292-5540 Fax: 609-633-7229
<http://www.nj.gov/agriculture/divisions/anr/nrc/soil.html>

NJ Department of Environmental Protection
Bureau of Nonpoint Pollution Control
PO Box 029
Trenton, NJ 08625
Phone: 609-633-7021 Fax: 609-984-2147
<http://www.nj.gov/dep/dwq/5g3.htm>



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-

Stormwater Best Management Practices Guide

Permit Documents





State of New Jersey

DEPARTMENT OF AGRICULTURE
PO Box 330
TRENTON NJ 08625-0330

EDWARD D. WENGRYN
Secretary

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lieutenant Governor

1ST OWNER
address

9/26/2024

FREEHOLD NJ 07777

Ref.#: 1999-0901
Proj.: PROJECT NAME THREE
Twp. : SPRING LAKE
Block: 2
Lots : 5
Acres: 30.352

To access the E-Permitting system, you must first become a registered user of NJDEP online at <http://www.nj.gov/dep/online>. Once registered, you may file for a RFA online on the screen titled "SCD Certified Plan." Please note: the certification code is case sensitive.

If you have any questions, please contact Daniel Kuti, NJDEP Bureau of Nonpoint Pollution Control at (609) 633-7021 or via email at PortalComments@dep.state.nj.us

SCD Certification Code

251 Identification



Mail Code - 401-02B
 Bureau of Nonpoint Pollution Control
 Water Pollution Management Element
 PO Box 420
 Trenton, NJ 08625-0420
 Phone: (609) 633-7021
 Fax: (609) 777-0432

PI ID #:	
Portal ID#:	
NJPDES #: NJG	
Payment Arrangement: Credit Card	
Paid Online: Yes	
Paid On: 10/12/2012	
Paid Amt: \$650.00	

This Authorization form is requested to be located at the regulated construction site at all times and be available for inspection by any authorized representative of the New Jersey Department of Environmental Protection. If you have designated an agent, it is your responsibility to notify your agent about this General Permit and its requirements

AUTHORIZATION TO DISCHARGE
5G3 -Construction Activity Stormwater (GP)
 To ensure compliance during the construction activity please print out the Stormwater Construction Permit terms and conditions at http://www.state.nj.us/dep/dwq/pdf/5g3_finalpermit.pdf

Facility Name and Address:

Type of Activity: Stormwater Discharge General Permit Authorization New
Owner:

SAMPLE ONLY

Operating Entity:

Electronically certified online by the responsible party

On 10/11/2012

Issuance Date	Effective Date of Authorization
10/12/2012	10/12/2012

Your Request for Authorization under NJPDES General Permit No. NJG0209741 has been approved by the New Jersey Department of Environmental Protection.

James J. Murphy, Chief
 Bureau of Nonpoint Pollution Control
 Division of Water Quality
 New Jersey Department of Environmental Protection

Date: 10/12/2012

Soil Conservation District - MIDDLESEX-MONMOUTH
 4000 Kozloski Road
 PO Box 5033
 Freehold, NJ 07728
 (732) 683-8500



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: NJ0088323

Final: Stormwater Discharge Master General Permit Renewal

Permittee:

NJPDES MASTER GENERAL PERMIT
PROGRAM INTREST GROUP 5G3
401 E STATE ST
Trenton, NJ 08625

Co-Permittee:

Property Owner:


NJPDES MASTER GENERAL PERMIT
PROGRAM INTREST GROUP 5G3
401 E STATE ST
Trenton, NJ 08625

Location Of Activity:

NJPDES MASTER GENERAL PERMIT
PROGRAM INTREST GROUP 5G3
401 E STATE ST
Trenton, NJ 08625

Authorization(s) Covered Under This Approval	Issuance Date	Effective Date	Expiration Date
5G3 -Construction Activity Stormwater (GP)	02/28/2017	03/01/2017	02/28/2022

By Authority of:
Commissioner's Office



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

(Terms, conditions and provisions attached hereto)



For District Use Only

APPLICATION FOR SOIL EROSION AND SEDIMENT CONTROL PLAN CERTIFICATION

The enclosed soil erosion and sediment control plan and supporting information are submitted for certification pursuant to the Soil Erosion and Sediment Control Act, Chapter 251, P.L. 1975 as amended (NJSA 4:24-39 et. seq.) An application for certification of a soil erosion and sediment control plan shall include the items listed on the reverse side of this form.

Name of Project			Project Location: Municipality		
Project Street Address			Block	Lot	
Project Owner(s) Name			Email	Phone #	Fax #
Project Owner(s) Street Address (No P.O. Box Numbers)			City	State	Zip
Total Project Area (Acres)	Total Disturbed Area (Acres)	Total Soil Restoration Area (Acres)	No. Dwelling or other Units	Fee \$	
Plans Prepared by*			Email of plan preparer:	Phone #	
Street Address			City	State	Zip
Agent Responsible During Construction			Email		
Street Address					
City		State	Zip	Phone	Fax #

*(Engineering related items of the Soil Erosion and Sediment Control Plan **MUST** be prepared by or under the direction of and be sealed by a Professional Engineer or Architect licensed in the State of New Jersey, in accordance with NJAC 13:27-6.1 et. seq.)

The applicant hereby certifies that all soil erosion and sediment control measures are designed in accordance with current **Standards for Soil Erosion and Sediment Control In New Jersey** and will be installed in accordance with those Standards and the plan as approved by the Soil Conservation District and agrees as follows:

1. To notify the District in writing at least 48 hours in advance of any land disturbance activity. Failure to provide such notification may result in additional inspection fees.
2. To notify the District upon completion of the Project (Note: No certificate of occupancy can be granted until a report of compliance is issued by the District.
3. To maintain a copy of the certified plan on the project site during construction.
4. To allow District agents to go upon project lands for inspection.
5. That any conveyance of this project or portion thereof prior to its completion will transfer full responsibility for compliance with the certified plan to any subsequent owners.
6. To comply with all terms and conditions of this application and certified plan including payment of all fees prescribed by the district fee schedule hereby incorporated by reference.

The applicant hereby acknowledges that structural measures contained in the Soil Erosion and Sediment Control Plan are reviewed for adequacy to reduce offsite soil erosion and sedimentation and not for adequacy of structural design. The applicant shall retain full responsibility for any damages which may result from any construction activity notwithstanding district certification of the subject soil erosion and sediment control plan. It is understood that approval of the plan submitted with this application shall be valid only for the duration of the initial project approval granted by the municipality. All municipal renewals of this project will require submission and approval by the district. In no case shall the approval extend beyond three- and one-half years at which time resubmission and certification will be required. Soil Erosion and Sediment Control Plan certification is limited to the controls specified in the plan. It is not authorization to engage in the proposed land use unless such use has been previously approved by the municipality or other controlling agency. It is further understood that all documents, site plans, design reports etc. submitted to the district shall be made available to the public (upon request) pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

<p>1. Applicant Certification*</p> <p>Signature _____ Date _____</p> <p>Applicant Name (Print) _____</p>	<p>3. Plan determined complete:</p> <p>Signature of District Official _____ Date _____</p>
<p>2. Receipt of fee, plan and supporting documents is hereby acknowledged:</p> <p>Signature of District Official _____ Date _____</p>	<p>4. Plan certified, denied or other actions noted above. Special Remarks:</p> <p>Signature of District Official _____ Date _____</p>

*If other than project owner, written authorization of owner must be attached.

SSCC251 AP10 4/19

APPENDIX A2

REQUIREMENTS, GUIDELINES AND PROCEDURES FOR
PREPARING AND IMPLEMENTING "STANDARDS FOR SOIL EROSION AND
SEDIMENT CONTROL IN NEW JERSEY"

An application for certification of a soil erosion and sediment control plan shall include the following items.

1. One copy of the complete subdivision, site plan or construction permit application, including key map as submitted to the municipality (Architectural drawings and building plans and specifications not required.) which includes the following:
 1. Location of present and proposed drains and culverts with their discharge capacities and velocities and support computations and identification of conditions below outlets.
 2. Delineation of any area subject to flooding from the 100-year storm in compliance with the Flood Plains Act (NJSA 58:16A) or applicable municipal zoning.
 3. Delineating of streams, wetlands, pursuant to NJSA 13:9B and other significant natural features within the project area.
 4. Soils and other natural resource information used. (Delineation of the project site on soil map is desirable utilizing the USDA Web Soil Survey.)
 5. Land cover and use of area adjacent to the land disturbance.
 6. All hydraulic and hydrologic data, describing existing and proposed watershed conditions and HEC HMS, HEC RAS, TR-55 and similar models, and other electronic input files, if used, of existing and proposed conditions and a completed copy of the Hydraulic and Hydrologic Data Base Summary Form, SSCC 251 HDF1.
2. Up to four copies of the soil erosion and sediment control plan* at the same scale as the site plan submitted to the municipality or other land use approval agency to include the following: (This information shall be detailed on the plat)
 1. Proposed sequence of development including duration of each phase in the sequence.
 2. Site grading plan showing delineation of land areas to be disturbed including proposed cut and fill areas together with existing and proposed profiles of these areas (an interim grading-erosion control plan may be required for large sites with extensive cuts and fills).
 3. Contours at a two-foot (or smaller) interval, showing present and proposed ground elevation.
 4. Locations of all streams and existing and proposed drains and culverts.
 5. Stability analysis of areas below all points of stormwater discharge which demonstrates a stable condition will exist or there will be no degradation of the existing condition.
 6. Location and detail of all proposed erosion and sediment control structures including profiles, cross sections, appropriate notes, and supporting computations.
 7. Location and detail of all proposed nonstructural methods of soil stabilization including types and rates of lime, fertilizer, seed, and mulch to be applied.
 8. Control measures for non-growing season stabilization of exposed areas where the establishment of vegetation is planned as the final control measure.
 9. For residential development - control measures to apply to dwelling construction on individual lots and notation that such control measures shall apply to subsequent owners if title is conveyed. This notation shall be shown on the final plat.
 10. Plans with a notation for maintenance of permanent soil erosion and sediment control measures and facilities during and after construction, also indicating who shall have responsibility for such maintenance.
 11. Where applicable, the location and details for all proposed soil restoration areas including appropriate notes and sequencing.
3. Appropriate fees. (As adopted by the individual district.)
4. Additional items as may be required.

*Individual districts may require modifications in the above list.

