



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Water Quality

Bureau of Nonpoint Pollution Control

Post Office Box 420

401-02B

Trenton, New Jersey 08625-0420

Tel: 609-633-7021

Fax: 609-777-0432

www.state.nj.us/dep/dwq/bnpc_home.htm

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

PUBLIC NOTICE

Notice is hereby given that the New Jersey Department of Environmental Protection (the Department) intends to renew the New Jersey Pollutant Discharge Elimination System (NJPDES) Basic Industrial Stormwater General Permit No. NJ0088315, in accordance with N.J.A.C. 7:14A, and by authority of the Water Pollution Control Act at N.J.S.A. 58:10A-1 et seq.

The Basic Industrial Stormwater General Permit (permit) authorizes industrial stormwater discharges to the surface and/or ground waters of the State from facilities that can eliminate the exposure of source materials and/or industrial activity to stormwater discharges.

A draft renewal permit has been prepared and is based on the administrative record, which includes the name and address of the permittees authorized under the permit. No major changes have been proposed in the draft renewal permit. Only minor changes are proposed that are intended to simplify and reorganize permit language in the draft renewal permit.

The draft renewal permit and the Fact Sheet can be viewed or downloaded on the Department's Division of Water Quality website at www.state.nj.us/dep/dwq/. A copy of the draft renewal permit and Fact Sheet can be obtained, for a nominal charge, and the administrative record is available for inspection by appointment only, Monday through Friday. If you are interested in obtaining a copy of the draft renewal permit, Fact Sheet or scheduling an appointment to review the administrative record, contact Kerri Standowski, Bureau of Nonpoint Pollution Control at (609) 633-7021, or by e-mail to kerri.standowski@dep.state.nj.us.

In accordance with N.J.A.C. 7:14A-15.10(c)1i, the public comment period will close thirty (30) days after publication in either the DEP Bulletin or the last newspaper publication, whichever is later. Comments must be received by the end of the public comment period. This notice is scheduled to appear in the DEP Bulletin, *The Trenton Times*, *The Star-Ledger* and *The Atlantic City Press*.

Written comments, or a request that the Department hold a non-adversarial public hearing on the draft modifications must be submitted in writing by certified mail (return receipt requested), or by other means which provides verification of the date of delivery to the Department to James Murphy, Chief, Attention: Comments on Public Notice NJ0088315, Bureau of Nonpoint Pollution Control, PO Box 420, Trenton, NJ, 08625-0420. Comments submitted by e-mail to james.murphy@dep.state.nj.us will also be accepted by the Department.

The Department will respond to all significant and timely comments upon issuance of the final permit decision. Permittees and each person who requests notice or submits written comments will receive notice of the Department's final permit decisions.

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

FACT SHEET

Masterfile #: Varies

PI #: Varies

This fact sheet sets forth the principal facts and the significant factual, legal, and policy considerations examined during preparation of the draft permit. This action has been prepared in accordance with the New Jersey Water Pollution Control Act and its implementing regulations at N.J.A.C. 7:14A-1 et seq. - The New Jersey Pollutant Discharge Elimination System (NJPDES).

PERMIT ACTION: Basic Industrial Stormwater General Permit, NJ0088315

1 Name and Address of the Applicant:

2 Name and Address of the Facility/Site:

Varies - Statewide

Varies – Statewide

3 Objective of Permit Action:

The objective of this regulatory action is to renew an expired New Jersey Pollutant Discharge Elimination System (NJPDES) general permit, namely the Basic Industrial Stormwater General Permit, under NJ0088315.

4 Regulatory Authority and Permitting History:

Under the Federal Water Pollution Control Act (1972), amended by the Clean Water Act (1977) and the Water Quality Act (1987), a facility with a stormwater discharge associated with industrial activity shall obtain a National Pollutant Discharge Elimination System (NPDES) permit. In order to comply with the Federal Water Pollution Control Act, the United States Environmental Protection Agency (USEPA) published the regulatory definition for “stormwater discharges associated with industrial activity, ” on November 16, 1990.

The New Jersey Department of Environmental Protection (Department) is the issuing authority for NPDES permits in the State of New Jersey, and issues those permits as part of the NJPDES Program. In 1992, as part of the initial response to the USEPA stormwater discharge rules, the Department proposed and adopted amendments to the NJPDES rules, N.J.A.C. 7:14A. On October 1, 1992, as part of those rule amendments, the Department issued the Basic Industrial Stormwater General Permit No. NJ0088315 (general permit), authorizing stormwater discharges associated with a broad range of industrial activities. In 1996 and 1997, the Department proposed and adopted further changes to the NJPDES rules. As part of those rule changes, the Department revoked and reissued the general permit, as N.J.A.C. 7:14A-11, Appendix A.

The general permit, which authorized discharges of industrial stormwater to surface water, first became effective on November 2, 1992, and was revoked and reissued effective May 5, 1997. Background discussions, explaining the origin and basis for the general permit and other NJPDES rule amendments, are provided in the Department's fact sheets for the draft general permit (dated June 5, 1992 and February 5,

1996), and in the New Jersey Register notices for the proposal and adoption of NJPDES rule changes (see 24 N.J.R. 2352(a), 4088(a), 4364(a), 4522(a); 25 N.J.R. 687(a) 28 N.J.R. 320(a), 29 N.J.R. 1704 (a), 3822(a), and 30 N.J.R. 340(a)).

Effective January 22, 2002, the text of the general permit was removed from the NJPDES rules (through the deletion of N.J.A.C. 7:14A-11.5(j) and the repeal of N.J.A.C. 7:14A-11 Appendix A; see 33 N.J.R. 3636(a), 34 N.J.R. 595(a)). The general permit remained in full force and effect.

The general permit expired on January 31, 2002. In accordance with N.J.A.C 7:14A-2.8, the conditions of an expired permit continue in force until the effective date of the final renewal permit. The Department renewed the general permit with an effective date of June 1, 2002. The renewal incorporated a number of changes. The most significant change included the regulation of industrial stormwater discharges to groundwater. Authority for regulating industrial stormwater discharges to groundwater comes from the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq. and N.J.A.C. 7:14A-7. This modification to the general permit also required changes to the term “stormwater discharges associated with industrial activity” since that term refers to surface water discharges only and required changes to the definition of “source material”. A less significant change was to the format of the general permit to facilitate the Department’s new database management system.

The general permit again expired on May 31, 2007. The Department renewed the permit with an effective date of June 1, 2007. The renewal permit incorporated a number of changes. The most significant change included the temporary authorization to discharge equipment and vehicle wash wastewater until May 31, 2009. Other changes included the addition of several definitions, the requirement that a separate RFA be submitted for each operating entity, the inclusion of a Table of Contents, and additional Stormwater Pollution Prevention Plan (SPPP) requirements including the requirement that facilities perform mandatory annual employee training.

5 Summary of Proposed Permit:

The existing general permit expired on May 31, 2012. Although expired, the conditions of the general permit continue in full force, as noted under N.J.A.C. 7:14A-2.8 until the effective date of the final renewal permit.

Consistent with previous drafts, the proposed general permit requires that every facility authorized shall eliminate the exposure of source materials and/or industrial activity to stormwater discharges. No major changes have been proposed in the renewal general permit. However, several modifications have been incorporated and include:

1. The distinction between new facilities and existing facilities has been removed. Both have been defined as “newly authorized facilities”;
2. All “newly authorized facilities” have six (6) months to prepare and implement their SPPP;
3. The section on Equipment and Vehicle Washing has been deleted. This discharge should have been eliminated by June 1, 2009, so there is no need to mention this in the renewal permit;
4. In accordance with the SPPP requirements, the facility must provide a list of any process wastewaters generated at the facility. The definition of “process wastewaters” has been expanded and includes leachate, contact cooling water, pressure washing wastewater, hydroblasting wastewater, boat bottom wash wastewater, vehicle and equipment wash wastewater;
5. The SPPP inspection schedule language has been modified to clarify the vague “regular maintenance inspections” to the more prescriptive “monthly maintenance inspections”;

6. All references to the Incident of Noncompliance Report Form have been deleted; and
7. The contents of a completed Request for Authorization have been changed and include the following:
 - a. NJPDES-1 Form; and
 - b. Supplemental Form.

In addition, the draft general permit intends to simplify and reorganize the permit language.

Changes outside of the general permit requirements include the following:

1. A Supplemental Form has been created and seeks information necessary for accurate permit determinations. Facilities applying for a permit must list the following:
 - a. All equipment that is used or stored outside and exposed to stormwater;
 - b. All operations and maintenance activities that occur outside and exposed to stormwater;
 - c. All materials stored, handled and/or transported outside and exposed to stormwater; and
 - d. All marina operations that occur outside and exposed to stormwater (i.e. sandblasting, vessel repair, barge loading/unloading, boat bottom washing or painting).

The Supplemental Form also requires that a preliminary site map (hand-drawn is acceptable) depicting the locations of the features listed in 1.a.-d. above be included.

6 Volume and Quality of Stormwater Discharges:

The volume and quality of stormwater discharges associated with industrial activity will depend on a variety of factors, including the industrial activities occurring at the facility, the nature of precipitation, and the degree of surface imperviousness. Stormwater may pick up pollutants from structures and other surfaces. In addition, sources of pollutants other than stormwater, such as illicit connections, spills, and other improperly disposed materials may increase the pollutant loads discharged from separate storm sewers. The sources that contribute pollutants to stormwater discharges vary with the type of industrial operation and facility-specific features.