SOIL CONSERVATION DISTRICTS IN NEW JERSEY

<u>DISTRICT</u>	<u>ADDRESS</u>	<u>CONTACT INFORMATION</u>	<u>FAX</u>
BERGEN	700 Kinderkamack Road, Ste. 106 Oradell 07649	Phone: 201-261-4407 E-mail: acaruso@bergenscd.org	201-261-7573
BURLINGTON	1971 Jacksonville-Jobstown Road Columbus 08022	Phone: 609-267-7410 E-mail: rreitmeyer@bscd.org	609-267-3347
CAMDEN	423 Commerce Lane, Suite 1 W. Berlin 08091	Phone: 856-767-6299 E-mail: craig.mcgee@camdenscd.org	856-767-1676
CAPE-ATLANTIC	Atlantic County Office Building 6260 Old Harding Highway Mays Landing 08330	Phone: 609-625-3144 E-mail: capeatlanticscd@capeatlantic.org	609-625-7360
CUMBERLAND SALEM	PO Box 68, 1516 Route 77 Deerfield 08313	Phone: 856-451-2422 E-mail: cumbsoil@aol.com	856-451-1358
FREEHOLD (Monmouth & Middlesex)	4000 Kozloski Road, PO Box 5033 Freehold 07728-5033	Phone: 732-683-8500 E-mail: izimmerman@freeholdscd.org	732-683-9140
GLOUCESTER	14 Parke Place, Suite C Sewell 08080	Phone: 856-589-5250 E-mail: gloucester@gloucesterscd.org	856-256-0488
HUDSON-ESSEX & PASSAIC	80 Orchard Street Bloomfield 07003	Phone: 862-333-4505 E-mail: glen@hepscd.org	862-333-4505
HUNTERDON	687 Pittstown Road, Suite 1 Frenchtown 08825	Phone: 908-788-9466 E-mail: hcsd687@embarqmail.com	908-788-0795
MERCER	590 Hughes Drive Hamilton Square 08690	Phone: 609-586-9603 E-mail: pauls1mercer@aol.com	609-586-1117
MORRIS	Court House, P.O. Box 900 Morristown 07960 (Location - 30 Schuyler Place, 4 th floor, Morristown)	Phone: 973-285-2953 E-mail: morris@mcsd.org	973-285-8345
OCEAN	714 Lacey Road Forked River 08731	Phone: 609-971-7002 E-mail: info@soildistrict.org	609-971-3391
SOMERSET-UNION	Somerset County 4-H Center 308 Milltown Road Bridgewater 08807	Phone: 908-526-2701 E-mail: soilconsrv@co.somerset.nj.us	908-526-7017
UPPER DELAWARE (Warren & Sussex)	P.O. Box 198 51 Main Street, Suite B Blairstown 07825	Phone: 908-852-2579 E-mail: smyers@upperdelawarescd-nj.com	908-852-2284

STATE SOIL CONSERVATION COMMITTEE
NEW JERSEY DEPARTMENT OF AGRICULTURE
PO BOX 330, TRENTON, NEW JERSEY 08625
TELEPHONE: 609-292-5540 FAX: 609-633-7229
Office Hours 8:30 am to 5:00 pm

Stormwater Best Management Practices Guide

Regulations





STATEWIDE STORMWATER PERMITTING PROGRAM FOR CONSTRUCTION ACTIVITIES

The Statewide Industrial Stormwater Permitting Program for construction activities is administered by the Department of Environmental Protection (DEP), Bureau of Nonpoint Pollution Control (Bureau) in coordination with the N.J. Department of Agriculture and the State Soil Conservation Committee through the 15 local Conservation Districts (SCD) located throughout the State. It represents the next step to improve water quality of our lakes, rivers and streams, in conjunction with existing State Soil Erosion and Sediment Control Program requirements under Chapter 251.

The public has long recognized the environmental damage that can result when rainwater falls on land disturbed by construction activities, which in turn cause erosion and sedimentation. Rainwater runoff tainted by this contact often drains into nearby waterways and represents a significant component of water pollution. When the U.S. Environmental Protection Agency and states throughout the nation were given a federal Clean Water Act mandate to address this problem, New Jersey set out to craft a streamlined approach that would meet the federal requirement without adding overly burdensome regulations. The result of this effort is a program that emphasizes local

“A streamlined approach to permitting.”

delivery and maximum utilization of existing requirements and resources.

To implement this program the DEP adopted amendments to the N.J. Pollutant Discharge Elimination System (NJPDES) rules, along with the development and adoption of the Construction Activity Stormwater General Permit (NJ0088323). The majority of construction activities needing permits can be authorized under this low-cost construction general permit through DEPonline permitting portal in conjunction with the required Soil Erosion and Sediment Control Plan certification.

Does this Affect You?

A. The construction General Permit authorization is limited to discharges of stormwater from certain construction activities that disturb one or more acres of land. A self screening form is available to determine if your activity is regulated under the Stormwater Permitting Program. If you need a permit you may be eligible for authorization under the construction general permit if you are engaged in:

- 1) construction activities including clearing, grading and excavation (that disturb one acre or more, or that disturb less than one acre but are

part of a larger plan of development or sale);

- 2) single family home construction that disturbs one or more acres of land and that may be exempt from Chapter 251 requirements.

- 3) construction of a sanitary or hazardous waste landfill before it receives wastes, or construction that does not disrupt a properly closed landfill.

B. Certain industrial facilities where construction activities are proposed are not eligible for the construction General Permit and must apply for other permit:

- 1) facilities with storm water subject to EPA effluent guidelines for cement manufacturing; fertilizer manufacturing; steam electric; coal pile runoff; mineral mining and processing; ore mining and dressing; and asphalt emulsion;

- 2) all mining and quarrying activities previously covered under this permit. This includes active or inactive mining or quarrying of sand, gravel, soil, shale, or clay including crushing, grinding, pulverizing, and washing activities.

- 3) construction at landfills except as noted in A.3 above.

How Do You Apply?

To apply for authorization under the construction general permit you should first contact your local SCD office to obtain the required SCD certification code and 251 Identification code as proof that your soil erosion and sediment control plan has been certified. Applicants must then become registered user of the DEPonline portal system at <http://www.nj.gov/dep/online/>. Once registered the applicant must add the "Stormwater Construction General Authorization" service to their profile and complete the request for authorization online. Direction for completing the RFA can be found at <http://www.nj.gov/dep/dwq/5g3.htm>. For applicants who receive soil erosion and sediment control certifications from certain exempt municipalities, RFA's must still be submitted online with proof of municipal certification. Contact your local SCD for information on these exempt municipalities.

For information about other permit coverage and application requirements for activities not eligible for the construction General Permit please contact DEP at:

N.J Department of Environmental Protection
Bureau of Nonpoint Pollution Control
Division of Water Quality
PO Box 420-401 E. State St. Trenton,
NJ 08625-0420
(609) 633-7021
<http://dep.nj.gov/dwq/>

What Are The Requirements Of The Construction General Permit?

The requirements of the construction general permit include the development and certification of a Stormwater Pollution Prevention Plan (SPPP), routine inspections, annual reports and certifications, and reports of noncompliance.

The SPPP consists of a soil erosion and sediment control component and a construction site waste control component. The soil erosion and sediment control component will be governed by a soil erosion and sediment control plan or equivalent local requirements.

The construction site waste control component of the SPPP consists of requirements for material management to prevent or reduce waste and waste handling. Construction site waste include waste building material and rubble, chemical waste, litter, sanitary sewage and septage, contaminated soils and concrete truck washout. Waste handling will also include spill and discharge control and reporting.

What Are The Deadlines?

For new construction: You must file a RFA with the NJDEP at least 30 days prior to land disturbance. The RFA cannot be filed until the Soil Erosion and Sediment Control Plan certification has been completed.

For new construction requiring individual permits: You must file an individual permit application with the DEP's Office of Permits Management at least 90 days prior to land disturbance.

What Happens If I Do Not Obtain An Authorization?

Failure to obtain a stormwater discharge permit is a violation of the Water Pollution Control Act and will be subject to enforcement action and penalties.

What If I Violate My Construction General Permit?

Compliance with the permit requires compliance with the SPPP. Where facilities fail to comply with certified Soil Erosion and Sediment Control Plan they may be referred to the DEP for enforcement under the Water Pollution Control Act in addition to any enforcement action taken by the SCD. However, prior to enforcement actions, site inspections will be conducted by SCD personnel in cooperation with the DEP.

For More Information

Please call the Bureau of Nonpoint Pollution Control at (609) 633-7021 contact your local SCD office You may also visit our website at <http://www.nj.gov/njdes-stormwater/> or the Soil Conservation web site at <http://www.nj.gov/agriculture/divisions/anr/nrc/conservdistricts.html>.

PART I

NARRATIVE REQUIREMENTS

Construction Activity Stormwater (GP)

A. Authorization Under This Permit

1. Permit Area

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

2. Eligibility

- a. Except as provided in 2.b. below, this permit may authorize all new and existing stormwater discharges associated with industrial activity and small construction activities as defined in N.J.A.C. 7:14A-1.2, and that are from the following facilities:
 - i. Construction activities including clearing, grading and excavation activities. In regard to landfills such construction activities are limited to:
 - A landfill under construction which has not received any solid waste or hazardous waste as defined at N.J.A.C. 7:14A - 1.2; or
 - A landfill that has been closed in compliance with N.J.A.C. 7:26-2A.9 (the Solid Waste rules) or N.J.A.C. 7:26G (the Hazardous Waste rules), the appropriate certifications have been submitted in accordance with N.J.A.C. 7:26 or N.J.A.C. 7:26G, and the landfill is not disrupted.
 - A landfill other than those described above is deemed eligible when a written determination is made by the Department that the permit requirements are sufficient to control the construction activities.
 - b. The following stormwater discharges are not authorized by this permit:
 - i. Stormwater discharges subject to any of the following effluent guideline limitations for stormwater: cement manufacturing, materials storage piles (40 CFR 411, Subpart C); concentrated animal feeding operations (40 CFR 412); fertilizer manufacturing (40 CFR 418); petroleum refining (40 CFR 419); phosphate manufacturing (40 CFR 422); steam electric, coal pile runoff (40 CFR 423); mineral mining and processing (40 CFR 436); ore mining and dressing (40 CFR 440); asphalt emulsion (40 CFR 443 Subpart A); and landfills (40 CFR 445).
 - ii. Stormwater discharges from facilities with "sanitary landfills" as defined in N.J.A.C. 7:26-1.4 or "hazardous waste landfills" subject to N.J.A.C. 7:26G, unless the landfill meets the requirements of A.2.a.i above.
 - iii. Stormwater discharges from construction that are not regulated under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., or that are not within the definition of "project" at N.J.S.A. 4:24-41g.

- iv. Stormwater discharges that occur after the construction activities under 2.a.i, above, have been completed (see E.7 below). If the facility being constructed is in one or more of the categories identified in subparagraphs 1i through 1ix or subparagraph 1xi of the definition in N.J.A.C. 7:14A-1.2 of "stormwater discharge associated with industrial activity," then authorization for that stormwater discharge must be obtained under another NJPDES permit (such as NJPDES Permit No. NJ0088315, where applicable), even if authorization for the stormwater discharge from the construction activity has been obtained under this permit.)
- v. Stormwater discharges from projects or activities that conflict with an adopted Water Quality Management Plan.
- vi. Stormwater discharges from "major Highlands development" within the boundaries of the "Preservation Area" of the "Highlands Region," designated by the Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A.13:20-1 et seq., that does not have a "Highlands Preservation Area Approval" Highlands Applicability Determination issued by the Department that the proposed activity is exempt from the Highlands Act. (See definitions at H.3. below.)

3. Other Discharges

- a. Other discharges are not authorized by this permit, even if such discharges are combined with stormwater discharges that are authorized by this permit.

B. Requiring an Individual Permit or Other General Permit

1. Applying for Another NJPDES Permit

- a. The Department may require any permittee authorized under this permit to apply for and obtain an individual Discharge of Stormwater to Surface Water (DST) permit, or seek and obtain authorization under another general permit. Conversely, any permittee authorized under this permit may request to be excluded from authorization under this permit by applying to the Department for an individual DST permit or for another general DST permit. Revocation of existing permits under such circumstances is governed by N.J.A.C. 7:14A-6.13.
- b. If, after receiving authorization under this permit, a facility is required by the Department to obtain another NJPDES DST permit that would also cover the authorized stormwater discharge, then authorization under this permit shall remain in effect only until either:
 - i. The date such other permit becomes effective; or
 - ii. The date the application for such other permit (or request for authorization under another general permit) is denied. If such a facility fails to submit an application or request for authorization by the date specified by the Department, then the general permit authorization remains in effect only until that date.

C. Authorization

1. New Authorizations

- a. In order to obtain authorization under this permit (except for automatic renewal of authorization under 3.a below), a complete Request for Authorization (RFA) and the appropriate fee required under N.J.A.C. 7:14A-3.1(j) shall be submitted in accordance with the requirements of this permit.
 - i. Authorization becomes effective when the Department certifies the RFA (and when, in addition, the Pinelands Commission has made any determination required under b. below).

- b. For new stormwater discharges commencing in the Pinelands Area (as defined by N.J.S.A. 13:18A-11) after November 2, 1992, authorization under this permit becomes effective only if, pursuant to N.J.S.A. 13:18A-15, the Pinelands Commission has determined that:
 - i. The Pinelands Commission will not review the facility based upon the issuance of a certification of the facility's soil erosion and sediment control plan issued by the Soil Conservation District or the State Soil Conservation Committee, or the approval of the facility's soil erosion and sediment control requirements issued by the municipality (whichever is applicable);
 - ii. The Pinelands Commission has reviewed and approved the facility following, if applicable, issuance of a certification of the facility's soil erosion and sediment control plan issued by the Soil Conservation District or the State Soil Conservation Committee, or the approval of the facility's soil erosion and sediment control requirements issued by the municipality (whichever is applicable); or
 - iii. The Pinelands Commission has, pursuant to N.J.A.C. 7:50-4.51 et seq., reviewed and approved the development application of the Department of Transportation (DOT).
- c. For a stormwater discharge authorized under this permit, the permittee is exempt from the provision in N.J.A.C. 7:14A-6.2(a)2 which declares that the discharge of any pollutant not specifically regulated in the NJPDES permit or listed and quantified in the NJPDES application shall constitute a violation of the permit.

2. Termination of Authorization

- a. Authorizations under this general permit cease to be effective when any of the following occurs, whichever is earliest:
 - i. When the State Soil Conservation Committee rejects (pursuant to N.J.S.A. 4:24-6.1 and N.J.A.C. 2:90) a decision by the Soil Conservation District to certify the facility's soil erosion and sediment control plan;
 - ii. when the certification or municipal approval (under N.J.S.A. 4:28-48) of the facility's soil erosion and sediment control plan expires without being renewed or extended;
 - iii. when the report of compliance is issued (see E.7.a. below) or the Department receives written Notification of Completion from the DOT (see E.7.b. below), whichever is applicable.

3. Automatic Renewal of Authorization

- a. Authorization under this permit was automatically renewed when this permit was reissued, and will be automatically renewed if this permit is reissued in the future (so long as the discharge remains eligible). In either case, for any permittee who had or has authorization under this permit immediately prior to the effective date of the reissued permit, the most recently submitted RFA is also a timely and complete RFA under the reissued permit. (However, if the permittee is aware that any information in that most recently submitted RFA is no longer true, accurate, and complete, the permittee (except for DOT) shall provide the correct information to the Department within 90 days after that effective date, if the permittee has not done so already.) The Department shall provide a notice of renewed authorization to each such permittee (except for DOT).
- b. A permittee whose authorization was renewed under a. above may request to be excluded from the reissued general permit in accordance with N.J.A.C. 7:14A-6.13(g), and may also request a stay of the application to that permittee of any conditions of the reissued permit in accordance with N.J.A.C. 7:14A-17.6.

D. Request For Authorization Requirements

1. Deadline for Requesting Authorization for a New Discharge

- a. A RFA for a new stormwater discharge must be submitted prior to the commencement of the land disturbance that may result in that discharge.
- b. The Department may accept an RFA submitted after the foregoing deadlines; however, the discharger may still be held liable for any violations that occurred prior to the submission of the RFA.

2. Persons Requesting Authorization

- a. A RFA shall be submitted by each person who is an operating entity for any part of the facility requiring a NJPDES permit for the stormwater discharge at the facility. When a facility is owned by one person but is currently operated by another person, the operating entity shall submit the RFA.

3. Contents of the Request for Authorization

- a. A completed RFA shall include all of the following information regarding the regulated facility, using the Department's E-Permitting System.
 - i. The legal name and address of all known current owners and operating entities. The RFA shall also identify which of these persons is submitting the RFA;
 - ii. The facility name and address;
 - iii. A brief description of the facility and its current and proposed uses;
 - iv. For stormwater discharges occurring in the Pinelands Area (as defined in N.J.S.A. 13:18A-11) prior to November 2, 1992, a Pinelands Commission "no call up" letter or public development approval;
 - v. A RFA for stormwater discharges occurring in the "Preservation Area" of the "Highlands Region," designated by the Highlands Act, shall not be considered complete unless accompanied by a "Highlands Preservation Area Approval" issued by the Department or a "Highlands Applicability Determination" that the proposed activity is exempt from the Highlands Act and consistent with a Water Quality Management Plan (WQMP), or exempt from the Highlands Act and not addressed by a WQMP.(See definitions at H.1.c. below.);
 - vi. The location of the project - State plane coordinates;
 - vii. Contact information for - fees/billing contact;
 - viii. The SCD certification code and 251 Identification code;
 - ix. Identification numbers of existing NJPDES permits; and
 - x. Certification PIN.

4. Where to Submit

- a. For all facilities, the RFA and associated payments to "Treasurer, State of New Jersey" shall be submitted to the Department through the E-Permitting System.

- b. For projects that the New Jersey DOT is constructing or proposes to construct, a completed, signed, and certified RFA shall be submitted by DOT to the Department at the address specified on the Department's RFA form, and the appropriate fee (except for authorization renewal under C.3.a.) shall be paid to the Department.

5. Certifying the Request for Authorization

- a. For all facilities the Department shall certify the RFA if the requirements above have been satisfied, and if:
 - i. The Soil Conservation District has certified the facility's plan for soil erosion and sediment control under N.J.S.A. 4:24-43;
 - ii. The State Soil Conservation Committee has certified the facility's plan for soil erosion and sediment control under N.J.S.A. 4:24-6.1 and N.J.S.A. 4:24-43;
 - iii. The facility has been approved under a municipal ordinance for soil erosion and sediment control pursuant to N.J.S.A. 4:24-48; or
- b. The Department shall grant or deny certification of the RFA through the E-Permitting System.
- c. For projects that the DOT is constructing or proposes to construct, the DOT shall certify the RFA if the requirements above have been satisfied, and if the DOT has certified the facility's plan for soil erosion and sediment control under N.J.S.A. 4:24-43.

6. Additional Notification

- a. Facilities that discharge stormwater associated with industrial activity through a large or medium municipal separate storm sewer system (systems serving a population of 100,000 or more) must also submit a copy of the RFA to the owner of and operating entity for that system.
- b. Persons requesting authorization shall also submit a copy of the RFA to each owner (if any) of the facility who did not submit the RFA.

E. Effluent Limitations, Inspection and Reporting Requirements

1. Stormwater Pollution Prevention Plan (SPPP).

- a. Construction activity that may result in a stormwater discharge authorized by this permit shall be executed only in accordance with a SPPP that consists of the erosion and sediment control component described under b. below, and (where applicable) the construction site waste control component set forth in Attachment B. A copy of this SPPP shall be retained by the permittee for a period of at least five (5) years after the completion of construction. This period may be extended by written request of the Department at any time (see N.J.A.C. 7:14A-6.6):
- b. Erosion and sediment control - Land disturbances that may result in a stormwater discharge authorized by this permit shall be executed only in accordance with whichever of the following is applicable:
 - i. A soil erosion and sediment control plan certified pursuant to N.J.S.A. 4:24-43;
 - ii. Requirements for soil erosion and sediment control established in or pursuant to a municipal ordinance in accordance with N.J.S.A. 4:24-48; or

- c. At a minimum all soil erosion and sediment control plans shall be prepared in accordance with the guidance in the most recent version of "Standards for Soil Erosion and Sediment Control in New Jersey" and contain all of the information required in Appendix A2 of that document.
- d. For purposes of this permit, the above mentioned soil erosion and sediment control plan or requirements constitute the erosion and sediment control component of the facility's SPPP (except for any provisions that are not relevant to the stormwater discharge authorized by this permit).

2. Construction Site Waste Control

- a. The construction site waste control component of the SPPP consists of the requirements set forth in Attachment B. These requirements became operative on March 3, 2004 and apply only to construction activities that commence on or after March 3, 2004. Public projects that have gone out for bid or have been awarded a contract prior to March 3, 2004 are exempt from implementing the new requirements for construction site waste management. Construction activities that commenced prior to March 3, 2004 but did not obtain certification (or approval from exempt municipality) required under the Soil Erosion and Sediment Control Act are not exempt from the requirements in this section. Any other new construction activity for which a RFA is submitted on or after March 3, 2004 or which receive automatic renewal of authorization under this permit after March 3, 2004 also shall comply with these requirements.

3. Commencement of Activity

- a. Land disturbances that may result in a stormwater discharge authorized by this permit shall not commence until authorization is effective under C., above.

4. Onsite Posting

- a. A copy of the authorization shall be posted at a safe, publicly accessible location in close proximity to the construction site at all times until a notice of completion has been issued.
- b. The permittee shall post the NJDEP Hotline number with the copy of the authorization.
 - i. NJDEP Hotline number (1-877- WARN DEP)

5. Routine Inspections

- a. The permittee shall conduct and document weekly inspections of the areas of industrial activity or small construction activity to identify areas contributing to the stormwater discharge authorized by this permit and evaluate whether the stormwater pollution prevention plan (SPPP) identified under E.1, above, is being properly implemented and maintained, or whether additional measures are needed to implement the SPPP.
 - i. In the event that the industrial activities or small construction activities onsite are ceased or are anticipated to cease for a period of six (6) months or greater the permittee may seek a suspension of the routine inspection requirement of the permit or reduction in frequency to monthly with the written approval of the Soil Conservation District office overseeing the project on a form provided by the Department.

6. Reports of Noncompliance

- a. All instances of noncompliance not reported under N.J.A.C. 7:14A-6.10 shall be reported to the Department annually by the permittee.

7. Notification Of Completion

- a. The Soil Conservation District will provide the Department notification that a copy of the report of compliance was issued under N.J.A.C. 2:90-1 for completed construction activities.
- b. The DOT shall provide written notification to the Department when DOT certified projects are completed.

F. STANDARD CONDITIONS APPLICABLE TO THIS GENERAL PERMIT**1. Permit Compliance**

- a. The permittee shall comply with all the conditions set forth in this permit and all the applicable requirements relevant to the permittee's discharge(s) that can be found in the Federal Clean Water Act and the New Jersey Water Pollution Control Act (N.J.S.A. 58:10A-1 et seq.). The permittee may be subject to penalties for any violations thereof.