Six activities were identified in the fact sheet for the USEPA draft (1993) Multi-Sector Storm Water General Permit as major sources of pollutants in stormwater discharges associated with industrial activity: (1) loading or unloading of dry bulk materials or liquids; (2) outdoor storage of raw materials or products; (3) outdoor process activities; (4) dust or particulate generating processes; (5) illicit connections or management practices; and (6) waste disposal practices. The USEPA fact sheet contains further general discussion of these six industrial activities, and the fact sheets for the USEPA draft (1993) and final (1995) Multi-Sector Storm Water General Permit also contain specific discussions of pollutant sources in the 29 identified industrial sectors.

As in the existing General Permit NJ0088315, the draft renewal permit addresses these major sources through best management practices (BMPs) required in the stormwater pollution prevention plan. Under the draft renewal permit, BMPs must be designed to eliminate the exposure of source materials and/or industrial activity to stormwater discharges. Implementation of such BMPs will generally ensure that source materials and illicit discharges from industrial activities do not contribute pollutants to stormwater discharges.

7 Permit Eligibility:

The Basic Industrial Stormwater General Permit applies to all areas of the State of New Jersey and authorizes industrial stormwater discharges to the surface and/or ground waters of the State from facilities that can eliminate the exposure of source materials and/or industrial activity to stormwater discharges, except for the following:

- i. Stormwater discharges subject to federal effluent guideline limitations for stormwater (see 40 CFR Subchapter N);
- ii. Stormwater discharges authorized under another NJPDES Discharge to Surface Water or Discharge to Ground Water permit (including an expired permit), or combined with domestic wastewater or process wastewater prior to treatment;
- iii. Stormwater discharges that require authorization under NJPDES Permit No. NJ0088323 (a separate general permit for stormwater discharges from certain construction activities);
- iv. Stormwater discharges from facilities with active "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 those landfills have 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 landfills are not disrupted in a manner that exposes solid waste to the stormwater discharge and/or the landfill is not disrupted. Such closed landfills are eligible for authorization under this permit; and
- v. Stormwater discharges from projects or activities that conflict with an adopted Water Quality Management plan.

8 Description and Procedures for Reaching a Final Decision on the Draft Action:

Please refer to the procedures described in the public notice published in the DEP Bulletin. In addition to the DEP Bulletin, the public notice for this permit action is published in the following newspapers:

The Trenton Times *The Star Ledger* *The Atlantic City Press*

All comments submitted to the Department within the public comment period will be considered and addressed in the final permit.

9 Contact Information:

If you have any questions regarding the permit action, please contact Kerri Standowski of the Bureau of Nonpoint Pollution Control at (609) 633-7021 or via e-mail at Kerri.Standowski@dep.state.nj.us.

10 Requested Variances of Alternatives to Required Standards:

No such requests exist regarding this draft renewal permit, which was initiated by the Department.

11 Contents of the Administrative Record:

The following items are used to establish the basis of the Draft Permit:

Rules and Regulations:

1. 33 U.S.C. 1251 et seq., Federal Water Pollution Control Act. ^[C]
2. 40 CFR Part 131, Federal Water Quality Standards. ^{[A][C]}
3. 40 CFR Part 122, National Pollutant Discharge Elimination System. ^[C]
4. N.J.S.A. 58:10A-1 et seq., New Jersey Water Pollution Control Act. ^{[A][B]}
5. N.J.A.C. 7:14A-1 et seq., New Jersey Pollutant Discharge Elimination System Regulations. ^{[A][B]}
6. N.J.A.C. 7:9B-1 et seq., New Jersey Surface Water Quality Standards. ^{[A][B]}

Guidance Documents / Reports:

1. EPA's Multi Sector General Permit Development Document available on the web at www.cfpub.epa.gov/npdes/stormwater/msgp.cfm.^[C]
2. Fact Sheet for the Revocation and Reissuance of NJPDES General Permit No. NJ0088315, February 5, 1996.^[A]
3. Fact Sheet for the Draft Renewal of NJ0088315, March 13, 2002.^[A]
4. Fact Sheet for the Draft Renewal of NJ0088315, March 7, 2007.^[A]

Permits / Applications:

1. NJPDES NJ0088315 Basic Industrial Stormwater General Permit issued for stormwater discharges to surface water effective November 2, 1992.^[A]
2. NJPDES NJ0088315 Basic Industrial Stormwater General Permit renewed for stormwater discharges to surface water effective May 5, 1997.^[A]
3. NJPDES NJ0088315 Basic Industrial Stormwater General Permit renewed and expanded to cover surface water and groundwater discharges dated June 1, 2002.^[A]
4. NJPDES NJ0088315 Basic Industrial Stormwater General Permit renewed for surface water and groundwater discharges dated June 1, 2007.^[A]

Footnotes:

- [A] Denotes items that may be found in the NJPDES/DSW Administrative Record Library located in the NJDEP Central File Room, 401 East State Street, Trenton, New Jersey.
- [B] Denotes items that may be found on the New Jersey Department of Environmental Protection website located at www.state.nj.us/dep.
- [C] Denotes items that may be found on the United States Environmental Protection Agency (USEPA) website at www.epa.gov.