2. The following conditions are incorporated by reference. The permittee is required to comply with the rules that were in effect as of the effective date of the final permit.

- a. General Conditions
 - i. Penalties for Violations - N.J.A.C. 7:14-8.1 et seq.
 - ii. Incorporation by Reference - N.J.A.C. 7:14A-2.3
 - iii. Toxic Pollutants - N.J.A.C. 7:14A-6.2(a)4i
 - iv. Duty to Comply - N.J.A.C. 7:14A-6.2(a)1 & 4
 - v. Duty to Mitigate - N.J.A.C. 7:14A-6.2(a)5 & 11
 - vi. Inspection and Entry - N.J.A.C. 7:14A-2.11(e)
 - vii. Enforcement Action - N.J.A.C. 7:14A-2.9
 - viii. Duty to Reapply - N.J.A.C. 7:14A-4.2(e)3
 - ix. Signatory Requirements for Applications and Reports - N.J.A.C. 7:14A-4.9
 - x. Effect of Permit/Other Laws - N.J.A.C. 7:14A-6.2(a)6 & 7 & 2.9(C)
 - xi. Severability - N.J.A.C. 7:14A-2.2
 - xii. Administrative Continuation of Permits - N.J.A.C. 7:14A-2.8
 - xiii. Permit Actions - N.J.A.C. 7:14A-2.7(c)
 - xiv. Reopener Clause - N.J.A.C. 7:14A-6.2(a)10, 16.4(b) & 25.7(b)
 - xv. Permit Duration and Renewal - N.J.A.C. 7:14A-2.7(a) & (b)
 - xvi. Consolidation of Permit Process - N.J.A.C. 7:14A-15.5
 - xvii. Confidentiality - N.J.A.C. 7:14A-18.2 & 2.11(g)

- xviii. Fee Schedule - N.J.A.C. 7:14A-3.1
- xix. UIC Corrective Action - N.J.A.C. 7:14A-8.4
- xx. Additional Conditions Applicable to UIC Permits - N.J.A.C. 7:14A-8.9
- xxi. UIC Operating Criteria - N.J.A.C. 7:14A-8.16
- b. Operation And Maintenance
 - i. Need to Halt or Reduce not a Defense - N.J.A.C. 7:14A-2.9(b)
 - ii. Proper Operation and Maintenance - N.J.A.C. 7:14A-6.12
- c. Monitoring And Records
 - i. Monitoring - N.J.A.C. 7:14A-6.5
 - ii. Recordkeeping - N.J.A.C. 7:14A-6.6
 - iii. Signatory Requirements for Monitoring Reports - N.J.A.C. 7:14A-6.9
- d. Reporting Requirements
 - i. Planned Changes - N.J.A.C. 7:14A-6.7
 - ii. Reporting of Monitoring Results - N.J.A.C. 7:14A-6.8
 - iii. Noncompliance Reporting - N.J.A.C. 7:14A-6.10 & 6.8(h)
 - iv. Hotline/Two Hour & Twenty-four Hour Reporting N.J.A.C. 7:14A-6.10(c) & (d)
 - v. Written Reporting - N.J.A.C. 7:14A-6.10(e) & (f) & 6.8(h)
 - vi. Duty to Provide Information - N.J.A.C. 7:14A-2.11, 6.2(a)14 & 18.1
 - vii. Compliance Schedules - N.J.A.C. 7:14A-6.4
 - viii. Transfer - N.J.A.C. 7:14A-6.2(a)8 & 16.2
 - ix. Additional Requirements for all Existing Manufacturing, Commercial, Mining, Silviculture, Mining, Silviculture, and Research Facilities - N.J.A.C. 7:14A-11.3
- e. Copies of the NJPDES rules may be purchased by contacting Lexis Nexis-Customer Service at (800)223-1940, or go to the Lexis Nexis bookstore on the internet at www.lexisnexis.com/bookstore.

G. SPECIAL CONDITIONS

1. Other Laws

- a. In accordance with N.J.A.C. 7:14A-6.2(a)7, this permit does not authorize any infringement of State or local law or regulations, including, but not limited to the Pinelands rules (N.J.A.C. 7:50), N.J.A.C. 7:1E (Department rules entitled "Discharges of Petroleum and other Hazardous Substances"), and all other Department rules. No discharge of hazardous substances (as defined in N.J.A.C. 7:1E-1.6) resulting from an onsite spill shall be deemed to be "pursuant to and in compliance with permit" within the meaning of the Spill Compensation and Control Act at N.J.S.A. 58:10-23.11c.
- b. Exemptions
 - i. Operations and Maintenance Manual: In accordance with N.J.A.C. 7:14A-6.12(c), for a stormwater discharge authorized by this permit, the permittee is exempt from the requirement to prepare an operations and maintenance manual.

H. DEFINITIONS

1. Definitions Applicable to This Permit

- a. Unless otherwise stated herein the definitions set forth at N.J.A.C. 7:14A-1.2 are incorporated into this permit.
- b. "Final certificate of occupancy" means a "certificate of occupancy", as defined at N.J.A.C. 5:23-1.4, that is not a temporary certificate of occupancy as described under N.J.A.C. 5:23-2.23(g).
- c. The terms "Highlands Preservation Area Approval", "Highlands Region", "major Highlands development", and "Preservation Area" have the meanings set forth for those terms at N.J.A.C. 7:38-1.4. The term "Highlands Applicability Determination" refers to the applicability determination identified at N.J.A.C. 7:38-2.4.
- d. "Separate storm sewer" means a conveyance or system of conveyances (including roads with drainage systems, streets, catch basins, gutters, ditches, man-made channels, or storm drains):
 - i. Designed or used for collecting or conveying stormwater;
 - ii. Which is not part of a "combined sewer system"; and
 - iii. Which is not part of a "Publicly Owned Treatment Works" (POTW).
- e. "Stormwater" means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewerage or drainage facilities, or conveyed by snow removal equipment.

I. ATTACHMENT A: RFA Certification

- 1. Request for Authorizations shall include the following RFA certification.**

- a. "I certify under penalty of law that this Request for Authorization and all attached documents were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. As far as I know, none of the stormwater discharges for which this Request for Authorization is submitted are excluded from authorization by Section A.2. or A.3 of NJPDES Permit No. NJ0088323.
- b. I am aware that pursuant to the Water Pollution Control Act (see N.J.S.A. 58:10A-10f(2) and (3)), there are significant civil and criminal penalties for making a false statement, representation or certification in any application, record, or other document filed or required to be maintained under that Act, including fines and/or imprisonment."

2. The RFA certification shall be signed as follows:

- a. For a corporation, by a responsible corporate officer as described in N.J.A.C. 7:14A-4.9(a)1;
- b. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively;
- c. For a municipality, State, Federal or other public agency, by either a principal executive officer or ranking elected official; or
- d. For a corporation or other entity under a., b., or c., above, by a duly authorized representative, provided that the representative is authorized by a person described in a., b., or c., above.
 - i. This authorization specifies either an individual or a position responsible for the overall operation of the regulated facility such as plant manager, operator of a well or well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company or public agency. A duly authorized representative may thus be either a named individual or any individual occupying a named position; and
 - ii. The written authorization is attached to the RFA.
- e. A separate RFA certification shall be signed, dated and submitted for each person submitting the RFA.

J. ATTACHMENT B: CONSTRUCTION SITE WASTE CONTROL COMPONENT OF THE STORMWATER POLLUTION PREVENTION PLAN (SPPP)

1. Construction Site Waste Control

- a. The construction site waste control component of the SPPP consists of the requirements in 2., 3., and 4. below. These requirements become operative on March 3, 2004 and apply only to construction activities that commence on or after March 3, 2004. Public projects that have gone out for bid or have been awarded a contract prior to March 3, 2004 are exempt from implementing the new requirements for construction site waste management. Construction activities that commenced prior to March 3, 2004 but did not obtain certification (or approval from exempt municipality) required under the Soil Erosion and Sediment Control Act are not exempt from the requirements in this section. Any other new construction activity for which an RFA is submitted on or after March 3, 2004 or which receive automatic renewal of authorization under this permit after March 3, 2004 also shall comply with these requirements.

2. Material Management to Prevent or Reduce Waste

- a. Any pesticides, fertilizers, fuels, lubricants, petroleum products, anti-freeze, paints and paint thinners, cleaning solvents and acids, detergents, chemical additives, and concrete curing compounds shall be stored in containers in a dry covered area. Manufacturers' recommended application rates, uses, and methods shall be strictly followed to the extent necessary to prevent or minimize the presence of waste from such materials in the stormwater discharge authorized by this permit. (The preceding sentence does not apply to any manufacturers' recommendations about fertilizer or other material that conflict with the erosion and sediment control component of the facility's SPPP.)

3. Waste Handling

- a. The following requirements apply only to construction site waste that has the potential to be transported by the stormwater discharge authorized by this permit. The handling at the construction site of waste building material and rubble and other construction site wastes, including litter and hazardous and sanitary wastes, shall conform with the State Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq., and its implementing rules at N.J.A.C. 7:26, 7:26A, and 7:26G; the New Jersey Pesticide Control Code at N.J.A.C. 7:30; the State litter statute (N.J.S.A. 13:1E-99.3); and OSHA requirements for sanitation at 29 C.F.R. 1926 (except where such conformance is not relevant to the stormwater discharge authorized by this permit). Construction sites shall have one or more designated waste collection areas onsite or adjacent to the site, and an adequate number of containers for waste. Waste shall be collected from such containers before they overflow, and spills at such containers shall be cleaned up immediately. Staged waste containers shall be maintained so as to prevent waste materials from overflowing, leaking, or blowing out of the container, e.g. covers. Spills, leaks, and overflows, which do occur, shall be cleaned up immediately.

4. Construction site wastes include but are not limited to:

- a. "Construction and demolition waste," as defined in N.J.A.C. 7:26-1.4 as follows: "waste building material and rubble resulting from construction, remodeling, repair, and demolition operations on houses, commercial buildings, pavements and other structures. The following materials may be found in construction and demolition waste: treated and untreated wood scrap; tree parts, tree stumps and brush; concrete, asphalt, bricks, blocks and other masonry; plaster and wallboard; roofing materials; corrugated cardboard and miscellaneous paper; ferrous and non-ferrous metal; non-asbestos building insulation; plastic scrap; dirt; carpets and padding; glass (window and door); and other miscellaneous materials; but shall not include other solid waste types."
- b. Any waste building material and rubble resulting from such operations that is hazardous for purposes of N.J.A.C. 7:26G (the Hazardous Waste rules).