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PART 1

NARRATIVE REQUIREMENTS

Basic Industrial Stormwater General Permit – NJ0088315 (5G2)

Effective Date of Renewal: December 1, 2012 Expiration Date: November 31, 2017

A. Permit Scope

1. Geographic Area

- a. The Basic Industrial Stormwater General Permit applies to all areas of the State of New Jersey.

2. Authorized Discharges

- a. The Basic Industrial Stormwater General Permit (“permit”) authorizes:
 - i. Industrial stormwater discharges to the surface and/or ground waters of the State (“waters of the State”) from facilities that can eliminate the exposure of source materials and/or industrial activity to stormwater discharges, as defined in Part 1.J.

B. Eligibility

1. Eligibility for Authorization

- a. This permit authorizes stormwater discharges to waters of the State from facilities that can eliminate the exposure of source materials and/or industrial activity to stormwater discharges, except for the following:
 - i. Stormwater discharges subject to federal effluent guideline limitations for stormwater (see 40 CFR, Chapter I, Subchapter N);
 - ii. Stormwater discharges authorized under another NJPDES Discharge to Surface Water (DSW) or Discharge to Ground Water (DGW) permit (including an expired permit), or combined with domestic wastewater or process wastewater prior to treatment;
 - iii. Stormwater discharges that require authorization under NJPDES Permit No. NJ0088323 (a separate general permit for stormwater discharges from certain construction activities);
 - iv. Stormwater discharges from facilities with active "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 those landfills have 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 landfills are not disrupted in a manner that exposes solid waste to the stormwater discharge and/or the landfill is not disrupted. Such closed landfills are eligible for authorization under this permit; and
 - v. Stormwater discharges from projects or activities that conflict with an adopted WQM plan.
- b. Facilities which are not eligible for authorization under this permit should contact the Bureau of Nonpoint Pollution Control at (609) 633-7021 to discuss other permitting options.

C. Summary of Permit Requirements

1. Eliminate Exposure

- a. Every facility authorized under this permit shall eliminate the exposure of source materials and/or industrial activity to stormwater discharges as required in Part 1.D.

2. Prepare and Implement a Stormwater Pollution Prevention Plan

- a. Newly authorized facilities shall prepare and implement a SPPP that contains the contents required in Part 1.E.
- b. Facilities being reauthorized as part of the automatic renewal shall update their SPPP to include all contents required in Part 1.E.

3. Conduct Annual Inspections

- a. Facilities shall conduct annual self-inspections, as required in Part 1.F, to ensure that they are in compliance with their SPPP and that their BMPs are effectively eliminating the exposure of source materials and/or industrial activity to stormwater discharges.

4. Submit Certifications

- a. SPPP Preparation and Implementation Certification
 - i. Newly Authorized Facilities shall submit the Department's Certification Form, certifying that they have prepared and implemented a SPPP within the time frame specified in Part 1.G.
 - ii. Facilities being reauthorized as part of the automatic renewal shall submit the Department's Certification Form, certifying that they have updated their SPPP with their Annual Certification as specified in Part 1.G.
- b. Annual Certification
 - i. Annually, facilities shall submit the Department's Certification Form certifying that they have conducted an annual self-inspection and that they are in compliance with all permit conditions as required in Part 1.G.

D. Eliminate Exposure

1. Stormwater Pollution Prevention Plan General Requirements

- a. Every facility authorized under this permit shall eliminate the exposure of source materials and/or industrial activity to stormwater discharges through the preparation and implementation of a SPPP that includes the contents required in Part 1.E.
- b. The SPPP shall accurately reflect and account for all facility operations that generate industrial stormwater discharges to the waters of the State.
- c. The SPPP shall be signed, dated and retained onsite and available for Department Inspection.

2. Amendments to the Stormwater Pollution Prevention Plan (SPPP)

- a. Changes to facility operations shall be reflected in the SPPP to ensure that the facility continues to eliminate the exposure of source materials and/or industrial activity to stormwater discharges.
- b. Any amended SPPP shall be resigned, dated and retained onsite and available for Department Inspection.

3. Obligation to provide copies and/or allow review of the SPPP

- a. The permittee shall provide a copy of the SPPP and the certifications required by the permit to the owner(s) of the facility.

- b. The permittee shall make the SPPP available or provide a copy upon request to the owner and/or operator of any municipal separate storm sewer system through which the industrial stormwater is discharged.
- c. The permittee shall make the SPPP available or provide a copy upon request to an authorized representative of the Department.
 - i. Upon review by an authorized representative, the Department may notify the permittee at any time that the SPPP does not meet one or more of the permit requirements.
 - ii. Within thirty (30) days after receiving such notification (unless otherwise specified by the Department), the SPPP shall be amended to adequately address all deficiencies.