- c. Discarded (including spilled) pesticides, fertilizers, fuels, lubricants, petroleum products, anti-freeze, paints and paint thinners, paint chips and sandblasting grits, cleaning solvents, acids for cleaning masonry surfaces, detergents, chemical additives used for soil stabilization (i.e., calcium chloride), and concrete curing compounds.
- d. Other "litter," as defined at N.J.S.A. 13:1E-215.d as follows: "any used or unconsumed substance or waste material which has been discarded whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing."
- e. Sanitary sewage and septage.
- f. Contaminated soils encountered or discovered during earthmoving activities or during the cleanup of a leak or discharge of a hazardous substance.
- g. Concrete Washout - Concrete washout onsite is prohibited outside designated areas. Washout activities include, but are not limited to, the washing of trucks, chutes, hoses, mixers, hoppers, and tools.
 - i. Designated washout areas shall be lined and bermed to prevent discharges to surface and ground water.
 - ii. Hardened concrete from the concrete washout shall be removed and properly disposed of.
 - iii. The concrete washout area shall be clearly designated with a sign indicating the areas uses.
- h. Sanitary Sewage/Septage Disposal - Discharges of raw sanitary sewage or septage onsite are strictly prohibited. Adequate facilities with proper disposal shall be provided and maintained onsite or adjacent to the site for all workers and other sanitary needs.

5. Spills; Discharges of Hazardous Substances; Federally Reportable Releases

- a. Spill kits shall be available onsite or adjacent to the site for any materials that are listed in 2. above and used or applied onsite. All spills of such material shall be contained and cleaned up immediately. Cleaned up materials shall be properly disposed of.
- b. Discharges of hazardous substances (as defined in N.J.A.C. 7:1E-1.6) in construction site wastes are subject to the provisions of the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq., and of Department rules for Discharges of Petroleum and Other Hazardous Substances at N.J.A.C. 7:1E. No discharge of hazardous substances 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.
- c. Releases in excess of reportable quantities (RQ) established under 40 C.F.R. 110, 117, and 302 that occur within a 24-hr period must be reported to the National Response Center (800 424-8802).

Stormwater Best Management Practices Guide

Record Keeping





Record Keeping

What to Keep

You must keep copies of the SPPP, inspection records, copies of all reports required by the Permit, and records of all data used to complete the Request for Authorization (RFA) to be covered by the Permit for a period of at least three (3) years from the date that Permit coverage expires or is terminated.

Records should include

- A copy of the SPPP (certified soil erosion and sediment control plan).
- A copy of the RFA and Authorization to Discharge (ATD) and any stormwater related correspondence with federal, state, and local regulatory authorities.
- Inspection forms, including the date, place, and time of inspections.
- Names of inspector(s).
- The date, time, exact location, and a characterization of significant observations, including spills and leaks.
- Records of any non-stormwater discharges.
- BMP maintenance and corrective actions taken at the site.
- Any documentation and correspondence related to endangered species and historic preservation requirements.
- Weather conditions (e.g., temperature, precipitation).
- Date(s) when major land disturbing (e.g. clearing, grading, and excavating) activities occur in an area.
- Date(s) when construction activities are either temporarily or permanently ceased in an area.
- Date(s) when an area is either temporarily or permanently stabilized.

Enclosed Forms: Inspection forms may be adapted to better suit the criteria for the site construction, but the Annual Certification must be completed as follows.

Definition

All construction site operators are required to complete inspections and annual certifications.

Maintaining complete records during the construction period is essential.

Purpose

Regardless of who performs the inspections, it is critical to maintain proper documentation. Use the inspection form for each inspection. Log books are often used, but they need to include more information than merely the date of the inspections. Permitting authorities require self-inspections, and if they audit the site, they will want to see proof of inspections to document compliance. Permitting authorities may also wish to see inspection and maintenance documentation for each specific BMP.



Legal Citations

Inspections

The permittee shall conduct and document weekly inspections of the area of industrial activity or small construction activities to identify areas contributing to the stormwater discharge authorized by this permit and evaluate whether the stormwater pollution prevention plan (SPPP) identified under E.1, [page 5 RFA Narrative] is being properly implemented and maintained, or whether additional measures are needed to implement the SPPP.

In the event that the industrial activities or small construction activities onsite cease or are anticipated to cease for a period of six (6) months or greater, the permittee may seek a suspension of the inspection requirement of the permit or reduction in frequency to monthly with the written approval of the Soil Conservation District office overseeing the project on a form provided by the Department.

NJG0088323 5G3 Renewal



New Jersey Construction Site Inspection Glossary

By installing and maintaining basic Best Management Practices (BMPs) construction site operators can do their share to protect New Jersey's water resources from the harmful effects of construction site stormwater runoff. The conditions and needs of individual sites will dictate which of these practices are applicable. Please refer to the certified soil erosion control plan for greater detail. The *Standards for Soil Erosion and Sediment Control in New Jersey* contains additional detail on erosion and sediment control practices. Copies of the standards are available for purchase from the local soil conservation district.

Temporary Stabilization

Provides temporary protection against the impacts of wind and rain, slows the overland movement of stormwater runoff, increases infiltration and retains soil and nutrients on-site, protecting streams or other stormwater conveyances.

Stabilized Construction Accesses

Construction accesses are installed to minimize off-site tracking of sediments. A stone access drive should be installed at every point where vehicles enter or exit the site. Every individual lot should also have its own stone drive once construction on the lot begins.

Sediment Basins

Used to prevent the undesirable sediment deposition on bottom-lands and developed areas; to trap sediment originating from critically eroding areas and construction sites; and to reduce or abate pollution by providing basins for deposition and storage of silt, sand, gravel and stone.

Sediment Barriers

Typically used at the perimeter of a disturbed area. The purpose of a sediment barrier is to intercept and detain small amounts of sediment from unprotected areas of limited extent.

Inlet Protection

The primary benefit to water quality is the removal of sediment from stormwater runoff prior to entering the storm sewer system. As an added benefit, other floatable debris, such as vegetative matter and litter may also be filtered out of the runoff. This must be installed on all yard drains and curb drains. Even if there is a sediment trap or basin, inlet protection is still recommended, as it will increase the overall sediment removal efficiency.

Permanent Stabilization

All areas at final grade must be permanently stabilized within ten (10) days of reaching final grade. This is usually accomplished by using seed and mulch, but special measures are sometimes required. This is particularly true in drainage ditches or on steep slopes. These measures include the addition of topsoil, erosion control matting, rip-rap or retaining walls. Permanent seeding should be done February 15 to May 15 and August 15 to October 15. Dormant seeding can be done from November 20 to March 15. At all other times of the year, the area should be irrigated, or temporarily stabilized, until permanent seeding can be applied.

Non-Sediment Pollution Control

Although sediment is the pollutant of greatest concern on most construction sites, there are other sources of pollution such as construction debris, litter, etc., which must be properly addressed.

Most of these BMPs are easy to implement, with a little bit of planning, and go a long way toward keeping your site clean, organized and in compliance with the permit. Please be sure to inform all subcontractors how these BMPs affect their operations on the site, particularly those that will be working near a stream.

Inspection Sheet Stormwater Pollution Prevention

Inspections must be conducted once every seven (7) days and within twenty-four (24) hours of 0.5" or greater rainfall. All sediment controls must be installed prior to grading and within seven (7) days of first grubbing.

TEMPORARY STABILIZATION

	Compliant	Non-Comp
1 Are there disturbed areas of the site that will likely be dormant for over 30 days?	<input type="checkbox"/>	<input type="checkbox"/>
2 Have all dormant, disturbed areas been temporarily stabilized completely?	<input type="checkbox"/>	<input type="checkbox"/>
3 Have all stockpiles that will sit for over thirty (30) days been stabilized?	<input type="checkbox"/>	<input type="checkbox"/>
4 Has seed and mulch been applied at the proper rate? (see SESC plan for details)	<input type="checkbox"/>	<input type="checkbox"/>
5 Are any erosion (gullies, sediment plumes) problems that have formed sitewide been repaired and/or stabilized?	<input type="checkbox"/>	<input type="checkbox"/>
6 Has seed or mulch blown away? If so, repair.	<input type="checkbox"/>	<input type="checkbox"/>

Note area where repairs or maintenance is needed or where this practice needs to be applied:

CONSTRUCTION ENTRANCES

	Compliant	Non-Comp
1 Is sediment being tracked from the entrance onto paved surfaces?	<input type="checkbox"/>	<input type="checkbox"/>
2 Is the stone 1 1/2" to 2" in diameter?	<input type="checkbox"/>	<input type="checkbox"/>
3 Is the stone at a depth of 6", with a width and length as per the SESC plan?	<input type="checkbox"/>	<input type="checkbox"/>
4 Are there areas where stone is ground in and no longer functioning for wheel cleaning? {i.e. stone should be loose to allow for scraping of tires before exiting site}	<input type="checkbox"/>	<input type="checkbox"/>

Note area where repairs or maintenance is needed or where this practice needs to be applied:

SEDIMENT BARRIERS

	Compliant	Non-Comp
1 Is the silt fence dug in at least six inches (6") into the ground?	<input type="checkbox"/>	<input type="checkbox"/>
2 Is the trench backfilled to prevent runoff from cutting underneath the fence?	<input type="checkbox"/>	<input type="checkbox"/>
3 Is the fence placed as noted on the certified soil erosion and sediment control plan?	<input type="checkbox"/>	<input type="checkbox"/>
4 Have all gaps and tears in the fence been eliminated?	<input type="checkbox"/>	<input type="checkbox"/>

Note area where repairs or maintenance is needed or where this practice needs to be applied:

INLET PROTECTION

	Compliant	Non-Comp
1 Has the inlet protection been replaced when it deteriorates?	<input type="checkbox"/>	<input type="checkbox"/>
2 Curb inlet protection - does it filter runoff but allow for overflow into the inlet?	<input type="checkbox"/>	<input type="checkbox"/>
3 Yard inlet protection - does the barrier encircle the entire grate?	<input type="checkbox"/>	<input type="checkbox"/>
4 Is the protection properly entrenched or anchored so that water passes through it and under it?	<input type="checkbox"/>	<input type="checkbox"/>
5 Is sediment that accumulates around the inlet/curbline removed on a regular basis?	<input type="checkbox"/>	<input type="checkbox"/>

Note area where repairs or maintenance is needed or where this practice needs to be applied:

PERMANENT STABILIZATION

Compliant Non-Comp

- 1 Are areas at final grade and stabilized?
- 2 Has the soil been properly prepared to accept permanent seeding?
- 3 Has seed and mulch been applied at appropriate rate?(see *SESC plan for details*)
- 4 If rainfall has been inadequate, are seeded areas being watered?
- 5 Are permanent controls (grassed waterways, conduit outlet protection, channel, etc.) constructed in time with the sequence of construction?

Note area where repairs or maintenance is needed or where this practice needs to be applied:

NON-SEDIMENT POLLUTION CONTROL

Compliant Non-Comp

- 1 Has an area been designated for washing out concrete trucks?
Washings must be contained on site within a contained areas until they harden. The washings should never be directed towards a water course, ditch or storm drain.
- 2 Is waste and packing disposed of in a dumpster? Do not burn or bury them on site.
- 3 Are fuel tanks and drums of toxic or hazardous material stored within a diked area or trailer and away from any water course, ditch or storm drain?
- 4 Are streets swept as often as necessary to keep them clean and free from sediment?
NOTE: Sediment should be swept back onto the lot, not down the storm sewers.
- 5 Are stockpiles of soil or other material stored away from any water course, ditch or storm drain?
- 6 If an area of the site is being dewatered, is it being pumped and filtered and in a way not to cause erosion?

Note area where repairs or maintenance is needed or where this practice needs to be applied:

SEDIMENT BASINS (where present)

Compliant Non-Comp

- 1 Have the embankments of the sediment pond and the areas that lie downstream of the pond been stabilized?
- 2 Is the connection between the riser pipe and the permanent outlet water tight?
- 3 Is it time to clean out the sediment pond to restore its original capacity?

Note area where repairs or maintenance is needed or where this practice needs to be applied:

Inspected By: _____

Inspection Date: _____

Inspection Sheet Stormwater Pollution Prevention

Inspections must be conducted once every seven (7) days and within twenty-four (24) hours of 0.5" or greater rainfall. All sediment controls must be installed prior to grading and within seven (7) days of first grubbing.

TEMPORARY STABILIZATION

	Compliant	Non-Comp
1 Are there disturbed areas of the site that will likely be dormant for over 30 days?	<input type="checkbox"/>	<input type="checkbox"/>
2 Have all dormant, disturbed areas been temporarily stabilized completely?	<input type="checkbox"/>	<input type="checkbox"/>
3 Have all stockpiles that will sit for over thirty (30) days been stabilized?	<input type="checkbox"/>	<input type="checkbox"/>
4 Has seed and mulch been applied at the proper rate? (see SESC plan for details)	<input type="checkbox"/>	<input type="checkbox"/>
5 Are any erosion (gullies, sediment plumes) problems that have formed sitewide been repaired and/or stabilized?	<input type="checkbox"/>	<input type="checkbox"/>
6 Has seed or mulch blown away? If so, repair.	<input type="checkbox"/>	<input type="checkbox"/>

Note area where repairs or maintenance is needed or where this practice needs to be applied:

CONSTRUCTION ENTRANCES

	Compliant	Non-Comp
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2 Is the stone 1 1/2" to 2" in diameter?	<input type="checkbox"/>	<input type="checkbox"/>
3 Is the stone at a depth of 6", with a width and length as per the SESC plan?	<input type="checkbox"/>	<input type="checkbox"/>
4 Are there areas where stone is ground in and no longer functioning for wheel cleaning? {i.e. stone should be loose to allow for scraping of tires before exiting site}	<input type="checkbox"/>	<input type="checkbox"/>

Note area where repairs or maintenance is needed or where this practice needs to be applied:

SEDIMENT BARRIERS

	Compliant	Non-Comp
1 Is the silt fence dug in at least six inches (6") into the ground?	<input type="checkbox"/>	<input type="checkbox"/>
2 Is the trench backfilled to prevent runoff from cutting underneath the fence?	<input type="checkbox"/>	<input type="checkbox"/>
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Note area where repairs or maintenance is needed or where this practice needs to be applied:

INLET PROTECTION

	Compliant	Non-Comp
1 Has the inlet protection been replaced when it deteriorates?	<input type="checkbox"/>	<input type="checkbox"/>
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3 Yard inlet protection - does the barrier encircle the entire grate?	<input type="checkbox"/>	<input type="checkbox"/>
4 Is the protection properly entrenched or anchored so that water passes through it and under it?	<input type="checkbox"/>	<input type="checkbox"/>
5 Is sediment that accumulates around the inlet/curbline removed on a regular basis?	<input type="checkbox"/>	<input type="checkbox"/>

Note area where repairs or maintenance is needed or where this practice needs to be applied:

PERMANENT STABILIZATION

Compliant Non-Comp

- 1 Are areas at final grade and stabilized?
- 2 Has the soil been properly prepared to accept permanent seeding?
- 3 Has seed and mulch been applied at appropriate rate?(see *SESC plan for details*)
- 4 If rainfall has been inadequate, are seeded areas being watered?
- 5 Are permanent controls (grassed waterways, conduit outlet protection, channel, etc.) constructed in time with the sequence of construction?

Note area where repairs or maintenance is needed or where this practice needs to be applied:

NON-SEDIMENT POLLUTION CONTROL

Compliant Non-Comp

- 1 Has an area been designated for washing out concrete trucks?
Washings must be contained on site within a contained areas until they harden. The washings should never be directed towards a water course, ditch or storm drain.
- 2 Is waste and packing disposed of in a dumpster? Do not burn or bury them on site.
- 3 Are fuel tanks and drums of toxic or hazardous material stored within a diked area or trailer and away from any water course, ditch or storm drain?
- 4 Are streets swept as often as necessary to keep them clean and free from sediment?
NOTE: Sediment should be swept back onto the lot, not down the storm sewers.
- 5 Are stockpiles of soil or other material stored away from any water course, ditch or storm drain?
- 6 If an area of the site is being dewatered, is it being pumped and filtered and in a way not to cause erosion?

Note area where repairs or maintenance is needed or where this practice needs to be applied:

SEDIMENT BASINS (where present)

Compliant Non-Comp

- 1 Have the embankments of the sediment pond and the areas that lie downstream of the pond been stabilized?
- 2 Is the connection between the riser pipe and the permanent outlet water tight?
- 3 Is it time to clean out the sediment pond to restore its original capacity?

Note area where repairs or maintenance is needed or where this practice needs to be applied:

Inspected By: _____

Inspection Date: _____

Stormwater Best Management Practices Guide

Best Management Practices





Routine BMP Inspection & Maintenance

Planning Considerations

It is the responsibility of the construction site operator to ensure that regular inspections take place. Inspectors must be familiar with the location, design specifications, maintenance procedures, and performance expectation of each BMP.

Three types of BMP inspections are performed:

1. Routine inspections.
2. Inspections performed before rain events.
3. Inspections performed after rain events.

Routine Inspections

Routine inspection and maintenance minimizes the work required to prepare a site before a rain event, and it helps protect a site from future rains. Inspect a minimum of once a week if there is no rain. More frequent inspections may be needed during times of heavy construction activity.

- Identify the individual(s) responsible for conducting inspections and describe their qualifications. Reference or attach the inspection form that will be utilized.
- Describe the frequency that inspections will occur at your site including any correlations to storm frequency and intensity.
- Describe the general procedures for correcting problems when they are identified. Include responsible staff and time frames for making corrections.
- Describe actions taken, date completed, and note the person who completed the work.
- Note any changes made as a result of specific conditions.

TIP *It is more cost effective to inspect and repair BMPs as routine maintenance than it is to deal with the expense of remediation for any environmental damage.*

Definition

To document the condition and repairs needed as noted by the builder's on-site representative.

Purpose

Stormwater control best management practices (BMPs) need regular inspections to ensure their effectiveness, and many permitting authorities require self-inspection for construction projects. The inspections should identify areas contributing to the stormwater discharge authorized by the Permit and evaluate whether the SPPP is being properly implemented and maintained, or whether additional measures are needed to implement the plan.*



Weekly Inspections by the Builder's On-site Representative are Needed to Manage and Control Stormwater Pollution

Inspections Before Rain Events

It is important that construction site operators pay attention to weather forecasts. To prepare for impending rains:

- Operators should walk the construction site and ensure that BMPs are cleaned out and operating properly.
- They should verify that dumpsters are covered, paint and other chemicals are covered, and no oil spills are present.
- Operators should also visually inspect all BMPs when the site will be inactive for several days, such as weekends or holidays. This will help to prepare for rains that might occur when workers are off-site.

Inspections After Rain Events

- Eight (8) hours after rain, inspect, clean, and repair the site's BMPs. This will keep the site clean and minimize complaints from nearby residents.
- Remove mud in traffic areas and remove mosquito-breeding standing water.
- Clean mud and debris from silt fences and other BMPs. Clogged BMPs will not prevent pollutant releases during subsequent rain events, so clean, repair, or replace them as quickly as possible.
- Prepare the site for the next rain event.

Maintenance & Repair

Construction site operators should allow enough time and resources for BMP maintenance and repair. As site conditions change, BMP designs may prove to be inadequate in controlling erosion and sedimentation. A knowledgeable inspector will be able to identify these deficiencies and ensure that necessary improvements are made.

Effectiveness

Inspections and maintenance ensure that BMPs function properly and help prevent pollution discharges. Education of on-site personnel is another important factor in an effective program. To recognize and preempt problems, those responsible for maintaining BMPs must be familiar with their design and installation. However, making everyone at the site aware of general erosion and sedimentation control principles can expedite identification of maintenance problems and repairs.

**Please refer to E.1 on page 5 of the Permit's Narrative Requirement*



Soil Erosion, Sediment & Runoff Controls

Conditions Where Practice Applies

All land development projects that expose soil.

Statewide soil erosion and sediment control regulations and/or municipal ordinances may further define where practices apply.

Planning Considerations

Runoff Control

- Minimize disturbed areas and protect natural features and soil.
- Phase construction activity.
- Control stormwater flowing onto and through the project.
- Stabilize soils promptly.
- Protect slopes.

Soil Erosion and Sediment Control

- Protect storm sewer inlets.
- Install perimeter controls.
- Retain sediment on-site.
- Install stabilized construction accesses.
- Inspect and maintain controls routinely and after storm events.

Examples of Runoff Controls

- Permanent Slope Diversions.
- Temporary Diversions.
- Land Grading.

TIP *Divert stormwater run-on and runoff away from disturbed areas.*

Definition

Soil erosion and sediment controls are structural and non structural practices used during construction to keep soil in place and to capture sediment that is moved by storm water before it leaves the site.

Purpose

To protect rivers, estuaries, lakes, wetlands and coastal waters from pollutants in storm water runoff. Uncontrolled stormwater runoff from construction sites can have a significant impact to the environment. Sediment in waterbodies from construction sites can reduce the amount of sunlight reaching aquatic plants, clog fish gills, smother aquatic habitat and spawning areas, and impede navigation.



Filtration Tubes in a Channel



Slope Stabilization



Inlet Protection

- Slope Protection.

***TIP** Erosion control mats, geotextiles and erosion control blankets are just a few examples of erosion control products used to stabilize slopes, channels and stream banks.*

- Temporary stabilization of areas not under construction activity.
- Permanent stabilization of areas no longer subject to construction activity.

***TIP** Once soil disturbing activity is completed, and the area is stabilized, inspection and maintenance becomes minimal.*

- Construction roadway, staging and parking area stabilization.

***TIP** Require employees and subcontractors to use designated construction accesses only.*

- Grass Lined Channels.
- Vegetated Buffers.
- Vegetated Filter Strips.

***TIP** Design and construction of the above can aid in satisfying NJDEP water quality requirements.*

- Controlled Dewatering.