E. Contents of a Stormwater Pollution Prevention Plan

1. Inventory Requirements

- a. Include a detailed description of all source materials used, stored, or otherwise located at the facility and all industrial activities conducted at the facility, including seasonal activities that are exposed to stormwater runoff.
- b. Include a list of any domestic sewage, non-contact cooling water, equipment and vehicle wash wastewater, or process waste water (including but not limited to leachate, contact cooling water, pressure-wash wastewater, hydro-blasting wastewater, boat bottom wash wastewater, vehicle and equipment wash wastewater) other than stormwater, which is generated at the facility and discharged through separate storm sewers to surface waters, or discharges to ground water.
 - i. For discharges identified above, list any final or draft NJPDES permits, pending NJPDES permit applications, or pending requests for authorization under another general NJPDES permit (including the NJPDES permit number where available).
- c. Include a list of all other permit approvals issued by the NJDEP for the facility for the activities listed above (i.e. air, solid waste, land use, etc.).

2. Mapping Requirements

- a. Include a map (drawn to scale) of the entire facility that contains the following:
 - i. the property boundary;
 - ii. the location(s) of existing buildings and other permanent structures;
 - iii. all paved areas, including roads and access areas;
 - iv. stormwater control features including but not limited to drainage patterns, stormwater conveyances (e.g. stormwater catch basins, downspouts [where there is industrial activity on the roof], overland flow, swales, ditches and channels, and storm sewer pipes), designed stormwater basins (e.g. infiltration, detention, retention) and the location of all stormwater discharge structures;
 - v. the location(s), if any, where sanitary sewage, non-contact cooling water, equipment and vehicle wash wastewater, or process wastewater (including but not limited to leachate, contact cooling water, pressure-wash wastewater, hydro-blasting wastewater, boat bottom wash wastewater, vehicle and equipment wash wastewater) generated by the facility enters a storm water conveyance that discharges to waters of the State; and
 - vi. the delineation of the areas regulated by this permit, including all source material storage areas and industrial activities conducted onsite.

3. Best Management Practices

- a. Include a list of the BMPs that are implemented at the facility in the areas regulated by this permit as identified in the mapping requirements in E.2 above to eliminate the exposure of source materials and/or industrial activity to stormwater discharges.

4. Maintenance Plan

- a. Include a plan that ensures regular, preventative maintenance and appropriate repairs, including replacement of all structural BMPs and the updating of non-structural BMPs such as Standard Operating Procedures (SOPs).

5. Inspection Schedule

- a. Monthly maintenance inspections shall be conducted to ensure that all BMPs identified in the SPPP are being properly implemented and/or maintained.
- b. Record any problems identified and the corrective action(s) implemented.
- c. All monthly inspection records shall be maintained onsite and available for Department Inspection.
- d. Annual inspections shall be conducted in accordance with Section F.

6. Additional Requirements

- a. The SPPP shall include (or cite the location of) the following requirements, if applicable:
 - i. any spill reports prepared under section 313 in Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986, 42 U.S.C. 9601 et seq;
 - ii. any Spill Prevention Control and Countermeasure Plan (SPCC Plan) prepared under 40 CFR 112 and section 311 of the Clean Water Act, 33 U.S.C. 1321; any Discharge Prevention, Containment and Countermeasure Plan (DPCC Plan); and Discharge Cleanup and Removal Plan (DCR Plan) prepared under N.J.A.C. 7:1E; and
 - iii. for any industrial stormwater discharges through a municipal separate storm sewer system that has a final NJPDES discharge permit, compliance with all applicable requirements of the municipal stormwater program developed under that permit.

7. Employee Training

- a. Annually, employees shall be trained to ensure that they understand the requirements of the permit, including the proper implementation and/or maintenance of all BMPs identified in the facilities SPPP.
 - i. Employees shall be trained on each aspect of your SPPP that is related to their daily responsibilities.
- b. All employee training records shall be maintained onsite and available for Department Inspection.

F. Annual Inspections

1. Annual Inspections

- a. The permittee shall conduct annual self-inspections of the facility to ensure that the SPPP is:
 - i. current and up-to-date;
 - ii. properly implemented; and

- iii. effectively eliminating the exposure of source materials and/or industrial activity to stormwater discharges, as regulated under this permit, through the implementation of structural and non-structural BMPs.

G. Permit Submittals and Deadlines

1. Submittal Requirements

- a. Each Newly Authorized Facility shall submit the Department's Certification Form within the time frames specified in G.2 below, certifying that they have:
 - i. prepared and implemented their SPPP; and
 - ii. conducted an annual inspection and are in compliance with their SPPP and the permit conditions.
- b. Each facility being reauthorized as part of the automatic renewal shall submit the Department's Certification Form within the time frames specified in G.3 below, certifying that they have:
 - i. updated their SPPP; and
 - ii. conducted an annual inspection and are in compliance with the SPPP and the permit conditions.
- c. The Department's Certification Form is available on the Department's web site at www.state.nj.us/dep/dwq/forms_storm.htm or by calling the Bureau of Nonpoint Pollution Control at (609) 633-7021.

2. Submittal Deadlines for Newly Authorized Facilities

- a. SPPP preparation and implementation certification submittal requirements for Newly Authorized Facilities. (Note: Facilities being reauthorized as part of the automatic renewal that have previously submitted their SPPP preparation and implementation certification(s) are not required to resubmit these certifications.)
 - i. Submit the Certification Form certifying that the SPPP was prepared and implemented: within six (6) months from the effective date of permit authorization.
- b. Annual Certification submittal requirements for Newly Authorized Facilities. (Note: The appropriate calendar quarter for this submittal is indicated on your Authorization to Discharge page.)
 - i. Submit the Certification Form certifying the Annual Inspection was conducted: annually, by the end of the first calendar quarter beginning 6 months from the EDPA, (January – March).
 - ii. Submit the Certification Form certifying the Annual Inspection was conducted: annually, by the end of the second calendar quarter beginning 6 months from the EDPA, (April – June).
 - iii. Submit the Certification Form certifying the Annual Inspection was conducted: annually, by the end of the third calendar quarter beginning 6 months from the EDPA, (July – September).
 - iv. Submit the Certification Form certifying the Annual Inspection was conducted: annually, by the end of the fourth calendar quarter beginning 6 months from the EDPA, (October – December).

3. Submittal Deadlines for Facilities Being Reauthorized as Part of the Automatic Renewal

- a. SPPP update certification submittal requirements for facilities being reauthorized as part of the automatic renewal.
 - i. Submit the Certification Form certifying that the SPPP was updated: with the Annual Certification.

b. Annual Certification submittal requirements for facilities being reauthorized as part of the automatic renewal. (Note: The appropriate calendar quarter for this submittal is indicated on your Authorization to Discharge page.)

i. Submit the Certification Form certifying the Annual Inspection was conducted: annually, by the end of the first calendar quarter (January – March).

ii. Submit the Certification Form certifying the Annual Inspection was conducted: annually, by the end of the second calendar quarter (April – June).

iii. Submit the Certification Form certifying the Annual Inspection was conducted: annually, by the end of the third calendar quarter (July – September).

iv. Submit the Certification Form certifying the Annual Inspection was conducted: annually, by the end of the fourth calendar quarter (October – December).

4. Where to Send All Permit Submittals

a. All permit submittals shall be sent to the following address:

i. New Jersey Department of Environmental Protection
Mail Code 401-02B
Division of Water Quality
Permit Administration Section
P.O. Box 420
401 E. State St., 3rd Floor
Trenton, NJ 08625-0420

b. If you have completed and sent in the Agreement to Do Business Electronically, all permit submittals can be scanned and emailed to NJPDES_ADBE_signup@dep.state.nj.us.

H. Enforcement Inspections and Permitting Options

1. Enforcement of Permit Conditions

a. The Department's Bureau of Water Compliance and Enforcement routinely inspects facilities authorized under this permit. If violations of permit conditions occur, a facility may receive a Notice of Violation (NOV) and may be subject to penalties, including significant monetary penalties up to \$50,000 per day, per violation, pursuant to the New Jersey Water Pollution Control Act (N.J.S.A. 58:10A-1 et seq).

2. Applying for Another NJPDES Stormwater Permit

a. If a facility authorized under this permit discovers that the exposure of source materials and/or industrial activities to stormwater discharges has not been eliminated, or that the facility cannot comply with other provisions of this permit they should immediately contact the Bureau of Nonpoint Pollution Control at (609) 633-7021 or the Department's appropriate regional Bureau of Water Compliance and Enforcement to discuss permitting options.

b. A facility that cannot comply with permit conditions may need to apply for an individual permit or for an industry specific general permit for its stormwater discharge. Authorization under this permit remains in effect until the date authorization under such other permit becomes effective or the Department revokes authorization under this permit.

I. General Conditions

1. Who Shall Submit the Request for Authorization

a. A separate Request for Authorization (RFA) shall be submitted using the Department's RFA form by each person who is an operating entity for any part of the facility requiring a NJPDES permit for their industrial stormwater discharges.

b. When a facility is owned by one person but is currently operated by another person, the operating entity shall submit the RFA.

- c. Separate RFAs shall be submitted for separate facilities except for:
 - i. Facilities that have the same operating entity and are located on contiguous properties.

2. Contents of a Complete Request for Authorization

- a. NJPDES-1 Form; and
- b. Supplemental Form.
- c. Additional information may be required by the Department to be included as part of the RFA if the Department determines that such additional information (including other data, reports, specifications, plans, permits, or other information) is reasonably necessary to determine whether to authorize the discharge under this permit.