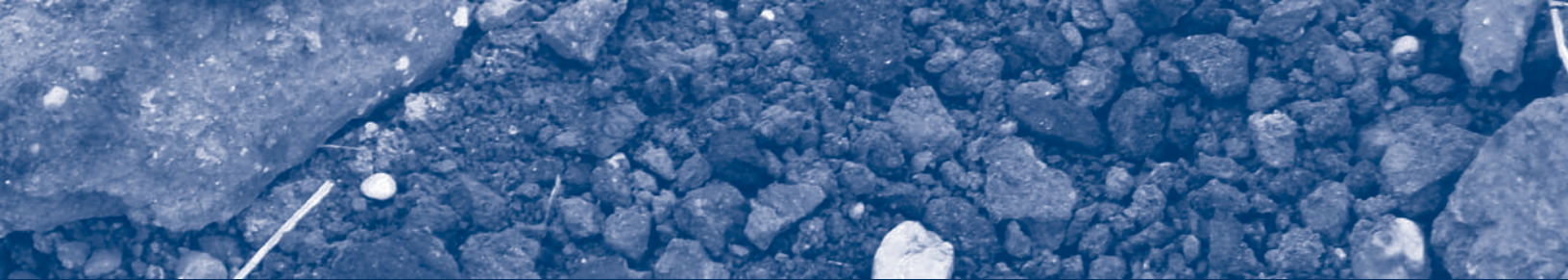
Examples of Soil Erosion & Sediment Controls

- Sediment Basins and Sediment Traps.
- Stabilized Construction Accesses.
- Sediment Barriers (e.g. silt fence and hay bales).
- Storm Sewer Inlet Protection.
- Sediment Retention On-site.
- Dust Control (e.g. mulch, vegetative cover, spray-on adhesives, tillage, sprinkling and calcium chloride).
- Turbidity Barriers.
- Armor Protection (e.g. rip rap).
- Filtration Tubes.
- Soil Bio-Engineering Techniques.

***TIP** A proactive approach and timely installation of the necessary and appropriate controls can reduce costly soil erosion and sediment control repairs on and offsite.*

References

Standards for Soil Erosion and Sediment Control Standards in New Jersey
United States Environmental Protection Agency
New Jersey Department of Environmental Protection



Construction Schedule Sequence

Conditions Where Practice Applies

All land-development projects that expose soil.

Statewide soil erosion and sediment control regulations and/or municipal ordinances may further define where practices apply.

Planning Considerations

A specific and detailed work schedule that coordinates the timing of soil disturbing activities and the installation of soil erosion and runoff controls is perhaps the most cost-effective way of controlling erosion and runoff while soil is exposed and subject to construction activity.

Construction procedures that limit soil exposure and promote the installation of soil erosion and sediment controls to stabilize disturbed areas in a timely fashion can significantly reduce the erosion potential of a construction site. The construction schedule sequence is not only a guide for the contractor, but also a proactive approach to control and minimize soil erosion and runoff

Example of a Construction Sequence Schedule as found on a Soil Erosion Control Plan

Chronological
Timeline

Days Phase 1 Construction

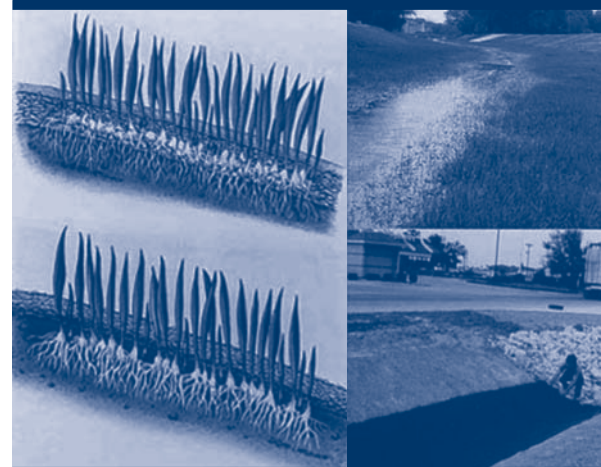
- 30 1. Notify the NJDEP Land Use Regulation Program, Bureau of Stream Encroachment 30 days prior to any land disturbance relating to the construction of the by-pass drainage pipe. *Duration: 1 Day*
- 3 2. Notify Freehold Soil Conservation district 48 hours before any land disturbance. *Duration: 1 Day*
- 0-1 3. Construct/reconstruct access road entrances from Middlesex Center Blvd. and from Davidson Mill Road. *Duration: 1 Day*

Definition

A specified work schedule that coordinates the timing of soil disturbing activities and the installation of soil erosion and sediment control measures.

Purpose

To reduce on-site erosion and off-site sedimentation when performing land disturbing activities and installing erosion and sedimentation control practices in accordance with a planned schedule.



Chronological
Timeline
Days

- 1-30 4. Install erosion control measures for Phase 1 and along the by-pass alignment and as shown on the Soil Erosion And Sediment Control plans. Construct temporary sediment basin 1. Construct diversion swale 1 and berm with Temporary grass seeding applied immediately. Construct permanent infiltration basin. *Duration: 30 Days*
-
- 6-8 5. Strip topsoil for path of by-pass drainage line and new drainage system from HW-17 to MH-26. Store stripped topsoil and excess fill material in temporary stockpile and surround the stockpile with silt fence. If stockpile or other disturbed areas are to remain in a disturbed state for more than 30 days and will not be subjected to traffic are to receive temporary seeding immediately. If the season prevents the establishment of a vegetative cover, then disturbed areas shall be mulched with straw or equivalent material at a rate of 2 tons per acre. *Duration: 2 Days*
- 8-68 6. Install by-pass drainage line and proposed drainage pipeline from HW-17 to MH-26. *Duration: 60 Days*
- 14-28 7. Connect offsite 66" RCP from Davidson Mill Road to the onsite infiltration basin. *Duration: 14 Days*
- 15-36 8. Strip area for Phase 1 building, parking and driveway. Grade area to proposed (subgrade) elevations. *Duration: 21 Days*
- 25-40 9. Construct Phase 1 drainage system, and utilities. Install subbase stone courses in building location, and stone and bituminous stabilize courses in parking and driveway locations. Construction of concrete floor pads and superstructure for building to be on-going. *Duration: 15 Days*

Phase 2A Construction

- 33-35 1. Install erosion control measures for Phase 2 as shown on the SESC plans to construct temporary sediment basin 2. Construct diversion swale 2 and berm with temporary grass seeding applied immediately. *Duration: 2 Days*
- 35-56 2. Strip area for Phase 2A building, parking and driveway. Grade area to proposed (subgrade) elevations. *Duration: 21 Days*
- 45-60 3. Construct Phase 2A drainage system, and utilities. Install subbase stone courses in building location, and stone and bituminous stabilize courses in parking and drive way locations. Construction of concrete floor pads and superstructure for building to be on-going. *Duration: 15 Days*

Phase 2B Construction

- 60-63 1. Upon completion and final connection of by-pass drainage line to existing four 8'x4' box culverts located at the West side of Middlesex Center Blvd., strip area for Phase 2B building, parking and driveway. Dismantle sediment basin 2 and grade to proposed (subgrade) elevations. *Duration: 3 Days*
- 63-73 2. Construct retaining walls. *Duration: 10 Days*
- 63-78 3. Install Phase 2B stone courses in building location, and stone and bituminous base courses in parking and driveway locations. Construction of concrete floor pads and superstructure for building to be on-going. *Duration: 15 Days*
- 63-84 4. Continue constructions of building to completion. *Duration: On-going – 21 Days*
- 8-80 5. Dewater and dismantle sediment basin 1. Fine grade areas and connect sediment basin 1 to infiltration basin excavate remaining 2 feet of entire infiltration to elevation 92.00. *Duration: 2 Days*
- 79-82 6. Stabilize all disturbed areas, over seed all bare areas and install permanent stabilization where required. *Duration: 3 Days*
- 82-84 7. Construct final surface pavement course over base pavement in parking areas and access driveways. *Duration: 2 Days*
- 80-84 8. Apply pavement striping and signage. Install permanent landscaping and appurtenances. *Duration: 4 Days*

Construction Site & Land Disturbance Dewatering

Conditions Where Practice Applies

Where excavated facilities, due to construction, need to be dewatered to facilitate or complete the construction process.

Planning Considerations

The water pumped out of excavated areas contains sediments that must be removed prior to discharging to receiving bodies of water. The dewatering technique, location and duration must be considered to ensure the water will be discharged in a non-erosive manner.

Examples of Dewatering Processes

Removable Pump Stations

- Commonly used when long durations of pumping are required.
- Water pumped from the station shall be discharged into a sediment basin or suitable filter area.

Sump Pits

- Temporary pits used to remove excess water while minimizing sedimentation.
- Water is pumped from a perforated vertical stand pipe backfilled with filter material and then discharged to a suitable discharge area.

Portable Sediment Tank and Silt Control Bags

- Movable containers through which sediment laden water is pumped to trap and retain sediment.
- A sediment tank or a silt control bag is used on sites where excavations are deep, and space is limited and where direct discharge of sediment laden water to resource areas is to be avoided.

See "Standards for Soil Erosion and Sediment Control in New Jersey" for construction details.

Definition

The removal and discharge of sediment-laden water from an excavated area, construction site or sediment basin.

Purpose

To properly remove suspended sediments and water from excavated areas through filtration and/or settlement prior to discharging water to a receiving water course or body.



Example of a Silt Bag



Spill Prevention Plan & Response

Conditions Where Practice Applies

Land development projects one (1) acre or more that consume, store, transfer and utilize chemical and hazardous material.

Planning Considerations

The SPPP plan should define handling procedures and storage requirements to reduce spill potential and impacts on stormwater quality. The following actions can be used in devising a SPPP:

- Identify specific types and quantities of chemical and/or hazardous material to be on-site.
- Locate any hazardous material storage away from on-site storm drains, tributary drainage areas and waterways.
- Recycle, reclaim or reuse process material, reducing the amount of process materials that are brought on-site.
- Install leak detection devices, overflow controls and diversion beams at the stored material.
- Perform preventative maintenance on storage equipment.
- Utilize material transfer and filling procedures that will minimize spill potential.
- Utilize less or nontoxic materials on-site if applicable.

The SPPP should document response procedures and criteria required to reduce the effects in the event of a spill. The following should be included in a SPPP:

- Educate and train personnel and employees on potential dangers and identify individuals responsible for implementing spill prevention and control measures.
- Specify methods of how to notify appropriate authorities in the event of a spill.
- Document specific procedures to be used in response to a spill and provide locations of spill response equipment on-site (i.e. spill kits).

Definition

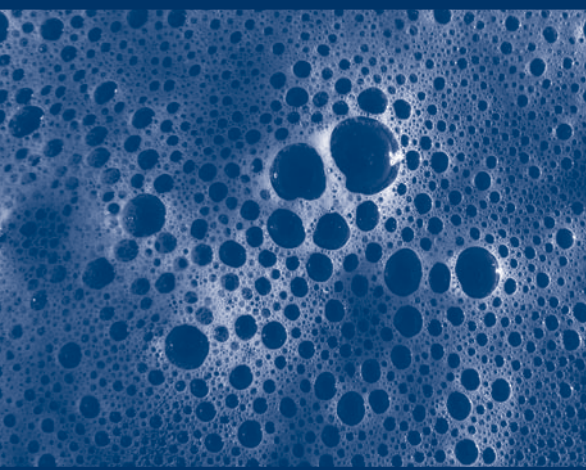
A specified strategy documenting the procedures in place to prevent, control and respond to the discharge of pollutants on a construction site, drainage system or waterway.

Purpose

To prevent or reduce the discharge of pollutants and provide for measures to stop the source of a spill, contain a spill, cleanup a spill, dispose of contaminated materials and identify personnel responsible for implementing the appropriate measures in the event of a spill.



Spilled Storage Drum



Prevent Spills from Entering Waterways



Spill Kit

- Provide spill response equipment to be used, including safety and cleanup equipment.
- The plan should be site specific. Appropriate procedures and practices should always be documented for the specific materials to be on-site. The plan should be updated, as necessary, for each phase of development.

Spill Prevention and Response Tips

- Designate individuals responsible for enforcing proper spill prevention and control measures.
- Provide storage, response and spill reporting instructions for the chemical/hazardous materials on the site.
- Locate chemical/hazardous materials away from storm drains and sensitive environmental areas.
- Minimize on-site storage of chemicals and hazardous materials.
- Perform regular inspections and maintenance of on-site materials and storage areas.
- Locate spill cleanup equipment in an area where it can be readily accessed from the entire site.
- Respond, contain and cleanup spills immediately, following the appropriate response measures for the specific material spilled.
- Store, clean and dispose of the used 'cleanup' materials appropriately and document waste manifests.

The above tips should be used as guidance and are general practices associated with spill prevention and control as it relates to stormwater runoff. ALWAYS identify and determine the specific requirements needed for site specific chemicals and hazardous material.



Concrete Washouts

Conditions Where Practice Applies

Concrete washouts are required on all land development projects with concrete and stucco in use.

Planning Considerations

- Washout facilities should be located at **least 50 yards** away from storm drain inlets, gutters, open ditches, and watercourses.
- Appropriate gravel or rock should cover paths to concrete washouts.
- The number of facilities installed should depend on the expected demand for storage capacity. On large sites, with extensive concrete work, washouts should be placed in multiple locations for ease of use by concrete truck drivers.
- Advertise washout area locations by posting multiple signs on your project site.
- Include requirements in contracts with concrete delivery companies that drivers must use designated concrete washout facilities.
- Prefabricated washout containers are available. [see Product Suppliers List]
 - Prefabricated containers are sturdy and provide a more reliable option for preventing leaks and spills of wash water than self-constructed washouts.
 - Some vendors provide just the container while others may offer complete services that includes delivery of containers and regular pick-ups of solid and liquid waste materials.

Constructing your own washout area

- Dig a pit and line it with 10 mil plastic sheeting.
 - Create an above ground structure from straw bales or sandbags, with 10 mil plastic lining, sized to a 12'x12'x2' area.
- * If you create your own structure, you should inspect it daily for leaks or tears in the plastic because these structures are prone to failure.**

Definition

To contain concrete and liquids when the chutes of concrete mixers and hoppers of concrete pumps are rinsed out after delivery.

Purpose

The practice of utilizing a concrete washout provides for wastewater containment, recycling, reduction of debris and protection of stormwater drainage systems from potential illegal discharges.

- Concrete wash water is alkaline and contains high levels of chromium, which can leach into the ground and contaminate groundwater.
- Suitable concrete washout facilities not only prevent pollution, but are also a matter of good housekeeping at your construction site and are a requirement of your Permit.



Pre-Fabricated Washout Container



Example of Non-Compliant Washout Area

Success of Concrete Washouts

- Regular inspection and maintenance are key.
 - Check daily for leakage.
 - Check to see if they have been filled to 75% capacity.
 - Inspect for evidence that contractors are using the washout areas and not dumping materials onto the ground or into drainage facilities.
 - If facilities are not being properly used consider the following:
 - Post additional signage.
 - Relocate the washouts to more convenient locations.
 - Provide training to workers and contractors.

Material Removal and Proper Disposal

- Plan for removal and disposal when a washout has been filled to 75% capacity.
- The preferred method of washouts is to allow the water to evaporate and to recycle the hardened concrete.
 - Check with local recycling programs to identify opportunities for concrete recycling (crushed concrete makes excellent aggregate for roadbeds and other building applications).
- If stored liquids have not evaporated, and the washout is nearing capacity, vacuum and dispose of them in an approved manner.
- If rainstorms are predicted, remove or cover the washout to prevent overflows.
- Once materials are removed from the washout build a new structure, if needed.
 - If the previous structure is still intact, inspect for signs of weakening or damage and make any necessary repairs.
 - **Line the structure with new plastic after each cleaning as the existing liner has most likely suffered damage from pumps and concrete removal.**

TIP Concrete contractors should be encouraged, where possible, to use washout facilities at their own plants or dispatch facilities.



Solid Waste Management

Conditions Where Practice Applies

On all land development projects consisting of one (1) acre or more of land disturbance where any of the following wastes are generated and stored:

- Solid wastes generated from land clearing, including removal of vegetation and demolition of existing structures.
- Building construction wastes, including packaging materials, surplus or residue building or landscaping materials and other scrap residues generated by the construction trades and their activities. This may also include dry wall, concrete, roofing materials, plastic, metal, glass, windows and doors.
- Domestic wastes including beverage containers, paper, plastic wrappers, cigarettes and related wastes.

Planning Considerations

- Designated trash and bulk waste collection areas should be at convenient and easily identified areas to promote their proper utilization for general construction and domestic waste disposal. They should be located away from storm drains, watercourses and other stormwater conveyances. Waste collection areas are best located near construction site entrances to minimize traffic on disturbed soils.
- When practical, accommodations should be made to recycle (paper, wood, plastic and concrete).
- Segregate solid waste collection areas from hazardous material collection/storage areas, and make sure toxic liquid wastes (oils, solvents, paints) and chemicals are not disposed of in dumpsters designated for construction debris.
- Provide an adequate number of containers and schedule regular pick ups before containers overflow.
- Consider secondary containment around the disposal area and utilize containers with lids or covers to reduce the impacts of rain or windy conditions. These conditions increase the potential for stormwater runoff to pick up construction site wastes and discharge them in surface waters.

Purpose

To reduce the potential of pollutant discharges to stormwater from solid wastes generated on the construction site by providing designated waste collection areas, appropriate containers, regular pick up for disposal and adequate training of employees and contractors.



Proper Solid Waste Disposal and Collection

- Clean up litter and debris from the construction site daily. Implement a regular site inspection schedule which includes an inspection of erosion and sediment control devices where litter tends to collect.
- Do not permit solid waste containers to be cleaned or washed out on the construction site.
- Be prepared to undertake immediate clean up measures if a waste container spills.
- Establish an inspection and maintenance schedule by designated personnel, in order to keep a clean, well organized and equipped solid waste storage area.



Hazardous Waste Management

Conditions Where Practice Applies

On all land development projects consisting of one (1) acre or more of land disturbance where any hazardous waste products are generated or stored during the construction process. This includes paints, solvents, petroleum products, wood preservatives, pesticides, roofing tar, acids and other materials.

Planning Considerations

- Minimize production or generation of hazardous wastes on the project site.
- Designate a hazardous waste collection area on-site located away from storm drains, non-hazardous construction wastes, water courses and moving vehicles or equipment.
- Arrange for regular waste collection before containers overflow. Pick-up should be made by a licensed waste transporter in accordance with applicable state and local regulations.
- Implement employee and contractor education on hazardous waste handling, storage, disposal and clean up.
- Establish an inspection schedule to ensure that all containers are labeled properly and no leaks are present.
- Do not mix wastes, unless specifically recommended by the manufacturer.
- Never remove the original product label from the container because it contains important safety information. Follow the manufacturer's recommended method of disposal, which should be printed on the label.
- Do not handle materials more than necessary.

Purpose

To prevent or reduce the discharge of pollutants to stormwater from hazardous and toxic wastes. Implementing comprehensive waste management practices for construction projects that generate hazardous wastes.



Label and Contain all Hazardous Wastes for Safety and Pollution Prevention



Sanitary & Septic Waste Management

Conditions Where Practice Applies

On all land development projects of one (1) acre or more of land disturbance where temporary or portable sanitary and septic waste systems are used.

Planning Considerations

- On-site temporary sanitary facilities should be located away from storm drains, watercourses and other stormwater conveyances. Facilities should also be kept clear of traffic circulation patterns.
- Temporary sanitation facilities should be conveniently located and of sufficient number to meet the requirements of the project, which may be subject to specific state and local regulations. They should be clean and maintained in good working condition by a licensed service. This service company should also provide timely waste collection to ensure facilities do not overflow.
- Secondary containment pans under portable sanitation facilities should be considered where possible or necessary.
- Temporary sanitary facilities should be properly anchored or tied down in areas subject to high winds.
- Waste water shall not be discharged or buried within the project site.
- Designated personnel should conduct regular inspections for leaks. Repairs and replacements should be made immediately by the licensed service.
- Employees, contractors and suppliers should be educated about the on-site location of facilities and about the dangers, to humans and the environment, from sanitary and septic wastes.
- If either an on-site disposal system (such as a septic system) or direct discharges are made into the public sanitary sewer system, then state and local treatment and disposal regulations must be satisfied.

Purpose

To prevent the discharge of pollutants to stormwater from sanitary and septic waste by providing conveniently located, securely installed and well maintained toilet facilities which are provided with regular inspections, service and disposal.



Properly Located Restroom Facilities on a Solid Surface



Vehicle & Equipment Cleaning

Conditions Where Practice Applies

On all land development projects consisting of one (1) acre or more of land disturbance where any vehicle cleaning takes place.

Planning Considerations

To extent possible, utilize off-site vehicle cleaning facilities. All vehicles and equipment that regularly enter and leave the site must be cleaned off-site.

- When vehicle cleaning must take place on-site, clearly identify a designated washing area and inform employees that washing must occur in this area.
- Washing and cleaning activities which must occur on-site should be located away from drainage facilities or water courses.
- Consider use of high pressure water sprayers, only, to eliminate use of soap, solvents or steam cleaning.
- Consider a contained vehicle washing area to properly collect and dispose of wash water.
- Use blowers or vacuums instead of water to remove dry materials from vehicles if possible.
- Because water alone can remove most dirt adequately, use high-pressure water spray without detergents at vehicle washing areas. If you must use detergents, avoid phosphate or organic-based cleansers to reduce nutrient enrichment and biological oxygen demand in wastewater.
- Use only biodegradable products that are free of halogenated solvents.
- Do not perform other activities, such as vehicle repairs, in the wash area.

***TIP** Educate employees and contractors on pollution prevention measures.*

Purpose

To implement vehicle cleaning measures to reduce or eliminate discharge of pollutants to stormwater.



Vehicle Washing Runoff May Contaminate Nearby Water Resources



Vehicle & Equipment Fueling

Conditions Where Practice Applies

On all land development projects consisting of one (1) acre or more of land disturbance where any vehicle and equipment fueling takes place.

Planning Considerations

- To extent possible, utilize off-site fueling stations.
- When vehicle fueling must take place on-site, designate an area away from storm drains, water courses and other stormwater conveyances.
- When possible, utilize dedicated fueling areas with protective berms and dikes to contain spills.
- If possible, avoid mobile fueling of equipment around the site. Transport equipment to designated fueling areas.
- Use drip pans or absorbent pads for small spills. Do not bury a spill, but remove and dispose of properly.
- Make spill kits available.
- Train employees and contractors in proper fueling procedures and use of spill kits.
- Consider utilizing fueling nozzles equipped with automatic shutoff and vapor recovery to control fuel drips.
- Implement a daily inspection program with an identified individual to check on site vehicles and equipment to respond to leaks and equipment damage.
- Discourage ‘topping off’ fuel tanks.

Purpose

To implement measures regarding location, inspection and maintenance of vehicle and equipment fueling to reduce or eliminate discharge of pollutants to stormwater.



To Ensure the Protection of Natural Areas a Combination of Techniques and Education is Needed