3. Where to Submit a Request for Authorization

- a. To obtain authorization to discharge stormwater under this permit you shall submit a complete RFA to the following address:
 - i. New Jersey Department of Environmental Protection
Mail Code 401-02B
Division of Water Quality
Permit Administration Section
P.O. Box 420
401 E. State St., 3rd Floor
Trenton, NJ 08625-0420
- b. If you have completed and sent in the Agreement to Do Business Electronically, the complete RFA can be scanned and emailed to NJPDES_ADBE_signup@dep.state.nj.us.
- c. After review of the RFA, the Department will either:
 - i. Issue authorization under this permit. The authorization is effective on the date the Department issues the Authorization to Discharge; or
 - ii. Deny authorization and require submittal of an application for an individual stormwater permit; or
 - iii. Deny authorization and require submittal of an RFA for another general permit.
- d. The Department shall issue or deny authorization within ninety (90) days of receipt of a complete RFA. If Department fails to issue or deny authorization within ninety (90) days, the authorization shall be automatically issued.

4. Additional Notification

- a. Facilities that discharge industrial stormwater through a municipal separate storm sewer system shall also submit a copy of the completed RFA to the owner and/or operating entity of that system.
- b. Persons requesting authorization shall also submit a copy of the completed RFA to each owner (if any) of the facility who did not submit the RFA.

5. Deadline to Apply

- a. Pursuant to N.J.A.C. 7:14A-24.4, the deadline for requesting authorization under a stormwater general permit or applying for an individual NJPDES stormwater permit was April 1, 1993 (with limited exceptions) for any “stormwater discharge associated with industrial activity.”
- b. The Department may accept an RFA submitted after the foregoing deadline; however the discharger is liable for violations that occurred prior to the submission of the RFA, including discharging without a permit.

6. Automatic Renewal

- a. Authorization under this permit will be automatically renewed when this permit is reissued as provided by N.J.A.C. 7:14A-6.13(d)9 so long as the discharge authorized under this permit continues to be eligible. The Department shall issue a notice of renewed authorization to the facility.
- b. If the facility is aware of any information in the most recently submitted RFA that is no longer true, accurate, and/or complete, the facility shall provide the correct information to the Department within ninety (90) days of the effective renewal authorization notice.

7. Extensions of Permit Deadlines

- a. The Department may grant up to a twelve (12) month extension to the deadline to implement the SPPP, if the facility submits a written request for such extension, at least thirty (30) days prior to the deadline, establishing to the Department's satisfaction that the Federal, State and local permits and approvals necessary for the construction of BMPs identified in the SPPP could not with due diligence be obtained within the time period set forth in the permit.

8. Permit Transfer – Change of Owner or Operating Entity

- a. Authorization under this permit may be automatically transferred to a new owner or operator with an industrial stormwater discharge at the same physical location pursuant to N.J.A.C. 7:14A-16.2(d) if the permittee provides written notice to the Department at least thirty (30) days prior to the proposed transfer date.
 - i. Permittees requesting a transfer of permit authorization should submit the Department's Application for Transfer of a Stormwater Permit form.
- b. If a permittee is moving their operations to a new physical location, the permit may not be transferred. The permittee shall request a revocation for their existing permit authorization by submitting the Department's Request for Revocation form and submit a new RFA for their operations at the new location.
- c. The above mentioned forms are available on the Department's web site at www.state.nj.us/dep/dwq/forms_storm.htm or by calling the Bureau of Nonpoint Pollution Control at (609) 633-7021.

9. Other Laws

- a. In accordance with N.J.A.C. 7:14A-6.2(a)7, this permit does not authorize any infringement of State or local laws or regulations, including, but not limited to the Pinelands rules (N.J.A.C. 7:50), Discharge of Petroleum and other Hazardous Substances rules at N.J.A.C. 7:1E, 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 this permit" within the meaning of the Spill Compensation and Control Act at N.J.S.A. 58:10-23.11c.

10. Discharge of Unauthorized Pollutants

- a. For stormwater discharges authorized by this permit, the permittee is exempt from N.J.A.C. 7:14A-6.2(a)2, which states that the discharge of any pollutant not specifically regulated in the NJPDES permit or listed and quantified in the NJPDES application or request for authorization, shall constitute a violation of the permit.

11. Operations and Maintenance Manual

- a. The facility is exempt from the requirement to prepare an operations and maintenance manual, required by N.J.A.C. 7:14A-6.12(c), for the discharge authorized by this permit.

12. Construction Activities

- a. This permit does not authorize the discharge of stormwater that is associated with construction activities (see subparagraph 1.x. of the definition of "stormwater discharge associated with industrial activity" and the definition of "stormwater discharge associated with small construction activity" in N.J.A.C. 7:14A-1.2). In general, this is the discharge of

stormwater to surface water from construction activity that disturbs one or more acre(s). Any facility that operates a construction site with such a discharge shall submit a separate RFA or individual NJPDES DSW permit application for that discharge. A RFA submitted for the Basic Industrial Stormwater General Permit does not qualify as a RFA for such a discharge.

- i. A RFA for stormwater discharges from construction activities (other than N.J. Department of Transportation construction activities) shall be submitted to the Department.
- ii. If applying for an individual NJPDES DSW permit, submit the NJPDES 1 form, NJPDES Form RFC, and NJPDES Form R, Part A to the Department (see N.J.A.C. 7:14A-24.7).

J. Definitions

1. The following definitions apply to this permit.

- a. "Access Areas" means any immediate entry or egress (including roads and driveways) and rail lines used or traveled by carriers of raw materials, manufactured products, waste materials, or by-products used or created by the facility.
- b. "Best Management Practices" or "BMPs" include, but are not limited to, structural and non-structural controls, and operation and maintenance procedures which can be applied before, during, and after pollution producing activities to reduce or eliminate the introduction of pollutants into receiving waters. (see N.J.A.C. 7:14A-1.2 for the full definition)
- c. "Contiguous" means directly abutting, or separated by a general access roadway or other right of way (with at least part of one property directly across the right of way from at least part of the other property).
- d. "Facilities being reauthorized" means any existing facility that was permitted under the expired permit and will be automatically renewed pursuant to Part 1.I.6 of this permit.
- e. "Industrial Activity" means, but is not limited to, manufacturing, processing, disposing, storing, loading and unloading, transporting or conveying any raw material, intermediate product, final product, by-product, waste product or equipment. This also includes the treatment of a by-product or waste product and/or the maintenance of equipment associated with the regulated activity.
- f. "Industrial Stormwater" means water resulting from precipitation that discharges to the surface and/or ground waters of the State from areas of the facility where regulated activities occur and/or where exposed source materials are located.
- g. "Newly Authorized Facilities" means any entity that is submitting a Request for Authorization (RFA) for a regulated activity.
- h. "Operating Entity" means any person who alone or along with other persons has primary management and operational decision-making authority over any part of a facility.
- i. "Process Wastewater" means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by product, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water, pressure-wash wastewater, hydro-blasting wastewater, boat bottom wash wastewater, vehicle and equipment wash wastewater. This definition includes the terms commercial wastewater and industrial wastewater as used in 40 CFR Part 503. (Please note that for the purposes of this NJPDES permit, the stormwater discharges regulated by this permit are not process wastewaters.)
- j. "Source Materials" mean any material(s) including but not limited to raw materials, intermediate products, final products, waste materials, by-products, industrial machinery, and fuels, lubricants, solvents, and detergents located at the facility that is directly or

indirectly related to their industrial activities and which could be a source of pollutants in an industrial stormwater discharge.

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

l. "Vehicle" means any device by which people, goods, property or material, is or may be transported upon the water, air or ground.

K. Standard Conditions

1. The following conditions are incorporated by reference.

- a. General Permits N.J.A.C. 7:14A-6.13
- b. Penalties for Violations N.J.A.C. 7:14-8.1 et seq.
- c. Incorporation by Reference N.J.A.C. 7:14A-2.3
- d. Toxic Pollutants N.J.A.C. 7:14A-6.2(a)4i
- e. Duty to Comply N.J.A.C. 7:14A-6.2(a)1 & 4
- f. Duty to Mitigate N.J.A.C. 7:14A-6.2(a)5 & 11
- g. Inspection and Entry N.J.A.C. 7:14A-2.11(e)
- h. Enforcement Action N.J.A.C. 7:14A-2.9
- i. Duty to Reapply N.J.A.C. 7:14A-4.2(e)3
- j. Signatory Requirements for Applications and Reports N.J.A.C. 7:14A-4.9
- k. Effect of Permit/Other Laws N.J.A.C. 7:14A-6.2(a)6 & 7 & 2.9(c)
- l. Severability N.J.A.C. 7:14A-2.2
- m. Administrative Continuation of Permits N.J.A.C. 7:14A-2.8
- n. Permit Actions N.J.A.C. 7:14A-2.7(c)
- o. Reopener Clause N.J.A.C. 7:14A-6.2(a)10, 16.4(b) & 25.7(b)
- p. Permit Duration and Renewal N.J.A.C. 7:14A-2.7(a) & (b)
- q. Consolidation of Permit Process N.J.A.C. 7:14A-15.5
- r. Confidentiality N.J.A.C. 7:14A-18.2 & 2.11(g)
- s. Fee Schedule N.J.A.C. 7:14A-3.1
- t. UIC Corrective Action N.J.A.C. 7:14A-8.4
- u. Additional Conditions Applicable to UIC Permits N.J.A.C. 7:14A-8.9
- v. UIC Operating Criteria N.J.A.C. 7:14A-8.16

2. Operation And Maintenance

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

3. Monitoring And Records

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

4. Reporting Requirements

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

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